



Amended ALPINE CITY COUNCIL MEETING AGENDA

NOTICE is hereby given that the **CITY COUNCIL** of Alpine City, Utah will hold a meeting on **Tuesday, December 9, 2014 at 7:00 pm** at Alpine City Hall, 20 North Main, Alpine, Utah as follows:

I. CALL MEETING TO ORDER*

- A. Roll Call:** Mayor Don Watkins
- B. Prayer:** Will Jones
- C. Pledge of Allegiance:** By Invitation
(7:00 – 7:10 – 10 minutes)

II. PUBLIC COMMENT: The public may comment on items that are not on the agenda.
(7:10 – 7:15 – 5 minutes)

III. CONSENT CALENDAR

- A. Approve the minutes of November 11, 2014**
- B. Water Conservation Plan**
- C. Annual Meeting Schedule**
(7:15 – 7:25 – 10 minutes)

IV. REPORTS AND PRESENTATIONS

V. ACTION/DISCUSSION ITEMS

A. Questar Property Purchase and Conditional Use Site Plan - approx. 600 North Pfeifferhorn Drive: The City Council will review a proposal from Questar Gas Company to acquire some additional easement that would allow the installation of a new gas flow meter in an underground vault with a lid and some required above ground components, similar to those currently existing at this location.
(7:25-7:55 - 30 minutes)

B. Obere Annexation Petition: The City Council will consider accepting or rejecting the annexation petition for 190 acres located at the north end of Grove Drive -old Pack property.
(7:55 - 8:25 - 30 minutes)

C. Possible Cove Annexation discussion including a study of the options for the Cove and surrounding County properties as part of a comprehensive annexation plan.
(8:25 - 8:55 - 30 minutes)

D. Demolition of abandoned home on the corner of Canyon Crest and Healey at 811 S Canyon Crest Road.
(8:55 – 9:05 – 10 minutes)

E. Utah Valley Dispatch Special Service District office construction contract: The Council will consider signing the contract for the construction of the new Utah Valley Dispatch Special Service District office.
(9:05 - 9:10 - 5 minutes)

F. Election by Mail: The Council will decide if they want to go to a strictly “election by mail” voting system or retain the traditional voting system.
(9:10-9:20 - 10 minutes)

G. Planning Commission Appointments: The Council will consider approving appointments to the Planning Commission.
(9:20 – 9:30 – 10 minutes)

H. Ilangeni Plat Amendment: The Council will approve or deny a petition to amend the Ilangeni Estate plat (Three Falls).

VI. STAFF REPORTS

(9:30 – 9:45 – 15 minutes)

VII. COUNCIL COMMUNICATION

(9:45 – 10:00 – 15 minutes)

VIII. EXECUTIVE SESSION: Discuss litigation, property acquisition or the professional character, conduct or competency of personnel.
ADJOURN

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

Don Watkins, Mayor
November 5, 2014

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS. If you need a special accommodation to participate, please call the City Recorder's Office at (801) 756-6241.

CERTIFICATE OF POSTING. The undersigned duly appointed recorder does hereby certify that the above agenda notice was posted in three public places within Alpine City limits. These public places being the bulletin board located inside City Hall at 20 North Main and located in the lobby of the Bank of American Fork, Alpine Branch, 133 S. Main, Alpine, UT; and the bulletin board located at The Junction, 400 S. Main, Alpine, UT. The above agenda notice was sent by e-mail to The Daily Herald located in Provo, UT, a local newspaper circulated in Alpine, UT. This agenda is also available on our web site at www.alpinecity.org and on the Utah Public Meeting Notices website at www.utah.gov/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 v. Public Meeting

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

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

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 N. Main, Alpine, UT
November 11, 2014

I. CALL MEETING TO ORDER: Mayor Don Watkins called the meeting to order at 7:00 pm.

A. Roll Call: The following were present and constituted a quorum:

Mayor Don Watkins

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

Staff: Rich Nelson, Charmayne Warnock, David Church, Shane Sorensen, Jason Bond, Joe McCrae, Annette Scott

Others: Bruce Baird, Leslie Morton, Joey Zobell, Clayton Johnson, Barbara Bassett, Paul Bennett, Loraine Lott,

Nancy Brockbank, Bob Bowman, Donna Bowman, Rick Hellstrom, Darren Krumm, Annette Scott, Gale Rudolph,

Bob Orton, Michael Lavin, Diann Lavin, Matt Lovelady, Jenni Lovelady, Darrell Duty, Angie Duty, Jonathan

Bradshaw, Melanie Ewing, Kelley Gregory, Keith Gregory, Bronson Gregory, Bradley Gregory, Cheryl

Schauerhamer, Heather Groom, Barbara Rapp, Ross Welch, Pam Welch, Nathan Meek, Debra Hart, Lisa Brown,

Matt Porter, Marla Rogers, Rebeka Waterson, Bruce Parker, Scott Blackburn, Maxine Blackburn, Blair Holmes,

Margie Holmes, Jeff Call, Adele Leavitt, Vanessa Sutton, Thomas Sutton, Martha Beck, JL Beck, Craig Skidmore,

David Roskelley, Bruce Harvey, Rick Johnson, John Mackay, Kathleen Mackay, Bob Schirmer, Larry Sparks,

Stefanie Sparks, Greg Clark, Bryan Irving, Camie Smith, Kay Holbrook, Steve Crain, Daren Weeks, Keith Clarke,

Russ Devitt, Jeri Devitt, Paul Kroff, Nancy Brown, Janet Peterson, Kevin Mulvey, Steve Larsen, Bill Crockett, Ted

York, Joel Fetter, Doug Malm, Dale Merrill

Mayor Watkins introduced Melanie Ewing who was selected as the new chairman for Alpine Days.

B. Prayer:

Troy Stout

C. Pledge of Allegiance:

Bob Bowman

Mayor Watkins said he had attended the Veterans Days program at the River Meadow Senior Center honoring the Veterans. He said it was a special experience. His father had served in the military during World War II as a 1st sergeant in the airfield on the front lines. The mayor showed the uniform his father had worn. He said his father was a hero as was everyone who put their lives on the lines as well as those who served at home.

Mayor Watkins invited Veteran Bob Bowman, to lead the Pledge of Allegiance. After the Pledge, he invited other veterans in the audience to join Mr. Bowman for a picture. The veterans were: Bob Bowman - US Air force, Ted York - US Air force, Bill Crockett - US Army, Thomas Sutton - US Army.

II. PUBLIC COMMENT: Clayton Johnson said he was the owner of the Pyromaniac Pizza food truck. He had served at Alpine Days and outside the Snoasis in Alpine. Then he got a letter from Jason Bond saying that food trucks were not legal in Alpine. He was proposing that the City change the ordinance and recommended they look at Pleasant Grove's ordinance on food trucks. They required every truck to have a license with the city and a location set by the city so they paid sale tax to the city. He said he would love to have a truck in Alpine one or two days a week. He had been very successful in other places. He said he would keep the peace and make it clean. He had spoken with the Mountainville Charter School who indicated they would be interested in letting him use their parking lot.

Don Watkins said the Council had discussed food trucks. Rich Nelson asked Mr. Johnson to email him with his information and they would discuss it later.

Troy Stout said he had enjoyed having the food trucks at Alpine Days. If they controlled them carefully, perhaps they could harvest some sales tax revenue from them.

III. CONSENT CALENDAR

A. Approve the minutes of October 14, 2014

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

IV. REPORTS AND PRESENTATIONS

A. Relay for Life – American Cancer Society – Barbara Bassett: Ms. Bassett said she had emailed the Mayor earlier with their proposal. On August 1, 2015 at the Provo, Town Center Mall they would hold the event. They wanted to make it a summer event similar to the New Years Eve event at the mall. It would be a time when the residents of the county from the point of the mountain south to Provo came together to honor those who had been lost to cancer or were battling cancer. It would be a walk, not a run. Donations would go to research and to the Hope Lodge in Salt Lake City where families of cancer patients stayed for free while they were being treated for cancer. They wanted everyone to participate. Everyone was affected by cancer in one way or another.

V. ACTION/DISCUSSION ITEMS

A. County Zone Change Request: Rich Nelson said the County had received a request to rezone approximately 100 acres owned by Patterson Construction located north east of Lambert Park from CE-1 (critical environment or one home per fifty acres) to CE -2 and TR-5 which would be 5-acre minimum lot size or 20,000 square-foot lots if a central water system was provided.

Mr. Nelson said the County sent an email to Alpine City asking two questions. The first question was if the area was in Alpine City's Annexation Declaration Area. Mr. Nelson said it had been at one time but it was not currently in the City's Annexation Declaration Area.

Mr. Nelson said the second question was what was Alpine's level of support for the zone change? He said Mayor Don Watkins had written a letter to the County in response to the question. Everyone should have received a copy of it.

Mayor Watkins said the options were to let the Mayor's letter stand as representing the Council, or have the Council members send their own letters, or make another decision.

Troy Stout said he felt the property in question had the appropriate designation right now. It was one of the last areas that was relatively untouched. He believed the zoning should remain as it was. He said that as he'd gone around town knocking on people's doors during the last election, the predominate concern he heard from people had to do with protecting the hillsides.

Lon Lott said he appreciated what Troy said because the citizens he'd talked to had the same concern. But as he'd spent time on the Council relative to County issues, his perspective was that if the City wanted to have control over what happened on the hillsides, the land needed to be in the city limits. They did not have control over what happened in the county. The County would listen to the City to a degree but they still made their own decision. He said he was more in favor of annexation if they wanted to have some control over the area.

Mayor Watkins said that was the key question. People said they needed to annex it if they wanted to control it, but that was not the reality. A landowner had to choose to be annexed. If they didn't want the zoning the City offered, they didn't have to annex.

David Church said the current law in Utah was that an annexation had to be initiated by the property owner. There were some exceptions that didn't apply to this case. If a property was an island or a peninsula, a city could initiate an annexation, but even then the property owner could protest and not be forced in. He said that the land in question had at one time been in Alpine City's Declaration Area. The property owners had petitioned the City for annexation but the property owners and the City could not agree on density. He said including property in the city's Annexation Declaration Area put the county and other cities on notices of their intent to annex it. It also invited a property owner to petition for annexation. He said that if someone with property in the county applied for urban development, the county could not approve it without first asking the city if they were interested in it.

Kimberly Bryant said the property was part of the pristine view and she didn't think it should be bothered.

Troy Stout asked if anything was anything subject to a petition to rezone? David Church said it was. He said that if the Utah County decided to change the zoning on the property and it was challenged, the rezoning would be defensible in court.

Mayor Watkins asked if it would be subject to a referendum. David Church said that since rezoning was a legislative act, it was subject to referendum, but since it was in the county, it would require signatures from all over the county.

Roger Bennett said that if the City wanted to control, it should be in their Annexation Declaration Area. Likewise with anything else around the city.

Don Watkins asked if the City had a zone that mirrored the County's CE zone? Jason Bond said there was a CE-50 section in the zoning ordinance, but it didn't actually exist anywhere.

Will Jones said he had spoken with the County Planner about how the CE-1 zone was created. He was told it was zoned that way 50 years ago. The County automatically put a CE-1 designation on property that bordered the wilderness because they couldn't get to it with their services. The best way to get around it was for the cities to annex the ground. He said there was another annexation in the works and if Alpine didn't annex it, that was where their opportunity for control ended. He said Willow Canyon was in the County's CE -1 zone when the City annexed it.

MOTION: Will Jones moved that the Mayor send his letter to the County and the Council Members would send their own letters about their feelings on the proposed rezone as they wished. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Will Jones, Kimberly Bryant, Troy Stout, Lon Lott, Roger Bennett voted aye. Motion passed.

Troy Stout asked what could be done if the property was shown in Alpine's Annexation Declaration Area. David Church said that years ago the City had spent five years on the proposed Pine Grove Annexation but the City never approved a density the landowner would accept. He said that unless the City was willing give more density than the County was offering, they probably wouldn't want to annex into Alpine.

Don Watkins said that with the recent flooding in that area, he felt the County would be more inclined to uphold the CE-1 zoning. He said the letters need to be sent to the County soon because two of three Commissioners were changing as a result of the last election.

B. Questar Property Purchase: Jason Bond said that the representatives from Questar had approached the City on August 19, 2014 with a request to purchase land at the top of Pfeifferhorn for an above-ground metering station for the high pressure gas line that already ran through Alpine City. The request, however, never made it onto a City Council agenda. Since that time, the offer had been withdrawn. Instead of purchasing ground for a metering station, Questar was offering Alpine City \$37,000 to increase their existing easement. In that easement they would build an underground vault for their meter station with a lid and some above-ground electrical components. A similar station already existed in their current easement.

Rick Hellstrom and Kevin Mulvey were representatives of Questar and were present to answer questions. Mr. Hellstrom said that where the pipeline intersected with Pfeifferhorn, there was already a power meter and rectifier in a box located in the easement. They were there to provide cathodic protection to the pipeline. They would still exist. In addition they would build an underground, concrete vault and an above ground electrical meter that would send a signal to the gas control.

Mr. Hellstrom said that Questar would also like to purchase additional easements to get the pipeline out of backyards. They were going to replace the existing pipeline, and would be better able to do the construction with a wider easement. In the future a wider easement would protect the pipeline and facilities from further encroachment. He said that everything they wanted to do, they had the right to do in their existing easement, but they would prefer to have a wider easement. They could put the underground vault in the existing easement and the power box in the existing public utility easement.

1 Lon Lott asked if they would move the existing box into the new location. Mr. Hellstrom said they would
2 consolidate things. The new box would be similar in size to the existing box.
3

4 Will Jones asked about the existing facility which was above ground. He was concerned because it was in a trail
5 easement and wondered what would happen if it was hit by a motorized vehicle. Would gas be released? Was there a
6 potential for explosion? Would there be a smell? Mr. Hellstrom said there was nothing above ground that had
7 natural gas in it. The above-ground components were strictly for power and communication. They would try to
8 relocate the existing box if they got the additional easement. He said the things that would be above ground were
9 similar to what would be found in any subdivision. There would be power meters like what would go on a house.
10 Will Jones said he was concerned because the meters would be exposed rather than enclosed. He was concerned it
11 would be subject to vandalism. He asked where the vault would be. Mr. Hellstrom said it would be installed in the
12 new easement. It was a concrete underground vault with a lid. He repeated that they could put such a vault anywhere
13 in their existing easement.
14

15 Mr. Jones asked if they would abandon the easement if they got a new easement. Mr. Hallstrom said they would be
16 installing a new pipeline and abandoning the old pipeline. In the event that an easement was no longer needed, it
17 could go back to the City.
18

19 Shane Sorensen said the power meters were the same as the meters in 90% of the parks. Will Jones said he was
20 concerned because the meter was connected to gas pipeline. Mr. Hellstrom said the gas was strictly underground in a
21 welded and sealed pipe. The meter was strapped onto the outside of the pipe.
22

23 Mr. Jones said he'd gotten a lot of emails from concerned citizens wondering if there would be a smell? What was
24 the potential for fire or explosion? Mr. Hellstrom said there was no vented gas. When they were originally
25 considering a regulator station, those questions were raised, but this was just a metering station.
26

27 Lon Lott said there was a concern about what Questar would do with the additional easement. Mr. Hellstrom said
28 the easement agreement would allow them to install, maintain and operate the pipeline. They had sent a proposed
29 agreement to the City. Mr. Church could fine-tune the agreement. It would not allow for above-ground facilities but
30 would allow underground vaults.
31

32 Troy Stout asked about the previous negotiations to purchase the property. Mr. Hellstrom said the negotiations had
33 not worked out so they had taken the offer off the table. They would not be building a regulator station. Now they
34 were just requesting additional easement space. The current pipeline was installed in 1947 and was 37 to 38 miles
35 long. It started in Salt Lake and extended to Columbia Lane in Provo. Alpine was about the midpoint and that was
36 why the engineers had wanted the equipment at this point.
37

38 Troy Stout said there were remote places along the pipeline. Why didn't they install their equipment there? Mr.
39 Hellstrom said there was limited access to those locations.
40

41 Will Jones asked if the City sold Questar the piece of open space by the road, would Questar still need an additional
42 14 feet of width along the portion of the pipeline that ran through Alpine? Mr. Hellstrom said they would be
43 constructing a new pipe while the old one was in service so it would be nice to have the extra space to work in. Also,
44 once the new pipeline was in, there would not be much room on the one side of the easement to protect it from
45 encroachment. They preferred a wider easement for safety reasons. It would prevent people from constructing
46 buildings or planting trees, etc. too close to the pipeline.
47

48 Mayor Watkins opened the discussion to the public for ten minutes.
49

50 Barbara Melendez Rapp said she was concerned about safety issues and the fact that there was no site plan. She had
51 reviewed the easement agreement. What was said by Questar and what was written in the agreement in terms of the
52 scope was different. It ran the gamut from a small box to something that could be quite obtrusive. She didn't want
53 the Council to think this was the only place where this expansion could take place. At a minimum, she would like to
54 see a site plan submitted so they knew what was going to take place and have control over future expansion.
55

Bruce Harvey said that there were other facilities farther up the easement for secondary water, etc. He wondered why Questar didn't put their facility up there with other existing facilities. He understood that it was easier to access where they wanted it, but how would the Council feel if Questar was installing such a facility next to their house? It would create a hazard to kids playing around there. He also asked why Alpine was selling open space when it didn't benefit citizens directly.

Craig Skidmore said he was a physicist by background. He said cathodic protection kept the pipeline from rusting. They had to have boosters all along the pipeline to protect it. It was a huge benefit to reduce wear and tear on the pipeline. On the other hand, he felt they had enough easement already to do what they needed to do, but he would like to see an increase in cathodic protection.

Thomas Sutton said that the wording in the easement agreement had fine print that mentioned a regulator station and that it could be put in if needed. He felt it was a vague offer and he was concerned about the expansion. He lived in the area with small children and was concerned about it.

Darrell Duty asked about the size of the current and future pipeline. Mr. Hellstrom said the current line was 10 inches. A 12-inch line was proposed. Mr. Duty said that as a retired pipefitter welder, he was nervous about a pipeline that had been in the ground since 1947. Technology wasn't as good then. He appreciated that they were going to replace the line. He also understood they people didn't want it next to their homes.

Joel Fetter felt that moving it down the street was a good idea provided it wasn't going by his house. It was a rotten idea to have it by his home. He asked why Alpine said yes when Draper said no. He said the Council should not be making Questar's convenience more important than the resident's homes.

Doug Malm said the Planning Commission voted against approving the easement. The citizens and the Planning Commission were saying no. The City Council had the power and authority to say no. He said that farther up the street was a water treatment plant with access from Highland. It made sense to put it in an undeveloped area where developers could build around it. To put it in a fully developed area devalued homes and endangered kids.

In response to concerns from the public, Rick Hellstrom said they could negotiate the language in the agreement and make it more clear. He said Questar was not intending to build anything above ground. There would not be a regulator station. There would be no venting gas. The only thing above ground would be the electrical components. He said subdivisions and parks were dotted with the same kind of utility boxes they were going to be putting on their easement. The vault itself would be underground and made of concrete. The property would still be open space. He said everything they did was about protection and safety. Every weld in the pipe was x-rayed for safety. Questar was asking for 20 to 30 feet of total width of easement, which would not provide enough room to build a regulator station. He said the Planning Commission said no to the latest request because they thought Questar was asking for fee title to the property, not an easement. As far as locating it in Highland, he said they didn't have access in Highland and would have to go buy an easement in their open space. He said it was true the pipeline was in a developed area, but the pipeline was installed long before the area was developed.

Kimberly Bryant said she understood this was something that needed to be done but she felt it could be done somewhere else.

MOTION: Kimberly moved to deny the request from Questar. Troy Stout seconded. Motion withdrawn.

Lon Lott clarified that the current easement existed, and that Questar was going to be able to put in what they needed with or without expanding the easement. Mr. Hellstrom said that was correct. The expanded easement was about safety and protecting the pipeline from future encroachments.

Troy Stout said he was opposed to expanding the easement and impacting open space to a greater degree even though they said they would be maintaining it as open space. Mr. Hellstrom said Questar and Alpine City were serving each other because they both wanted the easement maintained as open space. Troy asked if they would maintain the right to expand uses in the easement. Mr. Hellstrom said they were only planning to replace the pipeline. Language could be put in the agreement to state that.

Mayor Watkins said that if they only needed the expanded easement to have room to replace the pipe, they could consider a temporary easement for safety work.

David Church said everyone needed to be clear that regardless of what the Council decided, Questar would be coming into town to install a new 12-inch pipeline all along the easement. They would be ripping things up and bringing in construction equipment all along the pipe line, and the vault would be built somewhere in that easement.

Lon Lott said that the new homes in the Highland had actually used Alpine's open space as a staging area to build retaining walls and do their construction. It had become a dumping ground. If it was the view they were concerned about, it didn't look so good right now with the piles of concrete, etc. So the question was, how would Questar take care of the easement they were given? Did they clean up after others? Mr. Hellstrom said they did not police others. After they completed their work they would reseed and restore the area they had disturbed and monitor the area afterwards for a time.

Shane Sorensen showed where the pipe line was. Questar was trying to make it better and put it in the street because it was not a good situation where it currently was. It was right by homes. He said the proposed meter was no different from the manholes in the street.

Kimberly Bryant said her point was that it was denied at Planning Commission and she would like to table it. It was all new information. She would like to listen to the citizens. She withdrew her motion but said she would like to know more about a temporary safety easement.

Troy Stout moved to deny the request to expand their easement and have Questar relocate their project to another site, but grant them a temporary easement to do the necessary construction. After some discussion, Troy Stout amended the motion to eliminate the verbiage that said Questar should relocate their project to a different site. Rich Nelson asked if the motion included an easement for the bend in the pipe. Mr. Stout said no. They would come back to discuss that.

Shane Sorensen showed on the map where Questar wanted to put the new pipe line. He said a private property owner had approached the City about a possible property exchange.

MOTION: Troy Stout moved to deny the request from Questar to expand their existing easement based on the City's intention to protect open space and not encroach on it unless absolutely necessary, but do grant a temporary easement to do the necessary construction in the existing easement. Kimberly Bryant seconded. Ayes: 2 Nays: 3. Kimberly Bryant and Troy Stout voted aye. Lon Lott, Roger Bennett, Will Jones voted nay. Motion failed.

MOTION: Kimberly Bryant moved to table the Questar request. Will Jones seconded. Ayes: 5 Nays: 0. Motion passed unanimously.

Kelley Gregory proposed that Questar build a soccer field.

C. AT&T Antenna Modification: Jason Bond said the City had been working with AT&T on funding a landscaping project. It had been completed a couple of weeks ago. They put in six new evergreen trees and sixteen honeysuckle plants for a cost of \$5,223, which was paid by AT&T.

Mr. Bond said that AT&T was now proposing to replace three antennae on an existing pole, and replace the wooden pole with a steel monopole. The Planning Commission had approved the upgrade with the recommendation that the pole not exceed 58 feet in height. However, there was a misunderstanding and the pole would actually only be 32 feet high.

Will Jones declared a conflict of interest because he owned the pole. He would not be voting.

Bob Schirmer said he lived 200 yards from the cell tower. He asked that the antennae be brought in closer to the tower, as provided in the ordinance. He said the towers had a negative impact on the value of his home and he would like the City to do something to try and alleviate their impact.

Greg Clark said he lived across the street from the cell tower. He'd sent an email to the FCC and asked if there was a way to limit the number of antennae on a tower. He cited the code and said that cities did have a legal right to require the tower to meet zoning laws and require land use permits as long as the cell companies had the ability to put in a tower. He asked why AT&T couldn't locate their tower onto City property if they were putting in a new tower. They weren't just making minor adjustments on the antennae.

Troy Stout said that section 2.8.5 in the Wireless Telecommunication Ordinance required all new antennae to be slim mounted.

David Church said that in 2012, Congress got involved and said that cities shall approve modification of an existing wireless tower if it did not substantially change the size or increase the height by more than 10%. He said cities did get to control the location of the tower but not the tower itself. Since this was an existing tower, the wireless carrier could change out the equipment and modernize it.

Dale Merrill said he lived on Rocky Mountain Drive and he stared at the towers every day. He asked if it was possible to have AT&T make more than a token effort of three trees and some weeds, and plant some trees on the ridge line on both sides of the towers to actually screen the trees.

Mayor Watkins asked if big trees would affect the service. Lon Lott said he was told there needed to be a line of sight. If a tree intruded into the line of sight, they would cut it off.

Dale Merrill said he would love to sit down with someone and show them where the trees should be planted.

MOTION: Troy Stout moved to grant the request from AT&T to modify their existing tower on Shepherd's Hill as submitted with a request that they work with the City to bring the antennae clusters into the pole as tightly as possible recognizing that they are not required to do but that they consider it. Roger Bennett seconded. Ayes: 3 Nays: 1. Troy Stout, Roger Bennett, Kimberly Bryant voted aye. Lon Lott voted nay. Will Jones abstained. Motion passed.

Rich Nelson asked Dale Merrill to email him with his suggestion of where the trees should go.

PUBLIC HEARING - ILANGENI ESTATES PLAT AMENDMENT

Will Jones declared a conflict of interest and sat in the audience.

David Church reviewed the history of Ilangeni Estates and the Three Falls Subdivision. The original Ilangeni Estates was approved in 1984 and the plat was recorded. The developer built a road and partial water system, then when there was a downturn in the economy, he took out bankruptcy. He had posted a bond for the infrastructure and backed it with a letter of credit from an institution that also went bankrupt. The FDIC refused to honor the letter of credit so Alpine could not finish the improvements.

There were several years of litigation and bankruptcy courts. The lots were purchased by individuals who later contacted Alpine City and insisted the City complete the improvements so they could get building permits on the lots. The public road (Fort Canyon Road) ended just short of the subdivision and there existed a gap. The City had said they would try to assist in closing the gap by eminent domain but they didn't have the money to put in the infrastructure on the property owners' timetable. Alpine City's position was that they would the improvements to the capital facilities plan and do them when they were able, or the property owners could do it if they wanted it done sooner. The owners of Ilangeni threatened to sue or disconnect. The City's position was that they would not amend the ordinance to accommodate the development, but the owners could file a petition to amend the plan, and if was consistent with the current ordinances, the City would consider it.

In 2002, the landowners approached the City with an amended plat renamed Three Falls, which they said would meet the current ordinances. The application went to Planning Commission to work out a plan that would comply. In 2009 the Planning Commission voted to approve a revised preliminary plat. In January 2010 the decision was challenged by the Beck Family who owned property adjacent to the proposed subdivision. They contended that the subdivider was obligated to extend the road and improvements to their property.

1
2 The Beck Family filed formal objection and it went to district court. Then the economy changed. The cost of an
3 offsite road was higher and the price of the lots was lower. The City was notified that the developers of Three Falls
4 were not longer pursuing the development.
5

6 Mr. Church said the developer had come back again with a formal application to amend the plan. It had already been
7 through the process with the Planning Commission. The public hearing being held that evening was on the proposed
8 amendments to the plat. He said it was very much like the plat approved by the Planning Commission in 2009 with
9 significant exceptions.
10

11 In regard to the Fort Canyon Road, it was the position of the owners of Ilangeni Estates that Fort Canyon Road was
12 an offsite improvement and they were not required to build an offsite road. They were however, proposing to give
13 Alpine City two million dollars to improve the road. The developer had acquired all the necessary rights-of-way to
14 improve the road. They also came up with a second access road.
15

16 David Church the current proposed plat amendment was consistent with the exceptions that were previously granted
17 and complied with the existing ordinances. The plat did require some exceptions that the ordinance provided for.
18 The Beck property was not included in this plat. The Beck family still contended that the ordinance required a road
19 and improvements to be extended to their property. Mr. Church said the ordinance on road extensions had been
20 amended since the City last looked at the amended plat.
21

22 Mr. Church said the current plat showed a combination of public and private open space. It included a right-of-way
23 for a road to the Beck property, but the developer was saying they would not pay to build the road. Mr. Church said
24 the original Ilangeni plat showed a long cul-de-sac with no access to the Beck property.
25

26 Mr. Church said the benefits to the City in approving the plat would be that it would resolve a long-standing fight. It
27 would give the City some money to improve Fort Canyon Road. It would not, however, resolve the Beck issue. He
28 said that a history of Three Falls with the minutes and motions were available from Charmayne Warnock if the
29 Council was interested in reading through them.
30

31 Mr. Church turned the time over the Bruce Baird, legal counsel for the Three Falls developers. Also present was
32 Leslie Morton from Psomas who was the designer on the project team.
33

34 Bruce Baird said he would talk about five issues. They were Fort Canyon Road, Sliding Rock, the trails, the Beck
35 road access, and the condition that there by a geohazard study done on every lot prior to recordation.
36

37 Fort Canyon Road Improvements. Mr. Baird said there hadn't been a final estimate on the cost to improve Fort
38 Canyon Road. He said that with retaining wall, the two million wouldn't cover the cost, but it would cover the road
39 design approved by the Planning Commission. Questions on the road design could be answered by Leslie Morton.
40

41 Troy Stout asked if the bike lane was still part of the plan. Ms. Morton said the road did include a four-foot
42 walking/bike lane. There would be reflectors to segregate it from the traffic.
43

44 Shane Sorensen said residential streets in Alpine had a width of 30 feet of pavement. A rural road had 26 feet of
45 asphalt. Fort Canyon Road would be 24 feet wide with two 10-foot travel lanes and 4-foot bike lane. He said it was a
46 compromise that wouldn't require retaining walls.
47

48 David Church said the developers were proposing to fund a 24-foot design but the City could build what they felt
49 was best. They weren't saying they couldn't build something more. Rich Nelson said the City didn't have the money
50 to build something more.
51

52 Sliding Rock. Mr. Baird said Sliding Rock had been used by the public for a long time with the permission of the
53 landowner. It was private property. He said that after the Planning Commission hearing, there was a lot of discussion
54 among the owners of the Ilangeni Estates land. They did not want Sliding Rock to be available to the public. It was a
55 privacy issue. They didn't want 400 people up there. In addition, there were safety issues. They may not have the
56 liability but they could still be sued. The police had issues with illegal activities. The fire department had issues with

1 people camping out up there and the potential for fires. He said his clients wanted to remove condition #4 from the
2 Planning Commission recommendation. He said they believed the City didn't want to control Sliding Rock and they
3 didn't either.

4
5 Trail. Mr. Baird pointed out the trail running to Sliding Rock and the pond. They didn't want a public trail running
6 through the middle of the project unless it was in public open space. He said the pond would be developed to take
7 away an attractive nuisance. They would still have the trail access that was shown on the map. There were ten to
8 twelve miles of trails. Parking would be provided at the base for a trailhead. Over 400 acres of public, permanently
9 protected open space would be provided in the development. But they would not have Sliding Rock or a trail
10 running through the middle of the project.

11
12 Beck Property. Mr. Baird said the Planning Commission had asked the parties to see if they could negotiate to
13 transfer density from the Beck property into the Three Falls development. They did negotiate but it was unsuccessful
14 because they could reach an agreement on how many lots could be developed. He said that to get from the Three
15 Falls property to the Beck property would be a massive undertaking with cuts and fills and engineering. The owners
16 of Three Falls were willing to provide one access to the Beck property, but they were not will to provide two
17 accesses nor build the road. He said that it was not lawful to impose a burden on one landowner if they did not get a
18 corresponding benefit from it. He said the Three Falls development was not landlocking the Beck property, and it
19 was unconstitutional to require one landowner to burden themselves for another landowner.

20
21 Regarding condition #5 from the Planning Commission which stated that the private open space be trimmed to allow
22 more public open space, Mr. Baird said they would be happy to do that.

23
24 Geological Hazard Study on each lot. Mr. Baird said that to provide a geological hazard study on each lot prior to
25 final approval would be overkill. The building envelope on each lot was 15,000 square feet. The normal time for a
26 study would be prior to the building permit. He said he'd never seen a requirement for a geo-hazard study for an
27 individual lot before a plat recording. They would request that the condition #2 of the Planning Commission
28 recommendation be modified. Remove "lot specific geotechnical & geological hazard studies" and put a note on the
29 plat that said it had to be done before a building permit was issued.

30
31 Bruce Baird said he believed the proposed plat met the ordinances of Alpine City, and asked the Council to vote to
32 approve it.

33
34 Mayor Watkins stated that he had no financial interest in the property, nor did his family, but one of the developers
35 was a business partner and family friend. He said that to be above accusation, he would not vote to break a tie. Since
36 Will Jones had recused himself from the vote, that would leave four City Council members to vote.

37
38 David Church said that Alpine's ordinance required member not to vote if they had a conflict of interest unless there
39 was a supermajority vote of the Council to allow them to vote.

40
41 Kimberly Bryant asked if the City hadn't actually had the purchase of the Three Falls area as a bond issue. David
42 Church said they did. The proposal was put on the ballot but the residents voted against it.

43
44 Mayor Don Watkins opened the hearing to public comment. He said they would not be responding to questions at
45 that time but would make a note of them and research the answers.

46
47 Jonathan Bradshaw said he got a copy of the environmental impact study and the date on it was 2003. He suggested
48 a new study. He said his concern was traffic control. They were looking at an increase of 150 to 200 vehicles on the
49 road numerous times a day. The emergency access road was not intended for daily use. He asked if the City really
50 thought they could build a sustainable road for 2 million dollars. He didn't believe it would be adequate. He said he
51 would like to see some updated drawings. They'd been told that the road improvement would not affect their
52 driveways but he didn't see how it could not affect them. Most likely it would put a financial burden on the
53 homeowners who needed to get out of their houses.

1 Marla Rogers asked about the redesign of the road. Her family had an agreement on the previous road for drainage
2 pipe to come across their property. They would like to move it. The original agreement was to vacate the straight
3 driveway, but if they narrowed the road, would it change the steepness so they could the drainage?
4

5 Lisa Brown said she was disappointed that it had somehow gone from having the developer take care of Fort
6 Canyon to the City. She didn't think two million dollars was going to be enough to make the necessary
7 improvements on the road. At the widest part it was 25 feet. She said all the properties that were lower than the road
8 would need some kind of retaining wall to expand the road, and if the east side would accommodate the bikers and
9 hikers and snowplow, how would they do that? If it didn't work, the City would be liable and have to tear it out.
10 Fort Canyon Road was the most dangerous road in the City. She said it didn't appear they were really improving it
11 except putting in a bike lane and hoping a retaining wall would do it. She said it couldn't be compared to the road in
12 American Fork Canyon because of the residential traffic.
13

14 Darrell Duty said that he assumed there would no parking allowed along the road. If there was a bike trail he hoped
15 bikers would stay in it instead of riding in the road, which was really narrow and dangerous. If there was parking in
16 front of his house, who would monitor the trash? Would there be a restroom? He constantly called the police about
17 people and picking up trash. He asked if it would be a gated community. He said Will Jones had tried to work with
18 him on a berm between his property and the parking lot. He wanted to make sure they did that. He asked if utilities
19 were coming up Fort Canyon Road. He said they were the only ones in the county who owned shares of a flowing
20 creek but he didn't have shares and needed water. He wanted to make sure that was not disturbed. He asked if there
21 would be lights up Fort Canyon Road.
22

23 Gale Rudolph asked where the trail on the far right would go. Will Jones said it would access a trail that was built
24 through the Pack property. The Pack property owners hadn't designed their part yet but they would connect to it
25 when they did. Ms. Rudolph asked about the access on the west side of the Young's property. It was historically an
26 access road. David Church said that road was off the plat and was part of another lawsuit. It would not be resolved
27 or changed by the Ilangeni plat amendment.
28

29 Bill Crockett asked if the utilities would be underground or overhead. He asked if Sliding Rock was going to be
30 demolished. He asked if anything resulting from the development would affect the flow of the river as they knew it.
31 They couldn't widen the road without affecting either side of it. He said retaining walls were not necessarily
32 beautiful or safe. Retaining walls on the east side of the road would be an even bigger problem for people like him.
33

34 Craig Skidmore said he was the former trail master. He said there were a lot of trails anticipated in that area. He
35 asked if those trails had been taken of the Trail Master Plan. On the Pack property, the former owner got them
36 removed. Usually the City left them there until it was developed. He said they had anticipated a connection to the
37 Bonneville Shoreline Trail. Part of it would have been in Draper. He said they had destroyed the Trail Master Plan,
38 and pointed out trails that were originally planned. There were to have been ridge trails and a trail to Lone Peak. It
39 was a step backward from what was planned ten years ago. He said another issue was the Deer Creek fault. It had a
40 30 percent incline. If you went 100 feet from the fault, the fault crack was under you. Building a house 15 feet from
41 a fault line was crazy.
42

43 David Church said the Master Trail Map was amended in 2004. There was to be trail access to the Hamongogs and
44 Lone Peak.
45

46 Paul Bennett said he was concerned about the width of the road. He drove it every day and it was really narrow. He
47 didn't think 24 feet was going to carry that amount of traffic up and down the road. He said he agreed with doing
48 away with Sliding Rock. It had turned into a giant pain. He asked if they had put out bids on the road. He said he
49 thought it was a six million dollar project and two million dollars wouldn't do it.
50

51 Steve Larsen said that first they had to acknowledge that the road was substandard. No matter how diligent the
52 engineers were, he didn't know that they had taken into account the impact on the residents there. He wondered if it
53 was possible to give the residents and engineers a forum to meet together to devise a better plan than this.
54

55 Debra Hart said she would like more communication about what was happening up there. Before they redid their
56 driveway, they made a lot of phone calls to the City and Will Jones to get information about the status of the road.

1 They heard nothing back so they went ahead and redid the driveway. She said she trying imagine how they were
 2 going to redo Fort Canyon Road without blocking people from getting in and out of their houses. She said she
 3 wanted to trust the engineers but how could they cut into the mountain without jeopardizing the people that were
 4 downhill? She repeated that she would like better communication.

5
 6 Bruce Parker said he represented the Beck family interest and wanted to focus on three things. With the approval of
 7 Ilangeni Estates in 1984, the family lost legal access to their property. They hadn't had legal access for 30 years. He
 8 started a dialogue with the staff regarding development of the Beck property which consisted of 81 acres. They were
 9 looking at having 7 lots on their property.

10
 11 Mr. Parker said he respectfully disagreed that that there was no obligation for the developer of Three Falls to
 12 provide a fully improved stub street into their property unless there was no governmental interest. He said their
 13 engineers had looked at alternative access locations that would involve some significant cuts and fills, which they
 14 felt were equally good if not better than the access shown by Three Falls. They would like to have input on where
 15 the road was to built.

16
 17 Mr. Parker said another concern was that the area by their property wasn't to be built until phase 7, which would be a
 18 long way off for them. He said that if the request was a plat amendment, they would have to complete the plat
 19 amendment for Ilangeni Estates. He said the proposed road would trigger a number of exceptions from the Alpine
 20 City Code including the length of the culdesac. If the City required Three Falls or them to build a road, there would
 21 be opportunity to build a loop system and preserve the existing trail access. If there was already a dedicated access
 22 to their property, they would like to have a dialogue about using that as the access to their property.

23
 24 Mr. Parker said his final comment was that, although it was being proposed as a plat amendment, Ilangeni Estates
 25 had 37 lots. The proposed Three Falls had 54 lots. He said that for the Beck family to go through the process for 7
 26 lots on their property, they had to go through at least six steps. The applicants for the plat amendment had not been
 27 required to do that. They should have to go through the subdivision process because they were adding more property
 28 and more lots.

29
 30 There were no more comments and Mayor Watkins closed the Public Hearing. He said they would close the meeting
 31 at 10:30 pm. The Council would next discuss the Ilangeni plat amendment . He expected they would table a decision
 32 until the next meeting. He invited the representatives of the proposed amendment to respond to questions.

33
 34 Bruce Baird said they had been writing down the questions and concerns. He would let Leslie Morton handle the
 35 road questions; Fort Canyon Road was a complicated road issue, but the engineers had dealt with complicated issues
 36 and he was confident they could make it work. The buyers of expensive lots would want to be sure they could access
 37 their lots safely. The developers did not want to have an unsafe road and it was in their interest to make the road
 38 work. Concerning the driveway accesses to individual lots, that would be worked out during the final plat and
 39 design, but no one was going to be cut off from their access or would have storm water running onto their properties.
 40 They intended to comply with state law.

41
 42 Regarding trails, Mr. Baird said they did not control the issue of the west trail. As to the Trail Master Plan, they had
 43 tried to put functionality into the trails. They didn't have the same number of trails because there were lots where
 44 some of the trails were. They had not shown all the uphill trails but they did not intend to cut off the uphill trails
 45 because it was going to be public open space.

46
 47 In response to Mr. Parker's issues, Mr. Baird said that he hoped that he and David Church were in agreement that, as
 48 a matter of constitutional law, it would be inappropriate to require his client spend money to build the road for the
 49 Beck property. As to the location of the access, while Mr. Parker may not have been able to design the project, he'd
 50 had plenty of time to come forward while the Planning Commission considered the plan, and say the road should go
 51 here. He said the last minute request was a stalling tactic as leverage for the purchase price. As to the phasing, the
 52 phasing was the choice of the developer and not the City.

53
 54 Mr. Baird said that the ironic thing was that Mr. Parker had said the property had been landlocked for 20 years, and
 55 yet he bought it. He asked why he bought it unless it was to speculate on getting it unlandlocked. And not only did

1 he want one access to cure the problem he created himself by not protesting when Ilangeni was approved, he wanted
2 the developer to solve the problem twice, and pay for it twice.

3
4 Mr. Baird said Mr. Parker's final question was whether this was a plat amendment. He said it was perfectly normal
5 to increase the number of lots and the available open space in a subdivision through a plat amendment. There was
6 nothing in state law that said a developer had to go through a subdivision process.

7
8 In regard to Sliding Rock, Mr. Baird said it was not their intent to demolish Sliding Rock. It was their intent to make
9 it less of an attractive nuisance. It would not have an impact on the river flow. Water rights law would not allow
10 that. In response to the question about the fault line, Mr. Baird said they had spent over a half-million dollars on a
11 fault line study for the project, and it showed there were no geologic hazards related to location of the lots. There
12 was no recorded fault that would impact this development where the buildable lots were located.

13
14 Leslie Morton said there were a lot of concerns about increased traffic on Fort Canyon Road from 54 additional
15 home. They had a traffic study in 2011 which said a two-lane road with curb and gutter would be more than
16 sufficient to handle traffic from both the proposed project and current traffic. She said the traffic that had been going
17 to Sliding Rock would be restricted in the future. They expected the traffic generated by the new development would
18 be similar to the traffic they had seen going to and from Sliding Rock. Currently the road was 16 feet wide in some
19 parts and 25 feet wide in the other parts. They were proposing a drivable width of 27 feet which was wider than any
20 place on the current road. In regard to the reference to American Fork Canyon, she said the road up American Fork
21 Canyon had much more traffic than this road would ever see. There were many roads in the Park City area that were
22 windier and steeper than the Fort Canyon Road, and had many more homes on them.

23
24 In regard to retaining walls, the original design showed 30 feet of asphalt with retaining walls. They were reducing
25 the width of the road which would reduce the need for retaining walls. They hadn't designed it as yet, but she felt the
26 reduced retaining walls which would make the cost closer to two million dollars. She said Rocky Mountain would
27 be burying the power lines along Fort Canyon Road.

28
29 There was a question about lights up Fort Canyon Road. Shane Sorensen said there were places where the City had
30 lights and people didn't want them, and places where they didn't have lights and people wanted them.

31
32 Darrel Duty said there was a trail along his fence line. Would it be on the other side of the berm? Ms. Morton said it
33 would be. She added that there would be a restroom at the trailhead.

34
35 Someone asked about the Bonneville Shoreline trail. It wasn't designed yet. In regard to a question about retaining
36 walls, Ms. Morton said there would be retaining walls but they would be smaller.

37
38 David Church said that if the plat amendment was approved, there would be a dedicated road from Fort Canyon all
39 the way up. The Beck family did not have to wait until phase 7 was built. All the roads and trails would be dedicated
40 and recorded when the plat was approved. All they lacked was the gap between the end of Fort Canyon and the
41 beginning of the road in Three Falls. Once that was open, the public could drive up there. The existing road wasn't in
42 very good condition and the developer would have to improve it, but it would be open. The open space would also
43 be dedicated. The secondary access road to the Cove would not be an open road until that phase was developed.

44
45 Regarding driveway access to the homes along Fort Canyon, Shane Sorensen said the criteria they gave the
46 developer was that the accesses could not be worse than they were right now. Leslie Morton said that in the original
47 design of the road, they redesigned every driveway to make it as good as or better than it was. With narrowing the
48 road, it should be better. Shane Sorensen said access during construction would be difficult.

49
50 Mayor Watkins said the Planning Condition had imposed some conditions that the developer didn't agree with. He
51 asked what the process would be on that.

52
53 David Church said that when it came in as a plat amendment in 2002, the City looked at it and decided that it was
54 different enough that it would need to go through a process with the Planning Commission like a regular
55 subdivision, which was where it was for eight years. The plat amendment process was normally quite short. He said
56 Mr. Parker's position was that the revised plat was different enough that it needed to go through the process again.

1 He also believed that the Beck family was not properly noticed when it went through that process the first time. Mr.
2 Church reviewed the steps for a plat amendment which were that after they filed an application, it went to the
3 Planning Commission for a recommendation, which it did. The Council was required to hold a public hearing within
4 45 days of the application, which they did. At the close of the public hearing, they were required to approve the plat
5 amendment if it met the requirements. He didn't believe there was a clock on the decision but it should be rendered
6 after they had a reasonable time to consider it. It could be a simple vote of the City Council to agree or disagree.
7

8 The Council agreed to table the issue and consider it at the next meeting since there were questions that still needed
9 to be answered.
10

11 David Church said that for the record, both sides needed to submit an estimated cost on the stub road. He said the
12 ordinance did say a stub street. Mr. Parker brought up a good point when he said that allowing a stub road my not
13 make the Beck property developable. They would need a second road.
14

15 Mayor Watkins suggested the Council send their questions to staff so they could come to the next meeting with the
16 needed information.
17

18 David Church said that most of the questions concerned Fort Canyon Road. The developers had said they would
19 make the City responsible to design and build the road and they would contribute two million dollars. The Council
20 needed to decide if they wanted the road to be the developer's responsibility or if the City would take it over. They
21 needed to decide if they were back where they were in earlier years when the City said the Fort Canyon Road was
22 the developer's responsibility to design and build. Or if the City wanted to take it over. It was a big policy decision.
23

24 Bruce Baird said they would be happy to respond to the questions in writing. He asked if the Council would consider
25 holding a special meeting since it had gone on so long.
26

27 Mayor Watkins said they would try to hold a special meeting and get the answers to the questions ahead of that.
28

29 Rich Nelson said there were about four main questions. Staff would need to get the questions as soon as possible so
30 they had time to work on them.
31

32 David Church said he wouldn't be available for a meeting on December 2nd but he could be present if they moved it
33 to November 25th. Mayor Watkins said they needed a full quorum of the Council at the meeting so he would see
34 what date would work. The next regularly scheduled meeting was December 9th.
35

36 **MOTION:** Troy Stout moved to table the Ilangeni Estates plat amendment and postpone item E. Open Space
37 Discussion, until the next meeting or a special meeting, and adjourn. Kimberly Bryant seconded. Ayes: 5 Nays: 0.
38 Motion passed.
39

40 Troy Stout said he would like an agenda item to discuss traffic on Canyon Crest Road to Lone Peak High School,
41 and appeal to the state or county to help us resolve it.
42

43 The meeting was adjourned at 10:45 pm.
44
45
46
47
48



Water Conservation Plan

NOVEMBER 2014

Table of Contents

INTRODUCTION.....	1
DESCRIPTION OF THE CITY.....	1
THE WATER SUPPLY.....	2
WATER BUDGET	3
CURRENT WATER CONSERVATION MEASURES AND PROGRAMS.....	3
PRESSURIZED IRRIGATION SYSTEM.....	3
PUBLIC AWARENESS PROGRAM	4
SYSTEM MAINTENANCE	5
CURRENT WATER RATES	5
WATER CONSERVATION CHALLENGES AND OPPORTUNITIES	6
WATER CONSERVATION GOALS.....	7
1. ESTABLISHMENT OF A WATER CONSERVATION COMMITTEE	7
2. PUBLIC INFORMATION AND EDUCATION PROGRAM*	7
3. SECONDARY SYSTEM FOR LAWN AND GARDEN.....	8
4. LEAK DETECTION AND SYSTEM MAINTENANCE/REPAIR PROGRAM. *.....	8
5. PROMOTE WATER EFFICIENT LANDSCAPING	8
6. CONSERVATION ORIENTED RATE STRUCTURE.....	9
7. SHORTAGE MANAGEMENT*	9
8. METERING AND METER TESTING, CALIBRATION, AND REPLACEMENT	9
9. RETROFIT DEVICES	10
10. IN HOME LEAK DETECTION AND WATER USE MANAGEMENT ASSISTANCE	10
PROPOSED WATER CONSERVATION MEASURES AND PROGRAMS.....	10
PROPOSED WATER SHORTAGE MANAGEMENT	10
PROPOSED WATER EDUCATION PROGRAM	11
Outdoor Water Use:	11
Indoor Water Use:	12

“When the well is dry we know the worth of WATER”
–**Benjamin Franklin**

INTRODUCTION

As Alpine looks forward into the next two decades it sees a town of approximately 10,000 people growing to an estimated build-out population of 14,765 people. With this kind of growth there comes many challenges but with those challenges comes many opportunities. There has of late been concern over the future cost and availability of the water supply as demonstrated by the state legislature in the Water Conservation Plan Act (House Bill 418) passed in the 1998 session. Revisions to the bill were passed in 1999 (House Bill 153) and in 2004 (House Bill 71). The Act is codified as Section 73-10-32 of the Utah State Code. Alpine citizens and leaders, having foreseen the continued growth, have taken many steps to ensure that Alpine continues to have a sufficient supply of water for all of its needs. This water conservation plan is written to address any concerns of leaders and citizens of both Alpine City and the State of Utah.

DESCRIPTION OF THE CITY

Located in northern Utah County, and in the second driest state in the nation, Alpine has experienced significant growth in the last 10 years. The majority of the growth has taken place in the residential areas. In the last three years, the City has issued on average 38 building permits for new homes each year. There are approximately 4,775 acres within the Alpine City limits. Table 1 shows the zoning breakdown for the City and the percent of the total area in each zone.

Table 1 – Zoning Breakdown for Alpine City

Building Zone	Area (acres)	Percent of Total Area
TR-10,000 (1/4 acre residential)	306	6.41%
CR-20,000 (1/2 acre residential)	919	19.25%
CR-40,000 (1 acre residential)	2,360	49.42%
CE-5 (5 acre residential)	1,081	22.64%
BC (Business/Commercial)	96	2.01%
Sr. Housing Overlay	13	0.27%
Totals	4,775	100.0%

The current population of Alpine is estimated at 10,000 people. The most recent population projection from Mountainland Association of Governments shows Alpine reaching a build-out population of 15,514 people in 2032.

Alpine is a rural community that places a high value on open spaces. Many new developments are required to provide open space as a condition of approval. These developments occur primarily in the CR-20,000 and CR-40,000 zones. Through sound planning, many areas have

been protected through becoming dedicated open space. Alpine City currently has 533.5 acres of dedicated public open space and 586.5 acres of dedicated private open space.

Alpine City owns and operates two separate water systems. The culinary water system provides water for indoor use. Prior to the 2002 irrigation season, water for outdoor use was also provided through the culinary system. In the fall of 2000, the City began construction of a pressurized irrigation system. The purpose of constructing the pressurized irrigation system was to conserve culinary water and provide for more efficient use of the City's water resources. The new system enabled the City to use Alpine Irrigation Company shares that had been provided to the City to meet the water policy for new developments. In addition, the pressurized irrigation system removed water from open ditches which eliminated the losses of conveyance. Studies estimated that 50 percent of the water in open ditches was being lost to infiltration. Over 99 percent of the small farms and residences that used surface water from ditches have converted to using the pressurized irrigation system. There are a few homes and irrigated acreage that do not have the pressurized irrigation system available to them. The residential indoor and outdoor use for most of these homes is provided through the City's culinary water system. The irrigated acreage that cannot be served by the pressurized irrigation system continues to be served by the ditch system.

The Water Supply

Alpine City has three sources of water: springs, creeks and wells. The culinary water system relies primarily on Grove Spring. Two wells are also connected to the culinary water system. These wells add to the culinary water supply when the demand exceeds to capacity of the spring.

The pressurized irrigation system is supplied water from Dry Creek, Fort Creek, springs, and six wells. The system relies on the creeks and springs as long as the flow is available. As the irrigation season progresses and flows from the surface water sources subside, the wells are used to provide for the demand on the system.

Alpine City has rights to approximately 3,800 acre-feet of water, in addition to the Alpine Irrigation Company water rights that are used in the irrigation system. The Alpine Irrigation Company rights are defined by a decree. The irrigation company is entitled to different percentages of the total flow on dates defined by the decree.

Water Budget

Table 2 shows the amount of water delivered into the culinary water system and the metered outflows to end-users for the years 2012 to 2013.

Table 2 - City Water Budget – 2011 through 2013

Inflow (kgal)				Outflow (kgal)	System Losses
<i>Year</i>	<i>Wells</i>	<i>Springs</i>	<i>Total</i>	<i>Total</i>	<i>% Diff.</i>
2012	0	268,899	268,899	248,980	7.41%
2013	0	274,273	274,273	240,142	12.44%

Average unaccounted for losses from the system are around 9.93% for the two years of record. It is our opinion that these losses primarily are due to the following issues: worn out residential water meters, system leaks, and overflows from tanks.

CURRENT WATER CONSERVATION MEASURES AND PROGRAMS

Following are measures and programs that Alpine City has implemented to conserve water.

Pressurized Irrigation System

Prior to the construction and implementation of the City's pressurized irrigation system, some residents used surface irrigation from Alpine Irrigation Company ditches, while others use the culinary system to supply outdoor irrigation water. In addition, the small farms in the area were served by using surface irrigation and open ditches.

The City applied for and received a grant from the Central Utah Water Conservancy District (CUWCD) to aid in constructing the system. As a condition of receiving the grant, the City had to commit to meet certain water conservation goals. Table 3 lists the amount of water conserved for the last several years and the required conservation.

Table 3 – Water Conservation for CUWCD Grant

Year	Water Conserved (ac-ft)	Required Conservation (ac-ft)	Water Conserved Over Requirement (ac-ft)
2002 ¹	2,379.39	2741	-361.61
2003	2,786.49	2750	-36.49
2004	3,581.96	2759	822.93
2005	4,683.25	2768	1915.25
2007	4,309.80	2741	1568.80
2008	4,945.52	2741	2204.52

2009	4,434.43	2741	1693.43
2010	4666.47	2741	1925.47
2011	4790.08	2741	2049.08
2012	4169.4	2741	1428.4
2013	4165.26	2741	1424.26
Totals	49,464.69	30,205	14,634.04

1 – a portion of the system was still under construction

The City's pressurized irrigation water system has master meters to determine the quantity of water used from each source. Individual residences are not metered. The City has implemented the following practices to encourage water conservation within the system:

Water Conservation Plan: For the years 2012 through 2014, Alpine City put into place a water conservation plan, including water restrictions, for pressurized irrigation system users. Figure 1 outlines that City's program for the 2014 irrigation season. The agricultural user's water restriction plan is shown in Figure 2. The restrictions allowed residential water users to irrigate three days per week between the hours of 7 p.m. to 7 a.m. The agricultural use restrictions varied depending on the crop and time of year. An enforcement plan was included with the plan, with warnings being given for first time offenders with fines following for initial offenses. The City Staff played a major role in enforcement. However, the City did hire some part time seasonal help to hang notices on the doors of first time offenders.

This program resulted in a significant decrease in the water consumed in the system. Restrictions did not start until mid-summer in 2012. It took some time to educate residents on the restrictions and the reasons why they were being implemented. In 2012, the City experienced their highest water use in the irrigation system in the last five years. However, from 2012 to 2013, the water use dropped by 1021.05 acre-feet or 16.5%. Water use in 2014 was 0.2% less than in 2014. Figure 3 illustrates the total water use for the last five years in our pressurized irrigation system.

Irrigation Water Meters: The City has started a pilot project, through a grant from the Division of Water Resources, where twenty-five smart meters were purchased and installed on the pressurized irrigation services at various homes throughout the City. The irrigation water use at these residences has been recorded each year. Ultimately, the City will determine the irrigated area for each of these lots and compare the water used each year to the amount of water that should be used. In addition, the City has installed meters on all of the City parks, schools, and churches. These meters are read on an annual basis to determine the water consumption during the irrigation season. If the water user is considered to be using more water than is necessary, they are contacted to discuss methods of reducing water consumption.

Public Awareness Program

The City periodically includes articles in the monthly newsletter providing information on water conservation, recommended irrigation requirements, low water use landscaping, and other helpful information. Residents are also encouraged to participate in the Central Utah Water Conservancy Districts' free water check program. Water conservation information is also made available to residents on the City's website.

FIGURE 1



Alpine City Water Conservation Plan – 2014

Public Notice/Education

- April Newsline - include outline of City's Water Conservation Program for 2014.
- Provide water conservation tips in Newsline through summer months.
- The City will encourage participation in the Slow the Flow Program.
- Additional educational material will be provided on the website.
- Prepare fact sheet for water restriction frequently asked questions.
- Education program for school children.

2014 Water Conservation/Restriction Program

- Public Education
- Agricultural Users: Meet with Alpine Irrigation Company and shareholders on March 19, 2014, to come up with restriction plan.
- Residential Users: Use of irrigation water will be allowed three days per week. Odd numbered addresses will be allowed to water Monday, Wednesday & Friday. Even numbered addresses will be allowed to water Tuesday, Thursday & Saturday. The time period allowed for residential water will be between the hours of 7 pm on the scheduled day for watering until 7 am the following day. This does not mean that residents should water for a 12 hour time period, but rather a reasonable amount of water can be used during this time period sufficient to provide for the needs of their landscaping. Smaller $\frac{1}{4}$ acre lots would irrigate less hours than larger 1 acre lots.
- City Parks and other Large Water Users (schools, churches, etc.): The City will coordinate a plan for irrigation of the parks/other facilities and with the other large water users. This plan will require watering during the day to balance the use in the system. Some parks may receive limited water on an as-needed basis through the week.
- Water use restrictions will go into effect on June 1, 2014, unless further notice is given.

Enforcement

- City staff does not feel that a water conservation/restriction program will be effective without enforcement.
- Enforcement will require staff time, taking away time spent on other projects.
- Proposed enforcement:
 - First Offense: Warning.
 - Second Offense: \$50 fine, payment required to have PI valve unlocked.
 - Third and Future Offenses: \$200 fine, payment required to have PI valve unlocked.

FIGURE 2

Memo



To: Alpine Irrigation Company Ag. Users
From: Shane L. Sorensen, P.E.
Date: March 19, 2014
Subject: Proposed Irrigation Plan for 2014 Drought Conditions – Ag. Users

Following is the proposed irrigation schedule for the 2014 irrigation season for agricultural users. The plan is the same as last year with the exception of a 7 a.m. to 7 p.m. watering schedule instead of an 8 a.m. to 8 p.m. watering schedule for the time of the year that has restrictions.

Orchards/Pastures

- Present time until June 1: no restrictions, but use water reasonably.
- Beginning June 1 to September 1: Water users will be allowed to irrigate during the daytime from 7 a.m. to 7 p.m., 7 days per week.
- After September 20: No irrigation water will be available for pastures after this date.

Hay Operations

- Present time until July 24: no restrictions, but use water reasonably. This should allow for harvesting 2nd crop hay.
- Beginning July 25 to September 1: Water users will be allowed to irrigate during the daytime from 7 a.m. to 7 p.m., 7 days per week.
- After September 1: No irrigation water available after this date.

Residential water users will have the same restrictions as last year, with the adjustment of the 7 a.m. to 7 p.m. schedule.

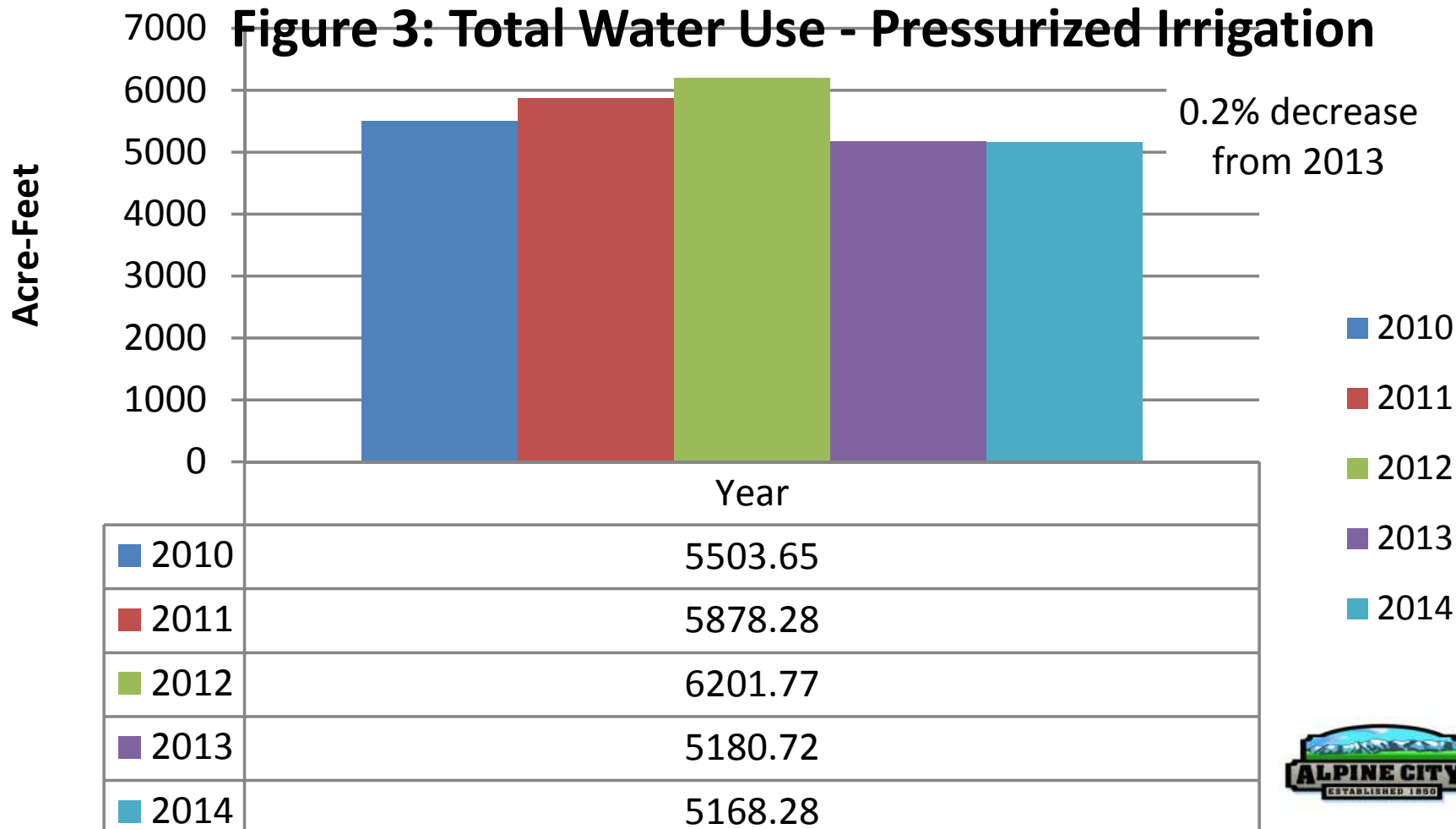
The enforcement plan for these restrictions will be the same as the plan that has been implemented for residential users and is outlined as follows:

- First offense: Warning via a door hanger.
- Second offense: Pressurized irrigation service will be locked. Reconnection will require a \$50 fee.
- Third and additional offenses: Pressurized irrigation service will be locked. Reconnection will require a \$200 fee.

Thanks for your cooperation. Please contact Ron Devey at (801) 420-3102 if you have any questions.

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

Figure 3: Total Water Use - Pressurized Irrigation



System Maintenance

The City used “state of the art” methods when constructing the pressurized irrigation system. With the system only being in its eighth year of operation, system losses should be very low.

The majority of the City’s culinary water lines are ductile or cast iron pipe, however some PVC pipe has been installed in the system, especially in areas with corrosive soils. Most of the water leaks that the City repairs on a regular basis are deteriorated galvanized water services, but some water leaks have been due to corrosion of ductile iron water mains in areas with bad soils. A concerted effort has been made to budget for and replace the water mains with these issues. The City has also made it a practice to replace all galvanized water services with copper lines whenever a capital improvement project is constructed.

Current Water Rates

Designing an appropriate rate schedule is a complex task. Rate design is a process of matching the costs of operating the water system to the unique economic, political and social environments in which the city provides its service. The cost of delivering the service must be evaluated and understood. Each water system has unique assets and constraints. Based on the characteristics of the system, and past capital and operating costs, revenue requirements can be estimated. City staff has estimated the cost of providing water service and proposed a rate schedule designed to cover such costs. The rate schedule shown below has been adopted by Alpine City.

Culinary Water Rates:

Low Zone, Lambert Zone, Grove Zone Usage Rate:

\$13.00 for the first 8,000 gallons used per month
then, \$2.00 per 1,000 gallons of water used from 8001 gallons to 10,000 gallons per month
then, \$3.00 per 1,000 gallons of water used from 10,001 gallons to 12,000 gallons per month
then, \$4.00 per 1,000 gallons of water used over 12,000 gallons per month

Box Elder Zone & Willow Canyon Zone Usage Rate:

\$ 13.00 for the first 8,000 gallons used per month
then, \$.90 per 1,000 gallons of water used from 8,001 gallons to 60,000 gallons per month
then, \$1.40 per 1,000 gallons of water used from 60,001 gallons to 175,000 gallons per month
then, \$2.80 per 1,000 gallons of water used over 175,000 gallons per month

This rate schedule is designed to encourage conservation through an ascending block rate structure.

The rate structure for the pressurized irrigation system is based on lot size, and whether or not shares are owned. Following is a breakdown of the rate structure.

Pressurized Irrigation Water Rates:

Schedule A (residential, non-shareholder): \$0.001112 per s.f. of lot size

Schedule B (residential, shareholder): \$0.000618 per s.f. of lot size
Share Requirement (User must have 1 primary share or 3 secondary shares per acre to receive shareholder)

rate. If excess shares are available, the shareholder will receive a \$5 credit each month for each primary share or for three secondary shares in excess of the requirement.)

Schedule C (agricultural, shareholder):

\$1.15 per share per acre

Share Requirement (User must have 1 primary share or 3 secondary shares per acre to receive agricultural shareholder rate. If excess shares are available, the shareholder will receive a \$5 credit each month for each primary share or for three secondary shares in excess of the requirement. In addition, to be considered an agricultural user, a shareholder must meet the following criteria: acreage must have been irrigated historically with Alpine Irrigation Company Shares, the acreage must produce an identifiable agricultural product. If there is a residence included on the acreage, the home will be billed at the Schedule B rate structure for the landscaped area surrounding the home.)

WATER CONSERVATION CHALLENGES AND OPPORTUNITIES

Following are some of the challenges that our City faces in being successful in getting citizens to conserve water:

- The City's pressurized irrigation water is not metered at each connection. It is difficult to determine if a resident is using excessive amounts of water. In addition, the residents' bill for irrigation water remains the same regardless of water usage. The City has start a pilot project with smart meters to meter irrigation water use at 25 different homes in the City, however, it will take some time to get enough usage data to look at trends. A City-wide meter project is being considered with the current water master plan update that is currently in process.
- Homeowners have a propensity to plant and care for large areas of grass and other landscaping with high water requirements.
- Citizens lack information or understanding of information regarding landscape water requirements. Many residents do not know the water requirements to maintain a healthy landscape and common practices that can result in water savings indoors.
- Some residents understanding of a drought tolerant landscape is a landscape that is dull and unattractive.

Since the City's pressurized irrigation system is not metered at each lot, the City needs to put extra effort into a public education program that promotes water conservation. In addition, the City will continue to have water restrictions similar to those that have been put in place over the last three years. Based on usage data, the restrictions are working since the overall water use has been less than the consumption prior to the restrictions.

Even though the system is not metered, the City has conserved considerable amounts of water by practically eliminating surface irrigation through open ditches. In addition, the amount of irrigation required from wells has been drastically reduced by being able to make use of the untreated surface water sources.

WATER CONSERVATION GOALS

This section briefly describes water conservation goals that the City will strive to achieve. The following practices will be implemented by the City to help meet its goals. Descriptions of how Alpine City intends to address each selected item should generally include the types of information listed under each heading but other appropriate details in addition to or in place of those listed may be provided.

1. *Establishment of a Water Conservation Committee*
2. *Public Information and Education Program**
3. *Secondary System for Lawn and Garden**
4. *Leak Detection and System Maintenance/Repair Program**
5. *Promote Water Efficient Landscaping*
6. *Conservation Oriented Rate Structure**
7. *Shortage Management*
8. *Metering and Meter Testing, Calibration, and Replacement*
9. *Retrofit Devices*
10. *In Home Leak Detection and Water Use Management Assistance*

1. Establishment of a Water Conservation Committee

A technical advisory committee may be useful for evaluating water conservation measures and making recommendations concerning such measures to the local government. This committee could evaluate the success of water conservation measures currently in practice and consider the potential applicability of other practices for future application.

Decisions needing to be made:

- How many persons comprise the committee.
- How committee members are, or will be, chosen.
- Minimum length of service.
- Establish meeting schedule; monthly, weekly etc...
- Extent and limitations of the committee's authority and responsibility.
- Types of issues for which the committee will be responsible.

2. Public Information and Education Program*

Water conservation education is aimed at enhancing the awareness and understanding of water-related problems and is based on the premise that it will influence people to voluntarily use water more efficiently and cooperate with regulatory requirements. This

* Measures Alpine City is currently implementing

approach includes both public information and outreach to schools. It should address both long-term and short-term water use practices.

Decisions needing to be made:

- Details concerning the means that will be used to disseminate information.
- The type of information to be distributed.
- The audience to whom the program is aimed.

Some common public information media are:

- Direct mail, including bill stuffers.
- Personal contacts.
- Posters & brochures.
- Water efficiency contests and awards.
- Educational programs and projects for schools and organizations.
- Presentations and demonstrations.

3. Secondary System for Lawn and Garden*

Alpine City has constructed a City-wide pressurized irrigation system. The City will continue to require new developments to expand the existing system.

4. Leak Detection and System Maintenance/Repair Program.*

Much of the water processed by public suppliers never reaches any customer. It flows through leaks in the distribution system and seeps into the ground or is otherwise lost.

Information needed:

- Describe the distribution system, including size, quantity, age and condition of pipelines.
- Provide and estimate of the amount of water lost from the system both in actual volume and as a percentage of total daily throughput.
- Set goals for future leakage control.
- Describe leak control measures that have recently been or will be implemented.
- Develop a 10 year plan for replacing aging pipelines and those that have frequent leak issues, such as pipelines in areas with corrosive soils.

5. Promote Water Efficient Landscaping

During some months, water used for lawn and landscape may comprise more than half of the public water deliveries for many communities. Landscaping with low water use plants and site designs reduces the amount of water needed for irrigation. Such landscapes do not have to be barren, lacking in color, diversity or only consist of thorny desert plants.

* Measures Alpine City is currently implementing

Succulent plants and other popular ornamentals may be designed into a water wise landscape if placed in a location that does not require excess watering.

Things needing to be done:

- Include water wise landscaping as a major topic in public information and education programs.
- Adopt a policy of applying water efficient landscaping principles to newly landscaped or relandscaped public buildings, parks, and other sites.
- Monitor and evaluate the results of the water wise landscape information and education.
- Consider including water efficient landscape requirements in a landscaping ordinance

6. Conservation Oriented Rate Structure*

Alpine has an ascending block rate structure for the culinary water system that encourages water conservation. The City is also studying the feasibility of installing meters on the pressurized irrigation system. If meters were installed in the system, a conservation oriented rate structure would be put in place to encourage water conservation.

7. Shortage Management*

It is anticipated that water shortages may be expected to become more frequent as population of the region increases. Consumer demand for water must be curtailed during such times in order to avoid permanent damage to the resource. Local governments can be prepared for such events by enacting water shortage ordinances. A water shortage ordinance should concern practices that produce short-term reductions in water use to deal with temporary severe shortage problems. The City has issued orders for water restrictions for the last three years, and anticipates similar restrictions in the future.

8. Metering and Meter Testing, Calibration, and Replacement

Meters provide the basis for determining the system's income and allow managers to account for how much water passes through the system. Accurate measurement of flow volumes, both of distribution mains and at individual services, is critical to efficient operation of the supply system.

Information may describe the meter installation, testing or replacement program including such details as:

- Date the program was or will be initiated.
- Percentage of meters affected.
- Replacement frequency

* Measures Alpine City is currently implementing

- Average percentage of observed errors of used meters.
- Impacts of the program on apparent water usage.
- Evaluation of effectiveness of program (if already in place) or description of means by which program will be evaluated.

9. Retrofit Devices

Installation of water conserving devices in existing structures complements plumbing codes that require low water-use items in new structures. Retrofit requirements should usually be mandatory or devices be provided free of charge in order to achieve a high degree of compliance. Some localities require retrofit devices to be installed before ownership of a property can be transferred.

The program may:

1. Define a set of measures to consider.
2. Evaluate the impact that such measures would likely have on water demand.
3. Analyze the advisability of adopting those measures for their service areas.

10. In Home Leak Detection and Water Use Management Assistance

The utility or local government may provide a free technical assistance outreach program for locating leaks and identifying ways in which a resident or property owner might use water more efficiently. This program would provide staff who are experienced in leak detection and water conservation methods.

Information needed:

1. Design an assistance program to consider.
2. Evaluate the impact that the program would likely have on water demand;
3. Analyze the advisability of implementing the program in their service areas.

PROPOSED WATER CONSERVATION MEASURES AND PROGRAMS

Proposed Water Shortage Management

The city should have a contingency plan, which spells out climate and political realities related to water use during drought or other water supply shortages. Included here are conservation measures that may be implemented during times of emergency. They are as follows:

- Water city properties on a minimal watering schedule that minimizes watering during hot daylight hours. Some watering of City properties is performed during the day to reduce the peak demand on the system and to maintain operating pressures. If this coordination does not take place, the City's regulating reservoirs drain during the night and overflow

during the day. The surface water sources that are part of the City's system are not able to be turned on and off at will.

- Eliminate watering of city property in cases of severe shortages.
- Educate the public on the water supply situation.
- Instigate voluntary public conservation measures
- No residential outside watering from 7:00 a.m. to 7:00 p.m.
- Issue information to all customers on conservation procedures each can accomplish around their own property and within their own homes.
- Instigate mandatory public conservation measures.
- Instigate emergency conservation measures:
 - Strictly enforce all conservation policies with significant fines for non-compliance.
 - Physically restrict water supplies to (in order of priority).
 - All outside irrigation systems.
 - Park properties and other non-essential support facilities.
 - Commercial businesses, restricting largest users first.
 - Residential areas.
 - Any other "non-life support" areas, insuring water supplies to hospitals, hospices, all other health care facilities, and controlled designated area water supply facilities.
- Additional non-emergency water conservation measures.

Proposed Water Education Program

Outdoor Water Use:

- Water landscaping only as much as required by the types of landscaping, and the specific weather patterns of your area. In general, water in the early morning or late evening hours.
- Do not water on hot, sunny, and/or windy days. You may actually end up doing more harm than good to your landscaping, as well as wasting a significant amount of water.
- A single lawn sprinkler spraying five gallons of water per minute uses 50 percent more water in just one hour than the combination of 10 toilet flushes, two five-minute showers, two dishwasher loads, and one full load of laundry.
- Sweep sidewalks and driveways instead of using the hose to clean them off.
- Wash your car from a bucket of soapy (biodegradable) water and rinse while parked on or near the grass or landscaping so that all the water running off goes to beneficial use instead of running down the gutter to waste.
- Check for and repair leaks in all pipes, hoses, faucets, couplings, valves, etc. Verify there are no leaks by turning everything off and checking your water meter to see if it is still running. Areas with drip systems will use much less water, particularly during hot, dry and windy conditions.
- Keep your lawn well trimmed and all other landscaped areas free of weeds to reduce overall water needs of your yard.

Indoor Water Use:

- About two thirds of the total water used in a household is used in the bathroom. Concentrate on reducing your bathroom use. Following are suggestions for this specific area:
 - Do not use your toilet as a wastebasket. Put all tissues, wrappers, diapers, etc. in the trash can.
 - Check the toilet for leaks. Is the water level too high? Put a few drops of food coloring in the tank. If the bowl water becomes colored without flushing, there is a leak. If you do not have a low volume flush toilet, put a plastic bottle full of sand and water to reduce the amount of water used per flush. However, be careful not to over conserve to the point of having to flush twice to make the toilet work. Also, be sure the containers used do not interfere with the flushing mechanism.
 - Take short showers with the water turned up only as much as necessary. Turn the shower off while soaping up or shampooing. Install low flow showerheads and/or other flow restriction devices.
 - Do not let the water run while shaving or brushing your teeth. Fill the sink or a glass instead.
 - When doing laundry, make sure you always wash a full load or adjust the water level appropriately if your machine will do that. Most machines use 40 gallons or more for each load, whether it is two socks or a week's worth of clothes.
 - Repair any leak within the household. Even a minor slow drip can waste up to 15 to 20 gallons of water a day.
 - Know where your main shutoff valve is and make sure that it works. Shutting the water off yourself when a pipe breaks or a leak occurs will not only save water, but also eliminate or minimize damage to your personal property.
 - Keep a jar of water in the refrigerator for a cold drink instead of running water from the tap until it gets cold. You are putting several glasses of water down the drain for one cold drink.
 - Stopper the sink when rinsing vegetables, dishes, or anything else; use only a sink full of water instead of continually running water down the drain.



2015 ANNUAL MEETING SCHEDULE

FOR

ALPINE CITY, UTAH

PLANNING COMMISSION MEETINGS for the 2015 calendar year are scheduled on the 1st and 3rd Tuesday of each month as follows unless otherwise indicated:

January 6	April 21	August 18
January 20	May 5	September 1
February 3	May 19	September 15
February 17	June 2	October 6
March 3	June 16	October 20
March 17	July 7	November 3
April 7	July 21	December 1

CITY COUNCIL MEETINGS for the 2015 calendar year are scheduled on the 2nd and 4th Tuesday of each month as follows unless otherwise indicated:

January 13	May 12	September 8
January 27	May 26	September 22
February 10	June 9	October 13
February 24	June 23	October 27
March 10	July 14	November 10
March 24	July 28	December 8
April 14	August 11	
April 28	August 25	

All Planning Commission and City Council meetings will begin at 7:00 pm unless otherwise posted. Meetings are held at Alpine City Hall, 20 North Main, Alpine, Utah 84004.

Charmayne G. Warnock
City Recorder

THE PUBLIC IS INVITED TO ATTEND ALL PUBLIC CITY MEETINGS. If you need a special accommodation to participate in the meeting, please call the City Recorder's Office at 801-756-6347 ext. 113.

CERTIFICATION OF POSTING. The undersigned duly appointed recorder does hereby certify that the above agenda notice was posted in three public places within Alpine City limits. These public places being a bulletin board located inside City Hall at 20 North Main and located in the lobby of the Bank of American Fork, Alpine Branch, 133 S. Main, Alpine, UT; and the bulletin board located at The Junction, 400 S. Main, Alpine, UT. The above agenda notice was sent by e-mail to The Daily Herald located in Orem, UT and local newspapers 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.

ALPINE CITY COUNCIL AGENDA

SUBJECT: Questar Gas Easement Purchase Proposal

FOR CONSIDERATION ON: 9 December 2014

PETITIONER: Questar Gas Company

ACTION REQUESTED BY PETITIONER: Consider Questar's Proposal

APPLICABLE STATUTE OR ORDINANCE: Section 3.16.4.2 (Open Space)

PETITION IN COMPLIANCE WITH ORDINANCE: Yes

BACKGROUND INFORMATION:

Questar Gas approached the city a few months ago with a proposal to purchase land and an easement. The representatives from Questar were told no on this proposal and are now proposing a new plan that only involves an easement purchase.

This would include 9,701 square feet of ground and Questar is offering \$37,000 for the easement. This would essentially just widen the current easement (from 16 feet to 30 feet and a 25 foot wide reroute) so that they could have the room to install an underground vault with a lid and some required above ground components, similar to those currently existing at that location.

This item was discussed extensively at the previous City Council meeting and was tabled for more consideration.

Questar has submitted a clarification of their proposal that focuses on three (3) options. These options include:

1. Purchase the expanded easement (30 feet) from Alpine City with the rerouted location (25 feet) adjacent to the south side of the Delatorre property.
2. Purchase an expanded easement (30 feet) following Questar's existing alignment all the way to Pfeifferhorn Drive.
3. Locate all of the existing and proposed facilities in Questar's existing easement (16 feet).

PLANNING COMMISSION RECOMMENDATION:

Chuck Castleton moved to recommend to the City Council to deny the sale of Open Space for the Questar Gas Conditional Use Permit and Site Plan.

Steve Swanson seconded the motion. The motion passed with 4 Ayes and 1 Nay. Jason Thelin, Chuck Castleton, Steve Swanson and Judi Pickell all voted Aye. Steve Cosper voted Nay.

Attached are the following:

- 1) Aerial photos of two options for purchasing easements from Alpine City
- 2) Copies of both aerial photos showing the proposed locations for the existing “deep well” cathodic protection, rectifier and power meter, labeled as rectifier.
- 3) Picture of the proposed cabinet for the meter facility electronics and communication equipment

Our options are as follows:

- A) Purchase the expanded easement form Alpine City with the rerouted location adjacent to the south side of the Delatorre property
- B) Purchase an expanded easement following our existing alignment all the way to Pfeifferhorn Drive
- C) Locate all of the existing and proposed facilities in our existing easement.

The existing above ground cathodic equipment will either stay where it is currently located or be moved to the north, depending on the city council’s decision.

The meter facility will consist of the following:

- 1) A concrete vault (approx. 10’X10’ with a 36” manhole)
- 2) A cabinet with the electronics and communication equipment located near the concrete vault.
- 3) A power meter (we will try to run the power from the existing power meter depending on the engineering and Rocky Mountain Power)
- 4) An approximately 10’ tall antenna for the communications equipment. We are looking into other options to reduce the height or eliminate it if possible.

Our best options, both from a construction standpoint and to protect our facilities from possible future encroachment, involve purchasing additional easement width from the city. If option B is the final solution we will calculate the payment to the city based on the additional square footage using the values from the previous offer.

Rick Hellstrom

Lead Property Agent
Property and Right-of-Way
Questar Gas Company
1140 West 200 South
P.O. Box 45360
Salt Lake City, UT 84145-0360
Office • 801.324.3737
Cell • 801.232.8153

rick.hellstrom@Questar.com

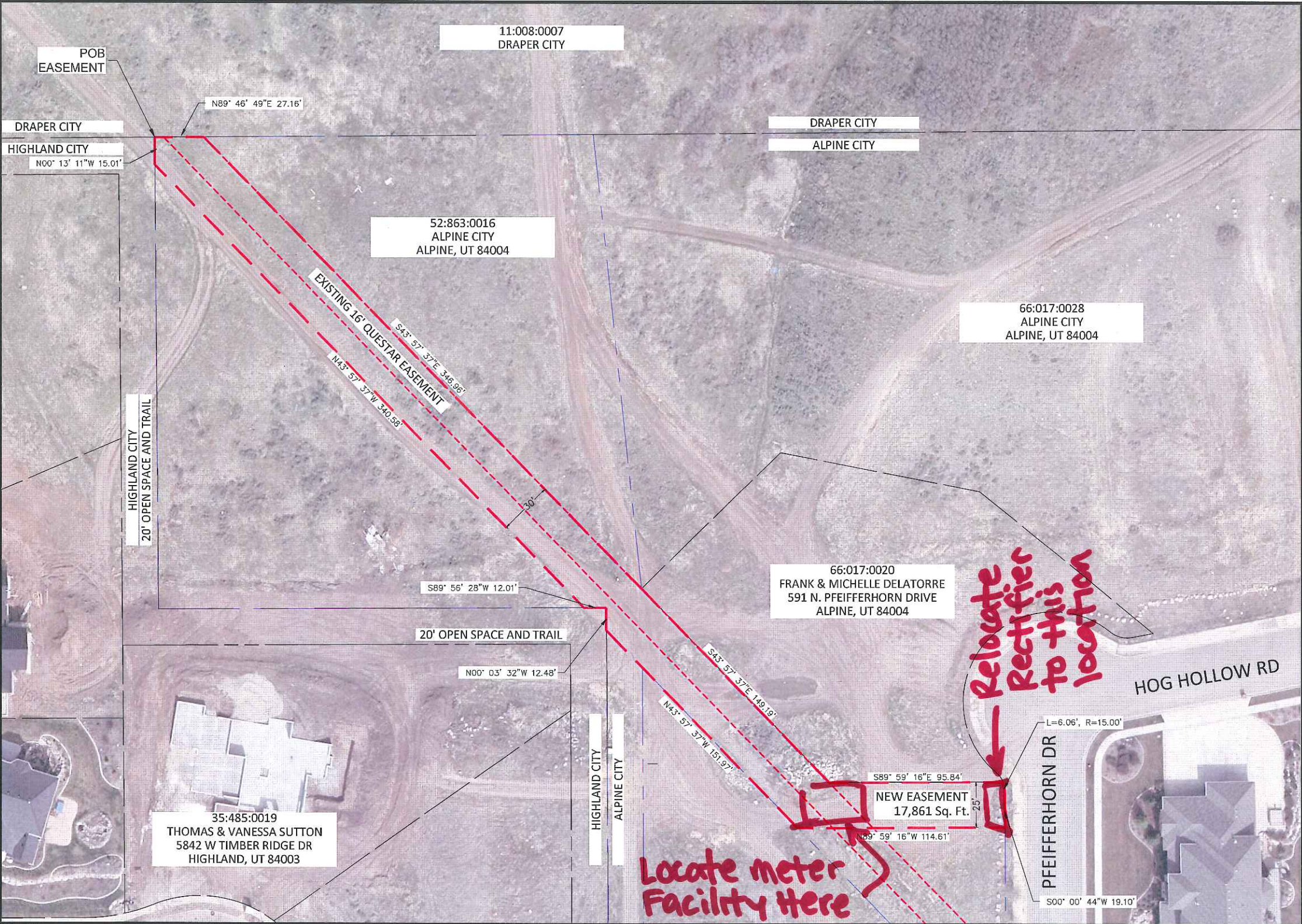


EASEMENT DESCRIPTION

PART OF AN ENTIRE TRACT OF PROPERTY, SITUATE IN THE SWISS ONE PLANNED RESIDENTIAL DEVELOPMENT PHASE 1, A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PART OF AN ENTIRE TRACT ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SWISS ONE PLANNED RESIDENTIAL DEVELOPMENT PHASE 1 SUBDIVISION; AND RUNNING THENCE NORTH 89°46'49" EAST 27.16 FEET ALONG THE NORTHERN BOUNDARY LINE OF SAID SUBDIVISION; THENCE SOUTH 43°57'37" EAST 346.96 FEET TO AN EXTERIOR CORNER OF SAID SUBDIVISION; THENCE ALONG THE EXTERIOR BOUNDARY LINE OF SAID SUBDIVISION THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) SOUTH 43°57'37" EAST 149.19 FEET; THENCE (2) SOUTH 89°59'16" EAST 95.84 FEET TO THE WESTERLY RIGHT OF WAY LINE OF PFEIFFERHORN DRIVE; THENCE (3) SOUTHERLY ALONG SAID RIGHT OF WAY 6.06 FEET ALONG THE ARC OF A NON-TANGENT 15.00-FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 23°09'15" (NOTE: CHORD TO SAID CURVE BEARS SOUTH 11°33'54" EAST FOR A DISTANCE OF 6.02 FEET); THENCE (4) CONTINUING ALONG SAID RIGHT OF WAY LINE SOUTH 00°00'44" WEST 19.10 FEET; THENCE NORTH 89°59'16" WEST 114.61 FEET; THENCE NORTH 43°57'37" WEST 151.97 FEET TO THE EXTERIOR BOUNDARY OF SAID SUBDIVISION; THENCE ALONG SAID EXTERIOR BOUNDARY LINE THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) NORTH 00°03'32" WEST 12.48 FEET; THENCE (2) SOUTH 89°56'28" WEST 12.01 FEET; THENCE NORTH 43°57'37" WEST 340.58 FEET TO THE EXTERIOR BOUNDARY LINE OF SAID SUBDIVISION; THENCE NORTH 00°13'11" WEST 15.01 FEET ALONG SAID EXTERIOR BOUNDARY LINE TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PART OF AN ENTIRE TRACT CONTAINS 17,861 SQUARE FEET IN AREA OR 0.410 ACRES.



FEEDER LINE 24

EXHIBIT "A"

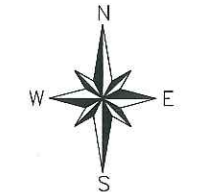
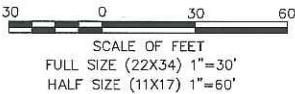
Alpine City

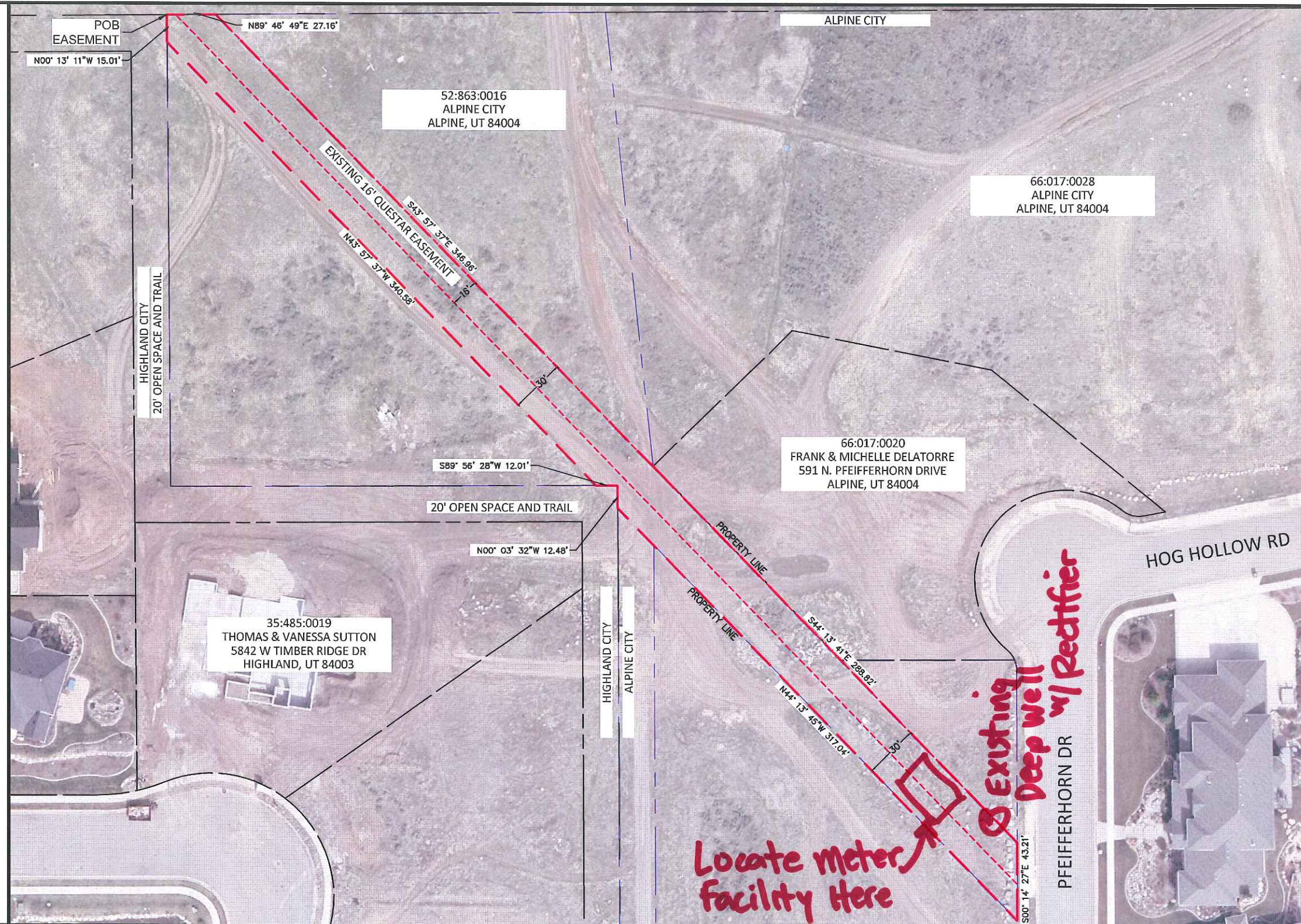
52:863:0016

SWISS ONE PLANNED RESIDENTIAL DEVELOPMENT



LEGEND	
NEW QUESTAR EASEMENT	---
EXISTING QUESTAR EASEMENT	- - -
SUBDIVISION BOUNDARY LINE	---
ADJOINER LOT LINE	---
LOT LINE/OPEN SPACE TRAIL LINE	---





FEEDER LINE 24

EXHIBIT "A"

Alpine City

52:863:0016

SWISS ONE PLANNED RESIDENTIAL DEVELOPMENT



LEGEND

- NEW QUESTAR EASEMENT
- EXISTING QUESTAR EASEMENT
- SUBDIVISION BOUNDARY LINE
- ADJOINER LOT LINE
- LOT LINE/OPEN SPACE TRAIL LINE

SCALE OF FEET
FULL SIZE (22X34) 1"=30'
HALF SIZE (11X17) 1"=60'



SHEET 1 OF 1
December 4, 2014



Questar Gas Company

1140 West 200 South

P.O. Box 45360

Salt Lake City, UT 84145-0360

Tel 801 324 5555

October 3, 2014

Attn: Rich Nelson
Alpine City
20 North Main Street
Alpine, UT 84004

RECEIVED OCT 08 2014

**RE: Questar Gas Company
Proposed Easement Purchase
600 North Pfeifferhorn Drive**

Dear Rich,

This letter is in follow-up to our September 9, 2014 meeting with the Mayor and Alpine City staff concerning the potential sale, and subsequent denial, of Alpine City property to Questar Gas Company (QGC).

After review by our engineering staff, it has been determined that the Draper City site that the Mayor has directed us to consider does not meet QGC's needs for a proposed meter site. Consequently, upon review of our existing pipeline alignment and easement rights, it has been determined that QGC will install the new gas flow meter in an underground vault within its existing pipeline easement.

In order to better protect QGC's pipeline and facilities from future encroachments, I would like to propose the purchase of additional easement width from Alpine City, for the portion of the easement lying within the Semi-Developed Public Open Space currently owned by the City.

The proposal is for QGC to acquire additional easement width (17,861 square feet, less 8,160 square feet currently encumbered by QGC's easement = 9,701 square feet, 0.22 acre). The proposed easement is for the construction of natural gas pipelines, power, and drive access to the proposed underground meter facility. Using the current assessed values of adjoining properties in Alpine City (\$5.50 – 7.50 per square foot) QGC would offer as follows:

Easement Purchase 9,701.0 square feet X \$7.50 X .50 = \$ 36,378.75

Based on the above calculations, with the easement valued at 50% of the assessed value, QGC hereby offers \$37,000.00 for the easement rights as outlined herein. Granting of the easement rights is to be on the form enclosed with this offer.

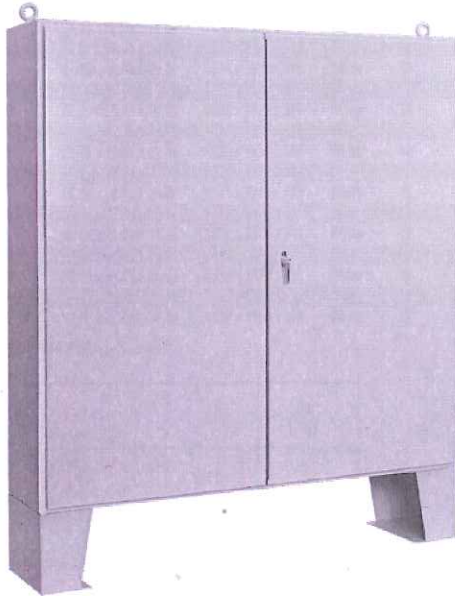
Under this proposal, a new meter will be installed in an underground vault with a lid and some required above ground components, similar to those currently existing at this location. The above ground components would already be allowed in the existing easement or the adjacent public utility easements.

Please call me if you have any questions concerning this proposal, and let me know how I can move this proposal forward.

Sincerely,

Rick Hellstrom
Lead Property Agent
(801) 324-3737

enclosures

TWO-DOOR WITH FLOOR STANDS, TYPE 12

INDUSTRY STANDARDS

UL 508A Listed; Type 12; File No. E61997
cUL Listed per CSA C22.2 No. 94; Type 12; File No. E61997

NEMA/EEMAC Type 12
CSA, File No. 42186, Type 12
IEC 60529, IP55

APPLICATION

Enclosures have gasketed, overlapping doors to keep the elements at bay and floor stands that provide additional height and access for cleaning under the enclosure. Because there is no centerpost, it is simple to install and remove panels.

SPECIFICATIONS

- Seams continuously welded and ground smooth; no holes or knockouts
- Gasketed overlapping doors with no centerpost
- 3-point latch mechanism operated by oil-tight key-lock handle
- Latch rod rollers for easy door closing
- Concealed, easy-to-remove hinges
- Data pocket is high-impact thermoplastic
- 12-in. floor stands welded to enclosure
- Heavy-duty lifting eyes
- Panel supports
- Oil-resistant gasket
- Collar studs for mounting optional panel
- Bonding provision on door
- Provision for mounting fluorescent light

FINISH

Two finishes available: ANSI 61 gray, polyester powder paint outside and inside; or ANSI 61 gray outside and white, polyester powder paint inside. Optional panels available with a white or conductive finish.

ACCESSORIES

Blower Fan Package
Drip Shield Kit for Type 12 Enclosures
INTERSAFE™ Data Interface Ports, Type 4/4X/12
PANELITE™ Enclosure Lights
Hole Seals
Window Kits
See also the Popular Cooling Products and Accessories tables following the Standard Product table

MODIFICATION AND CUSTOMIZATION

Hoffman excels at modifying and customizing products to your specifications. Contact your local Hoffman sales office or distributor for complete information.

BULLETIN: A12L
Standard Product

Catalog Number	AxBxC in.	AxBxC mm	Interior Finish	Gauge	Panel	Conductive Panel	Panel Gauge	Panel Size (in.)	Panel Size (mm)	Stiffener (in.)	Stiffener (mm)	S (in.)	S (mm)
A544208LPG	54.00 x 42.00 x 8.00	1372 x 1067 x 203	Gray	12	A54P42	A54P42G	12	50.00 x 38.00	1270 x 965	15.00	381	—	—
A544208LP	54.00 x 42.00 x 8.00	1372 x 1067 x 203	White	12	A54P42	A54P42G	12	50.00 x 38.00	1270 x 965	15.00	381	—	—
A604808LPG	60.06 x 48.06 x 8.06	1526 x 1221 x 205	Gray	12	A60P48	A60P48G	10	56.00 x 44.00	1422 x 1118	15.00	381	15.92	404
A604808LP	60.06 x 48.06 x 8.06	1526 x 1221 x 205	White	12	A60P48	A60P48G	10	56.00 x 44.00	1422 x 1118	15.00	381	15.92	404
A604810LPG	60.06 x 48.06 x 10.06	1526 x 1221 x 256	Gray	12	A60P48	A60P48G	10	56.00 x 44.00	1422 x 1118	15.00	381	15.92	404
A604810LP	60.06 x 48.06 x 10.06	1526 x 1221 x 256	White	12	A60P48	A60P48G	10	56.00 x 44.00	1422 x 1118	15.00	381	15.92	404
A606010LPG	60.06 x 60.06 x 10.06	1526 x 1526 x 256	Gray	12	A60P60	A60P60G	10	56.00 x 56.00	1422 x 1422	21.00	533	19.92	506
A606010LP	60.06 x 60.06 x 10.06	1526 x 1526 x 256	White	12	A60P60	A60P60G	10	56.00 x 56.00	1422 x 1422	21.00	533	19.92	506
A726010LPG	72.06 x 60.06 x 10.06	1830 x 1526 x 256	Gray	12	A72P60	A72P60G	10	68.00 x 56.00	1727 x 1422	21.00	533	19.92	506
A726010LP	72.06 x 60.06 x 10.06	1830 x 1526 x 256	White	12	A72P60	A72P60G	10	68.00 x 56.00	1727 x 1422	21.00	533	19.92	506
A727210LPG	72.06 x 72.06 x 10.06	1830 x 1830 x 256	Gray	12	A72P72	A72P72G	10	68.00 x 68.00	1727 x 1727	24.00	610	23.92	608
A727210LP	72.06 x 72.06 x 10.06	1830 x 1830 x 256	White	12	A72P72	A72P72G	10	68.00 x 68.00	1727 x 1727	24.00	610	23.92	608
A604812LPG	60.06 x 48.06 x 12.06	1526 x 1221 x 306	Gray	12	A60P48	A60P48G	10	56.00 x 44.00	1422 x 1118	15.00	381	15.92	404
A604812LP	60.06 x 48.06 x 12.06	1526 x 1221 x 306	White	12	A60P48	A60P48G	10	56.00 x 44.00	1422 x 1118	15.00	381	15.92	404
A606012LPG	60.06 x 60.06 x 12.06	1526 x 1526 x 306	Gray	12	A60P60	A60P60G	10	56.00 x 56.00	1422 x 1422	21.00	533	19.92	506
A606012LP	60.06 x 60.06 x 12.06	1526 x 1526 x 306	White	12	A60P60	A60P60G	10	56.00 x 56.00	1422 x 1422	21.00	533	19.92	506
A726012LPG	72.06 x 60.06 x 12.06	1830 x 1526 x 306	Gray	12	A72P60	A72P60G	10	68.00 x 56.00	1727 x 1422	21.00	533	19.92	506
A726012LP	72.06 x 60.06 x 12.06	1830 x 1526 x 306	White	12	A72P60	A72P60G	10	68.00 x 56.00	1727 x 1422	21.00	533	19.92	506
A727212LPG	72.06 x 72.06 x 12.06	1830 x 1830 x 306	Gray	12	A72P72	A72P72G	10	68.00 x 68.00	1727 x 1727	24.00	610	23.92	608
A727212LP	72.06 x 72.06 x 12.06	1830 x 1830 x 306	White	12	A72P72	A72P72G	10	68.00 x 68.00	1727 x 1727	24.00	610	23.92	608
A604816LPG	60.06 x 48.06 x 16.06	1526 x 1221 x 408	Gray	12	A60P48	A60P48G	10	56.00 x 44.00	1422 x 1118	15.00	381	15.92	404
A604816LP	60.06 x 48.06 x 16.06	1526 x 1221 x 408	White	12	A60P48	A60P48G	10	56.00 x 44.00	1422 x 1118	15.00	381	15.92	404
A606016LPG	60.06 x 60.06 x 16.06	1526 x 1526 x 408	Gray	12	A60P60	A60P60G	10	56.00 x 56.00	1422 x 1422	21.00	533	19.92	506
A606016LP	60.06 x 60.06 x 16.06	1526 x 1526 x 408	White	12	A60P60	A60P60G	10	56.00 x 56.00	1422 x 1422	21.00	533	19.92	506
A726016LPG	72.06 x 60.06 x 16.06	1830 x 1526 x 408	Gray	12	A72P60	A72P60G	10	68.00 x 56.00	1727 x 1422	21.00	533	19.92	506
A726016LP	72.06 x 60.06 x 16.06	1830 x 1526 x 408	White	12	A72P60	A72P60G	10	68.00 x 56.00	1727 x 1422	21.00	533	19.92	506

ALPINE CITY COUNCIL AGENDA

SUBJECT: Oberee Annexation Petition

FOR CONSIDERATION ON: December 9, 2014

PETITIONER: Paul Kroff

ACTION REQUESTED BY PETITIONER: Consider accepting the annexation request to begin the process.

APPLICABLE STATUTE OR ORDINANCE: State Code

BACKGROUND INFORMATION: The Oberee Annexation consists of 190.68 acres located in Alpine City's Annexation Declaration Area. It was formerly known as the Pack property and is located at the north end of Grove Drive.

In 2006 an annexation petition was submitted for the Pack property, which was accepted and referred to the Planning Commission since a development plan would accompany the annexation. It was known as Alpine Canyon Estates. At the end of 2007 a preliminary plan was submitted but the annexation application was later withdrawn.

Attached is a copy of the annexation petition and plat.

Recommendation:

Accept the Oberee Annexation Petition to begin the annexation process or deny it.



Annexation Application

20 North Main Alpine, UT 84004 • 801-756-6347 (Phone) • 801-756-1189 (Fax) • www.alpinecity.org

Contact Information

Applicant / Sponsor Paul Kroff Date 11/13/14
Address 185 N Raithehorn City Alpine State UT Zip 84004
Phone 480-252-6976 Fax _____ Email paulkroff@yahoo.com

Project Information

Annexation Name Obersee Obersee Current Use Agricultural
Project Address approx 1600 N Grove Dr Proposed Zoning CE-5 & CR-40
Annexation Size (in acres) 190.68 Inside Policy Declaration Boundaries? yes

Source of Water Rights

Irrigation Stock Alpine Irrigation # of Shares as required Company _____
Other Water Rights _____ # of Shares _____ Company _____
Other Acceptable Contribution _____

Owners of Petitions

1. Name Paul Kroff Signature [Signature] Date 11/14/14
2. Name _____ Signature _____ Date _____
3. Name see separate pages Signature _____ Date _____
4. Name [Signature] Signature _____ Date _____
5. Name _____ Signature _____ Date _____

Annexation Petition Requirements

Total Annexation Property (in acres) 190.68 Total Annexation Property (in acres) Signatures 178.77
Percentage of Annexation Area Signers 94% Percentage of Assessed Value of Signers 58%
Assessed Value of all Real Property 5,975,100 Assessed Value of Signatory Properties 3,466,100

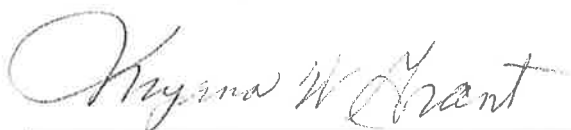
FOR CITY USE ONLY

Annexation Fee Date Fee Paid / Payment Type \$500 Receipt # 5516
(Application Fee \$350 + Plat Review Fee \$150 + Actual Cost of Annexation Study)

RECEIVED NOV 14 2014

November 4, 2014

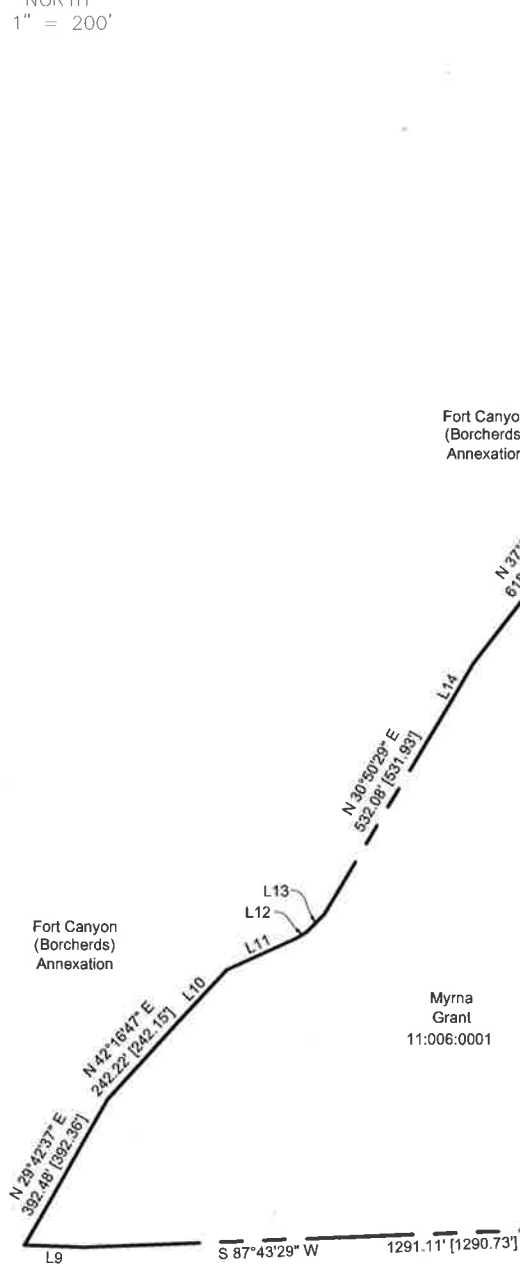
Myrna Grant reserves the right to shoot her firearms.

A handwritten signature in cursive script that reads "Myrna W. Grant". The signature is written in dark ink and is positioned above a solid horizontal line.

Myrna Grant



NORTH
1" = 200'



Fort Canyon
(Borchers)
Annexation

Fort Canyon
(Borchers)
Annexation

North quarter corner
Section 18,
Township 4 South
Range 2 East
S.L.B. & M.

Northeast corner
Section 18,
Township 4 South
Range 2 East
S.L.B. & M.

Alpine Cove
Subdivision
Plat "D"

Alpine Cove
Subdivision
Plat "C"

Alpine Cove
Subdivision
Plat "A"

Alpine Cove
Subdivision
Plat "E"
Amended

Myrna
Grant
11:045:0044

Oberee
Alpine LLC
11:045:0136

Steven
Zolman
11:045:0057

Corinne &
Michael
Russon
11:045:0137

Peter D.
Christensen
11:045:0041

Center of Section 18,
Township 4 South
Range 2 East
S.L.B. & M.

Logan
Hunter
11:045:0042

S 89°41'52" W 726.00' [725.79']
L2
Kieffer
Annexation

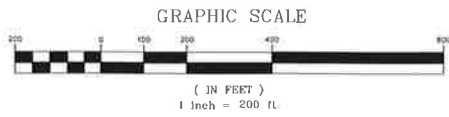
Alpine Estates
Annexation

Lindsay Addition

T - Table		
LINE	LENGTH	BEARING
L2	26.89'	S 00°18'08" E
L3	189.18'	S 28°19'58" W
L4	179.72'	N 33°39'00" E
L5	225.24'	N 77°13'11" W
L6	255.37'	N 12°10'00" W
L7	183.28'	S 62°15'00" W
L8	141.05'	N 87°58'36" W
L9	169.04'	N 43°08'11" E
L10	176.95'	N 65°25'08" E
L11	29.39'	N 58°50'08" E
L12	58.34'	N 43°32'14" E
L13	148.90'	N 30°07'04" E
L14	10.73'	S 89°58'05" E
L15	0.26'	S 00°05'00" E
L16	5.88'	S 62°15'00" W
L17	256.01'	N 00°34'23" W
L18	0.86'	S 01°07'19" E
L19	45.29'	N 59°29'22" W
L20	52.22'	S 36°25'00" W
L21	148.40'	N 33°30'11" E
L22		



Vicinity Map



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED TO _____ 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, said 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", "D", "E", Alpine Cove Subdivision as shown on record in the office of the Utah County Recorder 2123.06 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 77°19'00" East parallel 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 691.90 feet; thence South 89°41'52" West along the Northerly boundary line of the Kieffer Annexation Plat 726.00 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°19'58" West 189.18 feet; thence North 60°40'00" West 626.73 feet; thence North 33°39'00" East 179.72 feet; thence North 77°13'11" West 225.24 feet; thence South 69°35'10" West 460.79 feet; thence South 10°00'06" East 33.35 feet; South 62°15'00" West 183.28 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 907.15 feet; thence South 263.11 feet; thence South 87°43'29" West 1291.11 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°07'04" East 148.90 feet, North 37°30'55" East 618.99 feet, South 89°58'05" East 10.73 feet, North 00°07'18" West 770.17 feet, North 88°47'14" East 2716.49 feet to the point of beginning.

Area = 8,305,941 SF 190.68 Acres

BASIS OF BEARING = Utah State Plane Coordinate System

SURVEYOR
(See Seal Below)

DATE

SURVEYOR'S SEAL

ACCEPTANCE BY LEGISLATIVE BODY

THIS IS TO CERTIFY THAT WE, _____ HAVE RECEIVED A PETITION SIGNED BY A MAJORITY OF THE OWNERS OF THE TRACT SHOWN HEREON REQUESTING THAT SAID TRACT BE ANNEXED TO THE CITY OF _____ AND THAT A COPY OF THE ORDINANCE HAS BEEN PREPARED FOR FILING HERewith ALL IN ACCORDANCE WITH THE UTAH BOUNDARY COMMISSION ACT (1979) 10-1-04 & 10-2-401 THRU 423 AS REVISED AND THAT WE HAVE EXAMINED AND DO HEREBY APPROVE AND ACCEPT THE ANNEXATION OF THE TRACT AS SHOWN AS A PART OF SAID CITY AND THAT SAID TRACT OF SAID TRACT OF LAND IS TO BE KNOWN HEREafter AS THE _____ ANNEXATION.

DATED THIS _____ DAY OF _____

ATTEST _____

RECORDER

RECORDERS SEAL

BOUNDARY COMMISSION

POLICY DECLARATION ADOPTED BY LEGISLATIVE BODY OF _____ CITY ON _____ PROTESTS FILED BY: _____

BOUNDARY COMMISSION ACTION:

ANNEXATION READY TO RECORD

NO PROTESTS RECEIVED: _____ DATE _____

APPROVED BY COMMISSION: _____ DATE _____

BOUNDARY COMMISSION CHAIRMAN

APPROVED AS TO FORM

COUNTY ATTORNEY

DATE

ANNEXATION PLAT

Oberee Annexation

UTAH COUNTY, UTAH
SCALE: 1" = 200 FEET

THIS FORM APPROVED BY UTAH COUNTY AND THE MUNICIPALITIES THEREIN.

ALPINE CITY COUNCIL AGENDA

SUBJECT: Possible Cove Annexation Discussion, Including a Study of the Options for the Cove and surrounding County Properties as Part of a Comprehensive Annexation Plan.

FOR CONSIDERATION ON: December 9, 2014

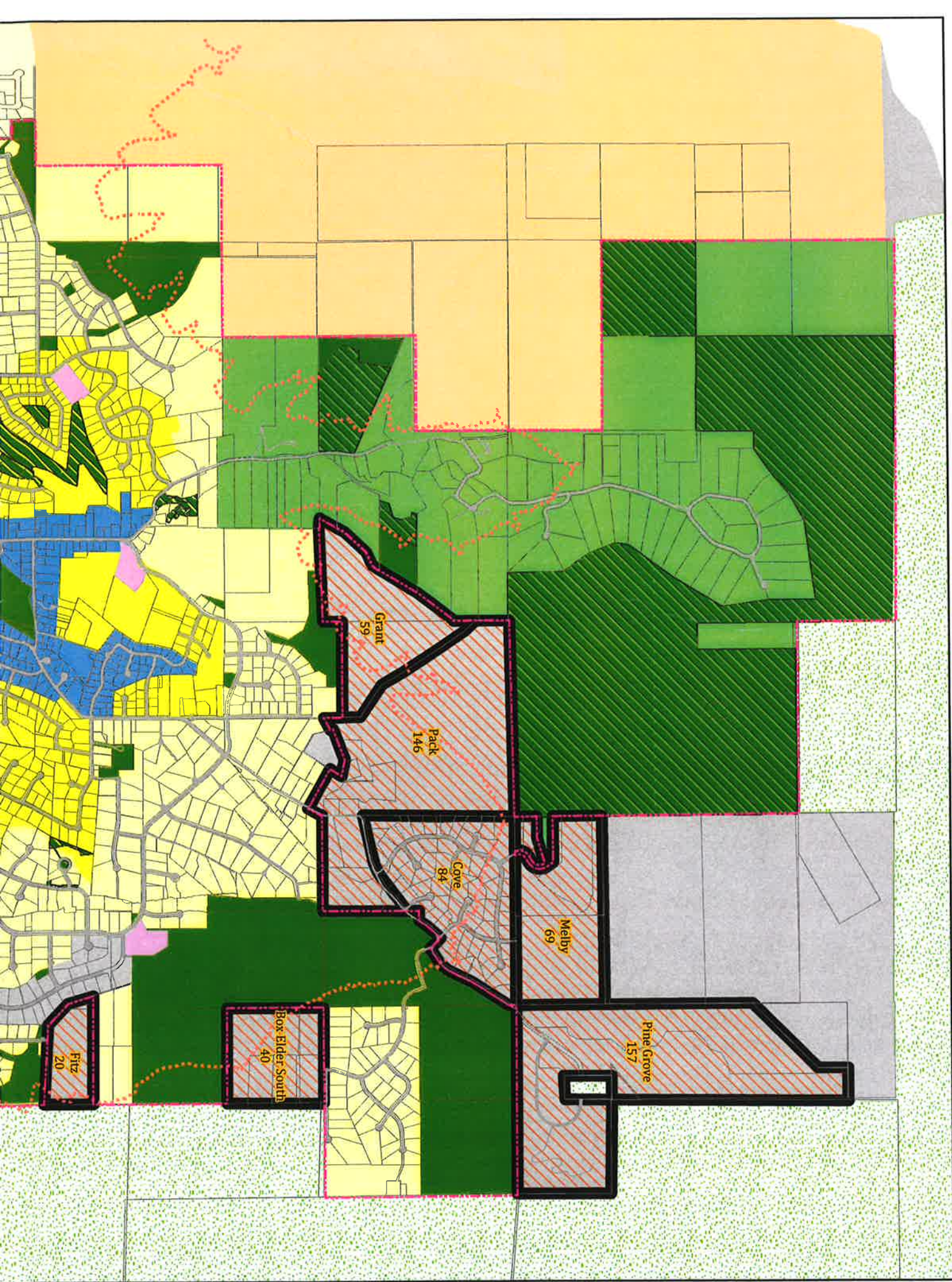
PETITIONER: Mayor Don Watkins

ACTION REQUESTED BY PETITIONER: Council discussion and direction to staff on this issue.

INFORMATION: The Mayor has been approached by some residents of the Cove to see if the City is interested in working with them and the other land owners who own property in the County to see if all entities could agree on a comprehensive plan to annex all the properties into the City.

A map showing the County land and the land owners and the acreage they own is attached. For any annexation to go forward the petitioners must own over 50% of the land and that land has to have 1/3 of the assessed valuation of all the property.

RECOMMENDED ACTION: It is recommended that the Council adopt a motion appointing a committee from the City to meet with all parties to ascertain their desire to participate in a comprehensive annexation planning process.



ALPINE CITY COUNCIL AGENDA

SUBJECT: Demolition of abandoned home on the corner of Canyon crest and Healey at 811 S. Canyon Crest Road.

FOR CONSIDERATION ON: December 9, 2014

PETITIONER: Rich Nelson, City Administrator

ACTION REQUESTED BY PETITIONER: For Council approval to demolish the derelict home at 811 S. Canyon Crest Road.

INFORMATION: The home on 811 S. Canyon Crest Road has been abandoned. The City has been in contact with the owner. The owner initially indicated a willingness to address the issue. Nothing has happened. It is now time for the City to contact the owner one more time and then demolish the home.

It will probably cost approximately \$25,000 or so to do this. Shane is getting bids on this and will have them available at the meeting. The City would place a lien on the property to get its money back when the property is sold.

RECOMMENDED ACTION: That the Council pass a motion to have the City contact the home owner one more time and then, if needed, proceed with the demolition.

ALPINE CITY COUNCIL AGENDA

SUBJECT: Utah Valley Dispatch Special Service District Office Construction Contract Approval.

FOR CONSIDERATION ON: December 9, 2014

PETITIONER: Rich Nelson, City Administrator

ACTION REQUESTED BY PETITIONER: To have the Council approve the construction contract.

INFORMATION:

- 1. Alpine City is a member of the Utah Valley Dispatch Special Service District (Dispatch).**
- 2. The Dispatch Board has reviewed the need for a new dispatch center and developed a plan for the center.**
- 3. Alpine City's share of the new center is \$95, 074.**
- 4. The Council has previously approved this expenditure.**
- 5. The contract is attached.**

RECOMMENDED ACTION: *It is recommended that the Council approve the dispatch building construction contract and that Alpine pay its share (\$95,074) in a lump sum out of this year's budget.*

DISPATCH BUILDING AGREEMENT

This Dispatch Building Agreement is made and entered into as of the ____ day of _____, 2014, by and between Utah County Dispatch Special Service District, a political subdivision organized and existing under the laws of the State of Utah (Districts) and [member], a political subdivision of the State of Utah (the Participant).

RECITALS:

WHEREAS, District was organized under the Special Service District Act, Title 17D Chapter 1, Utah Code Annotated 1953, as amended, as a separate legal entity to provide dispatch services to public safety entities located in Utah County; and

WHEREAS, in order to provide adequate dispatch services, given the current volume of calls, District is now undertaking the acquisition and construction of a new building to house dispatching equipment and personnel located in Spanish Fork City, Utah (the Project); and

WHEREAS, the Members have previously financed, or are willing to finance, their respective shares of the Cost of Construction of the Project; and

WHEREAS, in order to enable District to have the funds to proceed with the project, it is necessary that each Member enter a Dispatch Building Agreement which constitutes the legal, valid, and binding obligation of each respective Member; and

WHEREAS, District and the Members are duly authorized under applicable provisions of law to execute, deliver, and perform this Agreement and their respective governing bodies having jurisdiction have taken all necessary actions and given all necessary approvals in order to constitute this Agreement a legal, valid, and binding obligation of the parties hereto; and

WHEREAS, the Board has determined that District would spend \$1,800,000.00 of reserved funds toward the completion of the Project;

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained,

it is agreed by and between the parties hereto as follows:

Section 1. Definitions of Terms.

As used herein, the following terms shall have these meanings:

Annual Budget means the fiscal year budget adopted by District.

Authorized Officer of District means the Chairman, Vice-Chairman, Secretary, or Treasurer of the Board, or the Executive Director of District when authorized to perform specific acts or duties under the Agreements by resolution duly adopted by the Board.

Board means the Board of Trustees of District.

By-Laws means the duly adopted by-laws of District.

Capital Payment means any payment or payments made to District by a Member pursuant to Section 4 of this Agreement and designated as a Capital Payment for the Project.

Capital Payment Percentage means the percentage obtained by dividing (1) the sum of all Capital Payments made by or credited to the Member, by (2) the sum of all Estimated Project Costs as determined and allocated to such computation by District, all as more fully provided in Section 4 hereof. The Member's initial Capital Payment Percentage shall be calculated by District and set forth on Exhibit A attached hereto and incorporated herein by this reference.

Cost of Construction means all costs and expenses heretofore or hereafter paid or incurred by District in connection with the acquisition, construction, and installation of the Project and placing the same in service, including all expenses preliminary and incidental thereto, and the cost of planning, designing, acquiring, constructing, and placing in operation any facilities related to the Project, including land costs, less the amount of reserved funds being used by District to pay toward the cost of the Project. Cost of Construction shall further include, but shall not be limited to, the following:

- (1) working capital and reserve requirements of the Project, including reserves for those items set forth in the definition of Operation and Maintenance Costs, as may be

determined from time to time by District;

- (2) planning and development costs, engineering fees, contractors fees, fiduciaries fees, auditors and accountants fees, costs of obtaining governmental and regulatory permits, rulings, licenses and approvals, the cost of real property, labor, materials, equipment, supplies, training and testing costs, insurance premiums, legal, and financial advisory costs, administrative and general costs, and all other costs properly allocable to the initial acquisition of the Project and placing the same in operation;
- (3) all costs relating to litigation, claims, or judgments not otherwise covered by insurance and arising out of the acquisition, construction, or operation of the Project;
- (4) payment to District or any Member to reimburse advances or payments made or incurred for costs preliminary or incidental to the acquisition and construction of the Project;
- (5) legally required or permitted federal, state, and local taxes relating to the Project incurred during the period of the acquisition or construction thereof; and
- (6) all other costs incurred by District and properly allocable to the acquisition of the Project.

Date of Commercial Operation means the date on which the Project is capable of operating reliably and continuously.

Fiscal Year means a period commencing on July 1 of each calendar year and ending on June 30 of the next succeeding calendar year.

Facilities means the Dispatch Building and all facilities, structures, improvements and all real and personal property acquired or constructed by District as part of the Project.

Members means each government entity which is a member of District, as identified on Exhibit 5A.

Member Representative means the individual appointed to the Board by the Member.

Project means the acquisition of an interest in real estate and construction, including equipping,

of a new building to house dispatching equipment and personnel.

Schedule of Members means the schedule of Members and their respective Capital Payment Percentages, attached hereto as Exhibit A, as the same may be amended or supplemented from time to time in accordance with the provisions hereof.

Section 2. Term of Contract

This Building Agreement shall become effective upon the execution of Building Agreements by District and by all Members listed in Exhibit A hereto, and shall, continue until the date on which the Project has been fully completed and paid for.

Section 3. Acquisition and Construction of Project

- (a) District shall use its best efforts to construct the Project to meet its needs and to keep the costs within budget.
- (b) The contracts are required to be executed by December 31, 2014 in order to timely acquire an interest in real property and complete construction of the Project. Failure of any Member to timely execute the contract shall cause the Board to review and exercise sanctions as authorized by the District by-laws and resolutions creating the District.

Section 4. Capital payments; Calculation of Capital Payment Percentage.

- (a) Participant may elect to make one or two Capital Payments.
 - (i) If Participant elects to make one Capital Payment, the estimated payment shall be due to District by June 30, 2015.
 - (ii) If participant elects to make two Capital Payments, the first payment, representing one-half of the estimated Capital Cost shall be due on or before June 30, 2015, and the balance, including any true up cost, if known, shall be due by December 31, 2015.

The governing body of Participant shall determine whether to make one or two Capital Payments.

Participant shall give notice to District of the determination of its decision to make one or two Capital

Payments by December 31, 2014. In the event that Participant does not notify District of the determination of its governing body by December 15, 2014, Participant shall be deemed to have elected to make two Capital Payments.

(b) Upon substantial completion of the construction of the Project, District will give notice to each of the Members of the anticipated Date of Commercial Operation of the Project. District shall prepare and submit to the Members a final accounting of the Cost of Construction and Capital Payments. To the extent that such final accounting statement discloses that additional amounts are owed by some or all of the Members, then District shall seek Board approval to pay the balance from the District's fund balance, if funds are available, and if not to submit a billing statement to such Members. Participant shall pay an amount equal to its share of the final Cost of Construction of the Project.

(c) In connection with each Capital Payment that may be made by Participant pursuant to this Section, Participant acknowledges and agrees with District that:

- (1) the sum of the Capital Payment Percentages of all Members shall equal 100%
- (2) District shall have absolute and exclusive authority to establish escrow arrangements governing the deposit and disbursement of each Capital Payment and to determine and calculate from time to time the Estimated Project Costs and the Member's Capital Payment Percentage, and all such determinations and calculations by District shall be conclusive and binding upon Participant.

(d) Estimated Project Costs shall be determined by District in its sole discretion based upon the items of the Cost of Construction. The amount of Estimated Project Costs shall be determined from time to time so as to provide for a proportional allocation of the Cost of Construction.

(e) Participant acknowledges and agrees that the estimated amount of the Capital Payment to be made by Participant will be subject to adjustment to reflect the actual cost of the various items included in Estimated Project Costs.

(f) Participant acknowledges that once payment is made, it is non-refundable, even in the event Participant leaves the District.

Section 5. Construction Management.

Construction of the Project shall be managed by District with the advice of the Operations Board. It is the intention of the Members and District that they will exercise a high degree of cooperation in the construction of the Project.

DATED this ____ day of _____, 2014

UTAH VALLEY DISPATCH SPECIAL
SERVICE DISTRICT by:

David A. Oyler, Chair

Attest:

Deborah Mecham, Executive Director

[MEMBER] by:

Mayor/Commissioner

Attest:

City Recorder/County Clerk/

EXHIBIT A
SCHEDULE OF PARTICIPANTS 2015 FEE SHARE
PERCENTAGE AND ESTIMATED CAPITAL PAYMENT

MEMBERS	CAPITAL PAYMENT PERCENTAGE	ESTIMATED AMOUNT OF CAPITAL COST
Alpine City	2.72%	\$95,074
American Fork City	15.01%	\$525,455
City of Cedar Hills	1.78%	\$62,279
Cedar Fort	0.20%	\$7,151
Eagle Mountain	5.75%	\$201,118
Elk Ridge City	0.46%	\$16,203
Fairfield Town	0.10%	\$3,472
Genola City	0.30%	\$10,541
Goshen City	0.27%	\$9,546
Highland City	5.61%	\$196,397
Lehi City	17.39%	\$608,772
Payson City	8.11%	\$283,939
Salem City	2.34%	\$81,759
Santaquin City	3.49%	\$122,157
Saratoga Springs City	7.05%	\$246,874
Spanish Fork City	12.12%	\$424,340
Utah County	16.82%	\$588,830
Vineyard	0.24%	\$8,294
Woodland Hills	0.22%	\$7,798
Member Totals	99.98%	\$3,499,999

Vote by Mail Cost Comparison

Alpine has 6,285 registered voters. The estimated cost for Vote-by-Mail would be \$15,084.00.

Carr Printing will print the ballots, address the envelopes, stuff the envelopes and mail the ballot along with an addressed return envelope and voting instructions for \$1.50 per voter. Postage for the envelope and return envelope would be .90 per voter for an end cost of \$2.40 per voter. (Carr gets a reduced postage rate for bulk mailing.)

If Carr provides only the ballots and unaddressed envelopes, it is \$1.00 per ballot set. Staff would then address and stamp 12,570 envelopes. The estimated cost would be \$12,570.00

Voting Statistics for 2013 Election*

<u>Absentee ballots sent out</u>	<u>Absentee ballots returned</u>	<u>Percentage voting</u>
409	275	68%
<u>Remaining registered voters</u>	<u>Voters who voted early or at the polls</u>	<u>Percentage voting</u>
5876	1716	30%

*The number of registered voters will change in 2015 depending on new registrations, voters who move away, etc. *An increasing number of people are already voting absentee or voting early. Fewer and fewer people show up on the actual election day.*

Cost of the 2013 Election

	<u>Training</u>	<u>Election Day</u>	<u>Total</u>
Poll workers	\$35/worker	\$100	\$540 (4 poll workers)
Managers	\$35/worker	\$180	\$430 (2 managers)
Alternates	\$35/worker	\$50	\$170
Food for poll workers and counting judges			\$120
Carr Printing	Elections supplies, ballots, etc.		\$2054
Postage for absentee ballots			\$818
Poll workers for Early Voting (2 workers & 1 manager for 2 weeks)			\$3,800
Staff time dedicated to preparing absentee ballots			\$1,440

TOTAL COST OF ELECTION

\$9,372**

**The cost does not include the cost of counting judges because they will still need to count ballots whether the election is at the polls or by mail.

ALPINE CITY COUNCIL AGENDA

SUBJECT: Planning Commissioner Appointment and Reappointment

FOR CONSIDERATION ON: 9 Dec 2014

PETITIONER: City Planner, City Administrator and Mayor

**ACTION REQUESTED BY PETITIONER: Appoint and/or Reappoint
members to the Planning
Commission**

APPLICABLE STATUTE OR ORDINANCE:

PETITION IN COMPLIANCE WITH ORDINANCE: Yes

BACKGROUND INFORMATION:

Two Planning Commissioner's (Steve Cosper and Steve Swanson) terms will expire in January of 2015. Reappointing these members and/or appointment of new members to a four year term needs to occur before January 2015. Planning Commission members are appointed by the Mayor with the advice and consent of the City Council. The Mayor will have candidates for consideration at the meeting.

RECOMMENDED ACTION:

Appoint and/or reappoint members to the Planning Commission.

ALPINE CITY COUNCIL AGENDA

SUBJECT: Ilangeni Estates Plat Amendment - Three Falls Ranch Preliminary Review

FOR CONSIDERATION ON: 9 December 2014

PETITIONER: Will Jones

ACTION REQUESTED BY PETITIONER: Grant Preliminary Approval

BACKGROUND INFORMATION:

On October 7th, The Planning Commission discussed this proposal and decided to table this item for two weeks at which a recommendation would be made.

The proposed Three Falls Ranch development consists of 54 lots on 725 acres. The lots range in size from 1.37 to 6.97 acres. The development is located at the north end of Fort Canyon in the CE-5 zone. This proposal is to amend the existing Ilangeni Estates plat with the submitted Three Falls Ranch preliminary plat. The developer wishes to phase the project and obtain Final Approval for each phase of construction with its associated plat as they progress.

The first phase would include 5 lots, improvements to Fort Canyon Road, a water tank, infrastructure to support the development, and 2.5 acres of developed open space which includes a parking area and trailhead.

Development of this property has been in the works since 1984. Much work and effort from both the developer and the City has taken place over the years. From recent discussions, there are three remaining obstacles to overcome, which are:

- 1 - Fort Canyon Road Improvements
- 2 - The Beck properties and whether or not they should be part of the development
- 3 - What to do with Sliding Rock

See Engineers review for further information.

The Mayor has asked the staff for their recommendations on Three Falls. Staff recommendations are attached.

City Attorney David Church has been asked to draft a proposed motion for this item. This will be forwarded to the Council and placed on the City website as soon as it is available.

PLANNING COMMISSION MOTION:

Bryce Higbee moved to recommend Preliminary approval for the proposed amended plat for Three Falls Ranch with the following conditions:

1. The City will prepare a development agreement outlining the requirements of the development. The City Attorney will determine the appropriate time for the signing of the agreement.
2. Prior to final approval, the developer submit lot slope calculations, lot specific geotechnical & geologic hazard studies, construction drawings for developed open space and infrastructure, anything deemed necessary to ensure the safety and welfare of the public, and anything needed to ensure city ordinances are met.
3. Fort Canyon Road improvements be allowed as proposed.
4. Sliding Rock remain as public open space.
5. Private open space be trimmed to allow more public open space.
6. Include a North/South trail up to Three Falls.
7. Fort Canyon Road and the road to Three Falls include raised reflectors and/or rumble stripes.

David Fotheringham recused himself because of family ties to the property.

Three Falls Ranch

Staff Recommendation

12/8/2014

Fort Canyon Road

- It is the opinion of the City staff that the proposed road cross section is adequate, with the assumption that no on-street parking will be allowed.
- The developer will be required to provide a construction cost estimate for Fort Canyon Road as is required for development improvements.
- It is City staff's opinion that the improvement to Fort Canyon Road should be completed by the developer at no cost to the City.
- The City will honor the agreements made regarding Fort Canyon Road in the original Ilengani Estates approval. If additional lots are added over and above the approved plat, Fort Canyon Road would be considered substandard and would require improvement.
- The City will work with the utility companies to resolve conflicts with the road improvements. It will be the responsibility of the developer to fund utility extensions, upgrades and service for their development.
- The City's design criteria for the Fort Canyon Road improvements are that no private driveway will be worse than it is currently. The previous road design met this requirement. With the narrower cross-section that is proposed, we assume that this criteria can still be met and that most driveways can be slightly improved.

- Street lights will be included in the design to meet our current practices to address safety concerns.

Sidewalks

- It is the City staff's opinion that sidewalks should not be required within the Three Falls development or along the newly improved Fort Canyon Road.

Beck Property

- If the Beck property owners submit a subdivision proposal meeting our ordinance, the City will comply with State law and approve the application.
- It is the opinion of the City staff that the City cannot justify requiring the Three Falls development to construct and pay for the road and utility improvements to the Beck property.
- It is the opinion of the City staff that the Three Falls Ranch development should provide an adequate right-of-way to the Beck property.

Sliding Rock

- The developer is requesting that Sliding Rock be located in private open space and not open to the public. City staff supports that recommendation. It is also the City staff's opinion that if Sliding Rock ends up in public open space, it should not be a city sponsored recreational facility.

Trails

- We believe that a trail system should be available for the public to have access to the wilderness. City staff anticipates that the trails will be designed based on the adopted Trail Master Plan. The existing trails in the area proposed as public open space should remain.

Public and Private Open Space

- All public and private open space shall be clearly marked by fence or boundary markers.
- All homes in the development should have a private open space buffer.
- There shall be a conservation easement or other use restrictions in place for all private open space.
- A detailed plan for the developed open space will be required.

Geologic and Environmental Studies

- It is the City staff's opinion that no building permit will be issued for any lot that has not provided a lot specific geologic study.
- Environmental studies that were done previously are sufficient for the current submittal conditioned upon City review of the final lot layout.

Pressurized Irrigation Service

- City staff recommends that this area not be provided pressurized irrigation service. A culinary water rate will be applied to these

properties similar to the rate being applied to other areas in the City that do have pressurized irrigation water service.

Public Restrooms and Parking

- Public restrooms and parking will be constructed as a development improvement at the entrance of the development.

Secondary Access

- Lone Peak Fire Department feels that the secondary access road should be open year round.
- The Alpine Public Works Department feels that the secondary access road should be a low priority for snowplowing.
- City staff feels that the secondary access road should be closed in the winter.

General

- Upon recording of the amended plat, all open space and public access will be dedicated to Alpine City.
- No building permits will be issued for lots that are not fully improved (water, sewer, road, etc.) at the time of the permit request.
- A construction phasing plan will be agreed on and each phase of the construction will be bonded as would be required for any other subdivision.



Date: October 2, 2014

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

**Subject: Three Falls Ranch – Preliminary Review – Plat Amendment
54 lots on 725 acres**

Background

The proposed Three Falls Ranch (hereto known as “TFR”) development consists of 54 lots on 725 acres. The lots range in size from 1.37 to 6.97 acres. The development is located at the north end of Fort Canyon in the CE-5 zone. This proposal is to amend the existing Ilangeni Estates plat with the submitted TFR Preliminary Plat. The developer wishes to phase the project and obtain Final Approval for each phase of construction with its associated plat as they progress.

The first phase would include 5 lots, improvements to Fort Canyon Road, a water tank, infrastructure to support the development, and 2.5 acres of developed open space which includes a parking area and trail head.

Development of this property has been in the works since 1984. Much work and effort from both the developer and City has taken place over the years. From recent discussions, there are three remaining obstacles to overcome, which are:

- 1 – Fort Canyon Road Improvements
- 2 – The Beck properties and whether or not they should be part of the development
- 3 – What to do with Sliding Rock

Fort Canyon Road.

The City requires that the developer improve Fort Canyon Road from International Way to the development with the first phase of development. Due to the topography of Fort Canyon, improving it with the typical road cross section with 30 feet of asphalt and sidewalk on both sides would leave the city with very extensive retaining walls to maintain. Through coordination with the DRC the developer has proposed a more palatable road cross-section to be presented for approvals. Plans have not yet been submitted for this and would be required for review prior to Final Approval.

Beck Properties.

In a letter written by the City Engineer dated November 2, 2009 (attached) it was indicated that the Beck's did not want their property to be included with the TFR development, hence the need to revise the TFR preliminary plan from 59 lots to 54. This property has been excluded from the plan. In order to not create a land-locked piece of property, the TFR development is showing an easement to and for the Beck properties to be able to develop in the future.

Sliding Rock.

Sliding Rock is shown in public open space on the current plan. Some issues associated with acquiring this piece of ground as open space are safety, liability, and regulation. This topic needs to be discussed amongst the Planning Commission and City Council to decide what direction to take.

Prior Exceptions

Several exceptions have been approved as this development has progressed over the years. These exceptions are detailed in two previous memos written by the City Engineer. With this plat amendment, the DRC recommends these exceptions stand as the phasing moves forward. A final review will detail these again as each phase comes forth for Final Approval.

PRD Requirements

A slope analysis has been previously performed for this development both with and without the Beck properties. It was determined that up to 54 lots could be developed if the maximum bonus density was allowed without the Beck properties as part of the development. The open space provided exceeds the amount required for the maximum bonus density. Proposed is 99.2 acres of private open space, 395.8 acres of public open space, and 23.1 acres of developed open space. The developed open space includes a trail head and parking area at the beginning of the development as well as a developed 20.6 acre area further north into the development. Detailed plans for the developed open space will be required prior to Final Approval in the phase in which they are located.

The Alpine City Development Code allows lots in the CE-5 zone up to 15% of the lot to contain lands over 25% slopes, subject to an exception being recommended by the DRC and Planning Commission and approved by the City Council. This analysis was done on previous layouts of the plan but has not yet been completed on this proposal. It is recommended the developer submit a layout with lot slope calculations prior to Final Approval per phase.

Street System

Though this submittal is at the Preliminary level for a plat amendment, extensive design work and coordination with the City has taken place over the years for the road system. A detailed review of the road system is included herewith in the City Engineer review letter as attached. The road system has not changed from that review to this submittal besides the addition of an

easement for the potential future development of the Beck properties. In regards to this easement, section 4.7.4.3 of the Development Code states that stub streets shall be built to provide circulation and provide for the subsequent development of adjacent properties. This section mentions factors to help determine the responsibility of the developer and to what extent the stub street is built. The Planning Commission and City Council need make a recommendation and decision as to whether or not a fully improved stub street is built to the adjoining Beck property or if only street dedication is required as well as determine how this is to apply to a plat amendment. Section 4.7.4.3 of the Development Code is attached herewith.

Sewer, Culinary, Pressurized Irrigation, and Storm Drain Systems

As with the street system, the design of the infrastructure is unchanged from the previous submittal. Please refer to the attached letter for details. One thing to note is that the previous submittal was designed for 59 lots, not 54. The major parts of the infrastructure should remain unchanged, but we'd expect to see the locations of sewer and water laterals adjusted for the new layout. This will be reviewed prior to Final Approval.

General Subdivision Remarks

The property falls within the Geologic Hazards Overlay Zone. The potential hazards identified on this property are debris flow, rockfall and slide hazards. The Urban/Wildland Interface Overlay area (Section 3.12.7 of the development code) outlines the requirements for when property falls within this area, mainly secondary access. The plans show a secondary access as required. This topic has been discussed quite extensively in the past, what is shown on the plans is the result of these discussions. A Geotechnical and Geologic Hazard study shall be performed and submitted on every lot prior to Final Approval of any phase.

The water policy will need to be met.

We recommend that Preliminary approval of the proposed development be granted with the following conditions:

- **The City will prepare a Development Agreement outlining the requirements of the development, the City Attorney will determine the appropriate time for the signing of the agreement**
- **Prior to Final Approval the Developer submit lot slope calculations, lot specific geotechnical & geologic hazard studies, construction drawings for developed open space and infrastructure, anything deemed necessary to ensure the safety and welfare of the public, and anything needed to ensure city ordinances are met.**

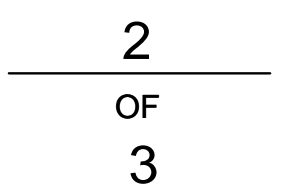
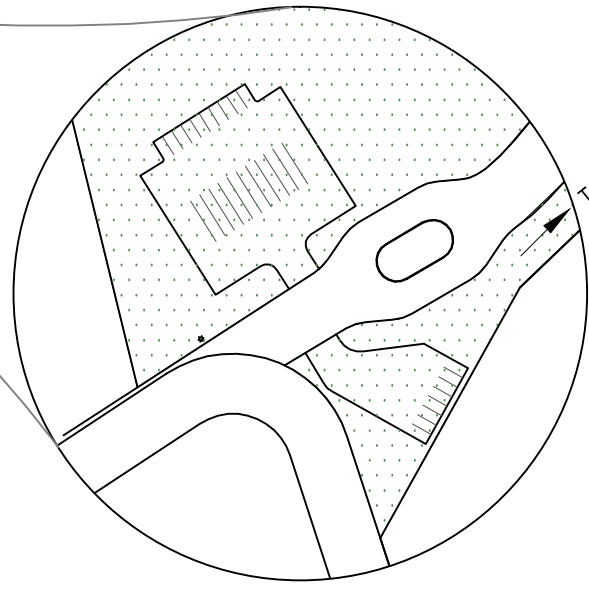
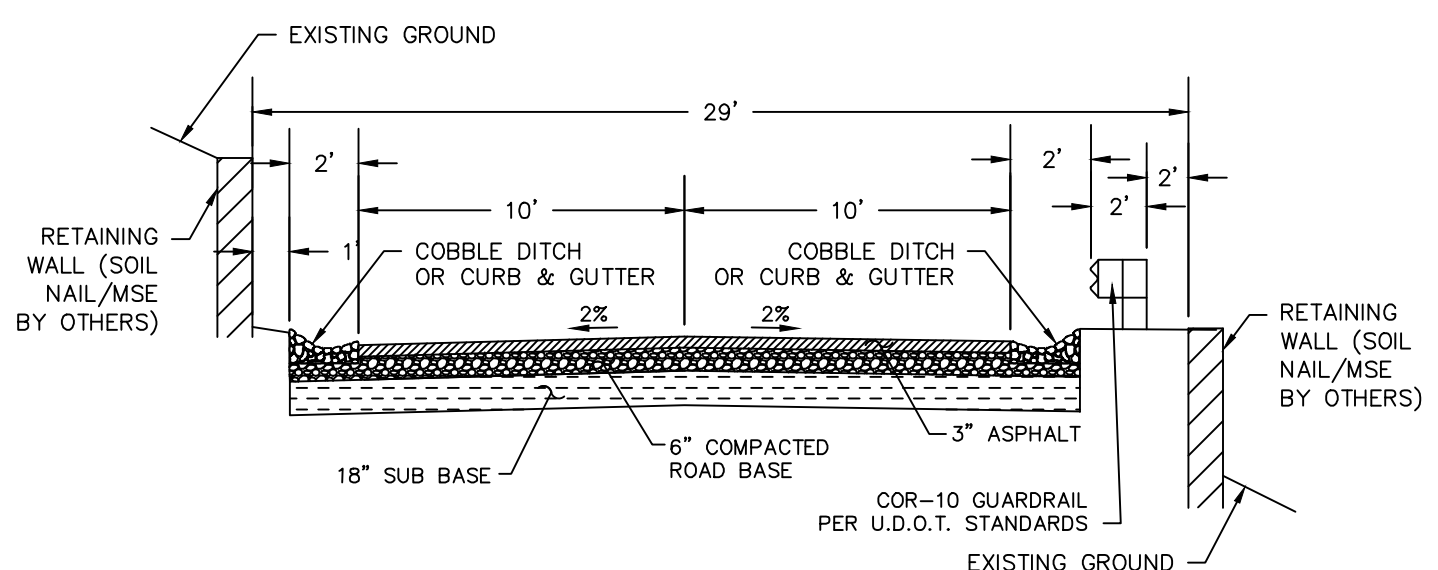
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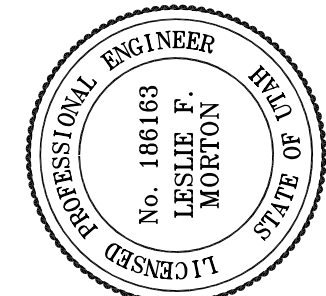
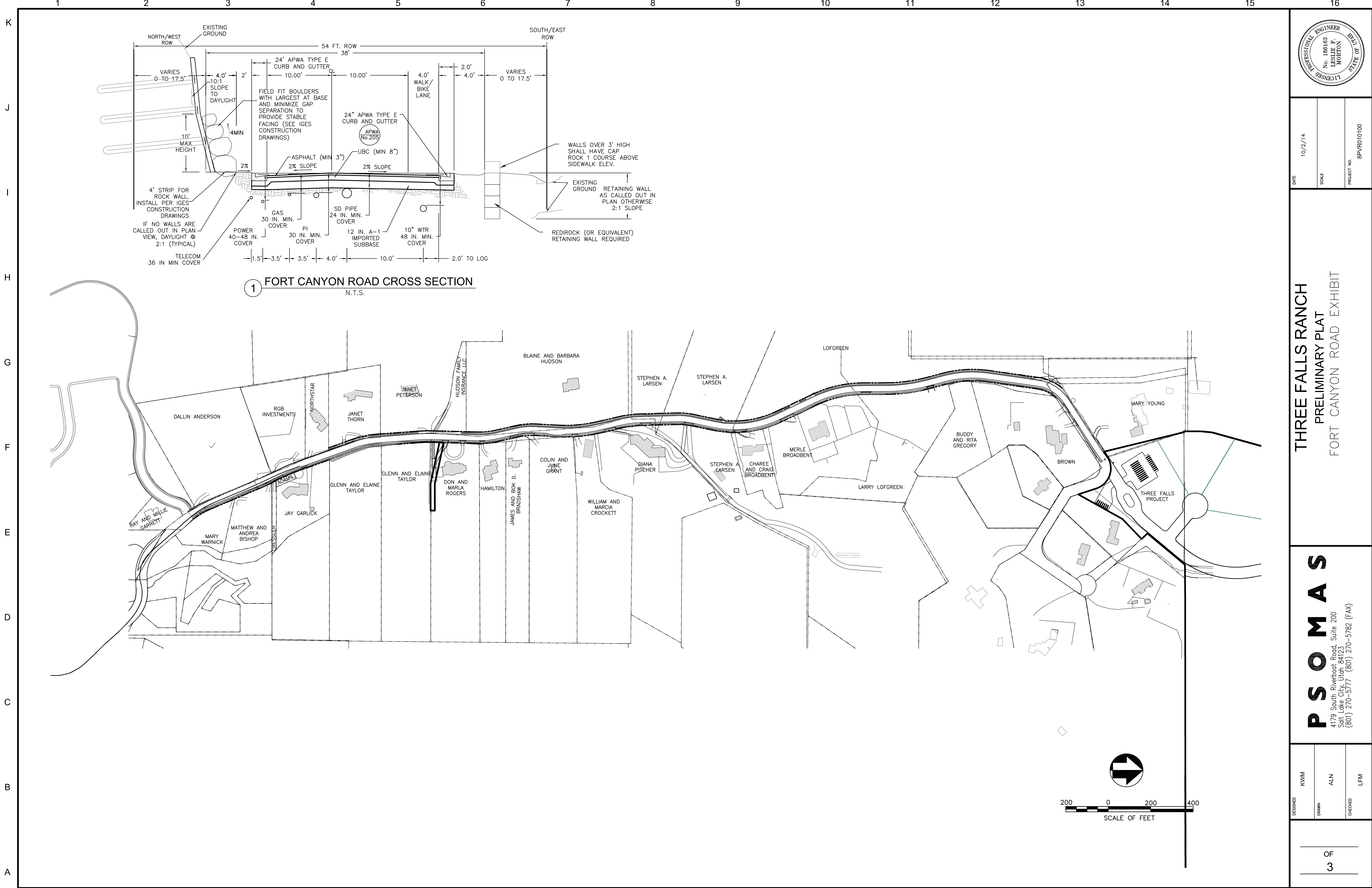
- TFR Preliminary Plat
- Fort Canyon Alignment
- *(CONTINUED NEXT PAGE)*

- City Engineer Letter dated January 21, 2009 – TFR PRD – Exceptions
- City Engineer Letter dated January 21, 2009 – TFR PRD – Retaining Wall/Grading
Exceptions
- City Engineer Letter dated February 24, 2009 – TFR PRD Preliminary Review
- Developer’s Attorney Letter dated September 24, 2014 – Ilangeni Estates – Subdivision
Plat Amendment
- Alpine City Development Code, Section 4.7.4.3, “Stub Streets”

3 SECONDARY ACCESS ROAD CROSS SECTION

Plotted: 09/25/2014 09:27:51.87 | Drawing: U:\8P\RD10100-NEW\ENGR\DRAWINGS\THREE FALLS RANCH EXHIBIT 54 LOTS-PREFERRED.dwg | Layout: Layout1 | By: Imorton





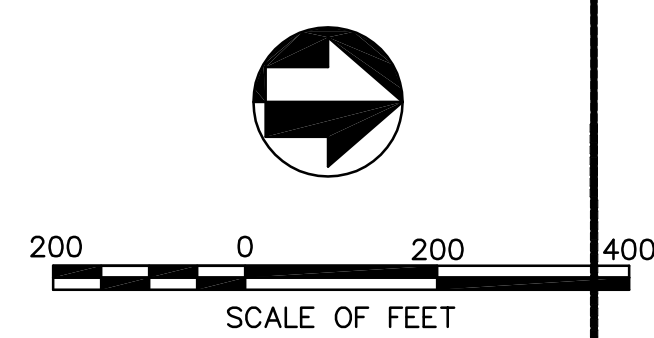
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SCALE	
PROJECT NO.	8PVR010100

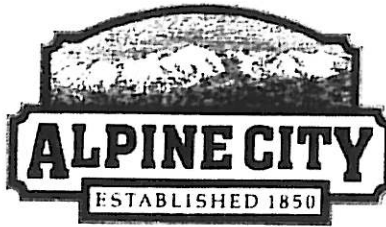
THREE FALLS RANCH
PRELIMINARY PLAT
FORT CANYON ROAD EXHIBIT

P S O M A S

4179 South Riverboat Road, Suite 200
Salt Lake City, Utah 84123
(801) 270-5777 (801) 270-5782 (FAX)

DESIGNED	KWM
DRAWN	ALN
CHECKED	LFM





January 21, 2009

Mayor Willoughby and City Council
Alpine City
20 North Main
Alpine, Utah 84004

Subject: Three Falls Ranch PRD – Exceptions

Dear Mayor Willoughby and City Council Members:

The Development Review Committee (DRC) has reviewed the proposed Three Falls Ranch PRD Subdivision preliminary plan submittal. Following is a list of exceptions which will need to be granted to allow the development to move forward. These exceptions have been presented to the Planning Commission.

- Sheet 4: Lot 9, The owner of this lot does not want to be a part of the Three Falls Ranch Subdivision, but wants the lot to remain as it is in the Ilangheni Estates Subdivision. If the lot has to be recorded as part of the Three Falls Ranch Subdivision, the issue is that there is more than the allowable percentage of 25 percent slope included in the lot. This item may or may not require an exception.
- Typically in PRD developments, all floodplain areas and creek channels have been included in the open space areas. However, the issue was before the Planning Commission on January 3, 2006, and a motion was made to allow the floodplain areas to be within the lots where necessary, but could not be included in the building envelope. The motion passed. A separate motion was made in the same meeting to remove flood areas from the rear of lots wherever possible. This motion also passed. These recommendations were taken to the City Council meeting on January 10, 2006, but the items were presented for information only. Since the City Council did not vote on the exceptions, they are still pending approval.

The development plan currently includes a 75-foot wide conservation easement on Fort Creek and a 25-foot wide conservation easement on the smaller channels that do not have constant flows, with portions of the floodplain remaining within some of the lots. The lots with the 75-foot wide conservation easement are as follows: 1, 2, 3, 4, 17, 18, 19, 24, 25, 26, 30, and 31. The lots with the 25-foot wide conservation easement are the following: 9, 10, 11, 12, 13, 20, 21, 22, 23, 54, 55, 56, and 57. The purpose of the conservation easement is to protect the channels and prevent alteration of them.

- The development code limits grades through intersections to 3% for 50 feet each way from the intersection. This proved difficult on several intersections throughout the development. Following is a list of intersections where exceptions have been requested that exceed the maximum allowable grade through the intersections:
 - Sheet 13: Proposes a 5% grade on Three Falls Way at Fawn Meadow.
 - Sheet 16: Proposes a 5% grade on Three Falls Way at the intersection of Summerfield Court and at Snow Meadow Drive/Mountain Park Drive.
 - Sheet 18: Proposes a 5% grade on Mountain Park Drive at the intersection with Three Falls Way.
 - Sheet 18: Proposes a 4% grade on Snow Meadow Drive at the intersection with Three Falls Way.
 - Sheet 35: Proposes a 5% grade on Snow Meadow Drive at the intersection with Sliding Rock Ridge.

C:\Engineering\Development\2008\Three Falls Ranch\Three Falls Ranch - Exception letter 1_21_09.doc

Alpine City Engineering
20 North Main · Alpine, Utah 84004
Phone/Fax: (801) 763-9862

- Sheets 30-32, 32A: On August 28, 2007, the City Council granted an exception to allow the secondary access to have 20-feet of pavement with curb and gutter on both sides. In addition, an exception was granted to allow 80-foot centerline radii.
- The cul-de-sac called Daybreak Way exceeds the 450 foot maximum length. The DRC recommended that an exception be granted for this cul-de-sac, and the Planning Commission recommended the exception be approved at their September 20, 2005, meeting. The City Council has not acted on this exception.
- The Hillside Protection Ordinance limits the height of structures in this area to 25 feet. Due to the location of the development not being visible from other parts of the City, the DRC and the Planning Commission have recommended that the structures be allowed to be up to 34 feet in height, as they are in other parts of the City.

Following are the recommendations of the DRC for each issue:

- **Lot 9:** We are awaiting a recommendation from David Church, City Attorney, on this issue. Our preliminary recommendation is that this lot be allowed to be withheld from the new development plat, since it is an existing lot in a recorded subdivision and it is our understanding that the property owner would like the lot to remain as is. Based on this recommendation, we do not believe that an exception will be necessary.
- **Floodplain areas within lots:** This is an item that we have previously addressed and a recommendation was given by the Planning Commission to allow the floodplain areas to be within lots where necessary but could not be included in building envelopes. The City Council will need to vote on this exception.
- **Grades through intersections:** The requirement of a maximum grade of 3% for 50 feet each way of the intersection has caused some problems with the mountainous terrain in this area. We have been working with the developer's engineer on this issue for some time. They submitted a drawing for Three Falls Way showing what including 3% grades through intersections would do to the design. The design was not desirable in this case. We discussed the issue at length and determined that if the intersections could be designed not to exceed 5% grades through the intersections, that we could recommend an exception to this requirement. The intersections have been designed with grades not exceeding 5%, therefore, we recommend that an exception be granted for the intersections outlined above as designed.
- **Secondary Access Design Parameters:** This issue has been before the City Council where they granted an exception to allow the secondary access to have 20-feet of pavement with curb and gutter on both sides. In addition, an exception was granted to allow 80-foot centerline radii.
- **Daybreak Way Cul-de-Sac:** We recommend that the exception be granted for the length of the cul-de-sac.
- **Height of Structures:** We recommend that the structures be allowed to be up to 34 feet in height, as they are in other parts of the City.

We feel that recommendation of these exceptions is based on sound engineering and planning principles and will not have a negative impact on the City.

Please call me if you have any questions.

Sincerely,
ALPINE CITY



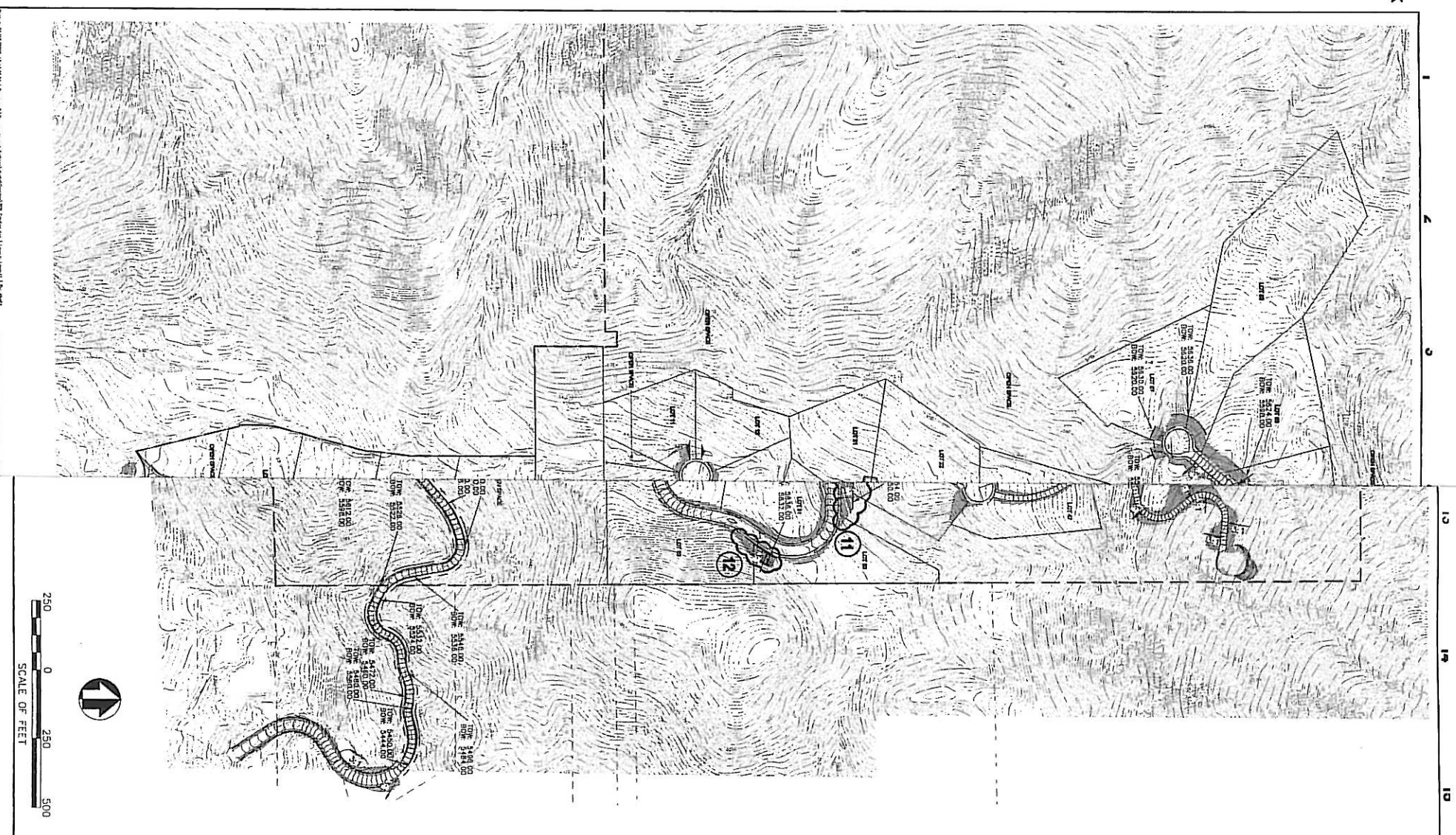
Shane L. Sorensen, P.E.
City Engineer

cc: File

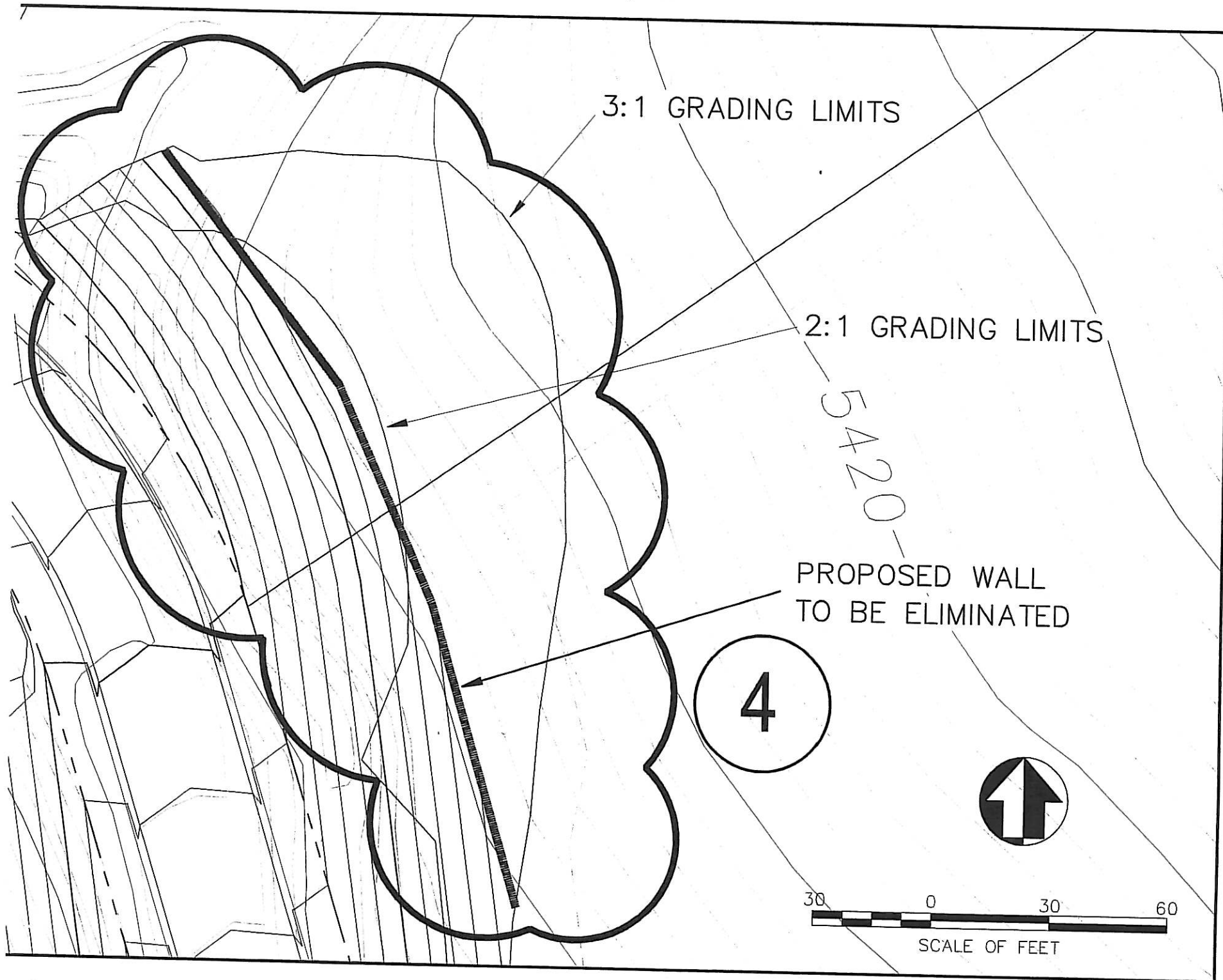
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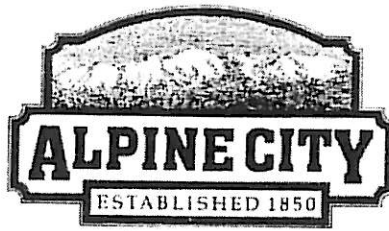
Alpine City Engineering
20 North Main · Alpine, Utah 84004
Phone/Fax: (801) 763-9862

A B C D E F G H I J K



<p>OF</p>	<p>DESIGNED</p> <p>DRAWN</p> <p>CHECKED</p>	<p>PSOMAS</p> <p>4179 South Riverboat Road, Suite 200 Salt Lake City, Utah 84123 (801) 270-5777 (801) 270-5782 (FAX)</p>	<p>THREE FALLS RANCH</p> <p>PRELIMINARY PLAT</p> <p>PROPOSED GRADING AND/OR</p> <p>SETBACK MODIFICATIONS</p>	<p>DATE</p> <p>SCALE</p> <p>1"=250'</p> <p>PROJECT NO.</p> <p>8PVR010100</p>	
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January 21, 2009

Mayor Willoughby and City Council
Alpine City
20 North Main
Alpine, Utah 84004

Subject: Three Falls Ranch PRD – Retaining Wall/Grading Exceptions

Dear Mayor Willoughby and City Council Members:

The Three Falls Ranch development is progressing towards a preliminary approval. As the preliminary plans were presented to the Planning Commission at the January 6 and 20, 2009, Planning Commission meetings, we had a discussion concerning the grading and retaining walls. The City's cut/fill ordinance limits the area of disturbance for cuts and fills to a distance of 50 feet from the right-of-way line. In certain areas, retaining walls had to be used to prevent the cut or fill line from daylighting beyond the limit of disturbance. In reviewing the plans, it was evident that some retaining walls could be eliminated by allowing the grading to extend a distance beyond the limit of disturbance. The developer was asked to have his engineer review the plans and bring back a plan showing where some walls could be eliminated if extended grading was allowed.

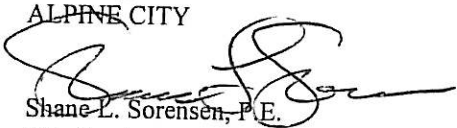
Attached is a drawing showing proposed grading modifications and what setback or slope would be required to grade these areas without the use of retaining walls. The Planning Commission recommended approval of the revised grading plan with the exception of number 3. The 140-foot setback that would be required for this one would encroach a significant distance on a lot. There was one additional change recommended near lot 27 that would eliminate a 2-foot high retaining wall by extending the grading a short distance beyond the limit of disturbance.

The thought behind this recommendation is that there would initially be some additional scarring of the hillsides, but with the 3H:1V slopes, revegetation should be able to be accomplished readily. The alternative is a retaining wall that would remain in place forever.

The developer is now seeking approval from the City Council for the revised grading plan.

Please call me if you have any questions.

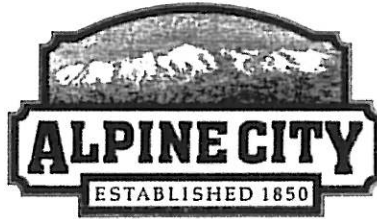
Sincerely,
ALPINE CITY


Shane L. Sorensen, P.E.
City Engineer

cc: File

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Alpine City Engineering
20 North Main · Alpine, Utah 84004
Phone/Fax: (801) 7639862



Date: February 24, 2009

By: Shane L. Sorensen, P.E.
City Engineer

Subject: **Three Falls Ranch PRD – Preliminary Review**
59 lots on 805.98 acres (this includes Lot 9 owned by Gary Young)

Background

The proposed Three Falls Ranch PRD Subdivision which consists of 59 lots on 805.98 acres, is located at the north end of Fort Canyon Road. There is an existing, recorded development called Ilangeni Estates which consists of 37 lots on 167.457 acres (according to the recorded plats), with an additional 512 acres being dedicated as common area (private open space). The plat was recorded in 1985, but due to financial problems, development of the property was never completed.

The development as proposed will require vacating the existing Ilangeni Estates plat. The property is currently zoned CE-5 and if re-platted would be required to be a planned residential development (PRD) since the parcels involved include areas designated as sensitive lands. In accordance with the PRD ordinance, a minimum of 50 percent of the property, or approximately 403.5 acres, will be required to be designated as common open space area. The proposed plan provides approximately 652 acres of dedicated open space. There is approximately 19.08 acres of the total open space area that is proposed as private open space.

PRD Requirements

A slope analysis has been previously performed for this development. It was determined that up to 59 lots could be developed if the maximum bonus density was allowed.

The Alpine City Development Code to allow lots in the CE-5 zone up to a maximum of 15% of the lot area to be over 25%, subject to an exception being recommended by the DRC and Planning Commission and approved by the City Council. An additional requirement is that the lots must be able to meet the standard ordinance of no more than 5% of the lot exceeding the 25% slope limit. The development engineer has analyzed the lots to determine the amount of each lot that is over 25% slope. Sheets 4-9 of the preliminary drawings show the percentage of

each lot that exceeds the 25% slope. It appears that the only lot that has an issue is lot 9, assuming that the Planning Commission is satisfied with the information that has been presented in the past concerning the layout of the lots. However, lot 9 will not be included in the redevelopment of the subdivision.

The developer has proposed a change from public to private open space for 0.93 acres of land north of lot 56. This is a change from what was approved with the concept plan. It is our understanding that the proposed change is to better protect an area that has several springs. In addition, the boundaries of this parcel have been designed to allow it to be a potential lot in the future, if one of the current lots has geologic issues that make it non-buildable. This change will need to be addressed. In return, there is a portion of the large piece of private open space that will be set aside as public open space for a future parking area for visitors of Sliding Rock.

Street System

The development plan includes maintaining the alignment of some of the existing roads, in addition to some additional streets that will accommodate frontage for the proposed arrangement of lots. The existing roads in the Ilangeni Estates area are surfaced with asphalt. All of the existing asphalt will be replaced. The proposed plan does provide for a different entrance to the subdivision, which is further west, than the access used by Ilangeni Estates.

Plan and profile sheets have been submitted for Fort Canyon Road. These plan sheets are not included in the preliminary plan submittal, but were submitted separately several months ago after working with City Staff in refining the design. We have reviewed the design and feel that it is the best fit for the circumstances, knowing that there will be some minor changes as right-of-way is acquired and construction begins. The anticipated cut and fill limits are shown on the drawings. The retaining wall design has been completed for walls along Fort Canyon Road. The majority of the retaining walls are on the cut side or west side of the road. It is approximately 4,680 feet or 0.89 miles from the intersection of Fort Canyon Road and Meadowlark Drive and the entrance to the Three Falls Ranch development. The proposed cross section is the rural street cross section, which consists of 26 feet of pavement, curb and gutter on each side of the street, and in this case a 5-foot wide sidewalk on the east side of the street. The sidewalk is shown as being adjacent to the curb. The developer is in the process of negotiating right-of-way for acquisition along the alignment.

Plan and profile sheets have been provided for the interior of the subdivision and the secondary access road. All of the streets within the cul-de-sacs will have 36 feet of pavement, with the exception of the cul-de-sacs which will have the standard 30 feet of pavement. The pavement widths have been presented to the Planning Commission at previous meetings. The reason for the additional six feet of pavement on the main streets is to accommodate bike lanes. There is a significant amount of retaining walls within the development to maintain the cuts and fills within the 50-foot clear zone, which is a requirement of the cut/fill ordinance. There are some areas that have been granted an exception to grade beyond the 50-foot clear zone, which will allow some retaining walls to be eliminated. These changes are reflected on the revised plans. The location

and the heights of the necessary retaining walls are shown on the plans, however the retaining wall design within the development is not fully complete. IGES, the consultant that has been hired by the developer to design the retaining walls, has completed a geotechnical study within the development. They have indicated that they do not see any areas of concern that would cause problems with the design of retaining walls. The developer has requested that we not require a full design of these retaining walls until he is confident that the layout and design of the streets is acceptable to the City. This could be a condition of preliminary approval.

One design issue that has been difficult to deal with in this area is the City's requirement of a maximum 3% grade for 50 feet each way from intersections. The intersections that had design issues have been previously presented to the Planning Commission and City Council for an exception. The City Council approved exceptions to the problem intersections at the February 10, 2009, City Council meeting. The intersections where exceptions were granted do not exceed 5% grades.

The secondary access road has been designed based on some criteria that were approved by the City Council, which included a 20-foot pavement width and a minimum 80-foot radius at centerline. Again, there are significant retaining walls that will be required along this alignment. The location and height of the walls is shown on the plans, however the full design of the walls is not complete. A portion of the secondary access road alignment goes through an annexation that is pending approval of the City. There will be geotechnical work required in this area prior to construction. It is our understanding that Utah County would not issue a permit for this work to be done.

The issue of where sidewalks will be required has been before the Planning Commission and the City Council. The City Council recently approved a design that would not require any sidewalks on cul-de-sacs. A 5-foot wide sidewalk will be required, on one side only and adjacent to the curb, on all streets except the cul-de-sacs and the secondary access road beyond the last lot.

The development code requires two working accesses for developments with more than 20 lots. The issue of when the secondary access would be required to be constructed was taken before the City Council. The City Council approved allowing development of the lots that are essentially west of the Sliding Rock area to be developed without a working second access. Any lots that are developed east of the Sliding Rock area will require completion of the secondary access road.

Sewer System

The City recently completed a sewer line extension up Fort Canyon that has been planned since 1997. The sewer system can now serve all properties in Fort Canyon. There is an existing 8-inch sewer line that is stubbed to the entrance of the Three Falls Ranch development. The development plans include extending this line throughout the development. There will be a second sewer main that will be extended to provide sewer service to lots 44-53. This will require an extension of the sewer system from the Alpine Cove subdivision, which is operated and maintained by Alpine City, along the alignment of the secondary access road. Due to the curved

design of the road, a curved alignment has been designed using HDPE pipe that will reduce the number of manholes required significantly. The only other alternative to this design is a lift station, which the Public Works Department is not in favor of.

The sewer lines at the end of the Fawn Meadow and Summerfield Court cul-de-sacs are fairly shallow. A note should be placed on the plat indicating this issue to potential lot buyers.

Culinary Water System

The majority of the proposed development is above the 5,350 foot elevation. Developments above the 5,350 foot elevation are required to meet the requirements of the Hillside Protection ordinance. This ordinance requires the developer to provide all additional infrastructure required to provide adequate water and pressure". City ordinances require a minimum of 40 psi to all homes.

In order to meet these requirements, a satellite water system, similar to the system in the Box Elder and Willow Canyon subdivisions, has been proposed. The system includes two 500,000 gallon water tanks, and two booster pump stations. The lower booster pump station would pump water from the Grove pressure zone in the City's current system, to fill the intermediate water tank. A second set of booster pumps would pump water from the intermediate tank to the upper tank. Three separate pressure reducing valves would create four pressure zones within the development. The system is designed to provide sufficient capacity for indoor water, irrigation for a maximum of 1 acre per lot, and fire protection. We believe that it will be the most cost effective to serve indoor and outdoor water to the lots from the culinary system. This system will require the existing culinary water line in Fort Canyon road to be replaced from Meadowlark Drive going north. The line currently ends approximately half way up the canyon.

Complete designs for the water tanks and booster pump stations have not been provided. We recommend that a schematic of the water system meet the requirements for this stage of the development, and that full plans and specifications be required prior to final approval and construction. This schematic is provided in the current plan set. It is our understanding that the Division of Drinking Water will also have to review and approve the plans.

It is our understanding that the location of the fire hydrants has been reviewed and approved by the Fire Chief. One area of concern was access and fire protection to lots 57-59. We have met with the developer and Fire Chief to discuss this area. The Fire Chief indicated that if turnaround area would be constructed where he needed them along the shared access driveway and if fire hydrants were required where he needed them in the area, that he could accept the plan.

Pressurized Irrigation System/Irrigation System

We anticipate that outdoor irrigation water will be provided through the culinary water system for this development. However, the developer is investigating potential water sources within the development to determine if there is sufficient supply to serve part of the lots through a

pressurized irrigation system.

The City owns rights to springs within the area of this development. The City will determine what measures will need to be taken to develop these springs as the development progresses.

There is an existing open irrigation ditch that diverts water from Fort Creek and serves two shareholders in the Alpine Irrigation Company. The Alpine City development code requires that all open ditches be piped. A design has been provided for piping the ditch. An easement will be required along the alignment.

Storm Water Drainage System

A storm water drainage system has been designed throughout the development. The system includes a collection system and some detention basins. The water will drain through the system and then into the various channels throughout the development.

General Subdivision Remarks

There is a pending annexation that needs to be finalized prior to final approval of any phase of this development.

Driveway access to lots 57-59 appears to be difficult. A plan has been proposed for access to the lots.

A landscape plan has been submitted for some of the trailhead areas within the development. In addition, a trail plan has been provided. These plans need to be reviewed by the Planning Commission.

There are some redlines on the plans that need to be addressed.

A storm water pollution prevention plan has been provided. A more detailed plan will be required with each phase of the development. A UPDES permit will be required prior to beginning any construction.

Geologic Hazards Evaluation

A geologic hazards evaluation has been performed for this development area. Included in the evaluation were excavation and logging of seven exploratory trenches, in addition to reviewing other published geologic maps and reports for the area. Following is a quote from the Geologic Hazards Evaluation Report executive summary:

Due to the large scale of the development, geologic hazards potentially impact every lot at the site, including earthquake ground shaking, surface fault rupture, liquefaction, tectonic subsidence, stream flooding, debris flows, shallow ground-water, landslides, and rock fall. To

reduce the risk from these hazards, the report recommends constructing homes to current seismic standards to reduce the potential ground-shaking hazard; locating no structures designed for occupancy within the fault setback zone; evaluation of and recommendations regarding debris flows and stream flooding in the civil engineering design for the development; and conducting a design-level geotechnical engineering study prior to construction for addressing soil conditions, shallow ground water, and slope stability hazards. Data regarding expected debris flow volumes is provided for use in the civil engineering design.

The Geologic Hazards Evaluation Report appears to have been prepared in a very professional manner. The authors outlined the hazards for the area and proposed mitigation measures. Following is a summary of the information. Figure 4 of the report also indicates low and high hazard potential by lot for each of the identified hazards.

Geologic Hazard	Proposed Mitigation
Earthquake ground shaking	Design and construction of homes in accordance with appropriate building codes.
Surface fault rupture	Minimum setbacks from faults for occupied structures as determined by the fault setback formula, with a minimum setback of 15 feet.
Liquefaction and lateral-spread ground failure	Address in geotechnical engineering evaluation during the subdivision approval process.
Tectonic deformation	No mitigation measure stated. High hazard for several lots.
Seismic Seiche and Storm Surge	No mitigation measure stated. However, it is considered a low hazard for all lots.
Stream Flooding	Site hydrology and runoff should be addressed by the civil engineering design for the development.
Shallow ground water	Address in geotechnical engineering evaluation during the subdivision approval process.
Landslide and slope failures	Address in geotechnical engineering evaluation during the subdivision approval process.
Debris flows	Address in geotechnical engineering evaluation during the subdivision approval process. PSOMAS has prepared a map identifying debris flow risk for each lot.
Rock fall	Deflection berms or ditches may be effective and should be considered to protect lots in high hazard areas. However, lot owner and developer should be willing to accept the risk from

	rock falls as an inherent hazard.
Snow avalanche	Lot owner and developer should be willing to accept the risk from snow avalanches as an inherent hazard.
Radon	Moderate hazard rating. Indoor testing following construction is the best method to characterize the radon hazard and determine if mitigation measures are required.
Swelling and collapsible soils	Address in geotechnical engineering evaluation during the subdivision approval process to address soil conditions and provide specific recommendations for site grading, subgrade preparation, and footing and foundation design.
Volcanic eruption	No hazard.

Also see 8.0 Conclusions and Recommendations on page 22 of the Geologic Hazards Evaluation.

The geologic hazards for this site have been identified. Based on the recommendations of the geologists, some additional studies were recommended to finalize the development plans. Since the time that the Geologic Hazards Evaluation was performed, a supplemental surface fault rupture hazard study and landslide investigation has been completed. In addition, a geotechnical investigation was completed for roadway cut slopes and fill embankment stability analyses.

When the Planning Commission recommended approval of the concept plan, there was condition that required all lots to have a lot specific study for hazards for each lot prior to final approval. We anticipate that these lot specific studies will indentify more specifically any hazard issues associated with each lot.

RECOMMENDATIONS

We recommend preliminary approval of the proposed development subject to the following conditions:

- **The proposal of the additional 0.93 acres of private open space be approved by the Planning Commission.**
- **The design of the retaining walls within the development be completed. The City's independent consultant will need to review and approve the design.**
- **The necessary geotechnical studies be completed on the secondary access road prior to final approval.**
- **Cross sections be provided for the secondary access and other areas where there are significant retaining walls.**
- **A note be placed on the final plat indicating the shallow depth of the sewer line at the end of the Fawn Meadow and Summerfield Court cul-de-sacs.**

- **Full design of all components of the water system be provided, reviewed and approved prior to final plat approval.**
- **The annexation be finalized.**
- **The landscape and trail plans be approved.**
- **The redlines be corrected.**
- **Detailed stormwater pollution prevention plans be submitted for each phase of the development.**
- **A UPDES permit be obtained prior to construction.**
- **A lot specific study for hazards be completed for each lot prior to final approval.**

DRAFT
PRIVILEGED AND CONFIDENTIAL

BRUCE R. BAIRD P.C.

ATTORNEY AND COUNSELOR
2150 SOUTH 1300 EAST, FIFTH FLOOR
SALT LAKE CITY, UTAH 84106
TELEPHONE (801) 328-1400
BBAIRD@DIFFICULTDIRT.COM

September 24, 2014

VIA EMAIL ONLY

Mr. Will Jones
Pine Valley Realty

Re: Ilangeni Estates – Subdivision Plat Amendment

Dear Will:

You have asked me for a legal opinion on a very narrow question: Can an amendment to a previously recorded subdivision plat add property to the plat or, instead, is there a requirement to process and record a completely new plat. I have researched the Land Use, Development, and Management Act (“LUDMA”), Sections 10-9a-101, *et seq.*, specifically sections 601 – 609 dealing directly with subdivisions and amendments (much of which I have helped re-write over the years as a part of the Land Use Task Force) and, also, Chapter 4 of the Alpine City Development Code as found on the City’s website specifically including Section 4.6.3.15 dealing with “Resubdivision Procedure”. I have also kept in mind *Brown v. Sandy City Board of Adjustment*, 957, 207 (Utah App. 1998) and *Patterson v. Utah County Board of Adjustment*, 893 P. 2d 602 (Utah Ct. App. 1995) both articulating the strong, and constitutionally-based presumption in favor of a private party’s rights to develop their land free from government interference unless clearly and specifically discussed by properly enacted legislation.

I find nothing in either LUDMA or the Alpine City Code that prohibits the addition of land to a previously recorded subdivision plat nor any requirement that any such addition of land is required to go through all of the requirements for a new plat. I believe that is especially true where, as here, no development is being contemplated on the added land. It seems pointless to me to require a new subdivision application in this situation as all legitimate interests of Alpine City are being addressed by the “resubdivision”. I understand that the City’s attorney has a similar opinion and, of course, the City’s interpretation of its own Code is entitled to deference in that regard.

If you have any questions please feel free to call me.

Sincerely,

A handwritten signature in black ink, consisting of a stylized 'B' followed by a horizontal line.

Bruce R. Baird

ALPINE CITY DEVELOPMENT CODE SECTION 4.7.4.3 – STUB STREETS

3. Stub Streets (Amended by Ord. 96-08, 5/28/96; Amended by Ord. 2013-01, 1/15/13) Shall be required to provide adequate circulation -- Temporary turnaround required in certain instances--Subsequent development of adjacent property to incorporate.
 - (1) In order to facilitate the development of an adequate and convenient circulation system within the City, and to provide access for the logical development of adjacent vacant properties, the City shall, as a condition of approval, require the subdivision plan to include one or more temporary dead end streets (stub streets) which extend to the boundary of the parcel, and dedicate the right-of-way to the property line to the City to insure that adjacent properties are not landlocked.
 - (2) All such stub streets shall be fully developed with full City street and utility improvements to the boundary of the subdivision unless it can be shown by the applicant for the subdivision that the need for a fully improved street does not have an essential link to a legitimate government interest or that the requirement to fully improve the stub street is not roughly proportionate, both in nature and extent to the impact of the proposed subdivision on the City.
 - (3) Factors to be considered in determining whether or not the requirement to install a fully improved street is considered proportionate may include but not be limited to:
 - The estimated cost to improve the stub street;
 - Whether or not the stub street will be essential to provide reasonable access to the undeveloped parcel;
 - The number of lots in the proposed subdivision that will be accessed from the improved stub street;
 - The estimated number of lots that can be developed in the future on the adjacent undeveloped parcel through use of the stub street.

After receiving a recommendation by the Planning Commission, if the City Council determines that the stub street need not be fully developed either because it does not further a legitimate government interest or that the requirement is disproportionate to the impact of the proposed subdivision on the City, then only the right-of-way for the stub street shall be dedicated to the City and the requirement to improve the stub street shall be placed on the undeveloped adjacent parcel as a condition of the development if the adjacent property is ever developed.