



ALPINE CITY PLANNING COMMISSION MEETING

NOTICE is hereby given that the **PLANNING COMMISSION** of Alpine City, UT will hold a **PUBLIC HEARING** and a **Regular Meeting at Alpine City Hall**, 20 North Main, Alpine, Utah on **Tuesday, May 2, 2017 at 7:00 pm** as follows:

I. GENERAL BUSINESS

- | | |
|-----------------------------|---------------|
| A. Welcome and Roll Call: | Steve Cospers |
| B. Prayer/Opening Comments: | Jane Griener |
| C. Pledge of Allegiance: | By Invitation |

II. PUBLIC COMMENT

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

III. ACTION ITEMS

- A. PUBLIC HEARING – Amendment to the Minor Subdivision Ordinance (Article 4.5)**
The Planning Commission will review a potential amendment to the Minor Subdivision Ordinance which would allow staff to review and approve minor subdivisions.
- B. PUBLIC HEARING – Amendment to the Site Plan to Comply Ordinance (Article 4.14)**
The Planning Commission will review a potential amendment to the Site Plan to Comply Ordinance which would allow staff to review and approve residential site plans.
- C. Alpine Olde Towne Centre Lot B Condominium Conversion – 341 South Main Street – Larry Hilton**
The Planning Commission will review a request to have 3 separate condominiums in a building. This same building previously received approval for 2 separate condominiums at the end of 2015.
- D. General Plan Update – Dry Creek / Fort Creek Area Master Plan**
The Planning Commission will review a master plan for the City-owned property that runs along Dry Creek and Fort Creek in the central area of the City.

IV. COMMUNICATIONS

V. APPROVAL OF PLANNING COMMISSION MINUTES: April 18, 2017

ADJOURN

Chairman Steve Cospers
April 28, 2017

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

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

PUBLIC MEETING AND PUBLIC HEARING ETIQUETTE

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

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

Public Hearing vs. Public Meeting

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

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

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Minor Subdivision Amendment

FOR CONSIDERATION ON: 2 May 2017

PETITIONER: Mayor Sheldon Wimmer

ACTION REQUESTED BY PETITIONER: Amend the Minor Subdivision Ordinance

APPLICABLE STATUTE OR ORDINANCE: Subdivision Ordinance (Article 4.5)

PETITION IN COMPLIANCE WITH ORDINANCE: Yes

BACKGROUND INFORMATION:

Minor Subdivisions have been required to go to both Planning Commission and City Council for obtaining approval. A lot of Minor Subdivisions are straightforward but the process for approval can be cumbersome for the applicant. The proposed amendment would allow the City Planner and City Engineer to approve Minor Subdivisions and streamline the process. Therefore, time would be saved for the applicant and the Planning Commission and City Council will have more time to spend on other issues.

A motion (recommending for or against approval) needs to be made for the proposed amendment. The Planning Commission may make recommendations in the motion that would alter the original proposal. The Planning Commission's recommendations will be considered by the City Council.

STAFF RECOMMENDATION:

We recommend that Article 4.5 of the Development Code be amended as proposed so that Minor Subdivisions may receive final approval from the City Planner and City Engineer.

ARTICLE 4.5

MINOR SUBDIVISION OPTION (Amended by Ord. No. 2007-05, 5/8/07; Ord. No. 2011-07, 5/10/11; Ord. No. 2013-12, 07/23/13)

4.5.1 PURPOSE

The intent of the minor subdivision process is to allow for small subdivisions to be processed more easily. Minor subdivisions include those developments of three (3) or fewer lots which meet the requirements of this Code. In this process, the preliminary and final plats required for most subdivisions, are simplified and combined.

4.5.2 APPLICABILITY

The procedures set forth in this Chapter shall govern the processing of, and the requirements pertaining to, minor subdivisions, and shall take precedence over any other provisions of the Code to the contrary.

4.5.3 MINOR SUBDIVISION PROCESS

During the review process, the City Planner or City Engineer ~~Planning Commission, and the City Council~~ may request reasonable additional information from the subdivider from time to time; and may ask other advisors to review the plan if, in the opinion of the City, it may contribute to a decision in the best interest of the City.

After submittal of the required application materials, no excavation nor alteration of the terrain within a proposed subdivision may be undertaken prior to written approval by the City Planner and City Engineer ~~City Council~~ of the final plat. Excavation or alteration of the land prior to approval of the final plat may be cause for disapproval of the proposed subdivision.

4.5.3.1 CITY PLANNER AND CITY ENGINEER

1. The subdivider of a minor subdivision shall meet with the City Planner and City Engineer to review the proposed subdivision before submitting an application.
2. The subdivider shall prepare a preliminary plan showing the land to be subdivided, properly and accurately drawn to scale that complies with the drawing requirements in Section 4.6.3.3. The plan shall be certified as to accuracy by a licensed land surveyor licensed to do such work in the State of Utah.
3. ~~The subdivider shall submit four (4) D size (22" x 34") copies of the plan to the City Planner to be reviewed by the DRC. The subdivider shall also submit an electronic copy of the plan in a compatible format as specified by City Staff.~~ The subdivider shall submit the Minor Subdivision Application and three (3) D size (22" x 34") and three (3) 11' x 17" paper copies of the plan drawn to scale to the City Planner to be reviewed by the City Engineer and City Planner. The subdivider shall also submit an electronic copy of the plan in a compatible format as specified by City Staff. The subdivider shall pay the associated fee(s) as set forth in the Alpine City Consolidated Fee Schedule. The fee(s) shall be paid to the City Recorder payable to Alpine City.
4. The City Planner and City Engineer shall review the plan to determine compliance with the Alpine City General Plan and all applicable City ordinances. The City Planner shall notify the subdivider of the review findings, including questionable design or engineering feasibility, inadequacy of submittals, non-compliance with local regulations, and the need for other information which may assist in the evaluation of the proposed subdivision.

~~5. When the DRC determines that the plan is ready for Planning Commission review, the~~

~~DRC, in consultation with the Planning Commission Chairperson, shall establish a review date. The subdivider may prepare a final plan that incorporates all changes recommended by the DRC.~~

5. If the City Planner and City Engineer determines that the plat is in conformity with all applicable requirements and any reasonable conditions or on its own initiative, they shall approve the plat.
6. If the City Planner and City Engineer determines that the plat is not in conformity with all applicable requirements or any reasonable conditions imposed, it shall disapprove the plat specifying the reasons for such disapproval.
7. After all necessary approvals have been granted by the City, the subdivider shall meet all requirements for recordation prior to the final plat being recorded. If the recording requirements have not been met within 180 calendar days from the date of City Planner and City Engineer approval, such approval shall be null and void. The voided/null final plat may be submitted for but will be subject to all applicable ordinances at the time of reinstatement and a reinstatement fee will be charged in accordance with the current fee schedule. The final plat must be recorded within 180 days after the reinstatement approval or the approval shall be null and void.

~~4.5.3.2 PLANNING COMMISSION~~

- ~~1. Upon recommendation of the DRC, the subdivider shall submit the following to the City Planner at least fourteen (14) days before the scheduled Planning Commission meeting:
 - a. the Minor Subdivision Checklist and Application;
 - b. a list of all adjacent property owners of the proposed subdivision, and envelopes that have been stamped and addressed to all adjacent property owners named on the list;
 - c. four (4) D size (22" x 34") copies of the final plan;
 - d. ten (10) 11" x 17" copies of the plan drawn to scale, and
 - e. an electronic copy of the plan in a compatible format as specified by City Staff.~~

~~The subdivider shall pay the associated fee(s) as set forth in the Alpine City Consolidated Fee Schedule. The fee(s) shall be paid to the City Recorder, payable to Alpine City.~~

- ~~2. The plans will not be presented to the Planning Commission until the application is complete, including submitting all required information and paying all fees. The application must be complete and accepted in writing by the City Planner.~~
- ~~3. Alpine City shall prepare a notification letter to be sent to the adjacent property owners that are within 300 feet of the proposed subdivision that will include the following information:
 - a. Address or location of the proposed subdivision and the zoning designation;
 - b. Name of the developer(s);
 - c. Type of development that is proposed;
 - d. Number of acres in the proposed development;
 - e. Number of lots in the proposed development and approximate lot size;
 - f. Date, time, and place of the first Planning Commission meeting at which the plan for the development will be presented; and
 - g. Reference to the applicable ordinances that govern the development.~~

~~Alpine City shall mail the notification letter to the listed adjacent property owners that are within 300 feet of the proposed subdivision. This shall be done at least seven (7) days prior to the first Planning Commission meeting at which the plan will be presented.~~

- ~~4. The developer shall resubmit all required information, including a list of all property owners, if the application lapses for six (6) months or more.~~
- ~~5. The Planning Commission shall give guidance to the subdivider to assist in meeting the requirements and constraints for subdivision development within the City of Alpine.~~
- ~~6. If the Planning Commission finds that the proposed plat complies with all applicable requirements, it shall recommend final approval to the City Council. If the Planning Commission finds that the proposed plat does not meet the requirements, it shall recommend disapproval of such plat. After 180 calendar days, any Planning Commission approval shall be null and void. The voided/null plan may be resubmitted for reinstatement by the Planning Commission, but will be subject to all applicable ordinances at the time of reinstatement and a reinstatement fee will be charged in accordance with the current fee schedule.~~

~~4.5.3.3 CITY COUNCIL~~

- ~~1. Following the recommendation of approval or disapproval of the final plat by the Planning Commission, the City Council shall consider the plat at a regularly scheduled public meeting. If the City Council determines that the plat is in conformity with all applicable requirements and any reasonable conditions as recommended by City Staff, the Planning Commission, or on its own initiative, it shall approve the plat.~~
- ~~2. If the City Council determines that the plat is not in conformity with all applicable requirements or any reasonable conditions imposed, it shall disapprove the plat specifying the reasons for such disapproval.~~
- ~~3. After all necessary approvals have been granted by the City, the subdivider shall meet all requirements for recordation prior to the final plat being recorded. If the recording requirements have not been met within 180 calendar days from the date of City Council approval, such approval shall be null and void. The voided/null final plat may be submitted for reinstatement with a recommendation from the Planning Commission and approval by the City Council, but will be subject to all applicable ordinances at the time of reinstatement and a reinstatement fee will be charged in accordance with the current fee schedule. The final plat must be recorded within 180 days after the reinstatement approval or the approval shall be null and void.~~

4.5.4 REQUIRED CONDITIONS AND IMPROVEMENTS

The following requirements shall be imposed as a condition of approval of a minor subdivision:

1. No more than three parcels shall be created in the minor subdivision.
2. New or extended street dedications shall not be allowed. Minor right-of-way dedications on existing streets is permissible.
3. The area to be subdivided should be immediately adjacent to existing streets and utilities and shall not involve the extension of any such streets or utilities.
4. The minor subdivision shall conform to the general character of the surrounding area.
5. Lots created shall not adversely affect the remainder of the parcel or adjoining property and shall conform to the applicable provisions of the Zoning Code.
6. Any remainder of the parcel must be capable of further subdivision.
7. Utility easements shall be dedicated.
8. Any further lot splits would be processed under the major subdivision process.

9. Derelict parcels shall not be created.
10. Minor Subdivision Plat shall comply with the drawing requirements of Section 4.6.3.3 (Final Plat).
11. A Developer's Agreement shall be executed between the City and the Developer outlining the conditions of approval of the subdivision. The Development Agreement may include, but is not limited to, the following requirements: any special conditions, trails, landscape issues, or off-site improvements.

4.5.5 BOND AGREEMENTS FOR IMPROVEMENTS REQUIRED

Prior to recordation of an approved plat, the subdivider shall comply with the requirements of Article 4.10 of the Subdivision Ordinance.

4.5.6 RECORDING OF PLAT

After approval, the filing of the bond agreement, and the signing of the plat by the Mayor, City Attorney, City Planner and City Engineer, ~~City Council and Planning Commission Chairman~~, the plat shall be presented by the City Recorder to the Utah County Recorder for recordation.

4.5.7 EXPIRATION OF FINAL APPROVAL

If the recording requirements set forth above are not met by the subdivider within 180 days from the date of City Planner and City Engineer ~~City Council~~ approval, such approval shall be null and void (amended by Ord. 2004-13, 9/28/04).

4.5.8 REINSTATEMENT OF THE FINAL PLAT (Ord. 2004-13, 9/28/04; Ord. 2008-07, 5/27/08)

The voided/null Final Plat may be submitted to the City Planner for reinstatement. If there are no changes to the voided/null final plat and there have been no changes in ordinances that would affect the voided/null final plat, the City Planner may approve the reinstatement of the final plat. If there are any changes on the final plat or any changes in ordinances that would affect the plat, the voided/null final plat may be submitted for reinstatement ~~with a recommendation from the Planning Commission and approval by the City Council~~, but will be subject to all applicable ordinances at the time of reinstatement, and a current reinstatement fee will be charged in accordance with Alpine City's current fee schedule. The final plat must be recorded within 180 days after the reinstatement approval or the approval shall be null and void.

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Site Plan (not located in an approved subdivision) Amendment

FOR CONSIDERATION ON: 2 May 2017

PETITIONER: Mayor Sheldon Wimmer

ACTION REQUESTED BY PETITIONER: Amend Site Plan to Comply Ordinance

APPLICABLE STATUTE OR ORDINANCE: Subdivision Ordinance (Article 4.14)

PETITION IN COMPLIANCE WITH ORDINANCE: Yes

BACKGROUND INFORMATION:

Site plans for single family residential dwellings not located in an approved subdivision have been required to go to both Planning Commission and City Council for obtaining approval. A lot of site plans for single family residential dwellings are straightforward but the process for approval can be cumbersome for the applicant. The proposed amendment would allow the City Planner and City Engineer to approve site plans for single family residential structures and streamline the process. Therefore, time would be saved for the applicant and the Planning Commission and staff will be able to spend more time on other issues.

The proposed amendment will also clarify the site plan process for commercial structures in a separate section from single family residential dwellings. There are no proposed changes to the approval process for commercial structures.

STAFF RECOMMENDATION:

We recommend that Article 4.14 of the Development Code be amended as proposed so that Site Plans for single family residential dwellings not located in an approved subdivision may receive final approval from the City Planner and City Engineer.

ARTICLE 4.14

SITE PLAN TO COMPLY (Ord. No. 92-03 Amended by Ord. No. 2004-13,
9/28/04; Ord. No. 2013-11, 7/23/13)

AN ORDINANCE PROVIDING FOR COMPLIANCE WITH ARTICLE 4.7, ARTICLE 4.8 and ARTICLE 4.10 OF THE ALPINE CITY SUBDIVISION ORDINANCE AND THE ALPINE CITY CONSTRUCTION STANDARDS FOR BUILDING PERMIT APPLICATION FOR SINGLE FAMILY RESIDENTIAL DWELLINGS NOT LOCATED IN AN APPROVED SUBDIVISION OR COMMERCIAL STRUCTURES.

4.14.1 Single Family Residential Dwelling Not Located in an Approved Subdivision Site Plan Approval Process

1. The applicant shall submit the following to the City Planner ~~at least fourteen (14) days before the scheduled Planning Commission meeting:~~
 - a. The Site Plan Checklist and Application;
 - b. Three (3) D size (22" x 34") copies of the final plan;
 - c. ~~Ten (10)~~ Three (3) 11" x 17" copies of the plan drawn to scale, and;
 - d. An electronic copy of the plan in a compatible format as specified by City Staff.

The applicant shall pay the associated fee(s) as set forth in the Alpine City Consolidated Fee Schedule. The fee(s) shall be paid to the City Recorder, payable to Alpine City.

~~The plans will not be presented to the Planning Commission until the application is complete, including submitting all required information and paying all fees. The application must be complete and accepted in writing by the City Planner.~~ The City Planner and City Engineer shall review the application and plan to determine whether the proposed construction or alteration conforms to the ordinances of this municipality.

2. A building permit application and plan for a residential single family dwelling ~~or commercial structure~~ which is not located in an approved subdivision shall:
 - a. Conform to Article 4.7, Article 4.8 and Article 4.10 (Subdivision Design and Financial Standards including Water Right Requirements) of the Alpine City Subdivision Ordinance. ~~If it is a commercial site plan, it also conforms to any additional requirements that are applicable to the site plan in Article 3.7 (Business/Commercial District) of the Alpine City Development Code;~~
 - b. Be reviewed and approved by the City Planner, and City Engineer ~~and approved by the Planning Commission~~ for compliance with the foregoing provisions prior to issuance of the permit;
 - c. A Developer's Agreement shall be executed between the City and the Developer outlining the conditions of approval of the site plan. The Development Agreement may include but is not limited to the following examples: any special conditions, trails, landscape issues, or off-site improvements. Rights-of-way must be dedicated to Alpine City
3. The Building Department shall issue a permit and one set of approved plans to the applicant after the plan has been approved by the City Planner and City Engineer ~~Planning Commission.~~
4. The Building Inspector shall retain one set of the approved plans and may revoke at anytime a permit which has been issued for any building constructed or being constructed which would be or result, if constructed, in a violation of any ordinance of this municipality.

An exception may be obtained from the foregoing provisions by following the procedures set forth in Article 4.1.2 of the Alpine City Subdivision Ordinance.

4.14.2 Commercial Structure Site Plan Approval Process

1. The applicant shall submit the following to the City Planner at least fourteen (14) days before the scheduled Planning Commission meeting:

- a. The Site Plan Checklist and Application;
- b. Three (3) D size (22" x 34") copies of the final plan;
- c. Three (3) 11" x 17" copies of the plan drawn to scale, and;
- d. An electronic copy of the plan in a compatible format as specified by City Staff.

The applicant shall pay the associated fee(s) as set forth in the Alpine City Consolidated Fee Schedule. The fee(s) shall be paid to the City Recorder, payable to Alpine City.

The plans will not be presented to the Planning Commission until the application is complete, including submitting all required information and paying all fees. The City Planner and City Engineer shall review the application and plan to determine whether the proposed construction or alteration conforms to the ordinances of this municipality.

2. A building permit application and plan for a commercial structure shall:

- a. Conform to Article 4.7, Article 4.8 and Article 4.10 (Subdivision Design and Financial Standards including Water Right Requirements) of the Alpine City Subdivision Ordinance, Article 3.7 (Business/Commercial District) and Article 3.11 (Gateway/Historic Zone)
- b. Be reviewed by the City Planner, City Engineer, Planning Commission and approved by the City Council for compliance with the foregoing provisions prior to issuance of the permit;
- c. A Developer's Agreement shall be executed between the City and the Developer outlining the conditions of approval of the site plan. The Development Agreement may include but is not limited to the following examples: any special conditions, trails, landscape issues, or off-site improvements. Rights-of-way must be dedicated to Alpine City.

3. The Building Department shall issue a permit and one set of approved plans to the applicant after the plan has been approved by the City Council.

4. The Building Inspector shall retain one set of the approved plans and may revoke at any time a permit which has been issued for any building constructed or being constructed which would be or result, if constructed, in a violation of any ordinance of this municipality.

An exception may be obtained from the foregoing provisions by following the procedures set forth in Article 4.1.2 of the Alpine City Subdivision Ordinance.

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Larry Hilton Condominium Request

FOR CONSIDERATION ON: 2 May 2017

PETITIONER: Larry Hilton

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

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

BACKGROUND INFORMATION:

Larry Hilton has received approval of a building to be built at 341 South Main Street, Lot B of the Alpine Olde Town Centre Planned Commercial Development. The construction of the building is just finishing. Mr. Hilton is requesting that the building be converted into three separate condominiums. The same building previously received approval for 2 separate condominiums at the end of 2015.

Chapter 6 of the Alpine City Development Code lays out the requirements for the conversion of a building to condominiums. The ordinance requires several documents and that it go through the same process “as set forth in City ordinances dealing with major subdivisions.” (Section 6.6)

Mr. Hilton was given the Condominium Conversion Policy Ordinance and is now before the Planning Commission with the necessary documents for consideration of his request.

STAFF RECOMMENDATION:

We recommend that this request be granted.

ALPINE OLDE TOWNE CENTRE LOT B CONDOMINIUMS PLAT A AMENDED

LOCATED IN THE NORTHEAST QUARTER OF SECTION 26,
TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASIN & MERIDIAN

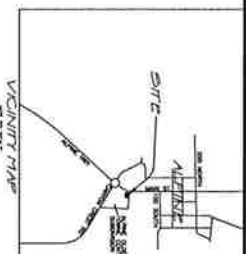
NOTES:

1. ALL COMMON AREAS WILL BE MAINTAINED BY THE OWNER'S ASSOCIATION.
2. EACH UNIT WILL HAVE SEPARATE POWER & GAS UTILITIES.
3. THIS CONDOMINIUM PLAT WILL FALL UNDER THE SAME C, C, & R'S AS PER THE RECORDING ACT.
4. THE RECORDING ACT PROVIDES THAT THE COVENANTS, CONDITIONS AND OTHER ARCHITECTURAL FEATURES MAY EXTEND BEYOND THE BOUNDARY LINE SHOWN ON THIS PLAT.
5. THERE ARE 26 PARKING SPACES FOR LOT B SHOWN. THE PARKING WILL BE LIMITED COMMON AREA FOR BOTH CONDOMINIUMS.

NORTHEAST CORNER
SECTION 26, TOWNSHIP 4 SOUTH,
RANGE 1 EAST, S.B. & M.
(FOUND BRASS CAP)
ELEV. = 4946.87

COMMON AREA DELINEATION

- UNIT 1 - 15% INTEREST
- UNIT 2 - 6% INTEREST
- UNIT 3 - 77% INTEREST



MAIN STREET

EXISTING LOT B BOUNDARY
3,579 SQ. FT.

PLEASE SEE SHEET 2 FOR DELINEATION OF
OF PRIVATE AND LIMITED COMMON AREA

EXISTING IMPROVEMENTS (TYP)

LINE	LENGTH	BEARING
1	18.47	S 89° 45' 30" E
2	13.50	S 89° 45' 30" E
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4	5.00	S 89° 45' 30" E
5	13.50	S 89° 45' 30" E
6	5.00	S 89° 45' 30" E
7	5.00	S 89° 45' 30" E
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SYMBOL LEGEND

- UTAH COUNTY MONUMENT
- PARKING DELINEATION

ADDRESS TABLE

- UNIT 1 - 333 SOUTH MAIN, SUITE 100
- UNIT 2 - 333 SOUTH MAIN, SUITE 200
- UNIT 3 - 341 SOUTH MAIN

SHEET 1 OF 2

RECORDING INFORMATION BLOCK
Recorded in the Official Records of Utah County, State of
Utah, on _____ 200__ at _____ M. on _____ Day of _____
at the request of _____ Utah County Recorder



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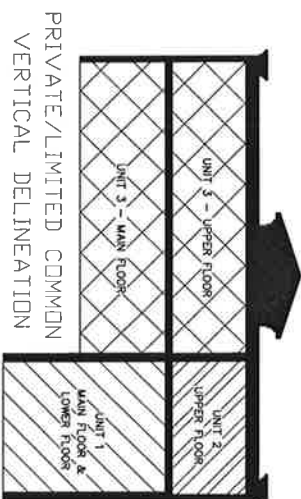
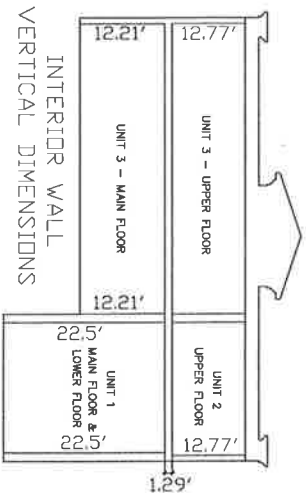
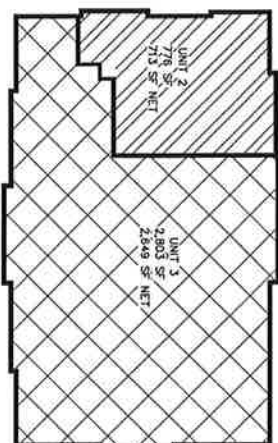
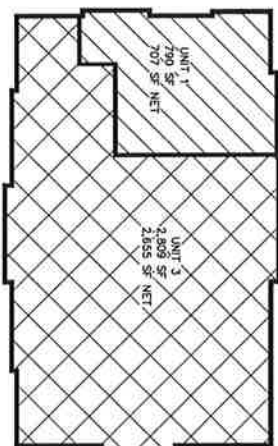


LOCATED IN THE NORTHEAST QUARTER OF SECTION 25,
TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN

INTERIOR WALL DIMENSIONS

MAIN FLOOR





UPPER FLOOR



INTERIOR WALL VERTICAL DIMENSIONS

PRIVATE/LIMITED COMMON
VERTICAL DELINEATION

LEGEND

-  PRIVATE AREA UNIT 1
 PRIVATE AREA UNIT 2
 PRIVATE AREA UNIT 3
 LIMITED COMMON AREA

PLAT A AMENDED

**ALPINE OLDE TOWNE CENTRE
LOT B CONDOMINIUMS**

AN EXPANDABLE CONDOMINIUM PROJECT
INCLUDES A VACATION OR ALPINE OUT-TO-GETHER
LOFT & CONDOMINIUMS, PART A

LOT 8 CHOCOMAHE, PLAT A
ALPINE CITY
SCALE: 1" = 10 FEET

Scale 1' = 10 feet

OTHER COUNTRIES, OTHER

First Amendment to 341 South Main, LLC Declaration of Condominium Covenants, Conditions, Restrictions & Management Plat A, Alpine Olde Towne Centre, Lot B Condominium

This First Amendment to the Declaration of Condominium Covenants, Conditions, Restrictions & Management for 341 South Main, LLC, is made this 2nd day of March, 2017, by DOMINION INSURANCE SERVICES, INC., A Utah Corporation ("DISI"), and LEGAL TENDER SERVICES, PLLC, A Utah Professional Limited Liability Company ("LTS") (collectively the "Parties") by deleting section 1 in its entirety and replacing it with the following:

1. *Condominiumization.* The parties hereby agree to divide the building located on the plot described below (the "Building") into three separate condominiums. Unit One shall occupy 707 square feet of the northwest corner of the ground floor of the Building, as well as the attached 648 square foot subterranean vault space. Unit Two shall occupy 713 square feet of the northwest corner of the upper floor of the Building. Unit One and Unit Two (collectively "LTS Units") shall bear the street address of 333 South Main Street, Suites 100 and 200, respectively. Unit Three, shall comprise the remainder of the Building ("DISI Unit"), bearing the street address of 341 South Main Street, Alpine, UT 84004, and shall be accessible exclusively from an entrance on the south side of the Building. All three Units shall be metered separately, except that the LTS Units shall share water, gas and sewer.

BOUNDARY DESCRIPTION

LOT B, PLAT A AMENDED, ALPINE OLDE TOWNE CENTRE SUBDIVISION ACCORDING TO THE OFFICIAL PLAT OF RECORD ON FILE AT THE UTAH COUNTY RECORDER'S OFFICE, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED SOUTH 00°02'38" EAST ALONG THE SECTION LINE 595.155 FEET AND WEST 1098.186 FEET FROM THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN:

THENCE		CONT.		CONT.		CONT.	
S05°46'59"W	16.84'	N84°13'01"W	15.58'	N05°46'59"E	11.55'	S84°13'01"E	10.67'
S84°13'01"E	0.95'	S05°46'59"W	1.25'	N84°13'01"W	0.95'	N05°46'59"E	1.14'
S05°46'59"W	13.50'	N84°13'01"W	17.75'	N05°46'59"E	12.33'	S84°13'01"E	13.99'
N84°13'01"W	0.95'	N05°46'59"E	1.25'	S84°13'01"E	0.95'	N05°46'59"E	0.32'
S05°46'59"W	14.84'	N84°13'01"W	16.58'	N05°46'59"E	10.25'	S84°13'01"E	23.31'
N84°13'01"W	13.05'	N05°46'59"E	0.92'	N84°13'01"W	0.70'	S05°46'59"W	1.40'
S05°46'59"W	0.92'	N84°13'01"W	12.97'	N05°46'59"E	11.00'	S84°13'01"E	28.67'

TO THE P.O.B.

AREA = 3,579 SQ. FT. OR 0.0822 ACRES

OF UNITS = 3

BASIS OF BEARING = SOUTH 0°02'38" EAST ALONG THE SECTION LINE BETWEEN THE NORTHEAST CORNER AND THE EAST QUARTER CORNER OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

03-02-17

DATE


SURVEYOR

EXECUTED March 2, 2017:


Legal Tender Services, PLLC

By:


Lawrence Hilton, Owner

Dominion Insurance Services, Inc.

By:


Lawrence Hilton, President

STATE OF UTAH

COUNTY OF Utah

SUBSCRIBED AND SWORN/AFFIRMED TO BEFORE ME

ON THIS 2nd DAY OF Mar, 20 17

BY Lawrence Hilton
Kelly W Palmer
NOTARY PUBLIC



3545712016 PE 1 of 1
 JEFFERY SMITH
 UTAH COUNTY RECORDER
 2016 Apr 25 9:06 am FEE 15.00 BY WH
 RECORDED FOR DOMINION INSURANCE

341 South Main, LLC Declaration of Condominium Covenants, Conditions, Restrictions & Management Plat A, Alpine Olde Towne Centre, Lot B Condominium

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

1. *Condominiumization.* The parties hereby agree to divide the building to be constructed and located on the plot described below (the "Building") into two separate condominiums. Unit One shall occupy 696 square feet of the northwest corner of the ground floor of the Building, as well as the attached 593 square foot subterranean vault space and shall bear the street address of 333 South Main Street, Alpine, UT 84004 ("LTS Unit"). The LTS Unit shall be accessible exclusively by means of an entrance located on the west side of the Building. Unit Two, the remainder of the Building ("DISI Unit"), bearing the street address of 341 South Main Street, Alpine, UT 84004, shall constitute the other condominium and shall be accessible exclusively from an entrance on the south side of the Building.

BOUNDARY DESCRIPTION

LOT B, PLAT A AMENDED, ALPINE OLDE TOWNE CENTRE SUBDIVISION ACCORDING TO THE OFFICIAL PLAT OF RECORD ON FILE AT THE UTAH COUNTY RECORDER'S OFFICE, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED SOUTH 00°02'38" EAST ALONG THE SECTION LINE 595.155 FEET AND WEST 1098.186 FEET FROM THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN:

THENCE		CONT.		CONT.		CONT.	
S05°46'59"W	16.84'	N84°13'01"W	15.58'	N05°46'59"E	11.55'	S84°13'01"E	10.67'
S84°13'01"E	0.95'	S05°46'59"W	1.25'	N84°13'01"W	0.95'	N05°46'59"E	1.14'
S05°46'59"W	13.50'	N84°13'01"W	17.75'	N05°46'59"E	12.33'	S84°13'01"E	13.99'
N84°13'01"W	0.95'	N05°46'59"E	1.25'	S84°13'01"E	0.95'	N05°46'59"E	0.32'
S05°46'59"W	14.84'	N84°13'01"W	16.58'	N05°46'59"E	10.25'	S84°13'01"E	23.31'
N84°13'01"W	13.05'	N05°46'59"E	0.92'	N84°13'01"W	0.70'	S05°46'59"W	1.40'
S05°46'59"W	0.92'	N84°13'01"W	12.97'	N05°46'59"E	11.00'	S84°13'01"E	28.67'

TO THE P.O.B.

AREA = 3,579 SQ. FT. OR 0.0822 ACRES

OF UNITS = 2

BASIS OF BEARING = SOUTH 0°02'38" EAST ALONG THE SECTION LINE BETWEEN THE NORTHEAST CORNER AND THE EAST QUARTER CORNER OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

2. *Construction Costs.* The parties agree to allocate the total costs of construction between themselves on the basis of the actual "hard" costs of constructing each condominium, with design, engineering and permitting "soft" fees and costs allocated proportionally on the same basis.
3. *Operation and Maintenance Costs.* Costs associated with the operation and maintenance of the Building shall be borne by each of the Parties to the extent that such costs are readily segregable. Non-segregable costs, including association dues imposed by the Alpine Olde Towne Centre Planned Commercial Development Association, shall be allocated 15% to LTS and the remaining 85% to DISI.
4. *Interest in Common Areas.* The parties respective interests in the common areas of the Building and the associated plot shall be 15% to Unit One and 85% to Unit Two. Further, the parties shall have co-equal rights to the association common areas provided pursuant to the Declarations, Covenants, Conditions & Restrictions, Plat A Alpine Olde Towne Centre Planned Commercial Development recorded with Utah County.
5. *Notices.* Any notices to be given by one party to another shall be in writing and transmitted by personal delivery.
6. *Governing Law.* This Agreement shall be governed by and construed in accordance with the laws of the State of Utah.
7. *Venue.* Any action at law or in equity instituted in connection with this Agreement shall be brought in the appropriate court located within Salt Lake County, Utah.
8. *Attorney's Fees and Costs.* If any legal action is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees, costs and necessary disbursements in addition to any other relief to which that party may be entitled.
9. *Modification.* Any modification of this Agreement will be effective only if in writing, executed by the party to be charged.
10. *Waiver.* The failure of either party to insist on strict compliance with any of the terms, covenants, or conditions of this Agreement by the other party shall not be deemed a waiver of that term, covenant, or condition, nor shall any waiver or relinquishment of any right or power at any one time or times be deemed a waiver or relinquishment of that right or power for all or any other times.

11. *Severability.* The parties hereby agree that if for any reason any provision of this Agreement is found to be unenforceable by a court of competent jurisdiction, all remaining provisions shall continue in full force and effect.
12. *Successors/Assignments.* This Agreement shall be binding upon and inure to the benefits of the respective successors, assigns, and personal representatives of the parties, except to the extent of any contrary provision in this agreement. This agreement may not be assigned by any party without the advance written consent of the other party.
13. *Entire Agreement.* This written Agreement comprises the entire agreement between the parties. Further, it supersedes any previous agreement, written or oral, and supersedes any previous comments or statements, written or oral.

EXECUTED October 1, 2015:

Legal Tender Services, PLLC

By:


Lawrence Hilton, Owner

Dominion Insurance Services, Inc.

By:


Lawrence Hilton, President

STATE OF UTAH

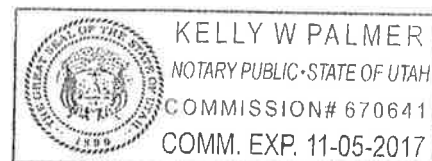
COUNTY OF Utah

SUBSCRIBED AND SWORN/AFFIRMED TO BEFORE ME

ON THIS 21st DAY OF April, 2016

BY Laurence Hilton

Kelly W Palmer
NOTARY PUBLIC



LLC
Certificate of Organization
OF
341 South Main, LLC

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

Article I

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

Article II

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

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

Article III

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

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



Article IV

Name, Street address & Signature of all members/managers

Member #1

Dominion Insurance Services, Inc.

270 North Main Street Suite A

Alpine, UT 84004

Lawrence D. Hilton (POA or AIF)

Signature

Member #2

Legal Tender Services, PLLC

270 North Main Street Suite B

Alpine, UT 84004

Lawrence D. Hilton (POA or AIF)

Signature

DATED 13 October, 2015.

Article V

Management statement

This limited liability company will be managed by its Members

Article VI

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

Article VI.1

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

Article VI.2

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

Article VI.3

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

Article VI.4

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

Article VII

The street address of the principal place of business is:

341 South Main Street Suite 100

Alpine, UT 84004

Article VIII

The duration of the company shall be perpetual

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

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Dry Creek / Fort Creek Area Master Plan

FOR CONSIDERATION ON: 2 May 2017

PETITIONER: Jason Bond, City Planner

ACTION REQUESTED BY PETITIONER: Provide Direction for Master Plan of Designated Open Space

APPLICABLE STATUTE OR ORDINANCE: Article 2.1 (General Plan)

BACKGROUND INFORMATION:

The City open space that runs along Dry Creek and Fort Creek has been discussed by both the Planning Commission and City Council. Direction has been given to staff to start working on improvements to the trail. With the central location in the City, this trail and open space has incredible potential to be a venue for community events, create a variety of recreational opportunities, and support future development on adjacent vacant land.

The City should create a master plan for this open space to properly preserve and improve it. The Planning Commission and City Council members are encouraged to visit the area and start providing their ideas and input. A draft master plan will be provided at the meeting to offer some ideas and initiate discussion. The Planning Commission should prepare for a public hearing at a future meeting and a recommendation to the City Council.

[illegible]

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**ALPINE CITY PLANNING COMMISSION MEETING AT
Alpine City Hall, 20 North Main, Alpine, Utah
April 18, 2017**

I. GENERAL BUSINESS

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

Chairman: Steve Cosper

Commission Members: Bryce Higbee, David Fotheringham, Steve Cosper, John Gubler, and Carla Merrill

Staff: Jason Bond, Jed Muhlestein, Marla Fox

Others: Mayor Sheldon Wimmer, Councilman Roger Bennett, Councilman Lon Lott, Loraine Lott, Will Jones, Ross Welch, Bryan Burr, Mike Russon, Jessica Smuin, Mr. & Mrs. Sterling Gardner

A. Prayer/Opening Comments: Steve Cosper

B. Pledge of Allegiance: John Gubler

II. PUBLIC COMMENT

No Public Comment.

III. ACTION ITEMS

A. PUBLIC HEARING – Annexation Policy Plan Amendment – Include Pine Grove & The North Area (Melby)

Jason Bond explained that there was a formal process to follow anytime considerations were made to amend the Annexation Policy Plan. He said the Mayor and the City Council had asked the Planning Commission to consider amending the Annexation Policy Plan and corresponding map. The proposal was for the areas referred to as “North Area” and “Pine Grove” to be added to the plan. Once the areas in question were added to the plan, they would become eligible for petition to come forward for annexation.

Earlier this year, the City asked Horrocks Engineers to conduct a study to determine what impacts, if any, the annexation of these proposed areas would have on the City’s utility systems. This study outlined the issues and potential costs.

Utah State Code required that the Planning Commission hold a public meeting to allow affected entities to examine the proposed Annexation Policy Plan and to provide input. The Planning Commission should accept and consider any additional written comments from affected entities until ten days after the public meeting, and make modifications to the proposed Annexation Policy Plan they considered appropriate based on input received. So far, no comments had been received in regards to this annexation. Jason Bond said the Planning Commission should then

1 hold a public hearing prior to forwarding a recommendation to the City Council. The City
2 Council would subsequently hold a public hearing regarding the proposed annexation.

3
4 Steve Cospers said by putting these areas on the annexation map, it just opened up the door to be
5 able to have discussions about annexing these properties.

6
7 Steve Cospers opened the Public Hearing.

8
9 Brian Burr said if the City annexed these properties, they needed to have the goal of connecting
10 the trails and Lambert Park to Three Falls and Draper City. He said this would make a fine area
11 for horseback riding, hiking and biking. He said if the City didn't do this, they would have a
12 huge uprising from people who liked using this area for recreational purposes. He said this area
13 needed to be well-planned out and open to the public for use.

14
15 Will Jones said he had brought trails across three areas in Three Falls and hired a company called
16 Trail Aces to do the work. Trail Aces also built the trails in Corner Canyon in Draper. He
17 presented a map of the area in question and identified said trails. Will Jones said the County had
18 no interest in the trail system. He said he was building a 21-stall parking lot with a trailhead,
19 drinking fountain and a restroom. He said he planned to connect these trails over to American
20 Fork Canyon.

21
22 Steve Cospers closed the Public Hearing

23
24 David Fotheringham asked how many building lots were on these properties. Jed Muhlestein
25 said there were 24 lots in Pine Grove and 31 in Melby. David Fotheringham said he would
26 rather the City be in control of annexations than the County. Steve Cospers said he agreed, and
27 presented the Planning Commission's options in making a decision.

28
29 Carla Merrill asked how Pine Grove was zoned. Ross Welch said Pine Grove was in the County
30 and was currently zoned as C2, one-acre lots. He said there was one, fifty-acre portion that
31 would have one home on it; however, that area would be left alone for the time being.

32
33 **MOTION:** David Fotheringham moved to recommend to the City Council to include the Pine
34 Grove and Melby properties in the Annexation Policy Plan.

35
36 John Gubler seconded the motion. The motion passed with 5 Ayes and 0 Nays. Bryce Higbee,
37 David Fotheringham, Steve Cospers, John Gubler, and Carla Merrill all voted Aye.

38 39 **B. Creekside estates Plat a Minor Subdivision – Tom & Shelby Andra**

40
41 Jason Bond explained that the proposed Creek Side Estates Minor Subdivision was located on
42 Matisse Lane and included two lots on a site that was 1.9 acres. The site was located in the CR-
43 20,000 zone. The City Council had previously approved a couple of different versions of this
44 development but the Developer was now proposing a modified version that would not involve
45 amending the Alpine Cottages PRD plat.

Jason Bond presented an aerial map of the subject property, and explained that the Andras were going to purchase the neighboring home and property and move the boundary line to give them a little more space. He said they would still have the frontage and setback requirements for both properties because this was not a corner lot with a private opening on the corner.

MOTION: Carla Merrill moved to recommend that the proposed Creek Side Estates Minor Subdivision be approved with the following conditions:

1. The Developer meets the water policy
2. The Developer provides a construction cost estimate for bonding purposes.

David Fotheringham seconded the motion. The motion passed with 5 Ayes and 0 Nays. Bryce Higbee, David Fotheringham, Steve Cosper, John Gubler, and Carla Merrill all voted Aye.

C. Request to have an Exotic Animal on Property in Alpine City – Will Jones

Jason Bond said that Will Jones was requesting to have a kangaroo on his property. According to the Alpine City Development Code, “exotic animals may be permitted after review and recommendation by the Planning Commission and approval of the City Council.”

Mr. Jones planned to keep the kangaroo close to his home at 999 North Grove Drive. The kangaroo was a fixed male and was only a year old. It was not expected to be very big when it was fully grown. Jason Bond said kangaroos were harmless animals.

Will Jones said a few years ago a friend wanted to put llamas on his property. He joked with him that he might as well put a wallaby there, too. He said he was getting the kangaroo from St. Jude’s hospital. He would have an enclosure with five foot fences and said the kangaroo would eat lettuce.

MOTION: Bryce Higbee moved to recommend approval to have an exotic animal on Will Jones property in Alpine City.

Carla Merrill seconded the motion. The motion passed with 5 Ayes and 0 Nays. Bryce Higbee, David Fotheringham, Steve Cosper, John Gubler, and Carla Merrill all voted Aye.

D. General Plan Update – Moderate Income Housing Element

Jason Bond said at the March 7th Planning Commission meeting, moderate income housing was discussed and the Planning Commission asked for some more information about Accessory Dwelling Units (ADU). The Planning Commission discussed ADUs at the March 21st meeting and was in favor of exploring this concept more and considering some language to be put in the general plan.

The following was some draft language regarding ADUs, the summary of benefits provided by ADUs, and ways that the potential impacts could be mitigated.

Goal

Promote moderate income housing that meets the needs of those desiring to live in Alpine.

Policies

1.1 Allow accessory apartments within owner-occupied dwellings throughout the City.

1.2 Allow senior housing units to be built in more dense clusters to reduce cost of living.

1.3 Allow detached accessory dwelling units (ADU) and carefully regulate them so that they will not be detrimental to the character of a neighborhood.

Jason Bond said the General Plan was the guiding document and there would obviously need to be a lot of work done, if they were to pursue creating an ordinance that would allow ADUs.

Bryce Higbee said he tried to research why the City required apartments to be attached and said he wasn't able to find anything.

Steve Cospier asked the Mayor to shed some light on why the current ordinance existed. Mayor Sheldon Wimmer provided background on the matter. One concern was the lack of affordable housing in the area, which made it difficult for young adults to purchase homes, as well as older couples looking to downsize. He said residents didn't like the idea of separate buildings being built that didn't match the home. However, it was important to find housing solutions that made it possible for young families, older couples wanting to downsize, as well as those in lower income brackets to live in the area.

Bryce Higbee said he didn't think it made any difference whether apartment units were attached or detached. There was further deliberation on the matter, including a discussion about the wording of 1.3.

Sterling Gardner said he and his wife were getting older, and they had a barn and a detached garage on their property. They wanted to build an apartment or small guesthouse so their daughter and her family could also live on the property with them. He said his property was comprised of five acres. He thanked the Planning Commission for hearing this proposal.

Carla Merrill said she understood the Gardners' situation and their proposal made sense; however, regulating zoning requirements was a sticky process. She didn't want a positive recommendation of allowing ADUs to be forwarded to the Council, if it would inadvertently create problems of unsightly and/or poorly maintained structures being constructed on properties throughout the City.

Jason Bond said in terms of aesthetics, there weren't any current City ordinances that regulated residents from building accessory buildings. The only difference with this type of accessory building was that people would be living in it. Furthermore, ADUs would only appeal to a certain demographic and would be owner-occupied.

The Planning Commission gave Jason Bond suggestions on the wording of the housing element.

IV.COMMUNICATIONS

1
2 **V. APPROVAL OF PLANNING COMMISSION MINUTES: March 21, 2017**
3

4 **MOTION:** David Fotheringham moved to approve the Planning Commission Minutes for
5 March 21, 2017, as written.
6

7 John Gubler seconded the motion. The motion passed with 5 Ayes and 0 Nays. Bryce Higbee,
8 David Fotheringham, Steve Cosper, John Gubler, and Carla Merrill, all voted Aye.
9

10 **Adjourn**

11 Steve Cosper stated that the Planning Commission had covered all of the items on the agenda
12 and adjourned the meeting at 8:00 p.m.