

**TREMONTON CITY CORPORATION
LAND USE AUTHORITY BOARD
March 19, 2014**

Members Present:

Steve Bench, Chairman/Zoning Administrator
Chris Breinholt, City Engineer
Shawn Warnke, City Manager
Paul Fulgham, Public Works Director
Linsey Nessen, Deputy Recorder

Chairman Bench called the Land Use Authority Board Meeting to order at 9:03 a.m. The meeting was held March 19, 2014, in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Steve Bench, Engineer Chris Breinholt, Manager Shawn Warnke (arrived at 9:19 a.m.), Director Paul Fulgham, and Deputy Recorder Linsey Nessen were in attendance. Director Marc Christensen was excused.

1. Approval of agenda:

Motion by Director Fulgham to approve the March 19, 2014 agenda. Motion seconded by Engineer Breinholt. Vote: Chairman Bench – aye, Engineer Breinholt – aye, and Director Fulgham – aye. Motion approved.

2. Approval of minutes: January 8, 2014

Motion by Director Fulgham to approve the minutes of January 8, 2014. Motion seconded by Engineer Breinholt. Vote: Chairman Bench – aye, Engineer Breinholt – aye, and Director Fulgham – aye. Motion approved.

3. New Business:

- a. Discussion and consideration of a Plat amendment vacating Lot 2 of Sorensen Subdivision at 532 North 2450 West – Chris Sorensen.

Mr. Chris Sorensen stated that Lot 2 is no longer needed and he would like the City's help to get that property back into Greenbelt because the County said it has been too vacant for too long to go back into Greenbelt. Mr. Sorensen asked if he can't get the property back into Greenbelt, if taxes are cheaper on vacant ground rather than a building lot. Chairman Bench stated that it probably would be cheaper, but he wasn't sure how much.

Director Fulgham asked if the property were vacated if it would be tied back into Mr. Sorensen's other property. Mr. Sorensen stated that he is currently farming the property anyway. Director Fulgham stated that he thought after the property is vacated and tied back into Mr. Sorensen's remaining property, it should be taxed at

the same rate as his other property because it wouldn't be a separate lot. Chairman Bench stated that Mr. Sorensen would need to go to a title company for help on that issue.

Chairman Bench stated that there are also utility easements that go around the lot that the City Council would have to vacate by ordinance. Mr. Ben Johnston was in attendance at the meeting and asked if the lot could be vacated without a plat. Chairman Bench stated that this is the second lot in a two lot subdivision and it would be changing a subdivision boundary line. Engineer Breinholt stated that Mr. Sorensen would be changing something that is already on record, not just retracting it.

Chairman Bench stated that Mr. Sorensen will need to have an engineering firm do a vacation plat for Lot 2 and reestablish the boundary line around Lot 1, which will need to be taken before the City Council along with the ordinance to vacate the utility easements.

Motion by Director Fulgham to allow Mr. Sorensen to submit a vacation plat to the City Council to vacate Lot 2 of Sorensen Subdivision. Motion seconded by Chairman Bench. Vote: Chairman Bench – aye, Engineer Breinholt – aye, and Director Fulgham – aye. Motion approved.

Mr. Chris Sorensen asked if he is good on all of the improvements on Lot 1. Director Fulgham stated that he is and that the City is just waiting on a tie to be made into the sewer and then a meter can be put in.

- b. Discussion and consideration of a Plat Amendment vacating Nicholls Condominiums 5 units to rental apartments at 11 East 200 South – Val & Deborah Nicholls.

Ms. Deborah Nicholls stated that currently the buildings are condominiums and have 5 separate tax ID's and they would like to turn the buildings back into their original rental apartments with one tax ID number for each building. Chairman Bench said that in order to do that, the City Council would just do an ordinance vacating the condominiums. The problem is that the original plat is two lots and the one lot line cuts through one of the buildings, which will create problems for the new owner when they try to get financing.

Chairman Bench suggested having the City Council do an ordinance to vacate the condominiums and then doing a lot line adjustment. Mr. Johnston stated that the issue is that leaves the duplex with no access or easements. If the plat is reverted back to the original, they can do a correction description to modify the two lot lines, but there are still easements and common areas that need to be recorded. Mr. Johnston asked if the best way to record the easements and common areas is by amending the plat or by doing a new plat showing the boundary line adjustments for the two parcels and adding the easements to that plat.

Engineer Breinholt stated that the two options would be to move the lot line or do a new plat to combine the lots and eliminate the lot lines. Mr. Johnston stated that if the plat is vacated it will show the reverted boundary lines with the adjusted boundary lines and easements, which he feels would be the best way.

Mr. Johnston measured the plat and stated that he thought when the plat is vacated and reverts back to the original, the lot line should be okay, but there would still be the easement issue. The units could be sold in the future and have different owners and they will need legal access and access to the common areas. Manager Warnke asked if after vacating the condominiums and re-platting it, if the buildings will meet the side yard setbacks. Chairman Bench stated that it probably would not.

Manager Warnke asked if the units are on separate meters. Ms. Nicholls stated that both buildings have their own meters. Manager Warnke also asked about garbage collection. Ms. Nicholls stated that each unit has their own garbage can that they take out to the road for collection.

Chairman Bench stated that Ms. Nicholls needs to have a plat drawn up showing the ingress and egress easements and easements for parking for Nicholls Apartments, which will be taken to the City Council for approval. Mr. Johnston asked if they need a subdivision plat or a correction description for the two parcels with the easements called out. Engineer Breinholt stated that it's not being subdivided and the only thing reverting will do is take off the condominiums. It will be a record of survey and recording of easements.

Manager Warnke asked about Articles of Incorporation that should have been recorded with the plat when the units were made into condominiums. Ms. Nicholls stated that she doesn't recall having any Articles of Incorporation. Manager Warnke stated that he believed it was required in State Code for condominiums. Ms. Nicholls asked how she would know if the Articles were done. Manager Warnke stated that she could check with the County Recorder as they would have been recorded with the plat. Ms. Nicholls and Chairman Bench both stated they would look into it.

- c. Discussion of proposed development on property located at 1000 West Main – Jeff Archibald.

Mr. Jeff Archibald and Mr. Wes Archibald were in attendance at the meeting. Mr. Jeff Archibald stated that their current project is being proposed in their south lot, just east of Maverik and Members First Credit Union. Mr. Jeff Archibald stated that the project they are proposing is a carwash, the configuration of which is still up for debate. There are some potential problems with the current alleyway that runs between their shop and the south lot. Mr. Wes Archibald stated that there is also a pole that sits on the corner of the lot with a guywire that crosses the alleyway and

anchors just beyond that. Comcast has proposed that the pole be moved to the other end of the alleyway so it doesn't complicate the entrance and exit.

Mr. Jeff Archibald stated that it would be convenient for them to set the carwash up so the alleyway can be used as the exit from the carwash. The other option would be to turn the entire setup so that it is west facing and people would exit right onto 1000 West. Manager Warnke asked about lining the access up with the original access. Mr. Jeff Archibald stated they have discussed doing that.

Mr. Jeff Archibald stated there are a few other issues with the exit such as turn lanes and crossing double yellow lines. The area tends to get congested already and will get more congested when the carwash is pushing more traffic through. Mr. Johnston stated that the curb and gutter will need to be extended down to the end of the development and the access may not be lined up exactly across with the Maverik gas station access as it looks like it will need to be shifted a little. The issue is, if the cars come right out of the alley to exit, there is a power pole, cable box, and phone box so if the access is lined up straight with the Maverik gas station access, there is a double yellow line and a solid white line. If the road were widened some, the turn lane may be able to extend to the access. Engineer Breinholt stated that it would be nice to have the accesses lined up. Chairman Bench stated that two feet one way or the other isn't going to matter. Engineer Breinholt agreed.

Mr. Jeff Archibald stated that they are also considering eliminating everything on the south lot so there is access to their commercial operations in the back because currently the commercial trucks are being serviced in the parking area. Doing that would also free up the front corner lot for future development. If the trucks can come in the back and there is enough room for a turn around, there is a possibility that a truck may attempt exiting out of the same access. Engineer Breinholt asked how wide the alleyway is. Director Fulgham stated that it is seventeen feet wide. Engineer Breinholt stated that it is basically a one-way street. Mr. Jeff Archibald stated that because they own the property on either side of the alleyway, they could create a larger lane if needed. The alleyway used to go all the way to town, but now it dead ends just past their property. Engineer Breinholt asked if the alleyway is a public right-of-way. Mr. Jeff Archibald stated that it is. Director Fulgham stated that the sewer ends up the alleyway just a ways and only services Archibald's property and stated that they may want to look into improving that sewer line before they put pavement in.

Manager Warnke asked about the build out of the intersection at 1000 West Main Street. Engineer Breinholt stated that the left turn lane is more important than an individual right turn lane separate from the straight lane, but with a sixty-six foot right-of-way, they could squeeze in a right turn lane at the intersection. Director Fulgham stated that he didn't think a right turn lane would fit without redoing all the irrigation on the west side of 1000 West. Mr. Jeff Archibald stated that there are several cars that drive through their parking lot in order to avoid making a right turn

at the stop light. Chairman Bench stated that when the Archibald's do curb and gutter, that should help that issue.

Mr. Wes Archibald asked if an inlet would be required for future development on the corner lot. Chairman Bench stated that they could put curb and gutter all the way down to the alleyway. Director Fulgham stated that would probably work best for traffic to have the inlet by the alleyway instead. Director Fulgham also stated that UDOT would like to see the inlet closest to the intersection moved further away from it because of safety factors such as the cars cutting through the parking lot.

Manager Warnke read from the Code the requirements for accesses: "No more than one driveway shall be used for each eighty foot of frontage on any street and no driveway shall be closer to the side property line than six feet. Each driveway shall not be more than forty feet wide. No driveway shall be closer to a street intersection than 100 feet." Manager Warnke stated that this project would also require a Site Plan Review for the entire site, called a Master Site Plan, where the City takes a look at how the entire site would function.

Manager Warnke asked if there will be any lot line adjustments. Mr. Johnston stated that all of the lots are in the same owners name but there may need to be some lot line adjustments to segregate two lots. Manager Warnke asked if the lots would need to be rezoned. Chairman Bench stated that they would not need to be rezoned as they are in the Commercial District (CD) Zone.

Chairman Bench stated that the Archibald's will need to bring in a Site Plan for review and a Landscape Plan. Manager Warnke stated that a Master Site Plan will also need to be submitted for review. Chairman Bench asked that the plans be submitted a week in advance of a meeting so the Board has time to review it before the meeting. Mr. Johnston asked when the next meeting will be. Chairman Bench stated that they Board meets every Wednesday if there are agenda items.

d. Walk ins*

No walk ins.

4. Comments/Reports:

a. Chairman/Zoning Administrator – Steve Bench

No comments.

b. City Engineer – Chris Breinholt

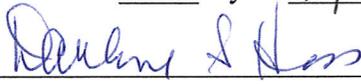
No comments.

- c. Recreation Director – Marc Christensen
Excused from meeting.
 - d. Public Works Director – Paul Fulgham
No comments.
 - e. City Manager – Shawn Warnke
No comments.
5. Public comments: Comments limited to five minutes.
No public comments.
6. Adjournment:

Motion by Director Fulgham to adjourn the meeting. Motion seconded by consensus of the Board. The meeting adjourned at 10:58 a.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes of the Land Use Authority Board Meeting held on the above referenced date. Minutes prepared by Linsey Nessen.

Dated this 23rd day of April, 2014



Darlene S. Hess, RECORDER

*Utah Code 52-4-202, (6) allows for a topic to be raised by the public and discussed by the public body even though it was not included in the agenda or advance public notice given; however, no final action will be taken.