

**TREMONTON CITY CORPORATION  
DEVELOPMENT REVIEW COMMITTEE  
OCTOBER 11, 2023**

Members Present:

Shawn Warnke, Chairman & City Manager  
Chris Breinholt, City Engineer  
Zach LeFevre, Parks and Recreation Director—excused  
Paul Fulgham, Public Works Director  
Connie Archibald, City Councilmember  
Cynthia Nelson, Deputy Recorder

Chairman Warnke called the Development Review Committee Meeting to order at 9:50 a.m. The meeting was held October 11, 2023 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Warnke, Engineer Breinholt, Director Fulgham, Councilmember Archibald and Deputy Recorder Nelson were in attendance. Director LeFevre was excused.

1. Approval of agenda:

**Motion by Director Fulgham to approve the October 11, 2023 agenda.** Motion seconded by Chairman Warnke. Vote: Chairman Warnke – aye, Engineer Breinholt – aye, Director Fulgham – aye, Director LeFevre – absent. Motion approved.

2. Approval of minutes—June 21, 2023

**Motion by Director Fulgham to approve the minutes of June 21, 2023.** Motion seconded by Engineer Breinholt. Vote: Chairman Warnke – aye, Engineer Breinholt – aye, Director Fulgham – aye, Director LeFevre – absent. Motion approved.

3. New Business:

- a. Discussion of annexation and utilities for a proposed parcel at the intersection of 10000 N 6400 W – Brodie & Laura Calder

Mr. Calder said we are looking at potentially annexing into the City. Utilities are currently here and further north. We have reviewed your General Plan. We are willing to go forward with what that City would like to do and will get a presentation to you on the subdivision. We could extend utilities down this corridor with the lift station and would prefer to do phases. We would like to sell off this parcel with the current home. It is a one-acre lot on Corinne water and septic. It could be annexed in as well. Director Fulgham asked how many units total. Mr. Calder said it pencils for 104, but I do not think we will fit all of that, it would be closer to 94. Manager Warnke said we have a standard in our code relative to the number of connections you can serve on one access. Utilities in would need to be in all accesses. Engineer Breinholt said you have to make sure you have fire flow. You would probably be fine with that eight-inch line but might have to run a ten-inch. Director Fulgham said it might be more cost effective if you

cannot get the flows to do a ten-inch down 300 west, then you already have the hole open. Manager Warnke said ultimately, we want a regional lift station. Director Fulgham said it depends how much of the surrounding areas we can get into that location. It might have to be a little deeper to start with to feed more of the south. Engineer Breinholt said I would love to have it on Iowa String. We could serve way more property that way. I need to do some planning. We need some long-term planning for sewer lift stations out here. Director Fulgham said something is going to get undone so maybe we look at what we can do right here for the next five to ten years before we look further. Engineer Breinholt said we could look at a lift station that would serve this general area, not just this subdivision. I would like to have a better feel for what the land is doing before we put too much into it.

They spent time reviewing the previous plans for the subdivision to the west. Engineer Breinholt said on the other it looks like I planned a half-acre per lot, two ERUs per acre. Manager Warnke said we have never done a pioneering agreement but do impact fee reimbursements. We are looking at re-visiting our impact fees. Engineer Breinholt said you are looking at much more than a project improvement. That is a capital improvement. The Commission further discussed fire flow and secondary water.

When asked how they would move forward, Manager Warnke said we would do a pre-annexation agreement and discuss the conditions for annexation. Everything we are trying to answer in these conversations would be formalized in that pre-annexation agreement. The assumption is that West Corinne Water would be fine if we disconnected, but can you verify that? Mr. Calder said he would and would begin the annexation application. Manager Warnke said for sewer there are two options. You could do a project improvement and just pay for it. That would be no impact fee reimbursement. I think we would rather see you do a regional and that would be impact fee eligible. If you submit an annexation petition, then we would have that conversation when the Council decides to consider your application.

- b. Discussion of access on Main Street (S.R. 102) to Mountain View P.U.D. Phase 3 – Brodie and Laura Calder, and Micah Capener

Mr. Capener said when we started this project everybody told us, including the HOA, there was no plan for the additional units for access. We met with UDOT, and they approved our new access. By the time we got all the plans drawn and approved, that approval had expired. We resubmitted and they said the existing access was illegal and not approved for the existing use of the 12 units that were already built. They agreed to let us do the new access but have to close the old one. The existing HOA does not want that. UDOT said we have to start over and have a new traffic study. After diving into it once everything was approved, we found that UDOT misplaced their records. All of this was master planned with the City and UDOT for 24 units to be accessed off the existing access. We acquire the written documentation from UDOT, the traffic study and the original master plan. This is what we want to do because the HOA does not want us to

remove their access, but UDOT will not approve the new access without removal of the old access. UDOT said it is too close to the light that has been approved. Our hope is to update the construction drawings and build it as it was originally master planned. UDOT wants the further access. They have already approved the existing access and the HOA will not move. We reached out to UDOT and notified them that the HOA would not remove their access and that we were planning to use the existing access, but they never responded. I cannot imagine them not being okay with the access that was originally approved for 24 units. Engineer Breinholt said does UDOT's policy grandfather that in or does it say because you did not build all the units and the project has not done anything for a while, does that approval lapse? Manager Warnke said there is a time limit on these approvals. You really need to have that conversation with UDOT. Mr. Capener said we told them in the beginning what it was going to be, and we are honoring that. Engineer Breinholt said I do not have a problem with it. I just hope they are not going to put a wrench in your works. Mr. Capener said he would have that conversation and get approval. He said assuming they are okay with it, we would get approval for the building permit so we can get started while we update the construction drawings to remove the new access. Manager Warnke said if they approve it and you update your construction drawings, we can issue building permits.

- c. Discussion and consideration of approving a subdivision of approximately 0.83 acres of parcel number 06-061-0014, which is occupied by an electrical substation owned and operated by Intertape Polymer Group (IPG)

Manager Warnke said this area is owned by Tremont City RDA. It is currently occupied with Intertape Polymer substation. Intertape was purchased by a new ownership group, who wants to tidy up items, so they want to acquire the property for their substation. This is great for the city, too. We have been working with them and entered into a purchase agreement that anticipates we subdivide the property. This is all one parcel, even though it is divided by another parcel. We would subdivide that property in order to sell them the property they would like (0.8 acre). A provision in our code allows the DRC to approve the subdivision without having to go through the whole entire subdivision process.

**Motion by Chairman Warnke to approve this subdivision.** Motion seconded by Director Fulgham. Vote: Chairman Warnke – aye, Engineer Breinholt – aye, Director Fulgham – aye, Director LeFevre – absent. Motion approved.

- d. Walk-ins: There were no walk-ins.

#### 4. Comments/Reports:

The Committee discussed Harvest Acres Phase 1. Manager Warnke said there are a few things they forgot to formalize. The development agreement needs some work. We also need the CC&Rs and the HOA document. They also discussed River Valley and Harvest Village.

Manager Warnke said Garth Day is pushing back on having the canal company approve it or sign the plat, saying they are not even adjacent to the canal because the City owns property in between him and the canal. Engineer Breinholt said I would really like to know where we stand legally. The canal company keeps claiming this 100-foot easement, even where they do not own stuff. Manager Warnke said I am meeting with the developer for Aspen Ridge to discuss planting trees and how they show up in the landscape plan adjacent to the canal. They would be outside their easement. Do you have that easement document? I want to make sure the canal company does not push back on planting trees. I do not want to create a problem, but I want the trees.

5. Public comments: No public comments.
6. Adjournment:

**Motion by Director Fulgham to adjourn the meeting.** Motion seconded by consensus of the Committee. The meeting adjourned at 11:45 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 Development Review Committee Meeting held on the above referenced date. Minutes prepared by Jessica Tanner.

Dated this 10<sup>th</sup> day of January, 2024

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Linsey Nessen, City 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.