

**TREMONTON CITY CORPORATION
DEVELOPMENT REVIEW COMMITTEE
JANUARY 24, 2024**

Members Present:

Shawn Warnke, Chairman & City Manager
Chris Breinholt, City Engineer
Marc Christensen, Assistant City Manager
Zach LeFevre, Parks and Recreation Director – excused
Paul Fulgham, Public Works Director
Cynthia Nelson, Deputy Recorder – excused

Chairman Warnke called the Development Review Committee Meeting to order at 9:39 a.m. The meeting was held January 24, 2024, in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Warnke, Engineer Breinholt, Assistant City Manager Christensen, and Director Fulgham were in attendance. Director LeFevre and Deputy Recorder Nelson were excused.

1. Approval of agenda:

Motion by Director Fulgham to approve the January 24, 2024, agenda. Motion seconded by Chairman Warnke. Vote: Chairman Warnke – aye, Engineer Breinholt – aye, Assistant Manager Christensen – aye, Director Fulgham – aye, Director LeFevre – absent. Motion approved.

2. Approval of minutes—December 6, 2023

Motion by Director Fulgham to approve the minutes of December 6, 2023. Motion seconded by Chairman Warnke. Vote: Chairman Warnke – aye, Engineer Breinholt – aye, Assistant Manager Christensen – aye, Director Fulgham – aye, Director LeFevre – absent. Motion approved.

3. New Business:

- a. Discussion and consideration of approving a Site Plan for Jack in the Box restaurant located at 2341 West Main Street (Redevelopment of the Denny's restaurant site) – Sherri Miller, Magellan Architects and Engineers Ted and Eugene (via Zoom)

Chairman Warnke provided an updated punch list. A lot of things have been taken care of. The easements and legal descriptions seem to be the most prominent issue in my mind. I appreciate the updated landscape plan. The City has an architect on retainer so I will have him take a look and offer insights. At the end of my staff report, special conditions are formalized in a development agreement. That would include mitigating measures that reduce volume based upon the ambient noise that is occurring at the time. When it is actually operating, we can revisit the issues and see what needs to be adjusted. Ms. Miller said they will have an agreement for additional work that is needed

to meet the compliance of the zoning code regulations. Every site is so different with what actual noise ends up being there. That seems to be the way they can really make sure there is not an issue in the future. Chairman Warnke said it is those types of issues that we formalize in the development agreement, things that we cannot quite comply with now, but we agree to address in the future or will formalize any fee in lieu payments. It really just formalizes what has been approved and agreed upon as part of this development. Impact fees are also unique to this site through redeveloping.

The engineers said they sent a drainage plan that addressed the new design of the storm pond based on prior discussions. Engineer Breinholt said looking at this design—it is more retention than detention. They discussed the layout of that and what is available to them. Engineer Breinholt said I think you are quite undersized for retention. Once that fills, it is going to spill it at a fairly low flow rate. I would like to see you expand that and use all that space back to the property line and then send me your volume numbers. We will figure something out.

The Committee also discussed if a fire hydrant was needed on the south side of the road and a five-foot road dedication for the PUE and MUE, as well as the cross-access easement on the front to access the neighboring properties. They are still waiting for UDOT approval on the deceleration lane and access. Engineer Breinholt said on this lane going into the neighboring property on the south end of the site, is there a cross-access easement there? Do you have a legal right to tie into that? Ms. Miller said the property owners have been talking and are working on paperwork.

The Committee then discussed water shares, which have been hard to find. Chairman Warnke said they may know some developers willing to sell the amount they need and would forward those contacts. They discussed the process with UDOT and their access. Ms. Miller said everything that was requested we submitted. I would expect to hear from them soon. Chairman Warnke said we still need to wrap up these administrative issues for the development agreement. We have some calculations for the fee in lieu. I am guessing we would wait for UDOT's portion and do these administrative things before we issue the building permit. Ms. Miller said we have to release full contingencies for this project by February 12. They need to have building permit approval, even if it has conditions of other approvals with UDOT timing. Jack in the Box was hoping to have something from the City that says your building permit is approved and will be issued as soon as UDOT is approved so they can release the contingencies and sign the lease by then. Chairman Warnke said generally that can work, especially if we signed a development agreement that formalizes the site plan. We can include UDOT approval as one of those special conditions that needs to be met. Ms. Miller said they just have to have something that makes them feel comfortable that their project will move forward as far as the City is concerned in order to release those contingencies. Engineer Breinholt said I think we are basically there. We need to answer the question about the hydrant, and we will work on stormwater with their team to figure something out.

Chairman Warnke said it seems like we can go ahead and approve this contingent upon wrapping up these items. He made a motion to approve it contingent upon final compliance and approval of the construction drawings.

Motion by Chairman Warnke to approve the site plan with the contingency stated above. Motion seconded by Director Fulgham. Vote: Chairman Warnke – aye, Engineer Breinholt – aye, Assistant Manager Christensen – aye, Director Fulgham – aye, Director LeFevre – absent. Motion approved.

- b. Discussion and consideration of Tremonton Subdivision, Phase 1 (Mac Builders) located at 810 North 2300 West – Mike Alvord

The Committee discussed the layout, irrigation ditches in the area and the need for a hammer head. Director Fulgham said once that road goes through the property owner can rip the asphalt out. This is mainly important in the winter with garbage collection so they can pull in and back out and get around. Engineer Breinholt said it does not take up as much room as the bowl, and then they are not trying to use it as part of their driveway. Director Fulgham said a fire hydrant is required.

Chairman Warnke said I do not think we want to vacate the easement we currently have until we have a recorded right-of-way. Engineer Breinholt said we do not want to vacate the easement until the lines are moved or bypassed. Those lines will remain in service until the construction of these utilities is complete. Mr. Alvord said we do not plan on recording until it is complete either. When asked about the extra strip of property, Mr. Alvord said we were just going to give it to the City. Director Fulgham said it does not matter either way. We do not use it. The City would just let the property owner encroach on it. We would let them treat that like a park strip. If for some reason we ever need it, then we would have it. Mr. Alvord said I feel like the majority of the punch list items have been cleaned up. They discussed how addresses would be completed. Chairman Warnke said most of these are items that would be resolved with the engineer. I will put together a draft development agreement. That can be finalized with whatever structure we put in place as far as moving forward.

This item will be added to next week's agenda for further discussion.

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

4. Comments/Reports:

Director Fulgham gave Chairman Warnke a red pen that he crafted as a parting gift as he leaves the City for a new job. Director Fulgham said it has been a good 15 years. Chairman Warnke said it has gone so fast because I have enjoyed it so much. It was easy to be here and to work with you guys. I appreciate it.

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 10:44 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 13th day of March, 2024

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.