

THE STATE OF UTAH
COUNTY OF SEVIER
CITY OF RICHFIELD

At the City Council
In and For Said City
October 8, 2024

Minutes of the Richfield City Council meeting held on Tuesday, October 8, 2024, at 7:00 p.m. in the Council Chambers of the Richfield City office building located at 75 East Center, Richfield, Utah. Mayor Pro Tempore Kip Hansen presiding.

1. OPENING REMARKS
2. PLEDGE OF ALLEGIANCE
3. ROLL
4. MINUTES
5. EXPENDITURES
6. OTHER BUSINESS
7. MEETING ADJOURNED

1. OPENING REMARKS were offered by Michele Jolley.

2. PLEDGE OF ALLEGIANCE was led by Kylee Boyter.

3. ROLL CALL. **Present:** Brayden Gardner, Kip Hansen, Kendrick Thomas, Tanner Thompson, Michele Jolley (Not voting), Rob Jenson (Not voting). **Excused:** Bryan Burrows, Elaine Street. Also, Kylee Boyter, Austin Seegmiller, Carson DeMille, Parker Eads, David Anderson

4. MINUTES APPROVED. The Council reviewed the minutes of the meeting held on September 24, 2024. **Motion:** Approve the minutes of the September 24, 2024 meeting. **Action:** Approve, **Moved by** Brayden Gardner, **Seconded by** Tanner Thompson. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 3). **Yes:** Brayden Gardner, Kendrick Thomas, Kip Hansen, Tanner Thompson. **Excused:** Elaine Street.

5. EXPENDITURES APPROVED. The Council reviewed the warrants for September 2024. **Motion:** Approve the warrants for September 2024. **Action:** Approve, **Moved by** Kendrick Thomas, **Seconded by** Tanner Thompson. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 3). **Yes:** Brayden Gardner, Kendrick Thomas, Tanner Thompson. **Excused:** Elaine Street.

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2 6. PLANNING COMMISSION REPORT. Deputy Clerk David Anderson provided
3 the planning commission report from the Commission's October 2, 2024,
4 meeting. This meeting was short with only a few items.

5 The first was an update on Tyson Curtis's project with the old Pizza Hut building.
6 Curtis was able to acquire a piece of property to the south of the building site.
7 The use of another commercial building was approved, but the additional land
8 will allow for its orientation to be changed and allow for more parking for future
9 projects in the Richfield Plaza property.

10 Next, the commission approved the Roots at Richfield 28-unit apartment
11 complex in an RM-24 zone. This was a decision that was tabled for a month due
12 to the question as to whether a basement that is halfway above ground would
13 count as a floor, as the city ordinance holds a limit of three above ground floors.
14 The city's attorney advised that it would be within its ordinance to approve the
15 project as the basement level doesn't count as one of the floors. With that
16 clarification the Commission recommended it for approval.

17 Jake Black requested reapproval of the Cottonwood Corner Subdivision. It is a
18 project that had previously been approved and gone through the review
19 process. However, it has been over a year since the project was approved, so
20 that approval has expired. There are no material changes to the project, so the
21 commission reapproved the subdivision.

22 Finally, Teddy Lewis came to the commission to request that he be able to
23 extend an 8-foot fence in his backyard. Half of the yard his yard already has
24 an 8-foot fence, he is just extending it the rest of the way so they match. By
25 code the Planning Commission has to approve anything over 6-feet, so they
26 gave it their approval.

27
28 7. CONSIDER APPROVING A CONDITIONAL USE PERMIT (C-2 use) for the Roots
29 at Richfield development, a Multiple-Family (five or more units) facility, as the
30 Planning Commission recommends, to be located at approximately 1170 S. 500
31 W.

32 Councilmember Hansen said the main consideration appears to be what should
33 be considered three stories, and what the maximum height is.

34 Councilmember Thompson asked if this is something that exists in any other
35 areas in town and if this violated any statutes in the city code. The attorney
36 advised that it does not. Councilmember Hansen said it appears they comply
37 with the spirit and intent of the statute, if not the exact letter of it.

38 Austin Seegmiller addressed the council as representative for the project,
39 providing a handout for the councilmembers to look at. The project (now called
40 the Axiom at Richfield) is one of the first Class A market rate apartment
41 complexes to come to Richfield in a long time. This is a non-income restricted
42 property, offering only market rate apartments for rent. Seegmiller said his group
43 has completed a number of market studies for the area and Richfield in
44 particular. There are a fair amount of income restricted apartments already,

1 which come with both pros and cons. Medium income in this area is higher than
2 what the area's income restricted apartments allow. The income restricted also
3 have a 12-month waiting list. The only product available to them if they don't
4 qualify for income restricted is to either purchase a home, or rent a property that
5 on average is more than 40 years old. The project is going to try and preserve
6 the massive trees along the west end of the property, providing a bit of seclusion
7 for the building. It's going to fill a large void in the market right now. There have
8 been hundreds of comps, with nothing newer than five years old. Rent would be
9 approximately \$1,100 for a one-bedroom and \$1,300 for a two-bedroom. This
10 project has eight two-bedroom and 20 one-bedroom apartments. The idea is to
11 make it affordable, but to also target those who don't want to live in an income
12 restricted facility. Seegmiller said his group optimized the property as much as it
13 could, but the biggest difficulty was that larger units required more parking
14 capacity. It wasn't feasible with the parking requirements.

15 Councilmember Thomas asked where the location is specifically.

16 Councilmember Gardner asked if the attorney was favorable to this project. City
17 Administrator Jolley said he was as the project was still below the maximum
18 height restriction in the city.

19 Seegmiller said there are accesses, as well as good turn radii for emergency
20 services. Councilmember Gardner asked how soon they plan to start the
21 project. Seegmiller said it would be started ASAP, depending on financing and
22 how fast they can get the electrical and water line engineering completed.

23 There will be no demolition on this parcel, as it is separate from both the old
24 Topsfield Lodge and Romanico Inn properties. Councilmember Thompson asked
25 about the northeast corner of the property, which is planned to be used as a
26 retention pond for the project's storm drainage.

27 Councilmember Thomas asked what the status is as far as the design and
28 technical review. Mechanical, electrical and plumbing will be the next phase of
29 design, which should take approximately 30 days. The city has completed the
30 preliminary approval. The project is moving into the final technical review.

31 Councilmember Thompson asked if this project would be something that
32 Seegmiller's group would complete, or if it would be sold to another developer.
33 Seegmiller said his group would subordinate and hire a general contractor to
34 complete the project, but would retain ownership.

35 Councilmember Thomas asked about a development agreement. Seegmiller
36 said everything in the project is compliant with the code, so a development
37 agreement would not be needed since there are no items outside of the code.
38 Deputy Clerk Anderson said there would either be a surety bond or an escrow
39 account established to insure the installation of the improvements on and
40 around the site.

41 Councilmember Thompson asked if the project were sold, if it could become a
42 low-income facility. Councilmember Thomas asked if the city council could
43 make it a condition that the facility be market based. It can be added to the
44 conditions since it is a conditional use, Administrator Jolley said.

1 Seemiller said the project is in an opportunity zone, which are favorable to
2 developers. It is set up to be compliant with the opportunity zone, but such
3 zones typically do not favor low income or tax credit-based projects.
4 Councilmember Thomas said he likes the project and thinks it will be a benefit to
5 the city, but would like some protection added to make sure it doesn't get
6 changed into income restricted down the road.
7 Councilmember Hansen it doesn't hurt anything to make it part of the
8 conditions.

9 **Motion:** Approve the Roots at Richfield development at approximately 1170 S.
10 500 W. with the added condition that the apartments remain market rate
11 rentals. **Action:** Approve, **Moved by** Kendrick Thomas, **Seconded by** Brayden
12 Gardner. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 3).
13 **Yes:** Brayden Gardner, Kendrick Thomas, Tanner Thompson. Excused: Elaine
14 Street.

15
16 8. Consider approving local consent for a beer license for the restaurant
17 Severo's. Councilmember Hansen said it appears the application is in order.

18 **Motion:** Approve the local consent for a beer license for the restaurant
19 Severo's.

20 **Action:** Approve, **Moved by** Tanner Thompson, **Seconded by** Brayden Gardner.

21 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 3). **Yes:**
22 Brayden Gardner, Kendrick Thomas, Tanner Thompson. **Excused: Elaine Street.**

23
24 9. OTHER BUSINESS. Councilmember Hansen reported on the event at the
25 Richfield City Park that was hosted to help with foster care efforts in the region.
26 Utah's First Lady, Abby Cox, was present and they had a good turnout. Sevier
27 and Sanpete counties have a great need for foster care, and it is a unique way
28 to provide service.

29 Councilmember Thompson said the lights on the trees along Main Street look
30 very good.

31 Financial Director Rob Jensen said he, Jolley and Mayor Brian Burrows traveled
32 to the Utah Permanent Community Impact Board's funding meeting, where
33 Richfield's pool financial package was formally funded. No changes were
34 made to the approval. The city also received a grant from the LWCF for the
35 pool.

36
37 10. MEETING ADJOURNED. **Motion:** Adjourn **Action:** Adjourn, **Moved by**
38 Brayden Gardner, **Seconded by** Tanner Thompson.

39 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 3).

40 **Yes:** Brayden Gardner, Kendrick Thomas, Tanner Thompson.

41 **Excused:** Elaine Street.

42
PASSED and APPROVED this * day of * 2024.

Recorder