

**TREMONTON CITY CORPORATION
DEVELOPMENT REVIEW COMMITTEE
MAY 15, 2019**

Members Present:

Steve Bench, Chairman/Zoning Administrator
Chris Breinholt, City Engineer
Marc Christensen, Community Services Director—excused
Paul Fulgham, Public Works Director—excused
Shawn Warnke, City Manager
Linsey Nessen, Recorder

Chairman Bench called the Development Review Committee Meeting to order at 9:07 a.m. The meeting was held May 15, 2019 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Steve Bench, Engineer Chris Breinholt, City Manager Shawn Warnke, and Recorder Linsey Nessen were in attendance. Director Paul Fulgham and Director Marc Christensen were excused.

1. Approval of agenda:

Motion by Manager Warnke to approve the May 15, 2019 agenda. Motion seconded by Engineer Breinholt. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Manager Warnke – aye. Motion approved.

2. Approval of minutes: April 24, 2019 & May 1, 2019

Motion by Administrator Bench to approve the minutes of April 24, 2019 & May 1, 2019. Motion seconded by Engineer Breinholt. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Manager Warnke – aye. Motion approved.

The following items were discussed out of order.

3. New Business:

a. Final Review for Riley Buck Subdivision at 4979 West 12000 North – Ben Johnston

Mr. Johnston noted the acreage on the plat and said the proposed subdivision contains 1.68 acres while the parent parcel was 11.09 acres, which allows for 2.77 dwellings. The home of Marc Hirschi sits on 0.68 acres and leaves 1.77 dwellings available. Manager Warnke wondered if they should note that no further subdivisions would be allowed on this parent parcel. Mr. Johnston said the developer would complete the improvements they just need to coordinate with him. He has also turned over the water shares (.5) in Tremonton City's name. Engineer Breinholt will calculate the fees.

Manager Warnke stated his concerns over the road because it is creating this unbuildable lot on a separate parcel with an easement. Mr. Johnston said this is all one parcel now, but the remainder parcel is going to be an easement for his access and utility, and a public utility easement. This describes the easement and not a separate parcel. Manager Warnke said he has concerns about protection strips and I do not like the configuration. If there is going to be a road, it should be dedicated to the City or it creates problems. Engineer Breinholt said we are not tied to that specific location for the road. If a neighbor wanted to dedicate a road they could do it on their property and develop land back there. Administrator Bench said it would not be improved, we are just trying to figure out what would happen in the future. Mr. Johnston said if we were doing it for six houses, it is a different story, but a single dwelling with no more available does not make sense. I think there is no reason to dedicate to the City. Manager Warnke said the fact that it is not a small parcel has him worried. He does not want it to get detached because then someone thinks why pay taxes if I have an easement on the property. Overtime, people think of it more as the City's responsibility. Engineer Breinholt said legally he could just do a 24-foot wide access. The only reason they are doing 60 feet is because they plan to develop it, right? Mr. Johnston said no, he made it 60 feet so they did not have an awkward strip and could put the whole thing as an easement for utilities. Engineer Breinholt said it is made 60 feet for potential future growth. Really, it is a flag lot that could be accessed with a 24-foot wide drive. He does not have any heartburn with it and is glad they are saving 60 feet for it. It is being dedicated as a PUE so that cannot be vacated.

The Committee talked about having a County address for consistency and which way the home would face. Manager Warnke said we should note that the access easement would be vacated upon creation of a right-of-way. Mr. Johnston said it would be an easement over an easement. It would automatically put another utility easement and a public access through there. It would be one on top of another one. Engineer Breinholt said it is always implied when a temporary access is overlaid with a public right-of-way that supersedes it. It is a common way of doing it as far as vacating temporary turnarounds. If you have reason to believe it could become cloudy then we can add it, it is just a note. Mr. Johnston said if a road is dedicated along here, the same owners would have to sign as a public access easement so his private one is overridden by public. If we dedicate and vacate the road, he still has his easement. It does not go away. If we put the note on here and then dedicate the road, his easement is gone.

Manager Warnke asked about laterals. When the road is constructed under that scenario, does it make sense for him to reconnect into the main? Engineer Breinholt said when it is public, they will be required to build a public utility and the lateral will be connected to it. He would connect to the new water main installed in the road. Administrator Bench said if it is working fine could it remain? Engineer Breinholt said he would not want it to. His preference would be whoever develops that land would be required to relocate that water meter. With the development of that road, it would then be a public street and they would connect to the new water line.

Administrator Bench said they would have to do a private street sign and show it in the construction plans. They need to show the turnaround for the final and have markers to identify the location of water and sewer. Engineer Breinholt said the City is required to locate those. Usually that is done with the curb, but in this case, there is no curb so we ask that you shoot it or tie it down to something. On the final construction plans, you show the location of those as built. Administrator Bench said you are ahead of the game. Just get a final. Engineer Breinholt said do a preliminary plat that shows the water and sewer. We will use that as the construction drawing. Also, show the construction of the turnaround and utilities.

Motion by Engineer Breinholt to approve the Riley Buck Subdivision. Motion seconded by Manager Warnke. Vote: Chairman Bench – aye, Engineer Breinholt – aye, and Manager Warnke – aye. Motion approved.

- b. Discussion regarding 4-plex at approximately 150 North and 400 West – Jonathon Roberts

Manager Warnke said the Planning Commission reviewed it and amended the zoning of 16 dwelling units per acre that is way beyond the density you need for this type of development. He is concerned about the individual parcels being zoned RM-18 because right now they are quarter acre lots. Mr. Roberts said they are roughly 66 feet by 150 feet. As a townhome, the Home Owners Association owns the area and the individual owns the townhome. To get started he wants to put it in as a four-plex unit to meet the zoning requirements and then convert them into multi-unit housing as we move along. Manager Warnke said if the zoning is contingent on you adding garages would that be a problem? Mr. Roberts said no he plans to. It is 1.33 acres total with six lots currently. For financing purposes, he wants to move the boundaries so there are four lots. Once they are complete, he wants them all in one HOA and will sell each one individually.

Manager Warnke asked about setback. Mr. Roberts said it is about 40 feet, with 20 feet on each side and another 20 feet between each one. He will cut one unit off and modify the lines a bit more. He would like garages and for each one to have its own access. Engineer Breinholt said he does not typically have a problem with that, but these are so tight he would like to see us reduce some of those points of access. Mr. Roberts said the nice thing is that everyone would then have their own two parking spots and not as much congestion. Engineer Breinholt said he does not think you need to reduce that just the accesses to the street. Maybe have every two units with a common access point to reduce conflict. They can come in together and then flair out to each one of their driveways.

Manager Warnke said this is a pretty dense project. He thinks design and landscaping can mitigate the number of people living so close together and you could create some pockets for that. Mr. Roberts asked about water shares, which Engineer Breinholt would

calculate. Manager Warnke asked about storm drain. Engineer Breinholt said that is in the street. For these units you will need some sort of detention.

Manager Warnke said does it make sense to have this section be more of a collector road? Engineer Breinholt said it might be that size. We might have addressed this already with the Tremont Center. Manager Warnke said this a trail corridor. There is a section for pedestrians on the far side and the other side will be bike as well. He sees a lot of traffic being moved. Administrator Bench said it is marked as a road collector on the Road Plan and is 66 feet. You have a lot of work in front of you. Get your site plan together. Manager Warnke said there will be a public hearing and the Council will formally approve it.

- c. Development Discussion regarding property zoned MU at 1200 South and 1000 West – Cal Osbourne, Jay Simmons, and Braydon Moore.

The Committee reviewed the acreage and parcels at this location. They asked about a strip along the freeway that appears to be UDOT's, but Jeff Madsen, a homeowner in the area, was given permission to utilize it as an access to the property. Administrator Bench said right now the whole island between the freeways is zoned Mixed Use. It could be retail, commercial or residential multi-family. It is a permitted use based on a site plan review.

Manager Warnke asked about the access. It seems like a lot of land in a narrow amount of frontage. Engineer Breinholt said this is the access on the other side of the house if they were able to use and acquire it. Manager Warnke said there are some site distance problems too. It is encumbered by structures that make it more difficult to be an access and comes in a funky angle. It might need two accesses and there needs to be some separation. If you want it to be a public road, it cannot look private. Braydon Moore said it is not a great access into a development. We could come to here for the main entrance, but have some kind of loop. The Committee discussed distance requirements and site triangles. Engineer Breinholt said there is a lot more to it and that would have to be part of the consideration—you will need the clear site. He does not think it is impossible. We also have to consider the future configuration of that road on 1000 West, which is going to push it back as that road goes wider. Administrator Bench said if you can get the two accesses to work, it is a good spot for some mixed use. He does not know if you can get people in single-family dwellings who would want to live between the freeways, but rentals and commercial could go there. Commercial retail might be a stretch, but some type of business-park. Manager Warnke said he is concerned about the access. The more intense land uses, the more access becomes an issue. I would love to see what the engineers come up with. Even leading up to the site is isolated so commercial and retail does not make sense, even though there is great exposure from the intersection. There is no way to get to it. It would be packing a lot of density into that location. Based on the access, limited site distance, existing land uses, and configuration it does not seem like it would function well.

The Committee also discussed utilities in the area. Engineer Breinholt said sewer is going to be an issue. You would need to pressurize it and gravity flow to our treatment plant. There is no storm drain and not much else out there. The only way water gets to that land is through irrigation. You would be containing on site. Manager Warnke said the City's long-term plan is to take traffic from Iowa Street and move it up to Main Street. It is just a plan there is no right-of-way reserved. Administrator Bench said he would call you as far as this road is concerned. Have your engineers look at your accesses. Engineer Breinholt said the engineering standard for site distance is straightforward, either you will get it or not. Manager Warnke said Tremonton is an opportunity zone. There are a lot of opportunities to invest and do well over time.

d. Walk ins:*

Administrator Bench said Contractor Matt Ritter has a parcel of property on 600 South, just west of the four-plexes and south of Chadaz Estate. The parcel is .46 acres. Mr. Ritter said it was two lots, but they deeded it into one lot. He wants to split it into two again because they were not split evenly. Right now it is zoned for four units, but he would like to split that into two lots and do two four-plex units that we could access from both streets (550 South and 600 South). He then showed the Committee a rough sketch. They would sit back to back with four facing 600 South and four facing 550 South. There would not be a complete drive through. There would be a 25-foot setback, 20-feet on each side, and 25-feet between them with landscape and vinyl fence on the property lines with single car garages. Administrator Bench said that with less than half an acre you could barely get the four units. I do not know if it makes sense as far as the zone issue goes. There would have to be some amendment to allow it. A single-family dwelling or a four-plex could go there. It would have to be a zone change. He suggested one four-plex with a garage unit. Mr. Ritter said my ultimate preference is the two four-plexes, but if that does not work we will see what would. Manager Warnke said people like garages, and that is a product we need for those in apartments and townhomes. Mr. Ritter said this is something we could improve drastically with landscaping and fencing, maybe even a play park. Manager Warnke said he likes seeing houses face the street. Design matters to him as it relates to density. Administrator Bench said we will put this on the Planning Commission agenda for discussion. If they like the idea and want to roll with a zone change, we will proceed with that and the elevated standards.

Brent Johnston wanted to discuss Marc Allred's building with the Committee. This building requires 17 onsite parking stalls. He said he has 19, but he is going to lose these two because I have to add 7.5 feet to the buffer. Are you requiring 7.5 feet for the entire length? There is already a six-foot vinyl fence along here and he had a four-foot buffer strip with river rock. Can he do the 7.5 feet here and then go down so we can still get this access? Administrator Bench clarified that the 7.5 feet buffer is a part of the side yard. You have 20 feet here and if that is fenced, you have met that buffer.

Engineer Breinholt said the trees and buffer are for the parking lot. They discussed different parking configurations as well as what areas would have sidewalk, pavement, and curbing. With doors in the back of the building there needs to be a sidewalk or hard surface there.

Mr. Johnston said Mr. Allred would discuss water shares with the City. Engineer Breinholt said the share requirements for site plans are based on the landscaped area including rock because it could be irrigated. It would be minimal for this site. Manager Warnke said the code requires parking and landscaping throughout. You could shorten it a bit to make it function. Mr. Johnston said we will lose parking by doing that. There is a five feet buffer upfront and a six-foot sidewalk, which will be tight for truck traffic. If we make it 7.5 feet that takes it down to under 26 feet, which is really tight. Administration Bench said we reduced this out here because of the enhanced landscaping. Manager Warnke said everyone tries to overbuild their site. We have the buffers to make sure it is not. If we are reducing the buffers then there needs to be some enhancement to the overall project. The buffers help mitigate some of the incompatibility difference from the land uses and also beautifies. He needs to do something beyond just overbuilding the site. We can be flexible to make it function.

Mr. Johnston said we went with the existing curb cuts, so it was modified to get two more parking spaces. If we move out 7.5 feet there is going to be no parking here and it will feel like they are going through an obstacle course. Manager Warnke said this site was overbuilt and parking is an issue. Administrator Bench said if the building did not require more than 13 stalls you could have gotten away without it, but 14 or more stalls does require the landscaped islands. Mr. Johnston said maybe instead of a 7.5 buffer with no islands we could bring it out more and do a bigger buffer on this end. Manager Warnke said he built the building before we got the site plan approved. If this were smaller, he would have less parking and could fit the islands. They talked about other configurations. Manager Warnke said he is suppose to be 15 feet on the front, but he is down to five and he is not doing anything to enhance it. Mr. Johnston said you want an island up here and to move the ADA to here. Extend the 7.5 but come back a bit to give breathing room for cars to turn. Manager Warnke said go 10 to have the landscaping at the end but then swoop back to 7.5. Mr. Johnston was told to have the landscape plan stamped by an architect. Engineer Breinholt said all you have now is rocks and a few trees. The reduction requires more than that. Manager Warnke asked how he is enhancing the site. Administrator Bench said he needs to do landscaping and brick the building. What are Mr. Allred's plans to finish the exterior? Mr. Johnston said not brick. He is doing the same hardy board as the site next to it. It will be enhanced beyond a metal building. Administrator Bench told Mr. Johnston to bring Mr. Allred to the next meeting.

4. Comments/Reports: none.
5. Public comments: Comments limited to five minutes.

No public comments.

6. Adjournment:

Motion by Engineer Breinholt to adjourn the meeting. Motion seconded by consensus of the Committee. The meeting adjourned at 11:23 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 ____ day of _____, 2019

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.