

**TREMONTON CITY CORPORATION
DEVELOPMENT REVIEW COMMITTEE
JUNE 19, 2019**

Members Present:

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

Chairman Bench called the Development Review Committee Meeting to order at 9:04 a.m. The meeting was held June 19, 2019 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Steve Bench, Engineer Chris Breinholt, Director Paul Fulgham, City Manager Shawn Warnke, and Deputy Recorder Cynthia Nelson were in attendance. Director Christensen was excused.

1. Approval of agenda:

Motion by Engineer Breinholt to approve the June 19, 2019 agenda. Motion seconded by Director Fulgham. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Director Fulgham – aye, Manager Warnke – aye. Motion approved.

2. Approval of minutes—June 5, 2019

Motion by Director Fulgham to approve the minutes of June 5, 2019. Motion seconded by Administrator Bench. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Director Fulgham – aye, Manager Warnke – aye. Motion approved.

3. New Business:

- a. Discussion of S & K subdivision and road network with Todd Thornley and Rhett Robinson.

In attendance were Todd Thornley, Jenny Goring, Greg Hansen, Stan Summers, Brian Petersen, and Cody Petersen. Manager Warnke asked them to explain what they are trying to accomplish. Mr. Cody Petersen said at this point we are renting from Mr. Thornley and are trying to purchase the back piece owned by Mr. Summers so we can put a stone yard cut shop on the front. Mr. Summers said the only reason this is labeled as lot 1 and 2 is because no one recorded it, but it was taken care of 20 years ago. Mr. Cody Petersen said we do not own the cut shop Coldwater Stone Design, it is a separate entity. There is also Stoneworld Supply, a supply company for which we supply stone. We have our showroom in Ogden and run our yard right next to the cut shop. We started talking to Mr. Thorley and it has worked. We are trying to purchase this because we need to extend back and have more room. We would not add a building, but maybe

in the future. We want the ability to make a strategic decision with that property. Mr. Thornley said Rhett Robinson and I have talked and he is going to buy the whole thing as one lot. It all needs to be in his name and we will maybe continue to rent that north end. Mr. Summers said the 50 feet would go with it. Mr. Hansen said we did a lot line adjustment to make that go around this line. Stoneworld Supply is buying lot one and two. Mr. Thornley said this easement needs to be a right-of-way on the north end because I am not going to get an easement through the middle of my property. Administrator Bench asked about the 30-foot access they are currently using. Mr. Thornley said we could use it now because of my relationship with Stoneworld, but if that changes or they sell the property, we need to have another easement. Mr. Cody Petersen said it was attractive to us to have that home and easement, but for the price, it does not make sense to put that kind of cash out for the investment it is. We just need the easement right now. Engineer Breinholt said looking at spacing, 100 South is too close to Crossroads to become an actual street to the highway under UDOT's code. UDOT requires 660 feet. Administrator Bench said you could utilize 200 South based on that spacing. Right now 100 South is a City owned right-of-way. Engineer Breinholt said a future plan for the road network in that area would go around all this property instead of trying to put a road through the middle of it. When asked about accessing 200 South Administrator Bench said it would be more of a driveway in. Engineer Breinholt said we want to keep 100 South because it is already there, but UDOT will not let us do it as a full-blown access. Director Fulgham said that is a 79-foot road access, which is bigger than most roads. If possible, we could vacate that and get cross easements from all the property owners so they have the right to use that through someone else's property. Manager Warnke said typically, when a street comes in that is going to benefit multiple property owners they try to bring it close to the center line so both property owners share the dedication. This is a future road, but these guys are not looking to develop now. However, long-term you will want to have access.

Mr. Thornley said we are okay with it being one lot, but the easement has to come in from the north. Manager Warnke said would it be a subdivision by virtue of this remainder parcel? Mrs. Goring said if we kept this as one lot, we could do a lot line adjustment instead of a subdivision. However, if we decide to put the road through, that would create the split, but we are not doing that now. Mr. Hansen said if we are just dealing with this piece and the remainder parcel, then we are dealing with the County. Mr. Summers said except the 50 feet is still in the City. Mr. Hansen said that 50 feet are going to be an easement that we write up as an access. Mr. Thornley said could you square it off so we buy part of it and you buy part of it? That makes more sense. Engineer Breinholt said that is where the County has an issue because part of the property is in Tremonton and the other is in the County, but you could annex. If you are bringing a new road onto Highway 102, you will have to get UDOT's approval. If it is an existing driveway and its use does not change then it does not matter.

Manager Warnke said we need to annex the property and the City will look at providing utilities. We need zoning that goes along with the annexation to determine what uses are

allowed. Mr. Hansen said if the County would approve access to this new lot 1 off Highway 102 then we could make it work. The access would be in the City and not the County's issue. The access is going to come in on that strip. Mr. Thornley said the existing driveway comes all the way through. For convenience, we want a right-of-way so Stoneworld has their own access and right-of-way. Engineer Breinholt said unless it is part of that parcel that is using it, it would have to have an easement. Mr. Hansen said it would be an easement that comes off the highway that is 39.5 feet wide until it gets down to the 50-foot wide parcel. Then we would do a 50 footer across the top of the property. Mr. Cody Petersen said at this point we are not purchasing that property so the easement is all we want, but that could change down the road. Manager Warnke said the City typically requires paved access. If they want to allow you to pave an access across their property while retaining the property they could. The City would require improvements and UDOT would need to approve the access. Engineer Breinholt said UDOT only cares if there is a change of use or a new access. It is a driveway access for a new lot. Mr. Summers said it is not a new lot, it is an existing lot that is changing owners. It has been there for 75 years. Mr. Hansen said we are calling it an access easement, and by their ordinance, it has to be an improved drive. UDOT will require getting rid of the driveway there and accessing it off this new drive approach. Mr. Thornley said you are not moving the driveway, it is staying in the same place. Trucks have used this driveway for years. Engineer Breinholt thinks that if it stays there and gets paved, UDOT does not have anything say. Mr. Thornley said I do not want to pay for 50 feet by 160 feet of pavement. Why would I give an easement right through the middle of my property to have access to this? I had a relationship with the previous owner and we did plenty of business. He said if it were not me back here, he would have closed this access off. If something changes in the relationship or ownership, there needs to be another access. Mr. Hansen said we have to have a paved driveway for that easement either from state Highway 13 or 102 and 102 is the least expensive. If we create that as a lot, we have to have access. Mr. Cody Petersen said there is a paved driveway already from Highway 13 to the property line. Mr. Hansen said it would have to go all the way across to lot one. Our only other option is to come in from the north. Can it be gravel? Administrator Bench said hard surface would be concrete or asphalt.

Manager Warnke asked if this is a subdivision or not. Mr. Hansen said it is. We would annex it in and subdivide it as a single lot, but if we do that then we have to have an improved access to it. Mr. Summers said is the reason we are subdividing because we did not record it 20 years ago? Mr. Hansen said it does not matter what your intent was, it did not happen and we do not have an extra tax ID to borrow. Mr. Thornley said if we do not annex it into the City, then we are not required to have paved access. Mr. Summers said we cannot do that because of utilities serviced by the City. Mrs. Goring said this access is going to be owned by Mr. Kelly Summers, but there is going to be a lot of trucks and heavy usage so the maintenance of that road becomes an issue. Mr. Summers said they will not use it. Mr. Thornley said I do not want an easement though the middle of my property. I could deal with it on the edge.

Mr. Hansen said there is no way around the improvement of the road; even if you are not going to use it, the ordinance requires you to do it. Administrator Bench said the easement would be 24 feet wide, but the improvement has to be 12 feet wide. It has to go past the house so it would be 12 feet by 162 feet. Mr. Summers asked if they could use 200 South eventually and not have to worry about the other. It would be annexed and served from Tremonton City so you would have an easement, but this will be the future access. Manager Warnke said the hard part is if you sell the property or change hands then they stop the access and the road is not constructed. It is not a lot of money for 12 feet wide by 160 feet of asphalt. Engineer Breinholt said maybe \$5,000. Director Fulgham said you have been using that access so it has a good base it just needs to be finished. Could we make it to where if it ever develops then they have to bring it up to current standard? Engineer Breinholt said the easement would have to be there and everything would have to be in place because City code requires a hard surface, but if you are not going to use it asphalt will go to pot. Administrator Bench said it needs to extend for sewer and water in the future. We could make a development agreement that triggers the improvements with a building permit.

Mr. Hansen said if we do this as a lot line amendment and annex it into the City, we would have three tax IDs and three parcels, does that change your approval process? What is the easier process for the City and us? Manager Warnke said a subdivision requires public improvements. Engineer Breinholt said the adjustment requires you to check all setbacks and have access. The easement would have to be in place, but it is not the same as the subdivision process. Mr. Hansen said he would meet with Manager Warnke to discuss which process would be easier. Engineer Breinholt said it needs to satisfy the access and have the appropriate setbacks to the buildings with the zoning. Mr. Hansen said he would get going on the annexation plat and get through that process. Manager Warnke said long-term it makes sense to figure out any dedication of the road now. We eventually want the road to touch your property and have access.

- b. Development Discussion regarding property zoned MU at 1200 South and 1000 West - Paul Keeler

Mr. Keeler was not in attendance as he needed another week to prepare.

- c. Site Plan Review for Allred Business Complex at 800 West Main

Manager Warnke mentioned the landscape plan and water shares, which Mr. Allred has found. Engineer Breinholt said those have not been turned over yet and everything else is addressed on the plan.

- d. Site Plan Review for Crump Reese Motors at 600 West Main

Administrator Bench said just a general discussion with staff for this.

e. Walk ins:*

There were no walk ins.

4. Comments/Reports: none

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 Committee. The meeting adjourned at 10:11 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.