

**TREMONTON CITY CORPORATION
DEVELOPMENT REVIEW COMMITTEE
APRIL 15, 2020**

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 April 15, 2020 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Bench, Engineer Breinholt, Director Fulgham, City Manager Warnke, and Deputy Recorder Nelson were in attendance. Director Christensen was excused.

1. Approval of agenda:

Motion by Director Fulgham to approve the April 15, 2020 agenda. Motion seconded by Engineer Breinholt. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Director Fulgham – aye, Manager Warnke – aye. Motion approved.

2. Approval of minutes: March 11, 2020

Motion by Director Fulgham to approve the minutes of March 11, 2020. Motion seconded by Chairman Bench. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Director Fulgham – aye, Manager Warnke – aye. Motion approved.

3. New Business:

a. Final Review for Tremont Place Subdivision, Phase 2 – Micah Capener

Engineer Breinholt said a geo technical report is required and I have not seen one. Mr. Capener asked if they do the geo tech is there anything that changes in the construction? I do not want to spend six grand if it does not change anything. Engineer Breinholt said possibly. Aspen Ridges has a huge amount of topsoil they have to pull out. You have two phases and can do it all at once. I think it could be beneficial for you if it is different, it would not be worse than Aspen Ridges. Director Fulgham said if you have it built to that standard, you would have to take out a lot of material, and bring in a lot in that road section. Engineer Breinholt said with a unique soil condition next door, I am not comfortable leaving it for this one. They removed 2.5 feet of topsoil. Director Fulgham said can we give approval based on them either getting the geo tech or basing it upon the geo tech requirements of what their neighboring subdivision just did? They could also talk to Blaine Rupp who knows the pitfalls of not taking out enough and bringing in enough. Engineer Breinholt said I would like to see a geo tech. I do not

mind approving it pending that, but if you are comfortable with that, I can go along with it. Director Fulgham said they could build it to the Aspen Ridge standards, which is the worse case we have ever seen. They would have to remove the material and build it back up. Chairman Bench said talk to Mr. Rupp and get his thoughts because 2.5 feet is a lot of earth.

When asked about water shares, Mr. Capener said he would take care of that. Engineer Breinholt asked about the pre construction drawings. Mr. Capener said he has a bid from Mr. Rupp and will get the updated one sent over. Chairman Bench said prior to recording, we need 1.66 water shares. The bond will need to be in place and you will have to prepay for two streetlights (\$1,500 each) and the chip seal (\$8,925).

Motion by Director Fulgham to approve the final for phase 2. Motion seconded by Chairman Bench. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Director Fulgham – aye, and Manager Warnke – aye. Motion approved.

b. Review & discussion of Banham Subdivision, East Main – Micah Capener

Mr. Capener said we met with UDOT, who said the access over there was illegally put in. They want to require us to put in an access and give them access. Manager Warnke said my concern is the look of that storm drain pond. Engineer Breinholt said the pond needs to be landscaped and is much deeper than it needs to be. You could shallow it up. Mr. Capener said it is hairy now, but we are trying to clean this area up. We were going to marry the two developments. There is a strip of about four parking stalls that were never improved. We will go back to the HOA and say we will improve that to add four guest parking stalls in between the two developments if we can share those. It would be better for both sides and you could drive in and out this way. We are not sure where to put the dumpster, but this has the individual cans now. Manager Warnke said could we talk to Treasurer Sharri Oyler about changing that? Chairman Bench said the individual meters are what triggers the individual cans. Engineer Breinholt said the original plans showed a dumpster.

Mr. Capener said the HOA is fine to let us use the access, but they want me to be part of the HOA, which I do not want. We are going to have condominiums and own them all. We do not want to pay for their improvements. Manager Warnke said I was hoping it was being contemplated as a single development so the improvements and everything are brought to a better standard by the HOA. Director Fulgham said there are two things you are going to share, three if you cannot get your access from UDOT. There is a common sewer line, which will save you a ton of money. This shows you extending off their existing sewer line. Engineer Breinholt said you could make your own connection, but you would have to bore under the highway. The State requires the sewer lateral be owned by one entity. An HOA is considered to be a single owner. Director Fulgham said the storm drain basin is the other issue, you will have a common basin. Mr. Capener said we were going to put in our own HOA because I do not want to pay their

costs. In theory, it could be calculated, but I am not sure how you would. Director Fulgham said snow removal is the other fight when you share a parking lot.

The Committee discussed the acreage, which is about .67 of an acre. Manager Warnke said we could revisit the site plan to see how it fits the standards with parking and garbage. One of the issues is the fee in lieu for this portion for frontage improvements. The Committee addressed the 66-foot right-of-way and ensuring proper placement of the complex with future expansion and the potential of widening that road, which would have a center lane and two travel lanes. Engineer Breinholt said it makes sense to combine certain parts of the HOA—they could own the sewer and storm drainage. If you do not have a single owner on the sewer, then you have to cross the highway and get your own connection. Storm drain is combined already, no matter what. Chairman Bench said we will discuss this with the Planning Commission and setup a public hearing. The rezone should be done—it makes sense to put it back to where it belongs. Mr. Capener said we will start the rezone and once that is done, we will redraw it.

c. Walk-ins:*

Developer Gary Madsen came in to confirm a few things on his townhome development near his office. He said the Tremonton Garland Drainage District encompasses the whole lot. This 40-foot right-of-way is an old easement that goes clear through this subdivision. We dug deep and could not find it. This 40-foot easement has been there forever. If we hit any lines, we will fix and reroute them. Director Fulgham said all these homes are built over the same easements. Manager Warnke said could we get permission with a letter or have them sign the plat? Director Fulgham said it was signed over to the Tremonton Garland Drainage District. You could talk to them. Engineer Breinholt said we could see if they will sign off on the plan.

Mr. Madsen asked about bonding for the laterals. Director Fulgham said all laterals to the main have to be bonded for because they are public improvements. Mr. Madsen said I would put the main line, laterals, and water in before I record it so I do not have to bond for those. We found a water meter I can use on this building, but there is not an irrigation system. Director Fulgham said we only do existing development. You will pay your contractor to tap it and put a box in. Mr. Madsen said for storm drain, since this is under an acre, can I send it to the curb? Engineer Breinholt said yes, and here the turf builds up so you can cut that curb down. The reason for that is to allow it somewhere to flow. I said a foot depression, but it would probably be fine with six inches. It needs to be protected both places where it is leaving a curb cut. I am fine if you do a curb cutout and have it drain to the grass away from the parking lot. It is not a pond just a swell.

Developer John Losee attended the meeting to discuss his development on the west end of town for storage sheds. He said this is the new design. We will build these two buildings first and here is the landscaped area. In the buffer we will add four trees.

Manager Warnke confirmed that a landscape architect would need to sign off on it. Mr. Losee said the gate will be a lift style and have an 18-foot opening. Manager Warnke said why are you phasing it, but not doing the frontage first? Mr. Losee said these are really expensive buildings to build and we will have to fence it. Manager Warnke said there is a temporary turn around here now so we need to figure out how to extend this infrastructure. Engineer Breinholt said they do not have to do the frontage improvements yet; they want them to stay like that until that road continues. Chairman Bench said we would do a fee in lieu for all the improvements.

The Committee discussed storm drainage and an easement in the back. Manager Warnke said I am guessing there is existing drainage there we just need to formalize it. Engineer Breinholt said we want a pipe out there at some point. Mr. Losee asked how many feet of landscape buffering is needed? Chairman Bench said the front yard setback is 25 feet, while the side and rear yard are 20 feet. Manager Warnke said this is required to have 15 feet of landscaping here. How are you going to finish the storm drain pond? Mr. Losee said I do not know, but we do not want to mow grass. It is a big pond. Manager Warnke said we need some kind of improvements with trees and things; then you could fade into rocks. Engineer Breinholt said that pond would have to stay pretty shallow. The water is only a couple feet under the ground surface. Mr. Losee said this would be built up a fair amount to compensate for that.

When discussing buffer widths and landscaping on the sides, Mr. Losee said we do not have room for that. Chairman Bench asked about fencing. Mr. Losee said it would be chain link with slats. Vinyl will get broken. I only had to go decorative for the first 20 feet. I did not think we had to do a landscape buffer on the side of the property. Manager Warnke said there is a landscape buffer requirement and we talked about that on the I-15 side. If the adjoining property owner has the requirement to landscape then they will help create that buffer and your portion of the buffer could be the solid fencing. Mr. Losee said that is an ill use of land between buildings to have to put landscape there. I can understand the front but why down the side? I do not like vinyl. We need some type of security fence there. Does it need to be sight obscuring down the sides? Manager Warnke said I think there is a bit of an allowance and some flexibility for issues like this. Maybe you could put more trees and decorate the front of it better. Chairman Bench read the code for a large parcel. He said sight conditions and development constraints vary greatly on large parcels of property. The DRC is authorized to approve landscape plans that deviate from strict compliance with the provisions of this chapter. This is a give and take. Manager Warnke said that maybe the two frontages become more important then. Mr. Losee said I would plan on chain link with angled barbwire on the sides and landscaping here. Engineer Breinholt said the pond needs to be landscaped, which could be rock, but it has to look nice and be weed free. The Committee discussed where the fencing would go in relation to the pond and site. The buffer is 15 feet from the property line regardless of where the fence is.

Manager Warnke said we need a preliminary title report to see where easements are and what is going on there. What about fire protection? Chairman Bench said there is a hydrant out front. The depth is over 400 feet so there would need to be one in the back. It would be your line. You would also have one fire block wall. Common sense would say take it to the back and get around it, but I see your point of running 400 feet of line. Engineer Breinholt said it would be \$6,000 more for the additional 200 feet to take it to the back. Then you would have one in the front and one in the back.

Chairman Bench said get the site plan, landscape plan, and a pond plan. The application for a site plan online will tell him what else is needed. Mr. Losee asked about a geo tech. Engineer Breinholt said you could pay for a portion of the one next door and have them address footings. Mr. Losee asked about signage and said they will probably do a monument sign. The Committee also addressed water shares. Director Fulgham said we need shares for anything that can be irrigated so any landscaped area, which includes the pond. When that is figured out, you would get the certificate and turn that over to the City.

4. Comments/Reports: none.
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 11:21 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 _____, 2020

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.