

**TREMONTON CITY CORPORATION
DEVELOPMENT REVIEW COMMITTEE
MAY 13, 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
Lyle Vance, Councilmember
Cynthia Nelson, Deputy Recorder

Chairman Bench called the Development Review Committee Meeting to order at 9:09 a.m. The meeting was held May 13, 2020 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Bench, Engineer Breinholt (arrived at 9:11 a.m.), Director Fulgham, City Manager Warnke, Councilmember Vance (left at 10:32 a.m.) and Deputy Recorder Nelson were in attendance. Director Christensen was excused.

1. Approval of agenda:

Motion by Director Fulgham to approve the May 13, 2020 agenda. Motion seconded by Chairman Bench. Vote: Chairman Bench – aye, Director Fulgham – aye, Manager Warnke – aye. Motion approved.

2. Approval of minutes: no minutes to approve at this time.

The following items were discussed out of order.

3. New Business:

- a. Sewer discussion of property south of Tremonton on Iowa String – Gary Madsen & Blaine Rupp (West Corrine Water District)

Mr. Madsen said we would like to see if there is any way we can make this work for the property along Iowa String and put it in Tremonton. Director Fulgham said the West Corinne Water District has about 60 connections left to sell and would hate to see 20 of them go to this subdivision when they could see it being consumed by Tremonton City one day. Can something be done to allow them to build that without having to build the sewer? Manager Warnke said that is an area we would service with a lift station. Larger capital facilities are impact fee projects because they are system wide improvements. You would pay your share to help make that happen. Engineer Breinholt said I looked at numbers and we can service a very large part of that area with a single lift station in that whole region, but the bigger the lift station the bigger the cost. It is an impact fee project so the City would participate. Director Fulgham said what would determine the lift station is how we can feed into it. Everything flows southwest so we have to place it

where we can pick up the optimal amount. For Mr. Madsen's project, we would want our lift station at the south end so we could pick up more and pump it back toward Iowa String or Rocket Road. Engineer Breinholt showed where lift stations could go and said everything generally slopes south. Director Fulgham said the problem with lift stations is there are two different standards to build to. One is to Director Fulgham's standard and the other is the Water Quality standard, which requires redundant pumps and a back up generator. My design is a wet well dry well where sewage flows in and the dry area is where the pumps set. Engineer Breinholt said my preference would be to come farther south and service at least 1,000 homes, probably more, with a single lift station. Director Fulgham said that in the future. We are going to outgrow our site where our facility is. The best site would be south and to the west for a new treatment facility. That is where the natural flow and growth is going to happen. Engineer Breinholt said that for the City's interest it is best to limit the number of lift stations and make them bigger and more regional. Manager Warnke said I see two points where we would have extensions under the interstate. One pump station would be by the Western Inn and another here. If we were to create a service area based on those two points, it needs to be farther south than this development. Mr. Madsen said as far south as everything you are going to annex in.

Mr. Madsen proposed they allow him to install septic tanks until the point where it starts to develop. Then I will add a lift station. These homes could pay an impact fee for sewer even though they do not have sewer yet. Manager Warnke said that is always a challenge. People want to do that on the east side of Tremonton and it comes back on the City at a later date when we have to retrofit those for sewer. Mr. Madsen said what would it cost me to put dry sewer out there, run the pipes, and still have septic tanks? That would make it easier for you to connect onto it if and when you put in a lift station. Paying impact fees would be disclosed to the homeowners when I sell the lots. Manager Warnke said it is one thing to disclose and another to collect them. Engineer Breinholt said what about a private lift station? The City would have to own it, but he could do one for his subdivision and pump to us. Director Fulgham said if he did one he would own and take care of it. It could be cheaper, but you would still have to follow the rules of the Division of Water Quality. That would cost about \$100,000. Mr. Madsen said I do not think I could do that for \$100,000. Director Fulgham said there are some offsets in costs for the City compared to what West Corinne and the County will require. The cost for septic systems average \$5,000. Mr. Madsen said yes, but I am not going to pay \$8,500 per water tap, the homeowner will. I do have to pay it upfront. For the City, there is a cost to run the sewer lines and a lift station. I am not arguing, I am just weighing the cost of everything. I could go to West Corinne tomorrow and sell these lots this summer. The other issue that concerns me if I go into the City is secondary water. For these acre and a half lots I have to give the shares for everything that is irrigated so I am giving you \$100,000 in water. Do you think someone will pay your rates and fees to water an acre and a half? Those are my issues. All of a sudden, that costs me \$100,000 for water, \$150,000 on a lift station, and I would have to run the sewer lines. If I go to West Corinne, I have to pay \$170,000 upfront for the water taps,

but will make that back when I sell the lots. I will also have a \$1,000 a month bill for those until I sell, but I can handle that. I would not mind being in the City, but does it make sense financially and time wise? Manager Warnke said you are ahead of our growth in that area and that is the hard part. We have these natural growth boundaries by virtue of us not having services there and it makes it more challenging. That is why we have not seen that development. Mr. Madsen said if you wanted to put a bigger lift station in and let me pay my impact fees to it that would develop a lot sooner. Director Fulgham said the money issue you have is the money issue the City has.

Engineer Breinholt said the other issue we have with development out there is culinary water. We really need a second water line rather than one line that connects all the homes out there. Not only would we need lift stations, we would need new water lines under the freeway. Mr. Madsen said I could pay extra, but I cannot afford \$150,000. That along with other things does not make it worthwhile. If I can make it work I will, if not then I will pursue West Corinne.

Director Fulgham said for secondary water we cannot waive the fees for one and not another. We require the shares if it could be irrigated. Mr. Madsen said your fees for watering are fine, but they will not water an acre and a half lot at those fees. Councilmembers Vance said could we toy with the idea of where they have their lawn around the house, but the acre behind their house would not have it. Director Fulgham said we cannot ensure they do not just use it; we do not have a way to police that. They could pay that or just water off culinary and not care what the cost is. The only way we can is by having the rates. When you start making exceptions, everyone comes out of the woodwork.

Director Fulgham said I am okay with septic tanks, but then people subdivide and build a home behind them and then there are more. Mr. Madsen said I could put CC&Rs that you could not subdivide the lots. If I go with an acre and a half, they will not be wide enough. I can solve that for mine easy enough. Director Fulgham said if you had sewer, would you make the lots smaller? Mr. Madsen said I might, but I do not want to. I would like to keep it rural. If I have to do something like this then I will go to acre lots to make sure it will work out. I would put some toward the lift station, but I could not do \$150,000 plus the water, sidewalks, and sewer lines. The secondary water hurts as much as the lift station. Director Fulgham said lift station infrastructure lasts 30 to 40 years. Even the concrete starts to deteriorate since lift stations create a lot of gases. If we build it smaller at his location, by the time we expand out there, it would need to be replaced and relocated anyway.

Engineer Breinholt said if the City has an interest in generating development south of the freeway then we would want to build a lift station. Manager Warnke said part of it is a policy decision on the Council and if they want to spend the money for a lift station there. Are we upsizing a developer's lift station or are we creating our own? Engineer Breinholt said if we want to help develop that area south of the freeway then we should

look at amending the IFFP and adding lift stations to the impact fee south of the freeway and build one. That is the only way development is going to happen south of the freeway. If the Council wanted to develop this area then we would pick some points and add lift stations. Mr. Madsen said is there any chance we would not have to do that and could go with septic tanks? Manager Warnke said that is also a policy decision. Right now, our current ordinance does not allow it. Staff has recommended against it because it creates a problem for the City to go back and install the infrastructure or hit up homeowners for impact fees to connect to the system. Director Fulgham said when these septic tanks start backing up the Division of Water Quality comes to the City and says you have to take care of the problem. Instead of it being the developer's burden, it becomes a citizen burden. Engineer Breinholt said the problem with that is not your 20 lots it is everybody who follows and wants to do the same thing. How would we say no?

Manager Warnke said the Council will ask for the cost so we need a cost estimate to understand what we are looking at. Mr. Madsen said if we did put sewer back there, what are your thoughts on it getting denser? Do we still want to keep them at an acre? Manager Warnke said we are working on our Land Use Plan and south of the interstate is an area we want to look at for future land uses. We want to create another connection to Main Street. Looking at that area as a whole makes sense and we are in the process of doing that. Director Fulgham said secondary will be a big issue if that comes in. That puts more demand on the system. Some of it could be serviced at this time, but it could easily be serviced off the canal in the future. Engineer Breinholt said there could be no development without upsizing that four-inch water line under the freeway (900 feet). It would have to be an eight-inch. We have to look at it all when we consider development south of the freeway. Storm water would be an issue too.

Chairman Bench said Engineer Breinholt would put some numbers together and get Mr. Madsen on the City Council's agenda. Director Fulgham clarified it would be for their consideration, not for a formal decision during the next City Council. Engineer Breinholt said I will look at the area and determine what we think we can serve and provide a rough cost estimate.

b. Site discussion of River Valley Storage—John Losee

When asked about the lighting plan, Mr. Losee explained where he intends to put those. Every so many units there will be a light attached to the building. It will cast down in an area 10 feet by 20 feet. We do not want to light the place up, just give security lighting. Manager Warnke asked about fencing. Mr. Losee said we would start with these first two buildings and install the fancy fencing. We are not building these buildings yet, we will put in a fence and then build those later because they are expensive units to build. The fence will go back to a certain point. The problem with putting it all in now is that the site will drop in the back since it will have to be built up. If we installed the fence beyond that people could just roll under it. Chairman Bench said but you plan to do the entire earthwork? Mr. Losee said I do not know. That is a lot of money to just sit there.

It depends on the bids. I assume we will do the dirt work for the part we are going to use. It would be another \$30,000 to do that piece that just sits there until the others are built in the next phase. Chairman Bench said it looks like you have two feet of slope from the front. Use the geo tech report and figure out how much will have to be brought in. Mr. Losee said I sent that to the company who is doing the buildings and should have those back today. The structural engineers are the company doing the buildings and they will accommodate what they need to do to sign off on it.

Engineer Breinholt said why are we showing the fire line off the property? Chairman Bench said so the other property owner can utilize it in their development. It will be farther west in a future proposed street. Mr. Losee said Developer Jay Stocking is planning on developing and using this line for something. He does not want to run a line that is dedicated for only one thing when we could stub off. We are trying to build efficiently. This hydrant will move against the building here.

Manager Warnke asked if the turning radiuses are adequate. Director Fulgham said the engineering plan looks like it has plenty. The entrance will help if someone comes in with something long. Mr. Losee said it is unlikely someone will come in with a trailer longer than 30 feet. I do not think we will have issues.

Mr. Losee asked about the easement needed for storm drain piping. Manager Warnke said we are trying to get retention here and are working with Mr. Stocking to see if we can finalize anything, but we need some kind of storm drain. It will outfall here to the Mill Ditch. The Committee explained the size and type of piping, as well as the valve that would be required in a 15-foot easement.

When talking about the landscape plan, Mr. Losee said we will have six honey locus trees in there because they require less clean up in the fall. Manager Warnke mentioned the 15% shrub plant requirement, but said the other thought is doing some xeriscaping using rocks and shapes to create a pattern. Mr. Losee said we are planning on putting fabric down and my preference is the chewed up tree mulch. We might do a combination of that and rocks. We will dress up the entranceway, too. What are you expecting back here? Manager Warnke said trees and just replicating what is here. For the cabin mix, I have never seen it establish well without irrigation in the beginning. I would just do a grass mix. Director Fulgham said he has called out limestone rock in the bottom and a native grass around the top. The bottom of the basin is right at our water table level so you have to rock it. Mr. Losee said I do not want to spend a bunch of money making it pretty because no one will see it up close. I understand needing the trees, but not shrubs. Making it functional makes good sense. We do not want a lot of high maintenance stuff in there. Manager Warnke said those grasses could count as the shrubs. Submit the final plan. I like the idea of contrasting either colors or materials.

When asked about curbing, Director Fulgham said we still have to have a turnaround at the end of the BR Mountain Road so you cannot finish the curb. It would be the fee in

lieu. Manager Warnke reminded him to send a picture or the fencing to ensure it meets the code. Mr. Losee said we plan to do the black rod iron fence, which is six feet tall and decorative. Manager Warnke said does it need to be sight obscuring on the front? Chairman Bench said you will have the block building at a later date. Mr. Losee said those will be put in they are just not planned for now. Engineer Breinholt asked if they are reviewing this as a whole site approval or just the top part? Mr. Losee said phase 1 is these two buildings and phase 2 is the back two buildings. The whole front will get built out first. There is no reason to create the pond until we have something to go into it. The front will be paved with a nice road base. Every few years we will have to go back and grade it. Chairman Bench told Mr. Losee to update and resubmit his plans and email the title report link.

c. Walk-ins:

Mr. Madsen said I got things worked out with the Drainage District. Mike Allen was fantastic. They signed on the plat not giving them any liability and if I run into one, I have to fix it.

4. Comments/Reports:

Chairman Bench said if we go through and allow an accessory dwelling as part of an existing primary dwelling and they connect to water and sewer, do we charge another impact fee? This would be a small building in the backyard. Director Fulgham said if it requires a second meter to serve them separate, they have impact fees. Chairman Bench agree, but asked if they have the opportunity to connect to existing? Engineer Breinholt said what makes it an accessory dwelling and what is allowed in it? Manager Warnke said a livable space of 600 square feet or less. Engineer Breinholt said could any number of people live there? Do we treat it like an apartment? Chairman Bench said there is an occupant load limit. They would be for a newly wed couple, single person, or single parent. There are a lot of zoning requirements that dictate how the building can be. There are still setbacks and things. They may not have the property to do it. The idea behind it is the primary property owner owns that—it is all under one ownership and cannot be sold. Director Fulgham said the problem is we do this for someone who has family there, but when they move out, they get renters and then want the City to control their water use so they do not pass any fees to them. We cannot do that unless they have a separate meter. Engineer Breinholt said why does it matter if they are on the same meter or not, in terms of an impact fee? An extra building is an extra impact and the extra meter is independent of the impact fee. If they have an extra dwelling, why would they not be charged? Director Fulgham read the code about separate connections. He said it shall be unlawful for two or more families or service users to be supplied from the same service pipe connection or water meter unless special permission for such usage is granted by the Public Works Direction and ensures it is owned by the same owner. I will read through this more. They have a separate building and a separate impact fee whether there are two meters or not, just as we do for apartments. There is an impact to the system so we should treat them like an apartment, just maybe not the full impact fee.

Chairman Bench asked if they were ready for Edgewood's review next week. Engineer Breinholt said I will look at it this afternoon. Can we approve it separate from the site plan or is it all part of the Edgewood approval? Chairman Bench said it is the subdivision and site plan they just could not start the townhomes without that site plan approval. Manager Warnke said they want to get the construction plans approved so they can start the process while we wrap up the formal approvals. Engineer Breinholt said that does not compute. They would start building before the approvals are done? Manager Warnke said they realize they are taking their chances. Chairman Bench said we will put them on the agenda for next week and see how it plays out. Manager Warnke said I wonder about that Mathison Apartment, too. Engineer Breinholt said this is a lot better plan than he had last time. I am comfortable with the construction plan I have seen so far, but I will review it.

The Committee asked about having a developer start working on landscaping improvements. Chairman Bench said Attorney Dustin Ericson could send him a letter like the one they did for the sidewalks.

Chairman Bench said Kurt Sadler texted me about a construction trailer and hooking to water and sewer. Director Fulgham said he has to come in and sign up so he can pay for the utilities. We make everyone do that because they are responsible for their usage. He will not be charged the impact fee though. He could use the meter off one of his buildings.

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 11:14 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 24th day of June, 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.