

**TREMONTON CITY CORPORATION
DEVELOPMENT REVIEW COMMITTEE
JULY 29, 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—excused
Cynthia Nelson, Deputy Recorder

Chairman Bench called the Development Review Committee Meeting to order at 9:02 a.m. The meeting was held July 29, 2020 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Bench, Engineer Breinholt, Director Fulgham, and Deputy Recorder Nelson were in attendance. Manager Warnke and Director Christensen were excused.

1. Approval of agenda:

Motion by Director Fulgham to approve the July 29, 2020 agenda. Motion seconded by Chairman Bench. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Director Fulgham – aye. Motion approved.

2. Approval of minutes—June 3, 2020

Motion by Chairman Bench to approve the June 3, 2020 minutes. Motion seconded by Director Fulgham. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Director Fulgham – aye. Motion approved.

3. New Business:

- a. Site Plan & Plat Review for Edgewood Subdivision – Parker McGarvey, Bryce Goodin, and Ben Johnston.

Mr. McGarvey said there was a comment of the sight triangles and lot 39. I think we can accommodate that by separating out that sight triangle and leaving it as open space, but it is problematic on this one because it affects the building. Mr. Goodin said we want to keep the backyard squared up like that rather than cut it on an angle. Manager Warnke wanted us to dedicate that little area to open space, but I think for this lot we need to keep it how it is and step that fence down. Chairman Bench said if you do a wrought iron fence it could be higher. If it is vinyl it will have to step down. We can work with you on that. Mr. Goodin said it changes the building and I do not know if we can get a house in there with that encroachment. This one is easy because it squares that lot up more. Mr. McGarvey said the fence would go here. This is lot 39 if we straighten up that back property line there and dedicate that sight triangle area on that lot. Chairman Bench said put a note somewhere on there that the corner will be accomplished. Square up that lot and then dedicate it. We require the fencing to be a separation between the bigger and smaller lots. Mr. Goodin said as part of the

development we will install this and if we need to step that down or keep it wrought iron we will. The homeowner would only be responsible for the side. Engineer Breinholt said on the side yard it has to be quite a ways back. There are things they could do to block the sight. Chairman Bench said that one has the PUE all the way around (10 feet). Is there a restriction in your HOA for sheds and things like that? Mr. Goodin said they would just have to abide by the City ordinances. Chairman Bench said when you do the measurement to gain the sight distance from the corner, you are squaring up to face the curb and then measuring back from the face of the curb. In our code it is a straight line out as the curb lies, measured back 30 feet. That is only 20 feet because of the 9.5 feet of sidewalk and park strip. Is that something you can look at? Mr. Goodin said yes, there is still a bunch of work to be done.

Mr. Johnston said Edgewood is changing names to Archibald Estate Plat J. Mr. Goodin said when we did the preliminary approval, in our contract to purchase it, Randy said this has to be named Archibald Estates. Chairman Bench said that is not a problem if you have these noted. Mr. Johnston said I will change them. The one I have sent and two I have already made some changes to and sent the new description for you and the County to review.

Chairman Bench brought up the HOA documents and CC&Rs for the townhomes and senior living. Mr. McGarvey said that is still in process. We are right there we are just waiting on the draft. Chairman Bench asked if the parking stalls meet the dimension of 10x20. You also need to verify the ADA stalls and have them shown on the construction drawings. The Committee also discussed addressing. Chairman Bench said the street dedication of 10th north—there is not sufficient PUEs shown on 36 and 37. Mr. Goodin said some had building setbacks and some had PUEs. We went through and changed all the PUEs to 10 feet with no rears and sides. Chairman Bench said just do not put them on.

Mr. McGarvey asked if this irrigation unit has a line type. Mr. Johnston said in the legend I will give it a different hatching so they do not think it is a utility easement. Chairman Bench said the storm drain is good. You are working on the road. The plat should specifically state the utilities within the private street that are dedicated to Tremonton City. Director Fulgham said the road is not dedicated just the utilities. Mr. Goodin said we made the comment that all private roads are considered public utility easements. Chairman Bench said the plat needs to reserve an easement for City utilities that will be located in the private street. Label the streets and storm drain ponds as either public or private so it is clear in the future what improvements are being dedicated to the City. Remove the area that compromises the clear vision triangles and label any easement to the City as a municipal utility easement. Have the dedication language include that municipal utility easements are dedicated to Tremonton City. Engineer Breinholt said the private roads where the water, sewer, and secondary are going would all be MUEs. If you just dedicate it as a PUE then it is dedicated for telephone, gas, and power, not the City utilities. Chairman Bench said within the street is an MUE and in the park strip is a PUE.

Chairman Bench said the special condition section talks about landscape improvements for the double frontage lots in accordance with Tremonton City's land use code. Fencing, park strip improvements, street trees, sprinkler system located on the north side of 800 North between 930 West and 980 West and other improvements shall be included in the bond. The active adult community HOA shall maintain these landscaping improvements for which the developer shall include language regarding the maintenance of those. Put that in your CC&Rs and who will take care of it. We want all of this to be in the plat. The Committee talked more about the private streets and their maintenance since they will not be built to the City's standard. Chairman Bench said the HOA would maintain landscape improvements and the developer needs to express the language for that. The storm water conveyance would pass through a private storm pond. Any storm water collected from the 1000 North storm drain catch basin shall be permitted to be conveyed and obtained through a privately owned HOA storm catching pond, which will ultimately be released in the City's storm drain system.

Mr. McGarvey asked about water shares. He said we would like language that states what we agree upon and then to dedicate them as each phase comes in. Engineer Breinholt said most of it is one for one on the landscape plan. Mr. Goodin said for the project we came up with 17 shares, but the City wants the remaining shares, right? Director Fulgham said we would purchase the extra 14. Mr. Goodin said in the development agreement we could say that we will turn over 17 shares to the City for the project and then sell 14, but there should be some language in there to protect both sides for any changes to lot counts or open space. When that change happens we will recalculate it. We need to have flexibility both ways. Chairman Bench said let us get Engineer Breinholt's review on that and we will go from there. Engineer Breinholt said it would be good to do a one-time transfer to the City so we are not messing with that over and over. Director Fulgham said when we sell them back to you we would not make a transfer certificate. We would just make a financial contract back to you. We end up with the shares anyway and financially you would be taken care of. We will document it and show what there is for each phase and what will be used in the future. It will have language about buying back or having excess at \$5,000 per share. Mr. Goodin asked if the City will make those changes to the development agreement or if we need to. Chairman Bench said you write some language in there and send it to me. We will review it and put it in.

Mr. Goodin said for the bond we will add in fencing and landscaping. Engineer Breinholt said for the pond there has to be some sort of field grass or landscaping to make it functional otherwise it is just a mud hole. Landscape it with some sort of vegetation to keep things in place. It will essentially function as a storm water detention basin. Mr. Goodin said we will address those at the same time. The other thing was the ditch. It is done, but I do not have the drawings for that. Engineer Breinholt said if the farmer is happy and getting what he is entitled to that is all we need to know. Mr. Goodin said we had to raise the road up a bit so as we get down here we will raise the lot up. Mr. Johnston said I reversed it to bring it out of the ground. It helps with the sewer and storm drain. We had shallow cover at the high point. We have about two feet then it tapers to 1.5 feet.

Engineer Breinholt said we talked about the changes on 10th West. Mr. Goodin said we need to get a final set and get your approval so we can give it to the contractor. Engineer Breinholt said we have a site plan for the townhomes and a geo tech survey. In the agreement we talked about landscaping plans and detention basins, but it needs to state or show where there is going to be grass. Mr. Goodin said the landscape plan was for here and here. Maybe we could address it on the construction drawings noting it is to be landscaped and irrigated. Chairman Bench said make sure that park strip gets landscaped.

Chairman Bench read through Manager Warnke's memo. He said to put a note on the construction drawings about underground surface drainage lines. Mr. Johnston said that is on there. Chairman Bench said make sure they are kept in tact or rerouted. The other one is all the easements that come out of the title report, make sure they are shown on the construction drawings. Mr. Goodin said I talked to our attorney again about an agreement with the canal company. He said in reality if there is a shed, tree, or fence they have to remove for repairs then we are not held to replace that, but in reality we always do. If we are going to enter into any sort of agreement then we will have to have it stated in there that if they tear something out they will pay to put it back. Mr. Johnston said they will not have to dig into anything. They have plenty of room.

Director Fulgham said we did come across some field drains that are crisscross through there. That is what the study showed. They are most likely there and dump into the canal or hit the Tremonton Garland drainage district line. Mr. McGarvey said we want to get this plat recorded so we can start going vertical and pull these two permits since we have 10th North. We want to ask about doing a sub phase. Not platting separately, but focusing construction efforts to get this portion curbed and paved to then be able to pull permits along these adjacent homes and then the crews will be working on the rest of it toward completion. That way we can pull building permits. Chairman Bench said as long as the plat is recorded.

The Committee talked about UTOPIA and ensuring they are contacted when the open trench is available so they can add their conduit. Chairman Bench said we have developers give notice to all utilities that there will be an open trench. You have made contact with them so they are well aware of this one. Mr. Goodin said when I have Rocky Mountain Power's plans, I will get that to them so they know where to put their stuff. Engineer Breinholt said there is no reason for us to escrow for it if UTOPIA is putting it in.

- b. Concept Discussion for Subdivision at approximately 980 West 1200 South – William Pingel, John Roberts, and Stephanie Pingel with Cozy Corner. Ben Johnston

Mr. Johnston said I sent you the full construction, but I have the outline of what they were constructing last year. That is what they are doing this year. They will start grubbing this. You have the full set of construction drawings. The outline shows what is going on with it at 1030 and the turn around for both. You sent me comments from

October on the pond and I updated it at the first of the year. Those two boxes are modified and we should be good to go.

- c. Walk-ins: there were no walk ins.
- 4. Comments/Reports: none.
- 5. Public comments: there were no public comments.
- 6. Adjournment:

Motion by Director Fulgham to adjourn the meeting. Motion seconded by consensus of the Committee. The meeting adjourned at 10:17 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.