

**TREMONTON CITY CORPORATION
PLANNING COMMISSION
SEPTEMBER 22, 2020**

Members Present:

Micah Capener, Chairman
Arnold Eberhard, Commission Member—excused
Paul Fowler, Commission Member
Ben Greener, Commission Member
Brad Janssen, Commission Member
Layne Sorensen, Commission Member—excused
Tom Stokes, Commission Member
Bret Rohde, City Councilmember
Steve Bench, Zoning Administrator
Shawn Warnke, City Manager
Linsey Nessen, City Recorder

Chairman Capener called the Planning Commission Meeting to order at 5:45 p.m. The meeting was held September 22, 2020 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Capener, Commission Members Fowler (arrived at 5:49 p.m.), Greener, Janssen, Stokes, City Councilmember Rohde, Zoning Administrator Bench, Manager Warnke, and Recorder Nessen were in attendance. Commission Members Eberhard and Sorensen were excused.

1. Approval of agenda:

Motion by Commission Members Stokes and Greener to approve the September 22, 2020 agenda. Motion seconded by Commission Member Janssen. Vote: Chairman Capener – aye, Commission Member Greener – aye, Commission Member Janssen – aye, Commission Member Stokes – aye. Motion approved.

2. Approval of minutes—June 23, 2020

Motion by Commission Member Stokes to approve the June 23, 2020 minutes. Motion seconded by Commission Member Greener. Vote: Chairman Capener – aye, Commission Member Greener – aye, Commission Member Janssen – aye, Commission Member Stokes – aye. Motion approved.

Chairman Capener called a Public Hearing to order at 5:45 p.m. to receive public input on zoning districts being annexed into Tremonton. There were seven people in attendance.

3. Public Hearing:

- a. To receive public input on zoning districts proposed to property being annexed into Tremonton City, located at 1200 South (Rocket Road) to Interstate 15 and between 100 East and 300 West

Manager Warnke gave an overview of the Hansen annexation, which is owned by Sierra Homes. They have been in negotiations to pick up additional parcels, while this parcel is already within City limits. The proposed zoning on this side of the canal is RM-16 and on another side it is RM-8. This parcel that is eight acres would be zoned R-120 (half-acre lots). Mr. Blake Christensen will continue to farm the property. Rocket Road is planned to be a minor arterial road. There are some choke points in it now, but this development proposes getting the extra right-of-way to make it an 80-foot corridor. The 100 South road is a collector road, which is currently 66 feet. Then there is 300 West, which is planned to be a 60-foot residential road. The long-term project for the City is to expand Rocket Road to a full right-of-way, which is what the Master Plan shows. That would allow the center turn lane and then a traffic lane in each direction. Developers will dedicate what is needed and make the improvements for curb, gutter and sidewalk. There is also a proposed pedestrian crossing, which is part of their requirement. All of these elements will be formalized in the pre-annexation agreement. The canal rail trail is a continuation and will add to the corridor the City has been preserving for a 2.9-mile trail. It is 10 feet wide and mostly separated from vehicle traffic. When you hit Main Street along 400 West, there is an eight-foot expanded sidewalk that will continue on with the development of the apartment complex there. This trail would run from the north of the City to the south. It is important along these neighborhoods because they are denser. This will provide an alternative mode of transportation and is a direct connection between many community amenities like parks and open space, the central business district, as well as schools. We have been working with the canal company to coordinate how this would come to fruition.

Manager Warnke said over here is a regional storm drain basin and park space. This concept shows what facilities would fit into the 5.5 acres and what the City is trying to do relative to distribution of park space and neighborhoods. The basin needs a two-foot impression, which could be less by spreading it out. In the RM-16 zone, it allows for attached housing. The code requires a 10-foot landscape buffer by the developer. There will also be the 30-foot trail corridor and the canal corridor. We are working on getting a survey done. Part of our discussion has been about mitigating density so they will have higher quality building materials and garages for storage, along with layouts and designs that will come more in focus once we get to the subdivision process. It would be an HOA complex in close proximity to the collector and arterial roads in Tremonton. Tremont Street is a 79-foot corridor minor arterial road connective to this neighborhood. In granting density, they are dedicating to the City the trail corridor and two acres in park space, while the City is purchasing the property needed for the regional storm drain through impact fee credits. The City is also participating in paying for the upsize of the storm drain piping throughout the development. We would look for development into surrounding areas to help pay for the improvements, along with grants for the trail corridor. On the other side of the interstate, we will construct an equalization basin for our secondary water system. As we pump out water in different locations in the City, water is released at the same rate back into the canal on the south portion, balancing out the variable pumping that occurs.

General Manager Trevor Nielson read a statement from the Bear River Canal Company.

Manager Warnke and I have had some good discussions about this. We have made some progress on addressing the issue, but as it is stated, there are still some legal hurdles that must be overcome. The letter addressed three main areas of concern that included Access to the Canals and Walking Trail, Subterranean Water Seepage and Canal Safety, and Canal Safety. The letter also proposed some solutions. (Full letter attached).

Mr. Nielson said the drawings show the canal company has a 37.5-foot easement from centerline, but that is actually a much larger easement through prescriptive use, which is noted in Utah code. We are taking that opportunity to define that from 1000 North in Tremonton all the way to I-15 so city planners know what the canal company feels is their prescriptive easement and what our needs are which should reduce conflict. That is a 50-foot from centerline easement, which is what we feel we need to be able to service our canal. The canal used a much larger area when it was constructed so we are going down to 100 feet. The Bear River Development project just published by the state is requiring a 150-foot easement to install a 10-foot pipe. Our canal is 30 feet wide so we do not feel that requiring 100 feet is unreasonable given the size of the central canal. We are trying to be reasonable. At first we felt 65 feet from centerline was what we needed, but as we talked with the developer, they felt that was excessive so we reduced that from 130 to 100 feet wide.

Mr. Nielson said for the subterranean water seepage and canal safety issues—simply put we want to make sure people do not end up with water in their basements due to their proximity to the canal. We would request that an assessment be done during operation so it can be assessed to what the hydrological needs are because we do influence the water table in our operational area. For canal safety in dealing with the removal of the canal bank and trash blocking the downstream pipe conduits, we would like your feedback on suggesting to the City Council a condition of permit for building adjacent to the canal and installing fence before other construction takes place. We are encouraging the final fence, but if they want to do something temporary to catch the trash, they could. Manager Warnke said some of this is more appropriate to the subdivision and permit process. I appreciate Mr. Nielson and his efforts to be proactive and let us know what the concerns are. It is a process we need to go through to address specific issues and formalize an agreement. There is a requirement to have fencing along major canals and we are working on amending our code to clarify that. There is good reason to do a fence, but since these are active construction sites the grade is changing based on development so it might be hard to install the final fence. Maybe a temporary fence would do. The Canal Company and City staff could work on language to bring to the Planning Commission and City Council for review. Mr. Nielson said we would not be opposed to some exemption if they need to do heavy grading. We are not trying to exact anything from them, we just want the fence there when the building material comes in and they do the finished grade. There is room to make exemptions and be reasonable.

Resident John McLain said from a homeowner's point of view I think things are going well there. My main concern with more development to the south, just because we live there everyday and experience what goes on in that area, is we have noticed an increase in traffic. There is going to be an awful lot of traffic there and we want to have safety in

mind for everyone who is going to live in that area. Rocket Road needs some upgrades. I hope the walking trail works out. Everyone is really excited to see that come to fruition. Having that section of the road accommodate all the new residents and addressing that speed zone would be a great step toward safety, especially if you are going to have pedestrians frequently crossing that road as a part of the new walking trail. Please consider that roadway and all the issues.

Chairman Capener closed the Public Hearing at 6:25 p.m.

4. New Business:

- a. Discussion and consideration of approving the 2021 Annual Meeting Schedule

Motion by Commission Member Greener to approve the 2021 Annual Meeting Schedule. Motion seconded by Commission Member Stokes. Vote: Chairman Capener – aye, Commission Member Fowler – aye, Commission Member Greener – aye, Commission Member Janssen – aye, Commission Member Stokes – aye. Motion approved.

- b. Discussion and recommendation to the City Council of zoning districts for property being annexed into Tremonton City, located at 1200 South (Rocket Road) to Interstate 15 and between 100 East and 300 West

Commission Member Stokes said I have a question for Manager Warnke. Our 20 to 30 year Transportation Plan with UDOT, what happened to that? There was supposed to be an exit on Tremont Street from there. Manager Warnke said there have been several different iterations. The thought was that the area could accommodate an off ramp and the City would love to have that there. We felt Tremonton Street was large enough to accommodate it, but we also knew it was a long shot. I have reached out to UDOT in the past and it would cost millions and millions of dollars. Commission Member Stokes said I am all right with that, but why do we spend time with a 50-year plan when we know it is up in left field. It is frustrating for a Planning Commission to plan 20 to 30 years down the road and say it was left field to start with. Manager Warnke said I do not disagree, maybe we should have been more practical in our planning, but it is important for us to put together a plan we would really like to see and work with UDOT on. Commission Member Stokes said the Planning Commission puts all these zones together and suddenly a developer comes to the City and wants to do something different than what was initially drawn up for the next 20 years. Why do we waste our time with a plan if a developer can override us all the time? Manager Warnke said they cannot—you ultimately make the recommendation to the City Council. To your point, maybe we should have thought harder about the off ramp. I do think the planning is paying off and this is a good example of all the planning efforts we have gone through becoming apparent. We have worked through the pre-annexation process and put a development agreement together to address those issues.

Commission Member Stokes said the second issue, Developer Gary Madsen come in June looking to annex his property to the south and we were told that Tremonton needs larger, more expensive housing and suddenly we are going to RM-16. I am struggling with it being high density. Manager Warnke said Mr. Madsen did not want to do the infrastructure and that is what these people are proposing they do and are dedicating land to the City. This corridor makes sense to me because the things we have talked about relative to Tremonton Street being a 79-foot corridor and what we are trying to accomplish with Rocket Road and the collector road on 100 East. I think there is good access on the surface roads to accommodate the density. With that, we are trying to mitigate it with the park space, the open space, and the trail.

The Commission went over the different zoning again. Commission Member Janssen said I like how it sits in there because you have the open space with the river on the one side, the cemetery there, and the park on the south end. I think it fits well. Manager Warnke said the park creates that buffer between the interstate and lays out well. One of the things in the architectural standards is that the homes will face 100 East so the frontage will not be looking at people's backyards, but the front portion of the building. There will not be all the curb cuts interrupting the traffic flow on that road.

Motion by Commission Member Greener to approve the zone changes to the City Council as presented. Motion seconded by Commission Member Janssen. Vote: Chairman Capener – aye, Commission Member Fowler – aye, Commission Member Greener – aye, Commission Member Janssen – aye, Commission Member Stokes – aye. Motion approved.

5. Adjournment

Motion by Commission Member Janssen to adjourn the meeting. Motion seconded by consensus of the Board. The meeting adjourned at 6:45 p.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 Planning Commission held on the above referenced date. Minutes were prepared by Jessica Tanner.

Dated this 11th day of November, 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.