

**TREMONTON CITY CORPORATION  
DEVELOPMENT REVIEW COMMITTEE  
APRIL 7, 2021**

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 7, 2021 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Bench, Engineer Breinholt, Director Fulgham, 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 7, 2021 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—No minutes to approve at this time.

3. New Business:

a. Discussion of alley at approximately 200 W 150 S – Angel Garza

Chairman Bench said we are talking about the L shaped piece of the alley that used to be a T until the eastern side was vacated. Mr. Garza said this is my parent's place. My dad passed away and I am trying to make it safer for my mom. We get cars going through there really fast and random people walk through. I am not trying to block the whole thing so people cannot still have access to their back yards, but I want to do something. I do not want people coming through here while my kids are playing. It is dangerous. What can I do? Chairman Bench said it is a public alley so the public does have a right of use and the City has a sewer line there. Director Fulgham said we cannot vacate the alley. None of it can be vacated because of the sewer line. I agree that no one should have too many rights to go up and down that alley since only two or three properties are against it. I am not sure what the solution would be to stop it though. Manager Warnke suggested some signage although it might not be super effective. Fencing seems like a good way to mitigate that. Director Fulgham clarified that would be for his property line not the alley, which would remain 20 feet wide. We could do signs that say no through traffic. Chairman Bench said let us start with that and you work on your fence. We will go from there.

Mr. Garza also asked about turning one of the structures on that property, which is a garage/shop currently, into a small apartment for his kids. Chairman Bench said that is

not legal right now, but there are some that happened years ago. The Planning Commission is working on something for some kind of accessory dwelling, but we have not got to that point yet.

b. Final approval for Magnolia Lane Subdivision – Jake Peterson

Manager Warnke said I am not sure how you can make that a buildable lot with reasonable setbacks. Mr. Peterson said we will meet the setbacks, even if we only have 28 feet to work with on the depth we can get a house in there by stretching it wider. The back two will be shallower homes. I would build these two houses similar and do parking here. This lot will be a bit tight. Chairman Bench reviewed the setbacks for an R1-8. Mr. Peterson said we will work on those dimensions. For the private drive, can we add a note to the plat with the 12-foot access on each side? Manager Warnke said I think the drive should be separated from these two lots (1 and 4) and owned by these two lots (2 and 3) – the people who actually access the property. There is no need for these individuals to own property they do not use. From a maintenance perspective, these homeowners will need to work amongst themselves to maintain the driveway. The width will be 24 feet with 12 feet of asphalt. It is not just a note on the plat, but reconfiguring the lot lines. Engineer Breinholt said they also need to have easements for each other to use – cross access. All their laterals will go down the lane and they will put their meters on Tremont Street. Director Fulgham said secondary is going in this summer so you need to show secondary lines going back as well.

When asked about a soils report, Engineer Breinholt said we will waive that since we are not building public streets. Mr. Peterson confirmed they are working on the title report now. Manager Warnke said I sent over some Municipal Utility Easement (MUE) language, which Mr. Peterson said he would add, as well as the need for curb, gutter, and sidewalk across the frontage. When asked how many water shares would be required Director Fulgham said about half a share. Chairman Bench said you need to have the signs for those two addresses. Director Fulgham said we have not been doing those. I could, but would have to make a template. You collect the money and I could come up with a sign for all those addresses. The side blade would be the street number with house numbers for private lanes. Chairman Bench said get these things taken care of and we will get you on the next agenda. I will work on a development agreement.

c. Discussion of Overlook Development (Lookout Point Subdivision) – Michael Ahlin & Terry Messersmith

Mr. Messersmith said we have everything under contract. An old plat was submitted to the City in 2005. Chairman Bench said they updated constructions drawings, but it was not recorded. They abandoned it and it sat with no improvements. Around 2012 the developers said they wanted to finish it off. Are you doing something similar to what they had planned? Mr. Messersmith said yes, but there are some adjustments we need to discuss. Can we build homes under the transmission lines, just 18 feet from the peak of the home? Chairman Bench said you would have to work with Rocky Mountain Power. Mr. Messersmith said this is zoned R1-12. Is that based on the lot size or the net? Chairman Bench said 12,000 is the minimum lot. Mr. Messersmith said what would be

the opinion of trying to rezone to where we could add a townhome component on one of the sides? Chairman Bench said we have a lot of them going in right now. The Planning Commission and City Council wants to keep that area as single family. The other zoning shows some commercial and multi-family with big commercial across the street. It is something to discuss. Manager Warnke said I do not think it is a very good location for the density. 1000 North is not a great road and we are working toward improving it. There are concerns about traffic in that area already. We are trying to set more dense developments in locations that have better transportation. Mr. Messersmith said what about an R1-10 rezone? Manager Warnke said the Planning Commission makes these decisions, but we sort of lack a variety. Everyone is pushing to go smaller and this hillside has always been thought of as being bigger. Chairman Bench said the Planning Commission could entertain the idea of going to an R1-10, but they would probably not go smaller. I am not sure they want to look at more townhomes at this point.

Engineer Breinholt said are you guys aware that we cannot serve any higher elevation than what those homes are right now? Mr. Messersmith asked was that about to be upgraded? Director Fulgham said it is developer driven and paid for. You would have to build a tank and have a pump station to it. Mr. Messersmith also clarified that we cannot build another lot until there is a second ingress/egress? That secondary road has to be fully installed with curb, gutter, and be paved before we could develop another lot? Chairman Bench said correct. Mr. Messersmith said so is it the developer's responsibly to build the infrastructure and we would have to put a tank in now? Engineer Breinholt said this area would be dry, but at some point there will have to be a tank. Director Fulgham said it will be driven by development. You would do dry lines and provide water shares based on irrigable acreage (about half a share per developed acre).

When discussing the park strip, Director Fulgham said you can do grass or rock, but I would rather see rock since it is unused property. Chairman Bench said you need to submit a preliminary plat. Manager Warnke said there is an overlay relating to City plans on increasing 1000 North and building it out. There is a dedication of cut slope easements and corridor preservation. Chairman Bench said the road is falling apart and needs to be re-done. Mr. Messersmith asked about the extension of the sewer. Director Fulgham said without pumping, there is no way to get it back to the east. You will need a pump station on 1000 North. Up top there is no issue with sewer, but there is with water and down below you have the issue with sewer. Everything west of there has no sewer and most of the homes are on septic tanks. Mr. Messersmith said if we put a lift station right on 1000 North and pump that back to the east, is that something we would want to collaborate for the future? Engineer Breinholt said we hope it would eventually go to gravity and then head south. Director Fulgham said I have been here 20 years and people come in with different ideas for the property, which it is a great property with water, but you just cannot get the sewer out. We do not allow pioneering agreements or protection strips, but the City will participate in upsizing for growth in the area. Mr. Messersmith said do we need to retain water? Director Fulgham said we do have the ditch that needs to be piped in the future. Generally, you would have detention with a control release for what our infrastructure could handle. Storm water is an issue.

Mr. Messersmith confirmed that the City would work up a development agreement so every issue would be tied into a nice package. Chairman Bench said it would include everything we will require, as well as anything unusual. We would start with a boiler point agreement and go from there. Manager Warnke said it is a subdivision development agreement. Mr. Messersmith said we have a lot to tackle. All those things need to be added up and if it is viable, we are 100% in. My gut tells me it will work, but we have to be creative to do so. Manager Warnke said we reserve capacity for development at the building permit stage. Chairman Bench reviewed the different fees associated with this development, as well as water shares. They also discussed fee in lieu for streetlights and chip seal, and either adding the curb and gutter or paying that fee in lieu as well.

d. Walk-ins: There were no walk-ins.

4. Comments/Reports:

Director Fulgham said the Council has issues with 600 North and how it narrows by the Charter school. If the homes are developed there, I would like to finish out that ditch with curb, gutter, and sidewalk and tie it into the existing. They want me to assign no parking there, but things need to be enforced or the signs mean nothing. It is a stretch of about 260 feet.

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 28<sup>th</sup> day of July, 2021

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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.