

**TREMONTON CITY CORPORATION
DEVELOPMENT REVIEW COMMITTEE
MARCH 15, 2023**

Members Present:

Shawn Warnke, Chairman & City Manager
Chris Breinholt, City Engineer
Zach LeFevre, Parks and Recreation Director—excused
Paul Fulgham, Public Works Director
Connie Archibald, City Councilmember
Lyle Holmgren, Mayor
Cynthia Nelson, Deputy Recorder

Chairman Warnke called the Development Review Committee Meeting to order at 9:40 a.m. The meeting was held March 15, 2023 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Warnke, Engineer Breinholt, Director Fulgham, Councilmember Archibald (excused at 11:26 p.m.), Mayor Holmgren, and Deputy Recorder Nelson were in attendance. Director LeFevre was excused.

1. Approval of agenda:

Motion by Councilmember Archibald to approve the March 15, 2023 agenda. Motion seconded by Director Fulgham. Vote: Chairman Warnke – aye, Engineer Breinholt – aye, Director Fulgham – aye, Director LeFevre – absent. Motion approved.

2. Approval of minutes—January 25, 2023

Motion by Director Fulgham to approve the minutes of January 25, 2023. Motion seconded by Councilmember Archibald. Vote: Chairman Warnke – aye, Engineer Breinholt – aye, Director Fulgham – aye, Director LeFevre – absent. Motion approved.

3. New Business:

- a. Discussion of annexation and development of property – Derek Oyler & Brodie Calder

Mr. Calder said this butts up to the future road development. This lot was cut in half from a 10-acre parcel to five. We want to figure out the density we would be allowed for this non-incorporated area and if it can be annexed into Tremonton. This would leave this landowner as an island, but the utilities are running behind that storage unit. Could we do higher density housing with townhomes or storage units? The Committee discussed the different access that could be allowed by UDOT and the need for a sewer lift station in this area and where utilities would be extended. Chairman Warnke said this parcel is slated for low residential development. Lots of one third up to half acre. Smaller lots could be proposed if you do it as part of a conservation subdivision where there would be 30% open space. I am not sure we should create an island like that. It

creates conflicts. There are a lot of little issues. Councilmember Archibald said we have had so much high density already. Low density would be preferred. Chairman Warnke said the Planning Commission would make a recommendation on zoning. We just want to tell you the issues and what the conversation could be. In that area of the City we would like to see lower density. It is interfacing with existing lower density and is on the outskirts.

- b. Discussion of travel plaza at 1000 North & I-84 – Steve Borup, Rob Lindsey, and Katerina Bongard

Chairman Warnke welcomed the public in attendance and summarized what these developers have proposed with a travel plaza. The property is zoned General Commercial and we have had conversations on what is a permitted land use or a conditional land use. Permitted is absolute allowance, while conditional uses require extra review to mitigate any issues that might occur by virtue of that development being next to another land use. They have looked at several different layouts. Mr. Borup said the concern would be the overnight parking for trucks, but we could create some buffers. This would have a different grade and be lower than that whole area. We could add a privacy fence. There is also the BR Mountain Road that could be a buffer. If we cannot get parking on the other side, we could make this a smaller footprint. Mr. Lindsey said in talking to the residents the biggest concern was the BR Mountain Road. They did not know it was going to happen, as well as the trucks. When we asked them what use they would prefer behind their homes they said storage units would be the least impactful. Mr. Lindsey said we have considered only developing eight acres and doing an express convenience store. This would have less traffic and volume. Ms. Bongard said the original plan was 25 acres, but that was bumped down to 13, and now we are down to 8 acres and an express convenience store. This should be a main hub since all this comes together with the interstates.

The Committee then allowed public comment time.

Rick Jeppesen said I live on 1000 North and the main thing would be how narrow the road is off exit 381. You know there will be tons of traffic coming off there. Director Fulgham said BR Mountain Road would help with that to make sure trucks have a different route. That will be an 80-foot-wide road. They reviewed the alignment. Chairman Warnke said the future Land Use Plan has that extend to 2000 West as a minor arterial road. It will carry a lot of volume to de-emphasize 1000 North, which is a collector. We are working on a contract with an acquisition agent to work with property owners along 1000 North from 2300 West to 2650 West. That is the section the City is working on expanding right now. Widening will cause some changes to people's driveways along that section so we need the easements.

Kim Bowcutt said do we know the intent of the property? Our four homes become the island and that is what is so concerning to us. What will be built around us to landlock

us and lower the value of our property? What is proposed for across the street? Are we going to continue homes? We have buses going up this road and UDOT trucks that will congest that. We have no other outlets unless they use that other road that will be congested if the area north of us becomes residential. What is the demand for a truck stop plaza here? We have others in the area. Director Fulgham said those are too small for what they are talking about. Ms. Bongard said we have done the research. We would not look at this property for a travel plaza if the demand was not there. Ms. Bowcutt said I am concerned about the whole corner where we are becoming very congested, especially with future plans. In the back of our yards, we would have noise and light pollution. Also, what about security and increased crime. We have a whole bunch of questions. We are from a trucking community, but we feel there are better areas. Chairman Warnke said it appears your homes are also zoned Commercial General and you are using the property for residential. Across the street it is primarily residential but also a Commercial General zone. I am not sure what the transitional zoning is. Director Fulgham said the goal is to keep trucks off that road and that is why we are doing BR Mountain Road. Google Maps kicks these drivers off that exit so that needs to change. On 1000 West the right-of-way is 66 feet, but our goal is to develop that road with a center lane, no on-street parking, curb, gutter and sidewalk all the way from 2300 West to the State road sheds. There will be two travel lanes and a turn lane. Due to this development that whole road section will have to be upgraded. They are responsible for their side. Chairman Warnke said we have discussed an extra lane—a deceleration lane so they can slow down. Ms. Bowcutt said who is paying for that road? Chairman Warnke said it is a proportionate share. A proportionality study would take place. Developers are required to provide infrastructure that is equal to the demand they are creating. They would do the 66-foot road with their improvement, while the City would pay for the upsize. This one is different since it has truck traffic so we need to figure that out. Mr. Borup said it circulates the traffic right inside the plaza. It is going to be so much easier when they are coming from I-15 or I-84 to get off and circulate where they need to go to avoid 1000 North entirely.

Clayton Stokes said I live on 1000 North. I have wondered the necessity of this. There are two truck stops on the west of town and two at Elwood. Chairman Warnke said a UDOT representative once told me, before Love's came in, about the need for trucking facilities. I think there is still a need, and this is market driven. They feel confident there is a need and that is why they are investing. Mr. Stokes said I really question the need for the BR Mountain Road. You have a freeway right there why have another lane for people to go up and down? Director Fulgham said we are trying to move traffic from there to 2000 West without having to take them down Main Street. That is a dangerous overpass, and we are trying to get more traffic off there. Chairman Warnke said there is a traffic generator manual that takes a look at the land uses and trips generated. We have done a lot of modeling, which suggests the kind of road capacity we need and we feel confidence we need that road. State code allows us to close roads from truck traffic if we do an engineering study that shows the road does not support them. That is what we did when we closed 1000 North, but as it is developed, I am not sure we can have

that same signage and restriction on trucks. We could discourage it. This area is zoned for Commercial General so they have permitted land uses and a gas station is permitted. We are not yet sure if the overnight parking for trucks is permitted or conditional. First, we need to determine the use and how we can configure it to mitigate the impacts. That is what led us to having them reach out to the neighbors and the idea of having the overnight parking on the west side of BR Mountain Road instead of the east. BR Mountain road would act as a buffer.

Stan Smith said I live in the second house from the west of this. We have a lot of questions. This BR Mountain Road has never been discussed with any of us. That roadway will come within 50 feet of my neighbor's property line and within 200 feet of mine. A big problem we have with this is the slope from my road surface to the back door of my house, which is about 140 feet off the road with an 11-foot drop. It also drops on the other 300 feet behind me to the bluff. If they put in a wall to keep the noise out it will not do a bit of good since we are already 20 feet higher than where they will put this parking area. I know the sound diesel trucks make in a confined area. It is very concerning to have trucks back there, but also anyone and everyone parking in the area behind our homes. They mentioned a hotel and I do not like that idea and the dynamics of a hotel in a residential area. The proposed truck parking will be a nightmare for all of us. One of my neighbors is looking very seriously at selling and moving because of this development. We are very concerned about what is going in behind and next to us. We bought our home 20 years ago and it was zoned residential commercial but changed to residential agricultural a few years ago. Chairman Warnke said to be clear, there is zoning in the City and specific land uses in each zone that are assigned and designated. Some are permitted uses, and some are conditional uses. Permitted uses have the absolute right to move forward. There are City requirements and standards they need to abide by though. If it is a permitted use, then they can do that development, and a gas station is a permitted use. The issue becomes the overnight parking and if that is a conditional use. This is just in the concept stage, and they are determining if they want to do engineering to propose an actual application and submit it to the City. Mr. Borup said as a result of talking to residents, we scrapped our idea of putting the parking behind them and have condensed the size to an express location. Ms. Bongard said we want to figure out what will work and be good neighbors, but eventually something will go there. The Committee reviewed what uses would be permitted.

Grace Pearson said I look at this from the perspective of having seven children and what a gas station will bring to them. We moved here because we wanted County. I get that change happens and that is fine, but my kids now cannot go on walks and feel comfortable, especially with a truck station. Obviously, you can do what you want, but if you can minimize how much truck parking you have, please do so. Truckers need a place to sleep, but can we condense that so it is not impacting our families and children so they can be safe. We love walking the old UDOT road, but that will change with this. As a resident with children, please keep that in mind and think of the impact this has on

our kids. I want to be able to sleep and have my kids sleep and not worry about their safety.

Meg Miles said my husband and I have purchased an acre lot on 1000 North and are in the process of building. Is all of 1000 North Commercial Residential? Chairman Warnke said no. Ms. Miles said what is the timeframe for BR Mountain Road and this complex? Chairman Warnke said BR Mountain Road would go on concurrently with development. Engineer Breinholt said it will be a long time before that road goes all the way through, that will be driven by development. Director Fulgham said it has started already at 2300 West. Ms. Miles said when is the construction phase going to start on the complex? Chairman Warnke said they have not submitted an application, they are still in the planning phase. Ms. Miles said what is the City's long-term plan as this truck stop and complex comes in? With that we will see an increase in crime, thieves, drugs, and prostitution. What is the plan to help mitigate that? Chairman Warnke said we are actively looking at the number of officers we have to see if they are adequate. With any land use, as growth occurs, we know we need additional officers. We would do it in the normal conduct of law enforcement. If this becomes a problem area enforcement will increase. The police would work with owners of the property to address those issues. Through the planning process, we look at mitigating issues where crime could occur based on a physical layout. Our police chief is in charge of operations, and we work in tandem. We look at design that eliminates the potential to harbor crime.

Bruce Bowcutt said I live in the third house from the end. Where is the water going to come from. Will this impact my water and sewer? Director Fulgham said they will have to get City sewer with a lift station or another route going south. No right-of-way has been given yet. Chairman Warnke said in the long-term when the road is extended, the utilities will be there and all the sewer will flow south. Mr. Bowcutt said there is natural drainage there, right? I hope we can see this sound barrier wall come up behind our homes, but we have to have some kind of drainage underneath it so it does not back up. We would like to be involved in this process and appreciate being here. We also want to see a detailed landscaping plan and how that will look behind our homes. We are all for growth and have friends with trucking companies we just want to be involved. Chairman Warnke said we want to be as transparent as we can. It is a permitted use and the City does not have in our standards a sound wall that is required for development. We could try to work with the developers, we just do not want you thinking that would be put in. Those are things that are yet to be determined. They are not an absolute requirement. They do want to be good neighbors and we do have other requirements that provide buffering and screening, but not like the walls you see along the interstate.

Marc Allred said I own property adjacent to theirs and live near here. You do not have the easements for the road coming through yet and the farm property is still in the County. Back when we flooded and going through Mr. Stokes's property, there is the storm drain line he gave the City an easement for. That runs out and lands on your fields and creates a pond. At some point that will have to be addressed. I would like to see you

get the sewer running up to the hillside rather than the lift and pump station. Director Fulgham said as BR Mountain Road goes that way it will follow the road. Mr. Allred said we ran the sewer through there to tie into Sierra homes, this could help the City. Our theory was when Jay Stocking hooked on Sierra Homes, they would service our 25 acres to help open that up and everything adjusted. That is why we signed those easements to the City. Director Fulgham said once that sewer line went in it belonged to Tremonton City. Mr. Allred said I owned the easements for a period of time. We signed that over to you to develop and go forward. The intention was for that. I want you to know there are other options to get the sewer through an existing spot in the road. I might participate to offset it being up top. Let us look at the total picture for the whole City and the whole property. Director Fulgham said we need a master plan to do that. Mr. Allred said we need to look at options, they could run a different direction and service things better. Things could be adjusted so we do not miss out. There are people willing to work with others. To benefit everyone, we need a master plan of that area and people willing to open that up, so it develops properly.

Chairman Warnke said we are at a conceptual level and what they are wanting to know is if they can move forward and draw up a site plan and preliminary plat. For the overnight truck parking, we have come to the conclusion it would be on the west side. Ms. Bongard said how much opposition will we encounter in moving forward? We want to make sure you want this here. Chairman Warnke said it is zoned for this use. Property owners have a vested right to develop based on City ordinances. The developers have a right to submit an application and if they do, we will continue through the process. We would welcome the public to attend these meetings.

Ms. Bongard said we have been working on this since August and need to make a decision to move forward or go somewhere else. With us going from 25 acres to 13 and now 8 with the express store, I am not sure the restaurant would come since it is a smaller footprint. Chairman Warnke said this is your decision ultimately and you know my concerns. Engineer Breinholt said I wonder what it would look like if it was all lower and the buffer was along the top so they could not look into it. Chairman Warnke said this is a great site for the use, but the topography is not great. I think there are problems with it. Engineer Breinholt said there are still enough questions up in the air and without a preliminary grading plan we cannot answer those. We have to see it. The Committee discussed the potential grades for this area.

Mayor Holmgren said based on the comments I think they wanted answers, but I did not sense it was pitchforks and knives. They understand this is zoned for this kind of use. You did a good job of being open and transparent. I could not think of a better plan coming off I-84. I think it would be a hit as far as a truck stop goes. It makes a lot of sense. We are in need of more restaurants, and I think all that will be well received if it can be worked out. Ms. Bongard said we have discussed doing two to three other restaurants here as the City grows. If we can do the express with parking number two, then we are good to go. Chairman Warnke said I would like to see it. I agree people

were not as averse to this, but we represented that parking would go on the other side to alleviate their concerns. This could work with the option two parking and the restaurant up there. Director Fulgham said that becomes part of the buffer, too. Chairman Warnke said you have 90 acres, at some point we need it to come back to the west so it can tie into the existing location. You have a lot of room to move the alignment. We just need to tie it back in. The developers will review this and get back on the schedule for further discussion.

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

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 12:17 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 17th day of May, 2023

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.