



Agenda -Development Review Committee

DATE: Wednesday, October 13, 2021

TIME: 3:30 P.M.

ADDRESS: 30 West 100 South Salem, Utah 84653 (Council Chambers)

3:00 p.m. WORK SESSION (Staff Meeting – No Official Business Done)

1. Viridian Farms (BYU Farms) Development Agreement
2. Summer Springs ROW Adjustment

3:30 p.m. AGENDA – DRC

1. Approval of DRC minutes from October 6, 2021
2. Viridian Farms (BYU Farms) Development Agreement

Staff Attendance: Walter Bird, Chief Brad James, John Bowcut, Bruce Ward, Matt Marziale,
Vaughn Pickell, Cody Young, Mayor Kurt Christensen, Ryan Selee

Public Attendance: Ryan Hales, Adam Loser

3:00 p.m. WORK SESSION (Staff Meeting – No Official Business Done)

Viridian Farms (BYU Farms) Development Agreement

Bruce Ward stated that there is public concern with offsite traffic improvements. The DRC asked if the council would use their eminent domain power to create offsite road improvements. Vaughan Pickell stated that the council would have to make the decision to use their eminent domain power. The DRC asked Ryan Hales from Hales Engineering about the timing of the ribbon road that will be connecting to the project from 750 North. Ryan Hales stated that we will know the timing of the ribbon road from 750 North when the traffic study for the area is completed. Ryan Hales stated that the uncompleted traffic study shows that a two-lane road for 8800 south will be sufficient for traffic in the year 2025. Jordi Barret from Hales Engineering stated that after the first phase of the Viridian Farms project is completed the intersection of 8800 south and Woodland Hills Dr. will warrant a signal. Matt Marziale mentioned that the City will have a hard time controlling offsite road improvements that are not in the City boundaries. Matt Marziale stated that the City needs to make a plan of what offsite roads the City can improve. Ryan Hales stated that 400 east will need turn pockets going onto 8800 south early on in the development of Viridian Farms. Adam Loser stated that the property owner on the corner of 8800 south and 400 east will be willing to give up property for turn pockets.

Summer Springs ROW Adjustment

Bruce Ward stated that the City needs to decide if we want to adopt the cross section for townhomes that was presented by Jake Black at Northern Engineering for the Summer Springs subdivision. The DRC has no issues with adopting the new townhome cross section. Vaughn Pickell stated that the cross section can be adopted into the R-5 zone as an optional cross section for townhomes. Chief Brad James stated that the City will need to make sure that the eight feet lost from removing the planter needs to be used somewhere else in the development. The City will need to ask Jake Black to provide a cross section detail to begin the process of creating the ordinance.

3:30 p.m. AGENDA – DRC

Approval of DRC minutes from October 6, 2021

Mayor Kurt Christensen made a motion to approve the DRC minutes from October 6, 2021. Vaughn Pickell seconded the motion. All members of the committee voted in favor.

Viridian Farms (BYU Farms) Development Agreement

Bruce Ward recapped the work session conversation. Ryan Hales stated that they are not completely finished with the traffic study for the area. Ryan Hales stated that the intersection of 8800 south and 400 east will need to have the vision barriers removed, stop line paint redone, a bigger stop sign install and turn pockets. The DRC mentioned that the SUVPS pole at the intersection of 8800 south and 400 east may raise concerns for creating turn pockets at the intersection. Bruce Ward stated that the intersection of 8800 south and 400 east is a county intersection. Vaughn Pickell stated that the City will need to work with the county for the improvements of the intersection of 400 east and 8800 south. Matt Marziale stated that the county will have no issues with the City improving their intersections. Matt Marziale mentioned that there is potential for property owners to not grant property for the improvements of the 8800 south and Woodland Hills Dr. Intersection. Ryan Hales stated that the intersection of 8800

78 south and Woodland Hills Dr. warrants a signal after the first phase of Viridian Farms is built.
79 Ryan Hales stated that turn pockets for the intersection of 8800 south and Woodland Hills Dr.
80 could be built when the signal is installed. The DRC wants a left turn pocket, right turn pocket
81 and a straight lane at each road on the intersection of 8800 south and Woodland Hills Dr. The
82 DRC mentioned that the North West corner of the intersection of Woodland Hills Dr. and 8800
83 south is the only portion in Salem City boundaries. The DRC had questions about the timing of
84 the ribbon road coming from 750 north to Viridian Farms. Ryan Hales stated that he would
85 know the timing of the 750 north ribbon road when the traffic study is completed. Bruce Ward
86 stated that the council may use their eminent domain power to build necessary road
87 infrastructure. There was discussion about the utilities going into the ribbon road. The
88 developer and City want to keep the utilities out of county roads because county roads are not
89 public right-of-way. The DRC decided to identify in the development agreement who is in
90 charge of each road infrastructure improvement. Adam Loser mentioned that the City could
91 send the county impact fee money to improve their road infrastructure. Vaughn Pickell stated
92 that it would be hard to justify using City impact fees for county road improvements. Adam
93 Loser mentioned that the 400 east improvements will be paid by D.R. Horton. Adam Loser
94 stated that if property owners don't cooperate for improvements, then a bond for the
95 improvements will be posted at the City until the property owners are willing to cooperate.
96 Ryan Hales mentioned that eminent domain is usually used for connectivity. Ryan Hales stated
97 that Salem City needs to draw the line on which roads can and cannot be improved because of
98 jurisdiction issues. Bruce Ward asked if the development agreement should state specific road
99 infrastructure upgrades D.R. Horton has to perform. Adam Loser stated that D.R. Horton cannot
100 agree to specific timing offsite road infrastructure improvements. Adam Loser stated that we
101 cannot determine specific timing of road infrastructure improvements for the future. Adam
102 Loser stated that D.R. Horton will improve the road infrastructure as needed. Adam Loser
103 stated that D.R. Horton will improve and pay for the intersections of Woodland Hills Dr. and
104 8800 south and 8800 south and 400 east. Adam Loser also stated that D.R. Horton will make an
105 honest effort with acquiring the property needed for the 8800 south and Woodland Hills Dr.
106 intersection improvements. The DRC went through changes made by the City to the legal text

of the development agreement. Salem City wants to be involved in the hiring of the contractor for the design and building of infrastructure. D.R. Horton wants the public facility land to be purchased by the City at fair market value. Bruce Ward stated that the substation land would be dedicated to the City. The City will reimburse the developer through impact fees for the construction of the substation and dedication of the substation land at the rate of \$50,000 per acre. The DRC stated that the property for the public safety building needs to be dedicated to the City in the development agreement. The property for the public safety building will be reimbursed back to the developer for \$100,000 two acres minimum. Matt Marziale told D.R. Horton that he can help them with cost savings with building the parks in the development. The following was added to the development agreement after Matt Marziale's comments. "16. D. Notwithstanding anything in this Agreement to the contrary, the Parties agree to eliminate the improvements to Trailhead Park (land shall be dedicated) and reduce the public parks, trails and recreational facilities within the Development Property that Master Developer is required to construct and dedicate to the City by an amount equal to approximately ~~Seven Hundred Thousand and No/100-Dollars (\$700,000)~~ Four Hundred Eighty Thousand Dollars (\$480,000) in value. ~~(i.e., t~~ The City and Master Developer shall identify those portions of the public parks, trails and recreational facilities within the Development Property that are to either be eliminated or reduced in size or scope or through cost savings in order to reduce the cost of the parks, trails and facilities by approximately ~~\$700,000)~~ 480,000". Vaughn Pickell is worried about the substation language. Vaughn Pickell stated that it reads that Salem City will pay for the substation. The DRC changed the development agreement that public facility land will be reimbursed at \$50,000 an acre through impact fees. Bruce Ward stated that Rob and Vaughn Pickell need to work with each other on edits to the development agreement. Bruce Ward mentioned that we are not going to make last minute changes again. Bruce Ward stated that the City is not accepting any conditions on final plats when they come through DRC.

Matt Marziale made a motion to recommend approval of the Viridian Farms development agreement on condition to accept the edits made today at DRC. Ryan Selee seconded the motion. All members of the committee voted in favor.

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137 Ryan Selee made a motion to adjourn. Vaughn Pickell seconded the motion. All members of the
138 committee voted in favor.