



Planning and Zoning Commission

Wednesday, August 11, 2021

6:00 P.M. Work Session

1. Salem Springs (BYU Farms) Master Planned Development project Development Agreement
2. Site Plan – Salem Retail PZ2021-41
3. Preliminary Plat – Davis Farms Phase 1 PZ2021-46

7:00 P.M. Planning and Zoning Commission

1. Planning and Zoning Commission meeting minutes from July 14, 2021
2. Site Plan – Salem Retail PZ2021-41
3. Preliminary Plat – Davis Farms Phase 1 PZ2021-46
4. Adjourn

Attendance: Cody Young, Walter Bird, Bruce Ward, Ryan Selee, Scott Bishop, Adam Loser, Jim Simons, Kelly Peterson, Paul Taylor, Jon Ward, George Rasband, Brad Hales, Greg Hunt

6:00 P.M. Work Session

Salem Springs (BYU Farms) Master Planned Development project Development Agreement

D.R. Horton is presenting their draft of the development agreement for the Salem Springs Master Planned Development. Ryan Selee mentioned that D.R. Horton will be going over the amenities outlined in the development agreement. Ryan Selee finished up by stating that city staff will make sure that the text aligns with the exhibits in the development agreement. Scott Bishop mentioned that D.R. Horton is working with Bruce Ward and Vaughn Pickell with the legal description of the development agreement. Scott Bishop stated that they wanted to show a breakdown of the amenities schedule in the development agreement for the Salem Springs Master Planned development. Adam Loser said that the community park will be built during the first phase of the Salem Springs Master Planned Development. Bruce Ward asked when D.R. Horton expects to have the first three phase of Salem Springs built. Scott Bishop stated that if the market stays strong then they would take about five years to get their first 1000 units built. Scott Bishop stated that D.R. Horton will work on the design of the different phases through preliminary and final plats. Scott Bishop explained that the amenities schedule shows a benchmark they have to reach with the amenities in order to receive a certain amount of building permits. Adam Loser stated that they will build the amenities that are in the same phases that the building permits are issued for. Jon Ward mentioned that he does not want to see a half done park with 1100 units surrounding the park. Scott Bishop mentioned that the community park needs to be all the way done when 1100 units are placed. Jon Ward asked what D.R. Horton's plan was if the market crashes during the building of the Salem Springs Master Planned Development. Scott Bishop stated that D.R. Horton will not leave unfinished amenities if the market crashes. Kelly Peterson asked if the land cost for the parks/amenities land is reimbursable through the impact fees. Bruce Ward stated that the land will not be a part of the reimbursements through impact fees. Kelly Peterson stated that it would be good to inform the City Council that the cost of the land will not go into the reimbursements from impact fees. Scott Bishop mentioned that D.R. Horton fronts the money for all of the amenities. D.R. Horton mentioned that they are donating a lot of land to Salem city. Kelly Peterson stated that D.R. Horton needs to tell the City Council that they are donating a lot of land to Salem City. Bruce Ward asked Scott Bishop to talk him through the first two phases of the proposed Salem Springs Master Planned Development. Scott Bishop stated that they will submit preliminary and final plats for the amenities and subdivisions for all phases. Once the phase one plat are approved they will have 249 building permits allowing them to build and sale homes. During the first phase the community park will be getting prepped. The second phase will give D.R. Horton an additional 284 building permits, with additional bench marks to meet in building the

community park. Scott Bishop mentioned that no additional permits will be pulled until the bench mark for the amenities outlined in the development agreement are met. Scott Bishop also mentioned that the number of permits allowed to be pulled for each phase aligns with the cost of the construction of the amenities for that phase. Bruce Ward asked Walter Bird if a Master Planned Development application expires. Walter Bird said that a Master Planned Development has vesting rights and cannot expire. Paul Taylor asked D.R. Horton what type of homes will be built during the first phase. Scott Bishop stated that they will do their best to have a mix of all of their product in each phase. Paul Taylor asked if the utilities for the Salem Springs Master Planned Development will be tied in with the existing utilities. Bruce Ward said that interconnecting the existing utilities with the Salem Springs Master Planned Development utilities will be crucial because it will provide backups for the new and existing utilities. Jim Simons had questions about the impact fee reimbursement schedule. Bruce Ward stated that the impact fee reimbursement schedule is not figured out yet entirely. Bruce Ward also stated that they have not decided if development outside of the Salem Springs Master Planned Development should pay impact fees for the reimbursement of amenities built in the Salem Springs Master Planned Development. Adam Loser suggested that they will work with City staff with the legal side of the development agreement. Bruce Ward said that the Planning and Zoning Commission and the City Council need to decide a number of building permits issued per bench mark for the amenities schedule.

Site Plan – Salem Retail PZ2021-41

Ryan Selee explained that the Salem Retail site plan is located at SR-198 and 100 east. Ryan Selee also explained that there will be three buildings and one entrance from SR-198 and two entrances on 100 east. Kelly Peterson asked if the developer has any potential tenants for the buildings. Ryan Selee said that the City is not aware of any potential tenants. Brad Hales mentioned that they are trying to get a food place and a few office spaces on the property. Brad Hales stated that all three commercial buildings have drive-thrus. The Planning and Zoning Commission asked if all of the utilities are stubbed into the property and if the proposed Salem Retail site plan meets the C-1 zone requirements. Bruce Ward stated that the Salem Retail site plan meets the zoning and all of the utilities are stubbed into the property. Ryan Selee mentioned that the developer will need to get a variance from the City Council for the landscaping requirements in the C-1 zone because of UDOT's request. Ryan Selee finished up by stating that UDOT has asked the developer to keep trees out of the north end of the development by SR-198. Kelly Peterson mentioned that Salem city should consider the entrance on SR-198 to be a right in and right out entrance when SR-198 gets bigger. Paul Taylor asked what the retention basin will have in regards to landscaping. Brad Hales stated that the retention basin will be xeriscape.

Preliminary Plat – Davis Farms Phase 1 PZ2021-46

89 No comments were made during the work session.

90 **7:00 P.M. Planning and Zoning Commission**

91 **Planning and Zoning Commission meeting minutes from July 14, 2021**

92 Kelly Peterson made a motion to approve the meeting minutes from the July 14, 2021 Planning
93 and Zoning Commission meeting. Jim Simons seconded the motion. All members of the
94 commission voted in favor.

95 **Site Plan – Salem Retail PZ2021-41**

96 Kelly Peterson asked the developer if there was anything to add from the work session. Brad
97 Hales mentioned that the improvements for the storm drain pipe will need to be discussed.
98 Ryan Selee mentioned that there is a storm drain/irrigation pipe on the north side of the
99 property (not on the developer's property) that needs to be improved. Ryan Selee stated that
100 over the years this irrigation ditch has transitioned into a storm drain line. Ryan Selee finished
101 up by stating that the Salem DRC felt that it would be best to have the developer, property
102 owner and Salem City all pitch in financially to improve the irrigation pipe. Brad Hales mentioned
103 that they have not been able to contact the property owner Richard Maingot. Paul Taylor asked
104 if the property owner of the ditch is willing to help improve the irrigation pipe. Brad Hales
105 stated that it is in his best interest to improve the pipe because the water flows west into his
106 units. Paul Taylor asked if there would be room to repair the pipe in the future. Brad Hales
107 stated that it will be tight but they could get machinery in to repair the improve pipe if needed.

108 Kelly Peterson made a motion to approve the Salem Retail site plan on condition for Salem City
109 and UDOT to consider a right in right out entrance on SR-198 when SR-198 becomes a five lane
110 highway. For the developer, property owner and Salem City to improve the irrigation/storm
111 drain pipe. The developer to get a variance from the City Council for the C-1 landscaping
112 requirements in order to follow UDOT's landscaping request's along SR-198. Paul Taylor
113 seconded the motion. All members of the commission voted in favor.

114 **Preliminary Plat – Davis Farms Phase 1 PZ2021-46**

115 Ryan Selee mentioned that the Davis Farms Phase 1 preliminary plat is located on Main Street
116 across the street from the Salem Junior High. Ryan Selee mentioned that the sewer will be
117 required to get approval from the army core of engineers, because the sewer will be getting
118 built through wetlands to the west connecting on 460 west. Ryan Selee also explained that the
119 DRC also mentioned that a pedestrian crossing will need to be built. The credentials of the
120 pedestrian crossing will be determined by the City and the School District. Bruce Ward stated
121 that the existing home on the property will need to be removed legally and lawfully. Bruce
122 Ward also mentioned that the property owner on across the street from the development on

123 the south west side does not want curb on their property. Bruce Ward mentioned that they are
124 working with this property owner and the chuntz family on the curb issues. Jon Ward stated
125 that he does not want the city to have an unfinished road. Ryan Selee also mentioned that the
126 existing sidewalk on Main Street will need to be tied into.

127 Jon Ward made a motion to recommend approval of the Davis Farms Phase 1 preliminary plat
128 with condition to follow the DRC conditions. Provide a letter from the army core of engineers
129 for the approval of the construction of the sewer line. Kelly Peterson seconded the motion. All
130 members of the commission voted in favor.

131 Jim Simons made a motion to adjourn. Jon Ward seconded the motion. All members of the
132 commission voted in favor.