



WILLARD CITY

Planning Commission Meeting – Regular Meeting

Thursday, December 7, 2023 – 6:30 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

1 The meeting was a regular meeting designated by resolution. Notice of the meeting was provided 24 hours
2 in advance. A copy of the agenda was posted at City Hall and on the State of Utah Public Meeting Notice
3 Website.

4
5 The following members were in attendance:

6
7 Sid Bodily, Chairman

8 Diana Baker

9 Chandler Bingham

10 Alex Dubovik

11 Blake Harrop

12 Zack Hulse

Chris Davis, City Manager

Colt Mund, City Attorney

Bryce Wheelwright, City Planner

Chris Breinholt, attended electronically via Zoom

Maddie Brown, Secretary

13
14 Excused: Michelle Drago

15
16 Others in attendance: Chad Braegger; Brian Gilbert; Jeff Wells; Laura Wells; Doug Thompson; Virginia
17 Thompson; Shannon Andersen; Rose Kenny; Brandon Jacobson; Steffanie Jacobson; Larry Holmes;
18 Daniel Warr; Rew Wiley; Doug Younger; Burt Miller; Kari Miller; Jo Baird; Samantha Shupe; Ken Ormond;
19 Ruth Ormond; Michael Zurn; Crystal Beck; Dorothy Call; Brinton Neff; Brian Bayless, Nilson Homes; Steve
20 Anderson, Nilson Homes; and Jay Thackery.

21
22 The meeting was called to order at 6:30 p.m.

23
24 1. PRAYER: Zack Hulse

25
26 2. PLEDGE OF ALLEGIANCE: Diana Baker

27
28 3. GENERAL PUBLIC COMMENTS

29
30 There were no comments.

31
32 4. CITY COUNCIL REPORT

33
34 There wasn't one.

35
36 5A. PUBLIC HEARING TO RECEIVE PUBLIC INPUT REGARDING THE APPROVAL OF A PUD
37 DEVELOPMENT AGREEMENT FOR THE KUNZLER PROPERTY LOCATED AT
38 APPROXIMATELY 1550 NORTH HARGIS HILL ROAD (PARCEL NOS. 02-035-0046, 02-038-
39 0072, 02-038-0073, 02-040-0210, 02-043-0013, 02-043-0048, 02-043-0049, 02-043-0050)
40 (CONTINUED FROM 2016 AND 2019)

41
42 Time Stamp: 03:39 12/07/2023

43
44 Chairman Bodily read Willard City's Rules of Order Statement.

45
46 Bryce Wheelwright, City Planner, stated that the Planning Commission was familiar with the location of the
47 Kunzler property, which was zoned PUD (Planned Unit Development) long before the City adopted the
48 MPC Ordinance. The project was originally started by a developer named Ericson. Nilson Homes got



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involved after the project received approval. Mr. Wheelwright stated that the concept plan was approved in 2019. Willard had been working with Nilson Homes on the development agreement since then. The development agreement was now ready for City approval.

Chris Davis stated that the City's engineer, Chris Breinholt from Jones & Associates, was attending the meeting electronically. He was available to answer any questions from the Planning Commission.

Brian Bayless, Nilson Homes, stated that the concept plan was approved in 2019. They had been working on this project with the Kunzler family for about 2 ½ years. The unit count, the mix between single-family and multi-family, open space, and road network were previously approved by the Planning Commission and the City Council. The concept plan contained 76 single-family homes and 170 townhomes: for a total of 246 dwelling units. Forty-seven percent (47%) of the project would be dedicated as open space. Tonight, they wanted to talk about the nuts and bolts of how the project would happen.

Mr. Bayless said that one of the project's challenges had been the City's existing water infrastructure. There were problems with fire flow and public safety. Hargis Hill could not achieve the required 1,000 gallons per minute to fight a fire. The City wanted to provide better water infrastructure. The challenge was building transmission lines between two different sites: an existing site and a newly proposed one. Another big challenge was the \$1 million dollar grant Willard had been working on to upgrade the City's water infrastructure, which was now in place. Nilson Homes felt ready to move forward on the project.

Mr. Bayless said Nilson Homes felt this project would be a great addition to the community. He realized the density might not be the norm for Willard City. However, most of the homes they built on lots of this size or smaller, so they felt comfortable and confident and were excited to get going. This project had been a long time in the making.

Chairman Bodily read a written comment submitted by Brad Sweet from Granite Construction regarding the PUD agreement that allegedly planned to use water from two water tanks on Granite Construction property. There was presently no agreement between Granite Construction and Willard City for use of Granite's property for such a purpose.

Chairman Bodily opened the floor for public comments at approximately 6:41 p.m.

Doug Thompson, 1370 North Main, stated that for more than 35 years he had owned property at the bottom of the lane known as 1550 North, which used to be a county road. He felt the lane met the prescriptive State requirements to be a road. It had been there for over 60 years. He was concerned about how the development would affect 1550 North. It was how he accessed his property, and he wanted to make sure it would remain. How could they do away with a public road?

Brian Bayless stated that there was an existing road from 200 West that headed down to Doug's property. Their proposal included a road that would run east and west across the entire project, which would replace 1550 North, with the exception of the road adjacent to Larry Holmes' property. For the portion of the road along Larry's property, they had agreed to move the existing fence line 10 feet north in keeping with the deed. He would continue to have access from there. They would coordinate with Mr. Holmes to keep the road built so he could access his property. On the west side of Mr. Holmes' property there would be a public access that would be built and turned over to him. The 10 feet of the road on their property would remain as an easement that Mr. Holmes could access.



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Doug Thompon said his concern was access from 200 West through the proposed open space to his property. Brian Bayless stated that the east/west road from Hargis Hill to 200 West would be constructed in the first phase. Access from 200 West through the open space would continue to be available. The easement east of 200 West would remain open until the road in Phase 1 was finished. The easement on the open space was a recorded easement, which would remain. They couldn't touch it. They planned to place a trail next to the easement.

Larry Holmes, 1561 Hargis Hill, stated that he had deeds for the lane dated 1904. The easement had been used by all the property owners for over 100 years and extended west across the railroad tracks. The lane was there before the Kunzler's purchased the property. He had been working with Nilson Homes, and they had worked out a pretty good agreement for the area east of 200 West. The lane west of 200 West needed to be added to the concept plan. That lane was there so surrounding property owners could get to their properties. Mr. Holmes stated that he purchased his property in 1975. In 1975, the City's road plan included 1550 North. It was still there in 2018. When was it removed from the City zoning maps? He didn't have any qualms about the development, but wondered how a planned road could disappear. If this was a public right-of-way, how could it be taken away?

Chairman Bodily stated that 1550 North was shown on the City's master road plan. It just wasn't labeled.

Commissioner Hulsey stated that the access was still there, it had just been moved slightly.

There was further discussion about 1550 North.

Brian Bayless stated that they were not touching the 100-year access on Mr. Holmer's property. The portion of the easement that was on their property belonged to them. They planned to preserve the access that Mr. Holmes historically had. The research done by their title company indicated that there was an existing easement, but it had never been dedicated as a road. At this point, the easement was prescriptive. Nobody owned it. The State didn't own it, the City didn't own it, and neither did Box Elder County. It was owned by Larry Holmes and themselves; ten feet on either side of the fence line. The road on the west side of 200 West would stay exactly the same. The property owners that had always had access to their properties via the 1550 North easement would continue to have access.

Chad Braegger, 3790 South 1200 West, stated that Doug Thompson, Fred Barker, and others used the lane on the west side of 200 West that had been in existence for 125 years. He felt it needed to be included in the development so farmers could continue to use it. He wasn't sure Nilson Homes actually owned all of the property being discussed. He understood they had only purchased Phase One.

Commissioner Hulsey asked if the concept plan being discussed had already been approved. Bryce Wheelwright stated that the Planning Commission had approved the basic concept, but he felt things could be changed.

Jay Thackery, 1562 Hargis Hill Road, was concerned about a development agreement for the whole development when Nilson Homes only owned the land for Phase One. They didn't own the land for Phase Two, Three, or Four. He didn't want to see this project end up like Granite Ridge where a developer started the project with a development agreement and then walked away leaving muddy water between new owners and agreements. He hoped all the Commissioners had read the agreement and understood what they were voting for and not just taking a lawyer's advice. He wanted to see the agreement upheld for whoever finished the development.



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Ken Ormond, 150 North Main, asked who would own and maintain the open space. What was its future use? Colt Mund, City Attorney, said the townhome open area would be managed by the homeowners' association. The open space would be dedicated to the City and would become a public park if the school district did not use it.

Commissioner Hulsey said the development agreement said the open space would be the City's responsibility. Chris Davis said the City's acceptance of the open space was based on the adoption of a park impact fee.

Commissioner Baker asked if the Box Elder County School District planned to build a school. What would happen to the access road west of 200 West if a school was constructed? Brian Bayless said he reached out to the school district over six months ago. They had expressed interest in this property in the past. He could not make any commitments to them until the development agreement with the City was finalized. If the school district wasn't interested in the property, they would move forward with a park. If a school was built, the access road would have to be re-routed. It was a dirt road. It would be simple to relocate. If the school district acquired the property, the purchase would be subject to the access easement. They would have to work something out with the property owners.

Cyrstal Beck, 1561 Hargis Hill, asked why Nilson Homes didn't need Doug Thompson's permission to move the access easement between Hargis Hill Road and 200 West. Why wasn't Larry Holmes' permission needed to move the easement east of 200 West. Brian Bayless said Nilson Holmes had been talking with Mr. Holmes.

Cyrstal Beck stated that the Willard Police Department was already short-staffed and under manned. Who would fund the additional staff that would be needed to provide police services for an additional 74 units? Chairman Bodily said that would be the City's responsibility. If the City allowed the development, it would have to step up to provide the necessary services.

Doug Thompson asked how Nilson Homes could enter into a development agreement for land they didn't own. What if something fell through? They just said the access to his property wouldn't change, and then they started talking about a school that would change it. The access road had been established for over 100 years. Why couldn't it stay there? If Nilson Homes didn't own the property, how could they promise it would be open space? Would the City end up being responsible? He felt there were a lot of unanswered questions.

Colt Mund stated that Nilson Homes had assumed the financial and legal obligation to complete this development in accordance with the concept plan that was approved in 2019 and the development agreement. If Nilson Homes defaulted, the development agreement would be enforceable by the City.

Commissioner Hulsey asked what would happen if Nilson Homes was unable to come up with the proposed open space. Mr. Mund said they would be in breach of the contract and subject to the legal remedies the City had available.

Jay Thackery asked if the development had been reviewed by Willard Flood Control. Bryce Wheelwright said it was reviewed by Willard Flood Control in 2019 when the concept plan was considered.



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Chris Davis stated that Nilson Homes was working on a project that would involve the Flood Control District, the City, and some of the property owners on Hargis Hill Road to put a detention bason on property they owned.

Brian Bayless stated that Nilson Homes owned Phase 1. The Kunzler Family owned, and would continue to own for some time, the remaining phases of the project. The development agreement was an agreement for the entire property, whether it was owned by Nilson Homes or not. That was a protection the City had required because they didn't want a developer to leave and not know what would happen with the remainder of the property. Obligations approved in the development agreement would run with the property, no matter who owned it. Nilson Homes was committing for the portion they owned. The Kunzler's were committing for the remainder of the property. Both parties would sign the agreement. All of the property would be encumbered.

Commissioner Harrop asked how Nilson Homes could commit the property west of 200 Wes to open space when they didn't own it. A future owner might not want to use it as open space. Mr. Bayless said the development agreement would be enforceable.

Brian Bayless understood Mr. Thompson's concern regarding access. Before they purchased the property, they studied it extensively to understand where the easements were. If the school district acquired the property, they would do their due diligence. They would see the existing access easement. They would either plan around it, or they would approach Mr. Thompson to work out a new access. The access could not be taken away. It was a right that property had.

Dan Warr, 1710 Hargis Hill, stated that this development was happening on the south end of Hargis Hill. There was also a development happening in Perry on the north end. There would be an increase in traffic on Hargis Hill Road, which was a very narrow road. Were there any plans to improve Hargis Hill Road?

Verl Hunsaker, 1420 North Main, stated that if they were traveling south, they could not use the center lane to turn into their property. He asked if there were any plans to solve that problem. Chairman Bodily stated that UDOT planned to rebuild Highway 89 from the KOA road in Perry to the Weber County line.

Doug Thompson asked if the property west of 200 West was going to stay the same. Mr. Bayless said it was going to stay the same. If the school district acquired the property, they would contact Mr. Thompson try and work something out.

Brian Bayless said the access was not a public right-of-way. It was a recorded easement. Mr. Thompson asked about the state law that said as easement became a public access road if it had been there for more than ten years. Mr. Bayless said the easement was still there. Mr. Thompson asked how it could be taken away. Mr. Bayless said it wouldn't be taken away, If a new property owner wanted to change the access easement, he would have to contact those that used the easement to change it.

Doug Thompson asked if this was a public access or not. Colt Mund stated that the City Engineer had researched the access. It was not a public right-of-way. It was a prescriptive easement. Landowners to the west who had used the easement for a certain number of years had acquired the right to continue to use it. It was not a public road. There had been a lot of discussion about property owners to the west being able to access their farm ground as they have always done. They will have the right to do that. There was a prescriptive easement that could not be terminated. Whoever tried to terminate it would be sued for



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damages. The City Engineer and Nilson Homes felt the easement would accommodate everybody who had a prescriptive easement west of the development.

Brian Bayless asked if the access could be changed if those who used it agreed to change it. Mr. Mund said it could be modified if the users agreed to it. It could not be legally taken away. Commissioner Baker asked if it could be condemned. Mr. Mund said that only the city, county, or state could condemn property. A private landowner or developer could not. Chris Davis said the state could not condemn property just to condemn property. There had to be a public purpose.

Virginia Holmes Thompson, 1370 North Main, stated that the property that Nilson Homes was talking about selling to the school was a swamp. In wet years, it was hard to get a horse through it. How could a school be built in a swamp? Commissioner Harrop stated that the school would probably do a wetland analysis.

Brandon Jacobson, 1580 Hargis Hill Road, asked about the approval and development of 260 dwelling units on a road that did not have curb and gutter or paved driveway approaches. Everybody that lived on the west side of the road washed out. He questioned the approval of 260 homes without plans to improve the road.

Samantha Shupe, 1563 Hargis Hill, asked for clarification regarding the lot sizes behind her property. Brian Bayless said the lots were 100 feet deep and about 60 feet wide, which was 6,000 square feet. Samantha Shupe said she had lived in Willard for nine years. She loved the area. She begged the Planning Commission to make the lots bigger. Commissioner Hulsey stated that the concept plan and lot sizes were approved in 2016 and 2019. He didn't think anything could be done about the lot sizes. Ms. Shupe asked if the townhomes would be rental units or owner occupied. Commissioner Hulsey said the townhomes could be purchased and then rented. Nilson Homes planned to sell them individually.

Commissioner Baker moved to close the public hearing at approximately 7:27 p.m. Commissioner Harrop seconded the motion. All voted "aye." The motion passed unanimously.

5B. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL REGARDING A PUD DEVELOPMENT AGREEMENT FOR THE KUNZLER PROPERTY LOCATED AT APPROXIMATELY 1550 NORTH HARGIS HILL ROAD (PARCEL NOS. 02-035-0046, 02-038-0072, 02-038-0073, 02-040-0210, 02-043-0013, 02-043-0048, 02-043-0049, 02-043-0050) (CONTINUED FROM 2016 AND 2019)

Time Stamp: 58:39 12/07/2023

Chairman Bodily asked if water was available for this project. Chris Davis said there was water for the first 75 homes. The remainder of the project was contingent upon the City building a water storage tank. Nilson Homes had agreed to an upfront of \$1.65 million to help offset the cost of the tank. Nilson Homes would be repaid through impact fees. The development could not move beyond the first 75 homes, or first phase, until the tank was built. Nilson Homes' contingency was they didn't have to do more than 75 homes. The City's contingency was that if the water tank and storage weren't built, they couldn't build any more.

Commissioner Hulsey asked if there had been a traffic study to look at the traffic impact to Hargis Hill Road. Brian Bayless said Nilson Homes was aware of the impact on Hargis Hill Road, but they had not completed a traffic study. When this project was approved, 200 West had not been built. The completion of 200 West had changed things. They were concerned about Hargis Hill. When the project was completed, there would



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be a road on the south side that would convey traffic away from Hargis Hill and the middle of their project. Until that road was built, Hargis Hill would be a problem.

Commissioner Harrop asked if the road shown on the south side of the project would extend east to Highway 89. Brian Bayless said the City owned a right-of-way south of Sam Kunzler's house that connected to Highway 89. UDOT liked that better because it would be a perpendicular intersection. Hargis Hill intersected Highway 89 at an awkward angle. That was the long-term solution for this area.

Crystal Beck asked if Mr. Bayless was referring to the private road that said 'Do Not Enter' that belonged to Ormond Construction. Chris Davis said the City owned the corner. Mr. Bayless felt it was good that Willard owned the corner because it could control the access, not UDOT.

Commissioner Bingham was concerned about Phase 1 and the road. During the time he had been on the Planning Commission, he had seen many concept plans for this project. He had always understood that the right-of-way on the south side that was shared by Ormond's would be the primary. He was concerned about traffic from 75 homes on Hargis Hill Road.

Commissioner Hulsey stated that 200 West looked nice, but it wasn't built for a lot of capacity. It didn't have a thick road base underneath it.

Commissioner Baker was concerned about a green space with trails that was swampland. She was concerned about Willard having to take care of another marsh. Willard repealed the PUD Ordinance because developers were giving the City open space that couldn't be used.

Commissioner Bingham was concerned that the proposed open space could landlock Doug Thompson.

Chairman Bodily asked if the development agreement had to be signed before Nilson Homes could start Phase 1. Mr. Wheelwright said it did.

Commissioner Hulsey asked how soon Nilson Homes could start if the Planning Commission approved the agreement. Mr. Wheelwright said the agreement still had to be approved by the City Council.

Commissioner Harrop asked about Section 13 of the development agreement that talked about a change in developer or assignment. Could the City mandate that the agreement stay with the property no matter who the developer was? Colt Mund stated that Nilson Homes could transfer their obligation. If someone else purchased the property, they would step into the shoes of Nilson Homes.

Commissioner Dubovik was concerned that new property owners would only purchase developable land and that the open space would never be improved. Colt Mund stated that Kunzler's were the current owners and had the responsibility to build the park.

Commissioner Hulsey said the development agreement referred to a *school plan* and a *no school plan*. Under the *school plan*, it said the developer shall have no obligation to improve the open space. At what point would the agreement switch to the *no school plan*? Brian Bayless stated that Section 8 Subsection G(i) on Page 14t said the decision of a school or no school would be made before the 75th Certificate of Occupancy was issued. In the event of no school, they would have to work with Willard City to determine what the park improvements would look like, get them built, and dedicated to Willard City. Nilson Homes



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332 was comfortable with either outcome, although they preferred the school plan. Elementary schools became
333 an important part of the community. A park would also be great for the community.

334
335 Mr. Nilson said some of the open space was wet; there was a lot that was not. Construction of infrastructure
336 with adequate storm drainage could impact the wet areas. Their objective was to put the park in at the
337 beginning of a project because it became a great selling asset.

338
339 Chairman Bodily asked about estimated costs. Brian Bayless said their obligation, or commitment, to build
340 the park was \$900,000, which was shown in Version 19 of the agreement.

341
342 Commissioner Baker asked what would happen with the road shown on the south side of the open space.
343 Would it be paved? Brian Bayless said they had provided enough room on their property to build a 26-foot
344 access road to the soccer field and parking lot. The access had to be wide enough for cars going in both
345 directions.

346
347 Commissioner Harrop asked about storm drainage. The concept plan did not include a detention basin.
348 Commissioner Bingham asked where all the storm water would go. Brian Bayless stated that they could
349 not convey storm water off the property. They planned to detain their storm water on their property in an
350 appropriate place. There would be a detention area in the open space.

351
352 Commissioner Hulsey stated that Section 8-F(ii) talked about widening 200 West. Brian Bayless said they
353 planned to widen the east side of 200 West as soon as development occurred on their property. They had
354 committed to widening the west side of 200 West when a combination of the park being built and
355 development to the north and south of them occurred. South Side Road referred to the road that straddled
356 their property and Dave Ormond's. The portion they planned to build was shown in Exhibit J. They planned
357 to construct 24 feet of asphalt so that cars could travel in either direction. Dave Ormond would have to finish
358 the south half of the road when he developed his property.

359
360 Virginia Holmes Thompson asked if there was really enough water for 75 homes because they had
361 problems with water flow now.

362
363 Chris Breinholt, City Engineer, stated that the current standard for fire flow was 1,000 gallons per minute.
364 He didn't feel the north side of Hargis Hill could meet that standard. In Phase 1, Nilson Homes would be
365 required to upsize the water line in Hargis Hill Road to 10 inches. The computer model said that in order to
366 have 1,000 gallons per minute, they had to have 40 psi of pressure. With a 10-inch line, the north end of
367 Hargis Hill Road would have 51 psi. That one improvement would improve pressure for peak demand times
368 significantly. In future phases, Nilson Homes would extend a 10-inch line down 200 West, which would
369 improve the situation even more. The construction of a water tank at 750 North would improve the situation
370 immensely. This project would provide a lot of good water system benefits.

371
372 Commissioner Harrop asked what the current pipe size was. Mr. Breinholt said it was six inches.

373
374 Commissioner Hulsey stated that someone had said the 75 homes could be put in now. That wasn't true.
375 The homes couldn't be put in without a new 10-inch water line. Chris Davis said that was reflected in the
376 agreement.



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Virginia Holmes Thompson asked how a 10-inch line would connect to the current system that had 8-inch lines. Mr. Breinholt stated that there were 8-inch water lines on both sides of Highway 89. Adding a 10-inch line would create a looped system without creating a choke point.

Commissioner Dubovik asked if there were any actual roads that were not depicted on the concept plan or in the development agreement. Colt Mund stated that 200 West was the only dedicated road. The rest were prescriptive easements. Commissioner Dubovik asked how much green space Nilson Homes currently owned. Brian Bayless said they owned between 10 to 15 acres. Their commitment to the Kunzler's included buying developable ground as well as open space.

Commissioner Dubovik asked about UDOT or City plans to improve Hargis Hill. Chris Davis said UDOT would not improve Hargis Hill Road because it was not a state road. Commissioner Dubovik asked if Phase 1 would be a viable development if Hargis Hill did not exist. Chris Breinholt stated that if Hargis Hill did not exist, the accesses would be different. UDOT would probably allow them to connect to Highway 89 with proper spacing.

Commissioner Dubovik said the Planning Commission was being asked to approve a project with access to Hargis Hill Road. If Hargis Hill Road was not accessible, there would have to be another access for the project to be approved. Mr. Breinholt said they would have to have some access. Commissioner Dubovik said the Planning Commission was being asked to approve a plan that had less than optimal access.

Commissioner Hulseley stated that the project had access on 200 West, a road that extended to the north and to the south. Chris Breinholt felt the development would work if 200 West was the only connection. It was designed to be a collector road. Commissioner Dubovik felt that Hargis Hill was not a required access.

Commissioner Hulseley asked about the 10-inch water line. Did the City need agreements from anyone to put it in? Could Nilson Homes start installing it as soon as the development agreement was signed? Mr. Bayless said it could.

Brian Bayless said that Nilson Homes would improve the frontage on Hargis Hill that was part of their project. They were obligated to do that. They hoped the main access would be from 200 West.

A gentleman from the audience felt that the storm drain on Hargis Hill should be installed while a trench was open to put in the 10-inch water line.

Commissioner Hulseley was nervous and hesitant about approving the development agreement because of the unresolved issues regarding the water tank. He felt it would be wise to wait until the City had a better agreement with Granite for the water tank.

Commissioner Baker agreed with Commissioner Hulseley.

Chris Breinholt stated that the water tank was not required for this development to go forward. There was a limitation on the number of homes community-wide due to the lack of water storage. Everyone would be subject to that limitation. The water tank on 750 North would improve water pressure and water flow, but the City still met minimum standards without it. There had been a lot of discussion between the City and Nilson Homes about when the water tank needed to be built. The tank didn't need to be done for this development to be fully built out as long as there was capacity in the rest of the system. When capacity was reached all development would be stopped.



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Commissioner Harrop asked if the 10-inch water line would supply enough water for the whole build out. Chris Breinholt said the 10-inch line on Hargis Hill and the lines along Highway 89, in addition to the lines on 200 West, would serve the area. There would be two routes for the water.

Chris Davis stated that the development agreement stipulated that Nilson Homes could not build more than 75 homes unless Willard acquired the water tank and the 10-inch line from the well to 750 North, or there was another option.

Brian Bayless felt that was accurate. There had to be storage capacity somewhere in the system. The City could decide to build a water tank somewhere else if it could not reach an agreement with Granite. It was a combination of the Hargis Hill line with the extension of the water line on 200 West and looping the water system that solved all of the problems for the area. They had money on the line, and the City had a grant to build the water tank. If something couldn't be worked out with Granite, the City had other options, including condemning an easement to build a transmission line or storage capacity elsewhere.

Commissioner Dubovik was also concerned about approving the agreement all at once. There were still so many unknowns. If the agreement was approved, would Nilson Homes still have to get approval for subsequent phases?

Chairman Bodily stated that Nilson Homes would have to receive approvals to move further ahead, such as the water tank. As they moved forward there was more to be done, and it was outlined in the agreement.

Commissioner Dubovik was concerned that something could happen to the access for property owners to the west for some unforeseen reason. Brian Bayless said the property owners to the west would have the same access with or without them. Mr. Davis said that would be a breach of the agreement.

Commissioner Dubovik asked if there was a method to approve Phase 1 and require subsequent phases to come for development agreement hearings and approvals. Colt Mund stated that was not how the current agreement was written. It was within the Planning Commission's purview to ask that the agreement be changed. The agreement would then have to be renegotiated.

Chris Davis said that the Planning Commission could recommend approval of the first 75 units but express concern about the unresolved issues.

Commissioner Hulsey clarified that if only Phase 1 was approved, Nilson Homes was only obligated for Phase 1. Everything outside of that was still up for negotiation. Colt Mund said that was theoretically correct. However, he felt it would be more complex than that. Issues that had already been approved would have to be renegotiated.

Commissioner Harrop's concerns were the easements and access rights-of-way, Hargis Hill Road, the school, and the agreement carry over. He felt the biggest issues were the rights-of-way and access points and Hargis Hill Road. He felt that the Planning Commission should recommend that those somehow be addressed before the agreement went to the City Council.

Commissioner Hulsey was nervous about the unknowns regarding the water system. He would hate to see negotiations with Granite get hung up and the City never get a water tank. He liked the idea of an agreement for Phase 1 with a 10-inch water line. It would be an improvement for the City, and Nilson Homes got its first 75 homes.



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Commissioner Dubovik felt another issue that needed to be finalized at 75 units was the school. That would determine what the future plans were. Commissioner Bingham felt the school issue had to be decided before the end of Phase 1.

Commissioner Baker asked if the Planning Commission would see future plans. Commissioner Hulsey said the agreement stipulated that the concept plan would be generally followed. If it changed, both parties had to agree upon the change. Colt Mund said the agreement language said changes would be mutually agreed upon by the City Planner, the City Engineer, and the developer. The plan would probably not come back to the Planning Commission or City Council again.

Commissioner Hulsey felt the Planning Commission could recommend that changes be brought to the Planning Commission and City Council. Colt Mund said that had been discussed, and that verbiage was rejected.

Brian Bayless stated that every phase would have to go through the approval process. The PUD Ordinance was set up because there were massive commitments for a larger project that Willard might not get as smaller phases came in. For example, Nilson Homes was willing to commit \$1.65 million to build a water tank and a \$900,000 for a park. They were willing to do that because they could see the whole package. Without that a project commitment, their interest level changed. There were a lot of things they did not control, such as inadequate fire flows for the existing residents on Hargis Hill Road. That was a concern the City should be worried about, and they were trying to fix it. The City didn't have parks for a lot of the residents. They were trying to resolve that, at least for the residents of their project. They would be willing to talk to the City about contributing to improvements on Hargis Hill Road. There were a lot of impact fees that would be collected from their subdivision that could be earmarked for those improvements. They were trying to contribute to solutions, not just make the problems worse. They had spent the past two to three years trying to understand the Willard's concerns and come up with actionable, reasonable solutions given the variables that neither they nor the City controlled. He understood it was uncomfortable for the Planning Commission. It had been extremely uncomfortable for Nilson Homes.

Mr. Bayless said the contingencies that were in place addressed the Planning Commission's concerns. Nilson Homes was infinitely more worried about the same, exact concerns. The first phases of a project were usually not profitable for a developer; latter phases were. They were heavily motivated to make this project work. They were putting their money where their mouth was. He realized the Planning Commission had to take that in good faith. If the Planning Commission told them they didn't have any agreement past Phase 1, that would be a really hard pill for them to swallow. He didn't know that it would be in the City's best interest either.

Mr. Bayless said there were solutions on the table right now, which they had tried to write into the agreement. There might be solutions they don't see that might not be on the table. Granite seemed to be the most viable solution, but if Granite wasn't willing to deal, they would have to find a way to work around it. If the City was willing to expand its existing tank, then that might be a solution. The water storage capacity was the bottleneck right now. There were transmission systems in place. They tried to build flexibility into the agreement. The Planning Commission had to read and analyze the agreement for themselves, but Nilson Homes had spent a lot of time trying to figure those solutions out.

Commissioner Dubovik stated that he had sat through several development agreement discussions. This was one of the better presentations. He felt there had been a lot of work, and that the technical solutions were there. He also took into consideration that the next-door neighbors weren't opposed to the



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development. He was most concerned about, and felt the City need to make a written commitment to, was sustained access for the property owners to the west.

Commissioner Hulsey asked about verbiage that had been rejected. Colt Mund stated that one of the changes discussed by the State Legislature was withdrawal from the Planning Commission and City Council administrative decisions related to development. The Kunzler development agreement reflected that course. If Nilson Homes made any minor modifications to their concept plan, they would be reviewed by the City Planner and City Engineer.

Commissioner Hulsey felt maintaining access was crucial and the school plan could conflict with that. He felt it would be beneficial if the Planning Commission had an opportunity to see what the concepts would look like under either plan so it could fulfill its obligation to make sure the public maintained its access. Could verbiage be included in the agreement to allow the Planning Commission to see and approve either concept just to make sure the access was maintained?

Chairman Bodily asked if Nilson Homes had talked to the Box Elder County School Board. Mr. Bayless said it had been a while. Two years ago, the school district was very interested. He felt someone from the City should reach out to them. He felt flexibility should be drafted into the agreement to allow them to go either way.

Commissioner Hulsey stated that whether the school was there or not, the Planning Commission wanted to see what was going to happen just to make sure about the access. Brian Bayless said Nilson Homes was willing to agree to the development agreement being subject to accesses being secured for neighboring property owners. They would be happy to write that in the agreement. Legally they couldn't take the access away, but it wouldn't hurt to have it in writing.

Commissioner Hulsey just wanted to see a plan to make sure everyone was satisfied. He would feel more comfortable if the Planning Commission could see how their access laid out. Mr. Bayless asked what the Planning Commission wanted to see. If there wasn't a school, access would remain as it was. If the school came along, he wasn't sure how the access would change. That would be between the school district, Doug Thompson, and other property owners.

Commissioner Bingham said if the school district purchased the property, construction of a school would be a long way down the road. Right now, all the school district needed to know was that there was an access road to work around. Mr. Bayless said Nilson Homes couldn't submit a school site plan. They had no way of knowing what the project would look like.

Commissioner Hulsey stated that if the school decided to purchase the property, access would be worked out between them, the property owners, and the City. If the school didn't purchase the property, he wanted to see the access. Chris Davis said the access would stay the same under the *no school* plan.

Steve Anderson, Nilson Homes, stated that they would add and label the access road on the concept plan before the City Council meeting.

Brian Bayless stated they were obligated to finalize what the open space design with the City. They would not move forward with those improvements without the City's approval. They had provided a concept based on past discussions with the Planning Commission. The dimensions of the soccer field, the restroom, pavilion locations, and the parking lot dimensions would be subject to the City's approval.



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Commissioner Dubovik felt adding the access easement to the concept plan before the City Council meeting would be helpful. That was a key component.

Brian Bayless stated that Section 8G at the bottom of Page 13 discussed open space obligations. It said, "The City and developer agree to negotiate in good faith as to each Party's responsibility for construction and installing park improvements on the open space area located west of 200 West. The Parties anticipate that any such agreement will be reached prior to the completion of the First 75 Units. Any such agreement regarding the parties' obligations for the Open Space Area will be consistent with this Agreement." They couldn't make a unilateral decision, and they would have to respect the access rights of others.

Commissioner Hulsey asked who from the City would review and approve the open space plans. Was it SLUA, the City Manager, or the Planning Commission? Colt Mund said the open space plan would be reviewed by SLUA, the City Engineer, and the City Planner. He felt the City Council would be involved in the park itself.

Brian Bayless felt something could be drafted into the agreement to allow the Planning Commission and City Council to be involved in the park design. Commissioner Hulsey liked that suggestion. He felt it would allow the Planning Commission to make sure it had done its due diligence to the public.

Commissioner Hulsey said Mr. Bayless had said Nilson Homes would be willing to help with Hargis Hill improvements. What would that look like? Brian Bayless said they were committing to a \$1.65 million water tank, a \$400,000 water line, and a \$900,000 open space, which was shown in Exhibit E. He hoped the City and residents understood that as development occurred, impact fees were paid. Impact fees, like a transportation impact fee, could be used to make improvements to Hargis Hill.

Chris Davis said Willard did not have a transportation impact fee because it didn't have enough collector roads.

Steve Anderson, Nilson Homes, stated that he had met with Willard Flood Control to discuss flooding on Hargis Hill. Nilson Homes would have to put in 260 feet of curb and gutter along their portion of Hargis Hill Road, which would pick up some of the water that crossed the road. Willard Flood Control had talked about a project to add further curb and gutter along the west side of Hargis Hill Road to catch more water. Curb and gutter and widening the road was the responsibility of Willard Flood Control. He felt Flood Control money could be used to widen the road because it would help prevent flooding. There had been discussion about temporarily retaining storm water on their property. Eventually all of Hargis Hill would be tied into the Kunzler property. Then storm water would be conveyed toward the west. Willard Flood Control needed to make some improvements on Hargis Hill just to collect the water. He understood Willard Flood Control wanted to put the project out to bid right away.

Chairman Bodily felt the storm water problem on Hargis Hill was a City problem. Chris Davis said storm water was the responsibility of Willard Flood Control.

Commissioner Dubovik hoped that everyone could work together so the road would be torn up just once.

Commissioner Dubovik asked what verbiage Commissioner Hulsey would suggest for the City Council if the Planning Commission approved the development agreement. Commissioners Hulsey and Harrop wanted to have language added to allow the Planning Commission and City Council to have input on the



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design and layout of the park/open space and that the design contain extreme consideration for the easement and rights-of-way.

Commissioner Hulsey asked if the Willard City was currently planning to make improvements to Hargis Hill Road. Chris Davis stated that Willard City and Willard Flood Control used the same engineering firm, Jones & Associates. Jones & Associates was working on a proposal for Hargis Hill Road. There was not an agreement with Nilson Homes. Commissioner Hulsey felt the Planning Commission should recommend that the City Council consider improvements to Hargis Hill Road in conjunction with improvements made by Nilson Homes. Commissioner Harrop and Chairman Bodily felt City improvements were a separate issue.

Commissioner Harrop moved to recommend that the City Council approve the development agreement for the Kunzler property located at approximately 1550 North Hargis Hill Road subject to the Planning Commission and City Council being involved in the approval of the park and open space, extreme consideration of access and rights-of-way for properties to the west; and improvements to Hargis Hill Road. Commissioner Bingham seconded the motion. A roll call vote was taken: Commissioners Bingham, Dubovik, Hulsey, and Harrop voted “aye.” Commissioner Baker voted “nay.” The motion carried.

5C. REVIEW OF A CONDITIONAL USE PERMIT ISSUED TO BLAIR DEAN AND KATHY DAVIS FOR A SINGLE-FAMILY DWELLING ON SENSITIVE LAND LOCATED AT 155 SOUTH SPRING STREET, ALSO KNOWN AS 135 SOUTH 100 EAST (PARCEL NO. 02-050-0077), ISSUED ON SEPTEMBER 23, 2005

Time Stamp 2:05:28 12/07/2023

Bryce Wheelwright stated that in September 2005, a conditional use permit was issued to Blair Dean for a single-family home on Spring Street. The home was constructed and was currently occupied by Corey Barton. A conditional use permit was attached to the property. Although Blair Dean no longer owned the property, the conditional use permit was still active.

Chairman Bodily asked if there had been any issues with the conditional use permit. Mr. Wheelwright said there hadn't been.

Commissioner Hulsey asked if the current owners had been contacted to see if they wanted to discontinue the conditional use.

Bryce Wheelwright stated that the conditional use permit was to allow construction of a home on sensitive land, which was a flood plain. The home was built and was currently occupied.

Commissioner Dubovik asked why the conditional use permit was still necessary. Bryce Wheelwright stated that the home was located in a flood plain. The conditional use permit allowed the home to be built and used.



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5D. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL REGARDING THE
GENERAL PLAN DRAFT WHICH WOULD AMEND CHAPTER 12-000 OF THE WILLARD CITY
ZONING ORDINANCE

Time Stamp 2:07:45 12/07/2023

Bryce Wheelwright stated that the Planning Commission had been reviewing the General Plan DRAFT for several months. Most of the concern was about the Future Land Use Map. The City Council was waiting for a recommendation from the Planning Commission. Several options had been discussed.

Commissioner Bingham felt that after the last work session with the City Council the consensus was to put everything in half-acre density and use the MPC Zone to provide a variety of lot sizes. If there was going to be a zone for large lots, he felt it should be on the east side of the highway where most of the orchards were located. He felt half-acre zoning would work. There would be larger lots on west side of the highway due to wetlands.

Commissioner Bingham felt Willard wanted to encourage half-acre lots more than developer lots. If developers purchased large tracts of land, the City wanted to be able to keep the half-acre density with variable sized lots. He wanted to make it possible for property owners on either side of the highway to subdivide their property without having to sell to large developers. If the City started requiring three to five-acre lots, it would force property owners to sell to a developer who would grow through the approval process for a master planned community.

Commissioner Hulsey felt Willard would end up with a half-acre grid from one end to the other if a blanket density was used. What was the benefit of an MPC Zone? Commissioner Harrop felt the MPC Zone would provide for some smaller lots and some larger as well.

Colt Mund stated that an MPC could be located in any zone.

Commissioner Hulsey asked what would encourage a developer to provide a mix of lot sizes rather than doing a half-acre grid. A grid would be easier than an MPC.

Commissioner Harrop felt that clustering lots would reduce a developer's construction costs. Commissioner Hulsey agreed, but he also knew that Dr. Beard didn't want to use the MPC Zone because he felt it would be too much hassle. He wanted to encourage the use of the MPC Zone. He worried that if everything was half-acre, it would be easier for a developer to do a grid.

Commissioner Dubovik felt Willard needed to make the MPC Zone more appealing by rewriting it to state that Willard would consider reducing density acre if a developer submitted a compelling MPC plan. Then a developer would be able to utilize land they wouldn't have had otherwise. An MPC would allow a half-acre density in A-3 or A-5 Zones.

Commissioner Hulsey didn't feel that would resolve Commissioner Bingham's concern.

Commissioner Bingham stated that Willard was willing to annex property with zoning of half-acre or less. He felt life-time residents in Willard should receive the same benefit. Their retirement was tied up in their property. He felt the MPC Zone would appeal to developers. He was trying to help everyone. He agreed



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there needed to be more incentive in the MPC Zone. He felt a half-acre density along with more incentive in the MPC Zone would help everyone and, hopefully, provide a variety of lot sizes.

Colt Mund reminded the Planning Commission that the General Plan and Future Land Use Map was a living document. A lot of cities were comfortable with amendments to both. Someone with an agricultural three-acre parcel could always ask to have the Future Land Use Map amended down to half-acre residential lots. The idea was to be a little flexible with the General Plan to accommodate people.

Commissioner Hulsey was nervous about doing that. He felt applicants could argue that a precedent had been set if Willard allowed smaller lots in one area. If Willard relied solely on amendments, it would be in the same position it was now. Residents wanted a half-acre density. He suggested a blanket of three-quarter acre density. Then the MPC Zone could allow density to be shrunk to a half-acre density.

Commissioner Bingham felt a half-acre lot would be the same as three-quarter density because of off-site improvements.

Commissioner Hulsey said if the entire City was three-quarter density, anyone with 1.5 acres could divide off a piece and those who wanted to do a bigger development would be incentivized by the MPC Zone because they could get a smaller density.

Commissioners Harrop and Bingham said that was exactly what was proposed at the joint City Council-Planning Commission work session.

Commissioner Hulsey felt the discussion had been a blanket half-acre with hope that people would choose to be creative through the MPC Zone. To him the incentive was three-fourths of an acre that could be reduced to a half-acre with the MPC Zone.

Commissioner Bingham stated that a half-acre in an MPC would be an overall half-acre density. A half-acre density outside of an MPC would be a half-acre lot, plus off-site improvements.

Commissioner Hulsey felt Willard would have to be clear. It had to distinguish between lots and density in the MPC Zone. If there was a blanket zone that was bigger than a half-acre and the MPC Zone allowed for a half-acre, he felt everyone in town would be satisfied. There wouldn't be anywhere with less than a half-acre density, and there wouldn't be a grid.

Commissioner Harrop asked if there were any legal issues with the MPC Zone being considered case by case. Mr. Mund was not concerned about it; cities did that all the time.

Bryce Wheelwright stated that submission of an MPC Zone application did not mean the City had to accept it. The City could change it to whatever it chose.

Commissioner Hulsey was trying to find a way to encourage people to use the MPC Zone. If a property owner or developer didn't have an incentive, they would just lay out half-acre lots. Time and cost were factors for developers.

Chris Davis stated that in the only time the MPC Zone had been used so far, lot sizes had not been half-acre. There were some half-acre lots in the Old Farm development, but there were a bunch of third-acre lots as well. The MPC Zone did not require half-acre lots.



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Colt Mund said the density required in an MPC Zone had to be consistent with the goals and policies of the General Plan, which was a discretionary decision by the City Council. Theoretically, someone could ask for ten acre lots in return for providing certain benefits. The City Council could find that met the goals of the General Plan.

Commissioner Hulsey thought density in an MPC was tied to the underlying zone. Colt Mund said that was not his interpretation of the MPC Zone, nor did he feel that was ever discussed until after the ordinance was approved. An applicant was not tied to the underlying zone. The MPC Zone was a distinct zone in and of itself. An applicant had to present a proposal that was appealing to Willard City. The Planning Commission and City Council had the discretion to turn down a proposal based on a reasonable, articulated basis.

Commissioner Dubovik didn't feel there was a need to do a half-acre grid across the entire City to execute an MPC Zone.

Colt Mund wasn't sure a half-acre grid was necessary because an applicant could apply for an MPC Zone regardless of the existing zone as long as he met the requirements.

Commissioner Harrop felt that the minimum size requirement for an MPC Zone should be reduced from 20 acres.

Commissioner Hulsey asked if the Planning Commission was happy with the Future Land Use Map as a general guide knowing how the MPC Zone could be used.

Commissioner Bingham felt the same zone requirements should be applied to both sides of the highway.

Commissioner Hulsey asked what a compelling reason would be for the Planning Commission to consider an MPC Zone in a three to five-acre zone. Commissioner Dubovik felt it would a variety of lot sizes and housing. Commissioner Harrop felt the Planning Commission needed to consider adjacent uses. Uses needed to flow.

Commissioner Bingham stated that in the past, the City had turned down development and rezone requests because they weren't consistent with the General Plan. Commissioner Dubovik said the City was now saying developments could be considered if there was a compelling reason. Commissioner Harrop said there had to be a benefit to the City.

Commissioner Hulsey asked if the vision was that Willard would eventually be developed out with the look of a half-acre density. To achieve that density, there might be different clusters here and different clusters there.

Commissioner Bingham felt the Planning Commission should be trying to promote growth that looked like the center of town where there was a variety of lot sizes. To do that, he felt the MPC Zone would have to be amended to lower the minimum acreage. Then it would be easier for normal people to do something with their land.

Commissioner Dubovik felt verbiage could be added to define the compelling evidence the Planning Commission was looking for. He agreed with Commissioner Hulsey. If the General Plan zoned everything half-acre, 90% of Willard would be a half-acre grid.



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Commissioner Hulsey didn't feel the Future Land Use Map reflected the vision of the Planning Commission and City Council. He felt it needed to show the A-3 and A-5 Zones to compel people to apply for MPC zoning. He felt the map was only there to try to get people to use an MPC Zone. Maybe the Planning Commission also needed to make the land east of Highway 89 A-3 and A-5 knowing that the Planning Commission was potentially okay with everything developing with a half-acre density.

Commissioner Bingham suggested that all of the undeveloped areas have a blanket three quarter acre density, including streets.

Commissioner Hulsey felt it should all be blanketed five acres knowing that no one would come in with a five-acre development. They would come in with an MPC Zone.

Commissioner Bingham felt that would prohibit a landowner from breaking off a lot for one of his children.

Commissioner Hulsey felt that could be addressed by amending the minimum acreage in the MPC Zone.

Commissioner Bingham felt the City needed to make it easy for a landowner to subdivide. It also wanted to make the City appealing for developers. Those were two different things, and they were almost diametrically opposed to each other. If a property owner felt he couldn't create a lot to sell to his children, he would decide he had to develop his entire property. That was the whole reason for the blanket half-acre density. The General Plan and the Future Land Use Map was a living document. Things would always be changing.

Commissioner Hulsey felt everyone was working toward the same vision. It was a matter of agreeing on a way to make it happen.

Chairman Bodily asked what the Planning Commission wanted to forward to the City Council. He felt the Planning Commission needed to move forward with the General Plan.

Commissioner Hulsey stated that he didn't want to send anything. He didn't feel it was ready. He would table the plan every time until he felt comfortable with it.

Chairman Bodily stated that in the work session with the Planning Commission and City Council, everyone agreed on a blanket half-acre density, except for Commissioner Dubovik and Hulsey who weren't there.

Commissioner Hulsey stated that he had read the minutes and listened to the work session. He felt what was being proposed was great. He felt the Planning Commission needed to be sure about what it was sending forward. It needed to think it through.

Commissioner Dubovik asked what would prevent the Planning Commission from coming back in two weeks and having the same discussion. On October 29th, he sent an email to Chris Davis, Colt Mund, Bryce Wheelwright, Chairman Bodily, and Commissioner Hulsey about the two different versions of the future land use section of the General Plan. One had comments, and he wanted to know who made those comments. Michelle Drago answered and said the comments came from Dr. Parker. There hadn't been any further discussion. He never got past the point of clarifying the baseline documents. He felt that was there the Planning Commission needed to start.

Commissioner Hulsey felt everyone had the same vision. He liked the idea of a blanket zone if the Planning Commission was confident Willard wouldn't end up with a grid. He wasn't sure everyone was confident



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about how to prevent a grid. He felt the benefit of mixed zones was encouragement to use the MPC Zone. People had told the Planning Commission that using the MPC Zone was complicated. If the grid would get them through faster, he would do a grid.

Chris Davis stated that one person had said the MPC Zone was complicated. That person who didn't want to spend money on attorneys or engineers. The Planning Commission hadn't heard another developer say the MPC process was too hard.

Commissioner Bingham felt the MPC Zone was much easier than the old PUD Ordinance.

Commissioner Harrop asked if there was a way to forward the General Plan to the City Council with verbiage redefining the MPC criteria. Colt Mund said amending the MPC Zone would require a public hearing. The Planning Commission could mention that it felt the City should look at amendments to the MPC Zone.

Commissioner Bingham felt the Planning Commission needed to finish the General Plan before considering changes to the MPC Zone so the two documents would work well together.

Commissioner Hulsey stated that he was concerned about Willard developing with a half-acre grid. If he was the only one who thought that would happen, then the General Plan could be forwarded to the City Council. The Future Land Use Map did not show a blanket half-acre, nor was there verbiage that stated everything would be blanketed at a half-acre. If the Planning Commissioner sent the General Plan to the City Council, it would be sending it up blind.

Commissioner Dubovik said the map wasn't the only element in the plan. Verbiage was also changed.

Commissioner Hulsey said the plan could be forwarded if the Planning Commission was comfortable with it. When he brought it up before, it didn't seem like the Planning Commission was comfortable with it. It was tabled so it could be discussed further. He did not feel that the current version of the General Plan reflected what had been discussed.

Commissioner Harrop wasn't sure anything could be written that was definitive. There were too many variables.

Commissioner Hulsey asked if the Planning Commission was telling the City Council to figure out verbiage to blanket everything in a half-acre density. The Planning Commission agreed that was the consensus of the joint work session with the City Council.

Commissioner Bingham felt people's property rights trumped just about everything.

There was further discussion.

Time Stamp 2:43:40: 12/07/2023

Commissioner Harrop moved to recommend that the City Council amend Chapter 12-000 by approving the current General Plan DRAFT subject to the Future Land Use Section and Future Land Use Map being amended to reflect a half-acre lot size density in residential areas as agreed upon in the joint Planning Commission/City Council work session. Commissioner Baker seconded the motion. All voted "aye." The motion passed unanimously.



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6. CONSIDERATION AND APPROVAL OF THE NOVEMBER 2, REGULAR PLANNING
COMMISSON MINUTES

Commissioner Bingham moved to approve the November 2, 2023, minutes as corrected. Commissioner Harrop seconded the motion. All voted “aye.” The motion passed unanimously.

7. COMMISSIONER/STAFF COMMENTS

Time Stamp: 2:46:22 12/07/2023

Bryce Wheelwright

Bryce Wheelwright asked if the Planning Commission wanted to hold a meeting on December 21st. The Planning Commission asked that the December 21st meeting be canceled if there wasn't anything pressing.

Bryce Wheelwright expressed appreciation for Chris Davis who planned to retire at the end of the month. He had been a great asset for Willard City.

Colt Mund

Colt Mund concurred with Mr. Wheelwright's comments about Chris Davis.

Chris Davis

Chris Davis stated that the administration interviewed City Manager candidates. Those candidates would be discussed by the City Council on December 14th.

Commissioners Bingham, Dubovik, Hulse, Baker, and Harrop

The Planning Commission members thanked Chris Davis and wished him well.

Commissioner Harrop

Commissioner Harrop stated that he would not be able to attend either of the January 2024 meetings.

Chairman Bodily

Chairman Bodily asked who assigned house numbers in Willard. Bryce Wheelwright said they were assigned by the City Engineer.

8. ADJOURN

Commissioner Dubovik moved to adjourn at approximately 9:19 p.m. Commissioner Hulse seconded the motion. All voted in favor. The motion passed unanimously.



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Minutes were read individually and approved on: _____

Planning Commission, Chairman
Sid Bodily

Planning Commission Secretary
Maddie Brown

dc:PC 12-07-2023

DRAFT