



WILLARD CITY
Subdivision Land Use Authority (SLUA) – Special Meeting
January 18, 2024 – 2:00 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

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

The following members were in attendance:

Jeremy Kimpton, City Manager
Bryce Wheelwright, City Planner
Chris Breinholt, City Engineer
Van Mund, Fire Chief
Payden Vine, Public Works Director
Michelle Drago, Deputy City Recorder

Excused: Colt Mund, City Attorney

Others in attendance: Zac Burk, Jones & Associates; Bob Davis; Brett Hubbard; Marshae Stokes; Larry Holmes; Doug Thompson; Virginia Thompson, Alex Owens, and Commissioner Diana Baker.

1. CALL TO ORDER

Bryce Wheelwright, City Planner, called the meeting to order at 2:11 p.m. The secretary recorded a roll call attendance.

2A. CONSIDERATION OF A LOT LINE ADJUSTMENT FOR MARC ANDERSON FOR PROPERTY LOCATED AT APPROXIMATELY 1094 SOUTH MAIN STREET (PARCEL NOS. 02-05-0010 AND 02-05-0011)

Time Stamp – 048 01/18/2024

Bryce Wheelwright, City Planner, stated that Marc Anderson had requested approval of a lot line adjustment for two parcels at 1094 South Main Street.

Michelle Drago, Deputy City Recorder, stated that a lot line adjustment for these parcels was approved by the Planning Commission on September 7, 2023. How was this lot line adjustment different from the September adjustment?

Brett Hubbard, South Willard, stated that his father had passed away. His sister and brother-in-law had purchased the home and property. They were making another adjustment to allow for a home to be built on Parcel 2, which was behind the existing home on Parcel 1. The adjustment added frontage to Parcel 2, so that it complied with the 100-foot lot width requirement.

Bryce Wheelwright stated that Parcel 2 would not be a flag lot, because it would be 120.81 feet wide. He asked about the size of the parcels. Brett Hubbard said Parcel 1 was 0.41 acres; Parcel 2 was 3.16 acres. The configuration of Parcel 1 had changed, but its size had not.

Bryce Wheelwright stated that zoning might be an issue. Parcel 1 was zoned R-1/2. The zoning for Parcel 2 was split. The front portion was zoned R-1/2; the remainder was zoned A-5. Marc Anderson would have



WILLARD CITY

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January 18, 2024 – 2:00 p.m.

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Willard, Utah 84340

to increase the size of Parcel 2 to five acres or rezone it R-1/2. The issue with Parcel 2 would have to be resolved before a building permit could be issued.

There were not any comments from Payden Vine, Public Works; Chris Breinholt, City Engineer; Michelle Drago, Deputy Recorder; and Jeremy Kimpton, City Manager.

Brett Hubbard asked if they could apply for an A-3 Zone. Bryce Wheelwright said they could request an A-3 Zone, but the property was not contiguous to an A-3 Zone. It was contiguous to the R-1/2 Zone. The City's General Plan called for zoning to be contiguous to prevent spot zones.

Brett Hubbard asked if Marc Anderson could build on the portion of Parcel 2 that was zone R-1/2 and leave the remainder zoned A-5. Bryce Wheelwright said they could, or they could rezone the entire parcel R-1/2. There was also the possibility that the new General Plan would blanket zone the entire city R-1/2.

There was a discussion about zoning.

Chris Breinholt explained that approval of the lot line adjustment did not mean approval for a building permit. Brett Hubbard understood Marc Anderson would have to resolve the zoning issue before a building permit could be issued.

Van Mund stated that Marc Anderson might also have to run a water line or provide a fire hydrant depending on how far the home would be set back from the road.

Van Mund moved to recommend that the Planning Commission approve a lot line adjustment for Marc Anderson for property located at approximately 1094 South Main (Parcel Nos. 02-055-0010 and 02-055-0011). Payden Vine seconded the motion. All voted "aye." The motion passed unanimously.

2B. CONSIDERATION OF AN ANNEXATION AND A CONCEPT PLAN FOR DAVIS PARK SUBDIVISION LOCATED AT APPROXIMATELY 7700 SOUTH 1100 WEST (PARCEL NOS. 01-041-0043 AND 01-041-0044)

Time Stamp – 10:48 01/18/2024

Bryce Wheelwright stated that the City had received an annexation petition from Bob Davis for 45 acres located at approximately 7700 South 1100 West. Mr. Davis was proposing to divide his property into six agricultural parcels. One of the parcels would be an 11-acre park.

Bob Davis stated that he had met with Willard Flood Control. Willard Flood Control was interested in helping to build the park. Mr. Davis felt the only impact his development would have on Willard City was emergency services, which it was already providing. The property would remain agricultural. There would be three lots for his children. The park would be a memorial park for the Davis name. He wanted to build a bowery in memory of his wife Ronda. He did not feel the property would be a burden to the City. The property had adequate water rights. The development would be on a private road, so road maintenance would not be required.

Bryce Wheelwright asked who would maintain the road. Mr. Davis said they would maintain it. Only the park would need City maintenance. He felt there was plenty of water for a soccer field. Eleven acres would provide room for a dog park, a nature park, or a compost area until the park evolved.



WILLARD CITY

Subdivision Land Use Authority (SLUA) – Special Meeting

January 18, 2024 – 2:00 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

Bob Davis stated that Box Elder County did not accept parks. His objective was a park in honor of his family name.

Bryce Wheelwright asked about the total acreage. Bob Davis said there was about 45 acres. Eleven of those acres would be a park that would extend from 1100 West to 1500 West. There would be access from the east and west ends. He understood that Willard Flood Control had money to put toward the park.

Bryce Wheelwright stated that he had spoken with Josh Braegger, chair of Willard Flood Control. According to Mr. Braegger, Willard Flood Control was interested in property west of the interstate in this area. However, they had not shot grades on the property to see if it would work.

Bob Davis stated that Willard Flood Control already had a three-foot pipe running to his property. Everything flowed to the north and west from the corner of 7800 South where the pipe was located. From his perspective everything worked. Zac Burk, Jones & Associates, said Willard Flood Control had a 36-inch line in 7800 South.

Bryce Wheelwright understood there was plenty of water for irrigation. What about culinary water? Bob Davis said he had water rights for about 200-acre feet of water. He also had about six artesian wells. He felt the wells could be a real draw for the park. When his water was tested, it was under 100 parts per million.

Bryce Wheelwright said it sounded like Mr. Davis would have water rights he could turn over to the City. Mr. Davis said there would be water for the park. The lots would have to acquire domestic use permits for their own wells. Mr. Wheelwright said the City's ordinance required one-acre foot of water per lot. Mr. Davis was fine with that. He just did not feel it made sense to run a water line at this time.

Zac Burk asked what benefit this property would be to Willard. Mr. Davis did propose to turn over some water rights to Willard, but each of the three lots would have their own well and septic systems. The road would be private. Box Elder County maintained 7800 South. Mr. Davis wanted to annex into Willard to create a park because Box Elder County would not accept it.

Van Mund stated that right now Box Elder County required property owners to apply to the nearest municipality if they wanted to subdivide their property.

Bryce Wheelwright asked about the size of the proposed lots. Mr. Davis said each parcel would have three acres so they could remain agricultural.

Bob Davis said it boiled down to whether the park would be beneficial to Willard. Zac Burke asked if the City would maintain the park. Mr. Davis said it would. He did not want to maintain a soccer field.

Chris Breinholt was concerned about access to the park. If this was going to be a public park, access should be from a public road, not a private one. Bob Davis said the park access would be from public roads on the east and west sides. He planned to shorten the private road shown on the concept plan. It would end at Lot 3 rather than extending north into the park. Mr. Breinholt said the public roads – 1100 West and 1500 West – were both dirt roads. They would have to be improved before a park could be built. The City did not have culinary water or sewer services in the area.



WILLARD CITY

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January 18, 2024 – 2:00 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

Zac Burk stated that an 11-acre park maintained by Willard would need a restroom if there were plans for a soccer field. A bathroom on a septic tank would be a cost for the City.

Mr. Davis felt Chris Breinholt and Zak Burk were making it sound like his proposal would not be good for Willard. Chris and Zac said they were just trying to point out the current conditions. Zac Burk said the proposed annexation and park had possibilities. Chris Breinholt said Mr. Davis's proposal was something that would be long term.

Fire Chief Van Mund did not have any comments.

Payden Vine, Public Works Director, felt that 11 acres would be a lot to maintain, especially a septic tank.

Chris Breinholt felt Willard had to consider what was going to happen in the whole area if this was going to be a usable park.

Jeremy Kimpton agreed with comments about access to the park. It was a little premature to make decisions about what the park would look like.

Zac Burk said the park could start on one end and grow as the city grew and equipment became available.

Bob Davis felt this area would end up in Willard if Willard annexed property to the east of him. If Willard did not annex that area, it did not make sense to annex his property. It would not benefit the City.

Chris Breinholt asked if Mr. Davis had an expected completion date for the park. Mr. Davis said he did not. All he wanted was the name. Willard Flood Control had money to throw at it. He thought the park could be like Willard's Nature Park. Tree Utah could plant trees. Mr. Breinholt asked what was on the property right now. Mr. Davis said it was vacant. It was not being farmed.

Michelle Drago asked what zone would be assigned to the annexation. Bob Davis requested that his property be zoned A-3.

Bryce Wheelwright stated that if the Davis property was annexed into Willard, it could sit fallow for 10 to 20 years.

Chris Breinholt asked if the land would be donated to Willard City or Willard Flood Control. Mr. Davis said he would have to check with his tax consultant. He felt he would donate the land at the time of development. He felt Willard Flood Control was the key. Bryce Wheelwright asked if the park parcel be turned over to Willard City. Bob Davis said he was open to donating the land if it was designated as a park and named after his family.

Bryce Wheelwright said this land was within the City's annexation policy declaration. The SLUA needed to decide what to recommend to the Planning Commission. Would this annexation benefit Willard in the long run?

Zac Burk felt 11 acres donated to Willard would be a benefit. Paden Vine agreed, especially if the surrounding area developed. Chris Breinholt agreed it would provide facilities on the west side of the interstate. Jeremy Kimpton felt it was worth consideration. Zac Burk felt Willard Flood Control could benefit from 11 acres of donated land.



WILLARD CITY

Subdivision Land Use Authority (SLUA) – Special Meeting

January 18, 2024 – 2:00 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

Chris Breinholt moved to recommend that the Planning Commission consider the annexation petition from Bob Davis. Payden Vine seconded the motion. All voted “aye.” The motion passed unanimously.

- 2C. CONSIDERATION OF A CONCEPT PLAN AND REZONE REQUEST FROM R1/2 TO MPC FROM HERITAGE LAND DEVELOPMENT FOR APPROXIMATELY 48.19 ACRES LOCATED AT APPROXIMATELY 300 SOUTH 300 WEST (PARCEL NOS. 02-051-0062, 02-051-0085, 02-051-0264, 02-051-0004, 02-054-0005, 02-054-0007, 02-054-0009, 02-054-0011, 02-054-0012, 02-054-0013)

Time Stamp – 38:45 01/18/2024

Bryce Wheelwright stated that Heritage Land Development had submitted a concept plan and rezone request for 48.19 acres located at approximately 300 South 300 West. They were asking that the property be rezoned from R-1/2 to Master Planned Community (MPC). Heritage Land had completed Phases 1 and 2 of The Orchards Subdivision. Those phases were zoned R-1/2. Heritage Land wanted the balance of the development to have a higher density.

Marsha Stokes, Heritage Land Development, stated that they would like the majority of the remaining property to be single family lots ranging in size from 10,000 to 14,000 square feet. There would be a few lots that were bigger than that. There would be a patio home section on the northeast corner where the lots would be around 8,000 square feet. There would be some common areas for detention. In the patio home area on 200 South there would be a common space for a park. A preliminary civil plan had been completed to make sure the sewer and water worked. She felt the proposed design worked well. The slightly smaller lots would provide a price range that would allow people to remain in the community. Heritage Land had been working with UTA to secure the right-of-way UTA wanted. The proposed drawing did take UTA's right-of-way into consideration.

Bryce Wheelwright asked about lining up with 400 West coming from the Rod Braegger Subdivision to the north. Ms. Stokes said it would tie into 200 South. Garth Day had told her they would line up the roads when the elevations were shot.

Marsha Stokes stated that they had plenty of water.

Fire Chief Van Mund did not see any issues.

Payden Vine, Public Works, asked if 200 South would be a private road. Chris Breinholt said it would be private until about 400 West. Bryce Wheelwright said the private roads would be part of the HOA's responsibility. The remaining streets would be public.

Zac Burk stated there was a 24-inch flood control line. Chris Breinholt stated that the City had not received detailed utility drawings. Mr. Burk felt the flood control line might run through Lot 220 or 221. Mr. Breinholt said he had spoken with Heritage Land about the flood control line. Mr. Burk asked if the street plan had been laid out with the City's sewer line. Mr. Breinholt said it had.

Chris Breinholt suggested that the concept plan delineate which roads would be public and which would be private before the plan was forwarded to the Planning Commission. Mr. Wheelwright felt that would be advantageous to the Planning Commission.



WILLARD CITY

Subdivision Land Use Authority (SLUA) – Special Meeting

January 18, 2024 – 2:00 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

Chris Breinholt said he had seen this concept plan many times. His previous concerns had been addressed, although he reserved the right to tweak the road design at the south end of 500 West.

Zac Burk asked if the wells had been capped. Marshae Stokes said they had been capping the wells as development progressed. Until development occurred, Randy Lemon was still farming the land and using the wells. Bryce Wheelwright said there had been discussion about using the wells for a private irrigation system. Ms. Stokes was aware that had been discussed. A final decision had not been made.

Michelle Drago asked when Heritage Land and Willard City would enter into a development agreement. Bryce Wheelwright said approval of the MPC Zone would start the development agreement process. Ms. Stokes said they had a draft development agreement. Mr. Wheelwright thought the City Attorney had reviewed the draft agreement.

Bryce Wheelwright felt the proposed concept plan and rezone were ready to be forwarded to the Planning Commission. He asked if the SLUA felt the plan and rezone complied with City ordinances.

Chris Breinholt moved to forward the concept plan and rezone request from Heritage Land Development to the Planning Commission with a recommendation of approval. Zac Burk seconded the motion. All voted “aye.” The motion passed unanimously.

2D. CONSIDERATION OF A CONCEPT PLAN FOR THE MARION STOKES SUBDIVISION LOCATED AT APPROXIMATELY 1395 NORTH MAIN (PARCEL NO. 02-040-0004)

Time Stamp 51:38 01/18/2024

Bryce Wheelwright stated that Marion Stokes had lived in the home at 1395 North Main. She passed away almost a year ago, and her family needed to divide the land so the home could be sold.

Larry Holmes, 1561 Hargis Hill, stated that they were originally going to sell the home with one acre of ground. However, they discovered there was more acreage between the highway and 200 West than they thought. The family that submitted the offer for the home had agreed to purchase additional land. The house would now sell with 3.49 acres. Another buyer was going to purchase the remaining nine acres.

Michelle Drago stated that the preliminary plan would have to be revised to reflect the change in lot size. Mr. Wheelwright agreed. The plan which had been submitted was no longer correct. It would have to be updated.

Larry Holmes did not feel this was a subdivision. Bryce Wheelwright said if a parcel was divided into two parcels, it was a subdivision by definition. Mr. Holmes felt the City had already divided the property by building 200 West.

Michelle Drago stated that the front portion of the property was zoned R-1/2. The proposed lot met the requirements of the R-1/2 Zone. If they were just making the lot bigger, she felt the SLUA could forward a recommendation to the Planning Commission subject to submission of a revised preliminary plan.

Zac Burk asked if the remainder parcel was subject to zoning regulations. Michelle Drago said the remainder parcel was zoned A-5 and had more than five acres. It had frontage on 200 West.



WILLARD CITY

Subdivision Land Use Authority (SLUA) – Special Meeting

January 18, 2024 – 2:00 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

Chris Breinholt stated that a new building lot was not being created. The division would create a remainder parcel. He did not see a problem.

There were not any comments from Van Mund, Payden Vine, or Jeremy Kimpton.

Michelle Drago moved to forward the preliminary/concept plan to the Planning Commission with a recommendation of approval subject to a revised plan being submitted prior to the Planning Commission meeting. Payden Vine seconded the motion. All voted “aye.” The motion passed unanimously.

2E. CONSIDERATION OF A CONCEPT PLAN AND REZONE REQUEST FROM A-3 AND A-5 TO R1/2 FROM LYNC CONSTRUCTION FOR APPROXIMATELY 3700 SOUTH 1200 WEST (AKA 200 WEST) (PARCEL NOS. 02-035-0061, 02-035-0063, 02-035-0075, AND 02-035-0079)

Time Stamp: 1:01:12 01/18/2024

Bryce Wheelwright stated that Lync Construction had submitted a rezone request for 37.22 acres located at approximately 3700 South 1200 West from A-3 and A-5 to R-1/2.

There was a discussion about the address of the lot and the street name. Van Mund asked if the proposed development would have Perry addresses. Bryce Wheelwright said the addressing would have to be changed. Van Mund said Willard Police and Fire would respond, not Perry.

Bryce Wheelwright asked how many lots were proposed. Alex Owens, Lync Construction, said their current concept plan contained 46 lots. Mr. Wheelwright asked if all the lots were half-acre. Mr. Owens said they were. Mr. Wheelwright liked the proposed concept plan. He felt it was a good fit for Willard.

Zac Burk asked about Parcel A and Lot 1. Alex Owens said Lync Construction did not own Lot 1. He wasn't sure why it had been included in the concept plan. Parcel A had been set aside to do a land swap with Chad Braegger. The land swap had not been finalized.

Bryce Wheelwright asked if Chad Braegger's property was included in the rezone request. Mr. Owens said it was. Michelle Drago stated that Chad Braegger had not signed the petition. If he wanted to be included in the rezone, he needed to sign the petition. Mr. Owens said Chad Braegger had been part of the MPC rezone request. Lync Construction needed to have him sign the latest petition.

Fire Chief Mund said his only concern was addressing. The lots needed to have Willard addresses.

Chris Breinholt stated that gravity sewer would not work on this property. The development would need some type of sewer pumping system. Details regarding the pumping system had not been nailed down, which wasn't necessary for a rezone. The requested rezone was not consistent with the 2017 Future Land Use Map nor was it consistent with any surrounding zone.

Bryce Wheelwright stated that the property was currently zoned A-5. The Future Land Use Map designated it as A-3 and A-5.



WILLARD CITY

Subdivision Land Use Authority (SLUA) – Special Meeting

January 18, 2024 – 2:00 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

Alex Owens stated that they were hoping to amend the 2017 Future Land Use Map. Properties in Willard might not conform with the requested zone, but properties in Perry did. There was also a higher density project in Willard southeast of this property.

Michelle Drago stated that the amendment to the Future Land Use Map needed would have to be approved before the Planning Commission could consider the rezone request. Alex Owens was told to fill out a rezone application. Was there something they needed to do first? Michelle Drago said Lync Construction needed to submit an application to amend the 2017 Future Land Use Map.

Chris Breinholt asked if it made sense to amend the General Plan when the Planning Commission had forwarded a recommendation for half-acre blanket zoning to the City Council.

Alex Owens stated that they wanted to move forward. They needed to get something going. Chris Breinholt felt it made sense to push ahead with a Future Land Use amendment given the uncertainty about the new General Plan.

Jeremy Kimpton did not feel the SLUA could do anything until the Future Land Use Map was amended.

Bryce Wheelwright asked Lync Construction to submit an application to amend the Future Land Use Map. Alex Owens asked if Chad Braegger needed to sign the application too. Michelle Drago said he did if his property was going to be included.

2F. CONSIDERATION AND APPROVAL OF NOVEMBER 2, NOVEMBER 30, AND DECEMBER 7, 2023, MINUTES

Chris Breinholt moved to approve the minutes of November 2, November 30, and December 7, 2023, as written. Payden Vine seconded the motion. All voted “aye.” The motion passed unanimously.

3. ADJOURN

Payden Vine moved to adjourn at 3:25 p.m. Michelle Drago seconded the motion. All voted “aye.” The motion passed unanimously.

Minutes were read individually and approved on: 1/25/24

Bryce Wheelwright
Bryce Wheelwright, City Planner

Michelle Drago
Michelle Drago, Deputy City Recorder

dc: SLUA 01-18-2024