



WILLARD CITY

Subdivision Land Use Authority (SLUA) – Special Meeting

August 1, 2024 – 3:00 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

1 The meeting was a special 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.

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5 The following members were in attendance:

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7 Jeremy Kimpton, City Manager
8 Madison Brown, City Planner
9 Chris Breinholt, City Engineer
10 Payden Vine, Public Works Director
11 Van Mund, Fire Chief
12 Michelle Drago, Deputy City Recorder
13

14 Excused: Colt Mund, City Attorney.

15
16 Others in attendance: Zac Burk, Jones & Associates; Chad Braegger, Planning Commission; Rod
17 Braegger; Debbie Braegger; and John Newhall.

18
19 **CALL TO ORDER**

20
21 Madison Brown, City Planner, called the meeting to order at 3:08 p.m. The Deputy Recorder recorded a roll
22 call attendance.

23
24 2A. CONSIDERATION OF A CONCEPT PLAN FOR BROKE ASS RANCH SUBDIVISION FIRST
25 AMENDMENT (AMENDING LOT 1 BROKE ASS RANCH SUBDIVISION) LOCATED AT
26 APPROXIMATELY 110 SOUTH 400 WEST (PARCEL NO. 02-054-0022)
27

28 Time Stamp – 0:44 – 08/01/2024
29

30 Madison Brown, City Planner, stated that Rod and Debbie Braegger had submitted a concept plan to amend
31 Lot 1 of the Broke Ass Ranch Subdivision by dividing it into three lots. She had been working with Debbie
32 Braegger on the emergency access easement agreement.

33
34 Chris Breinholt, City Engineer, stated that the secondary access did not follow what was approved. Rob
35 Braegger said they approached the City Council on December 14, 2023, about amending the location of
36 the emergency access. The City Council approved the change. The new emergency access was also the
37 sewer easement.
38

39 Chris Breinholt asked if the Fire Chief had approved the access change. Chief Van Mund said he had
40 spoken with Rod Braegger about the change. The emergency access needed to be posted. Rod Braegger
41 said he had the signs, but he had not posted them yet.
42

43 Chad Braegger, Planning Commission, stated that he spoke with Lindsey Hansen who said the edge of the
44 pavement needed to be repaired from the edge of 250 West to the emergency access gate area. Mr.
45 Braegger had noticed that the manhole on the east end was sticking up. He felt road base should be added
46 around it to prevent it from being clipped by a snowplow. Rod Braegger said he would talk to Lindsey
47 Hansen.
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Chris Breinholt was disappointed Braegger's were proposing to add lots and services to a road that had just been paved. This was a brand-new road. Some cities had a policy that new roads could not be cut for five years. He was not sure Willard had such a policy.

Rod Braegger stated that they did not plan to install the services for three years. They had sold Lot 2, the lot on the east side of 400 West. They wanted to subdivide Lot 1 into three lots, but they were the only ones who planned to build at this time.

Chris Breinholt stated that Braegger's had only installed services for one lot on the west side of 400 West. If the city approved the proposed amendment, Braegger's would have to install services for the second lot on the west side of 400 West, as well as the lot proposed on 500 West.

Zac Burk said that frontage improvements would also be required for Lot 3 on 500 West.

Rob Braegger did not want the additional two lots tied up in his home loan and subsequent lien. His son planned to build on Lot 3 in three years. His daughter planned to build on Lot 2.

Chief Mund asked if the Braegger's could pay for the improvements but not put them in. Chris Breinholt said the code did not allow them to do that. Improvements had to be installed for every lot within one year of approval.

Jeremy Kimpton, City Manager, could not see a way around the code requirements.

Rod Braegger asked if the improvement requirements applied to Lot 3 as well. Chris Breinholt said they did. The proposed amendment would require services for Lots 3, 4, and 5 and construction of 500 West.

Rod Braegger said why he had to put the improvements in right now. Chris Breinholt said SLUA was not authorized to waive parts of the code. The code required subdivision improvements to be installed within one year of approval. To protect buyers, a subdivided lot was required to have stubbed utilities.

Chad Braegger stated that Rod Braegger could not legally sell the lots without services.

Debbie Braegger said they could build on the existing Lot 1. Chris Breinholt agreed. The Braegger's had a buildable lot because services for Lot 1 had been installed. They just needed to place the home based on plans to divide the property in the future.

Chad Braegger asked about the utilities on 500 West. Zac Burk said the water ended at the south end of the Mountain Shadows Subdivision. The sewer continued to the south. Rod Braegger said he did not want to spend the money to improve 500 West at this time. UTA would be moving faster than they had planned because of the 2034 Olympics. He was hoping they would build the road.

Debbie Braegger asked about leaving Lot 1 in the agricultural green belt. Chad Braegger said they needed five acres to qualify for the green belt. Lot 1 had less than five acres.

Zac Burk asked about an accessory dwelling unit. Chad Braegger said an external ADU could not be larger than 1,000 square feet. He felt Rod Braegger would want a home larger than that.

Rob Braegger asked if the City Council could grant them a variance. Jeremy Kimpton said the city ordinances did not give the SLUA a mechanism to waive subdivision requirements. The city attorney would



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have to determine if there was a legal way to work around the improvement requirements. If there was a way to do it, it would have to be approved by the City Council.

Rod Braegger felt their only option was to pull their application.

Madison Brown said she would ask for the city attorney's opinion.

The SLUA did not take any action because the Braegger's pulled their application.

Madison Brown said the emergency access easement still had to be corrected before Braegger's could build.

2B. CONSIDERATION OF A PRELIMINARY PLAN FOR GRANITE RIDGE SUBDIVISION PHASE 6 LOCATED AT APPROXIMATELY 675 SOUTH 450 EAST (PARCEL NOS. 02-053-0014 AND 02-053-0069) (CONTINUED FROM MAY 30, 2024)

Time Stamp – 17:24 – 08/01/2024

Madison Brown stated that the SLUA's findings during its May 30th meeting had been addressed. The easement for the flood channel and basin had been prepared, the addresses for the six lots fronting the Parson ingress/egress road had been removed, and a note had been added to the plat restricting those six lots from accessing the private ingress/egress. Did SLUA have any other comments or concerns?

John Newhall asked how the city wanted to record the easement for the flood channel and basin. Madison Brown said the city attorney would prepared the easement, which would be recorded with the plat

Chris Breinholt stated that open space for the entire development was supposed to be 33.3%. He asked what the percentage was. Some lots had been reconfigured into an area that used to be open space. He asked for documentation of the overall open space. The overall plan also included 6-foot soft trails in Phase 6. The trails needed to be shown in the construction drawings.

Zac Burk said a soft trail was a defined trail that could be mulch, wood, gravel, or grass. John Newhall asked if the soft trail could cross Parsons' Haul Road. John Newhall said Parsons required the installation of a sign restricting access to emergency vehicles only. They did not allow pedestrians or motorized vehicles. Chris Breinholt said the trails on either side would have to be independent of one another and have access to the bench/Canal Road.

Madison Brown asked if the trails needed to be added to the plat. Zac Burk felt the best way to handle them was through the construction drawings. John Newhall did not feel it would be an issue to add the trails to the construction drawings, especially when they were being dedicated with the easement and open space. He would show a trail going from the cul-de-sac on the east side through the open space and connecting on the south up to the canal. He would also provide the open space calculations requested by Chris Breinholt.

Zac Burk asked if Willard Flood Control had any outstanding items. John Newhall said they did not.

Chad Braegger asked about water conveyance. Jeremy Kimpton said they had reviewed the water and felt Granite Ridge had conveyed all the required water. Zac Burk said they did an extensive search of the parcel numbers and could not find any existing privately owned water rights that should have been conveyed to



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the city.

Chad Braegger asked who John Newhall represented. John Newhall said he was with Granite Ridge, LLC/Scott Priest.

Chris Breinholt stated that building permits in Phase 6 could not be issued until the waterline in Phase 5 was completed.

Chris Breinholt moved to forward Phase 6 to the Planning Commission with a recommendation of approval subject to overall documentation that there was 33.3% of open space; and that the soft trails shown on the Granite Ridge master plan for his phase be included in the construction drawings, except for pedestrian access onto the Haul Road. Zac Burk seconded the motion.

Chris Breinholt felt the preliminary presentation to the Planning Commission should include the open space documentation. He felt Zac Burk could handle the soft trails in the construction drawings.

All voted “aye.” The motion passed unanimously.

2B. CONSIDERATION AND APPROVAL OF JUNE 27, 2024, MINUTES

Madison Brown moved to approve the June 27, 2024, minutes as written. Zac Burk seconded the motion. All voted “aye.” The motion passed unanimously.

3. ADJOURN

Jeremy Kimpton moved to adjourn at 3:44 p.m. Michelle Drago seconded the motion. All voted “aye.” The motion passed unanimously.

Minutes were read individually and approved on: _____

Madison Brown, City Planner

Michelle Drago, Deputy City Recorder

dc: SLUA 08-01-2024