



WILLARD CITY

Subdivision Land Use Authority (SLUA) – Special Meeting

October 24, 2024 – 4:00 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:

6
7 Jeremy Kimpton, City Manager
8 Madison Brown, City Planner
9 Zac Burk, Jones & Associates
10 Van Mund, Fire Chief
11 Payden Vine, Public Works Director
12 Michelle Drago, Deputy City Recorder
13

14 Excused: Colt Mund, City Attorney; Chris Breinholt, City Engineer; and Chad Braegger, Planning
15 Commission.
16

17 Others in attendance: Neldon Kapp, Jan Kapp, Colton Kapp, and Kamryn Kapp.
18

19 1. CALL TO ORDER

20
21 Madison Brown, City Planner, called the meeting to order at 4:02 p.m. The Deputy Recorder recorded a roll
22 call attendance.
23

24 2A. CONSIDERATION OF A PRELIMINARY SUBDIVISION PLAT AND A RECIPROCAL EASEMENT
25 AGREEMENT FOR THE KAPP SUBDIVISION LOCATED AT APPROXIMATELY 620 NORTH 200
26 WEST (PARCEL NO. 02-046-0005) (CONTINUED FROM AUGUST 31, 1023, AND AUGUST 29,
27 2024)
28

29 Time Stamp – 0:13 – 10/24/24
30

31 Madison Brown, City Planner, stated that the purpose of the meeting was to consider a preliminary plat and
32 a reciprocal easement agreement for the Kapp Subdivision. SLUA had reviewed the sketch/concept plan
33 in August of 2023 and August of 2024. She had worked with Foresight Land Surveying regarding changes
34 needed to the preliminary plan. The city attorney had reviewed and approved the reciprocal easement
35 agreement. She would hold onto the signed easement agreement so it could be recorded with the
36 subdivision plat.
37

38 Zac Burk, Jones & Associates, stated that he had reviewed the subdivision plat. Changes to the PUEs
39 (public utility easements) on the perimeter had been made. The depths looked good. The legal description
40 had been checked, and everything closed with minimal to no errors.
41

42 Ms. Brown stated that the planning commission had been reviewing conditional use permits approved in
43 the past. During its October 3rd meeting, it reviewed the conditional use permit issued to Neldon Kapp in
44 January 2003. As part of the subdivision review process, the planning commission wanted to make sure all
45 the conditions for the conditional use permit had been completed and were being maintained. The main
46 concern was whether the required access was 20 feet wide and had an all-weather surface.
47

48 Neldon Kapp stated that the city told them they had to have a 20-foot access. That is what they constructed,
49 and that is what they had maintained.



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Ms. Brown said the fire hydrant and 8-inch water line extension had been completed. She had found the required easement for the waterline extension in the county records. There was a note on the conditional use permit from Willard Flood Control advising that there is a high ground water table in the area. Because of that note, she recommended that the Kapp's get a Geotech report when they were ready to begin building. The report could be submitted with the building permit.

Zac Burk stated that too often homes were constructed without considering what to do about the groundwater.

Neldon Kapp asked who could prepare a Geotech report. Madison Brown provided the names of a few local geotechnical engineers. Zac Burk said all they really needed to know was the soil type and the groundwater elevation. The soil type would tell them the weight bearing capacity of the soil. Based on the soil classification, the Geotech engineer would tell them whether they need to bring in import material or limit the size of the home if built on existing soil. The report should also tell them what the historic groundwater level is. The observed groundwater level was different than the historic level. It was better to build around the groundwater than deal with it afterward when it would be more expensive to deal with.

Madison Brown asked if the Geotech report should be a requirement of the subdivision approval. Jeremy Kimpton felt it could be a condition for a building permit, so it didn't hold up the subdivision process. If the Kapp's were able to get it done before the subdivision was approved that would be great.

Madison Brown stated that she had been working with Tyson Roper from Jones & Associates to get the water rights transferred. Jeremy Kimpton agreed that the Kapps could continue moving through the approval process while they were finalizing the water right transfer. The city could wait to record the final plat until the water was finalized and conveyed.

Madison Brown stated that the next step in the approval process was a public hearing with the Planning Commission. The Planning Commission would then forward a preliminary recommendation back to SLUA who would then consider the final plat. There was a discussion about the public hearing process.

Madison Brown stated that she could not find record that the preliminary application fee of \$80.00 had been paid. She asked the Kapp's to take care of that they could be scheduled for the November 7th Planning Commission meeting.

Zac Burk moved to recommend that the Planning Commission grant preliminary approval of the Kapp Subdivision subject to a Geotech report prior to a building permit and completion of the water conveyance. Payden Vine seconded the motion. All voted "aye." The motion passed unanimously.

2B. CONSIDERATION AND APPROVAL OF AUGUST 29, 2024, MINUTES

Madison Brown moved to approve the August 29, 2024, minutes as written. Zac Burk seconded the motion. All voted "aye." The motion passed unanimously.

3. ADJOURN

Michelle Drago moved to adjourn at 4:21 p.m. Jeremy Kimpton seconded the motion. All voted "aye." The motion passed unanimously.



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Minutes were read individually and approved on: _____

Madison Brown, City Planner

Michelle Drago, Deputy City Recorder

dc: SLUA 10-24-2024

DRAFT