



WILLARD CITY

Planning Commission Meeting – Regular Meeting

Thursday, February 20, 2025 – 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

Jeremy Kimpton, City Manager

8 Ruth Beebe

Colt Mund, City Attorney

9 Chad Braegger

Madison Brown, City Planner

10 Alex Dubovik

Michelle Drago, Deputy Recorder

11 Brian Gilbert

12 John Pierce

13
14 Excused: Chandler Bingham

15
16 Others in attendance: Mayor Travis Mote; Council member Jordan Hulsey; Ken Ormond, Alternate; Ruth
17 Ormond; Diana Baker; Rew Wiley; Larry Holmes; Marvin Neff; Brinton Neff; Lindsey Neff; Doug Younger;
18 Mary Younger; Gregory Nelson; Jeff Wells; and Bryce Wheelwright.

19
20 Chairman Bodily called the meeting to order at 6:30 p.m.

21
22 1. PRAYER: Brian Gilbert

23
24 2. PLEDGE OF ALLEGIANCE: John Pierce

25
26 3. GENERAL PUBLIC COMMENTS

27
28 There were no comments.

29
30 4. CITY COUNCIL REPORT

31
32 Time Stamp: 1:59 – 02/20/2025

33
34 Mayor Travis Mote reported that during the February 13, 2025, meeting the City Council approved the
35 codification of the Municipal and Zoning codes. Now Willard's official code was the version that was
36 available online. The Council also updated the fee schedule. All business license fees had been changed
37 to \$50.00, except for campgrounds and alcohol licenses. A closed meeting was held at the conclusion of
38 the open meeting.

39
40 5A. PUBLIC HEARING TO RECEIVE PUBLIC INPUT REGARDING A PETITION FROM WILLARD
41 LAND PARTNERS, LLC, AN AFFILIATE OF MILLSTREAM MANAGEMENT, LLC, TO REZONE
42 APPROXIMATELY 160 ACRES LOCATED AT APPROXIMATELY 1500 NORTH 600 WEST
43 FROM A-5 TO INDUSTRIAL (PARCEL NOS. 02-043-0007 02-043-0016, 02-043-0042, 02-040-
44 0032, 02-043-0017, 02-043-0043, 02-043-0005, 02-043-0004, 02-043-0002, 02-035-0010, 02-035-
45 0009, AND 02-035-0023 THAT ARE LOCATED ON THE EAST SIDE OF I-15 AND THE WEST
46 SIDE OF THE RAILROAD)

47
48 Time Stamp: 3:20 – 02/20/2025



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Chairman Bodily read the Willard City Planning Commission Rules of Order Statement.

Commissioner Dubovik moved to open the public hearing at 6:35 p.m. Commissioner Beebe seconded the motion. All voted “aye.” The motion passed unanimously.

Madison Brown, City Planner, stated that Willard City had received a rezone petition from Millstream Partners who was acting on behalf of Willard Land Partners, LLC. Millstream Partners was represented by Gregory Nelson. The rezone petition requested that approximately 160 acres be rezoned from A-5 to Industrial. The requested zone did comply with the Future Land Use Map in the General Plan.

Gregory Nelson stated that Millstream Partners was a real estate development and acquisition firm based in Davis County. They had done projects in 21 states. Right now, they were focusing on projects in Utah and Texas. Millstream Partners just completed an industrial warehouse in Garland that contained about 1.2 million square feet. Two years ago, they received a suggestion to look at property in Willard north of the Flying J. Since then, they had been working with the various landowners to assemble the land into a site they could develop that would be good for Willard and consistent with its Future Land Use Map. This was a natural spot for development. It had 4,600 lineal feet of railroad on the west side, the interstate on the west side, and a nearby freeway exit.

Mr. Nelson stated that Millstream Partners had worked with the Wells family, Larry Holmes, and others. At this point, there were nine families involved. It had not been an easy deal to put together. They also spoke extensively with city administration and sought input from the City Council. They appreciated the chance to be in Willard. A lot of parcels were involved in the rezone request. The actual rezone consisted of about 152 acres, but they were acquiring, trading, and land swapping a total of about 480 acres in order for the development to work with one landowner. In order for something meaningful to happen on this ground, it needed to be owned by one landowner. Then it could be sensibly master planned to address issues like drainage. At the end of the transactions, they would own approximately 200 acres west of I-15 where a lot of drainage needed to go. They felt that was critical. They understood a lot of people in Willard wanted to see farmland stay farmland. The Wells family wanted to continue to farm. They had reached an agreement to swap land with the Wells family. Some of that land was owned by Larry Holmes, Ormond's, Roche's, and others. Farming would continue east side of the railroad. He felt that was a good fit for Willard.

Mr. Nelson felt it was worth Willard's time to work with them as a partner to develop this area. Millstream Partners was asking for 152 acres to be rezoned from A-5 to Industrial. The nearby freeway exit helped a lot. The railroad line was a class one served UP railroad. It made the property very attractive. Utah had a favorable business environment. A lot of businesses were coming into the state. Their warehouse in Garland was occupied by one such company; an educational products company that had never been in Utah before. They liked Utah's people and business environment. They were shutting down all their business in California and moving to Utah. There were more companies like that that wanted to come to Utah, but didn't necessarily want to be in the congestion in Salt Lake. Places like Willard could work very well for them. However, they had to know they could do something. When they worked with the governor's office, the state, and Willard to put together a deal that would generate meaningful tax revenue, they needed some entitlement certainty. If they tried to market this as a great industrial or manufacturing site, potential clients noticed the agricultural zone and moved onto another location. Millstream was asking Willard for a *hunting* license to find potential users. Rezoning the property would give them that license. Potential users were data centers, food manufacturers, and large-scale distribution,



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Mr. Nelson stated that when they had a user, they would go through the normal site plan approval process and address details and issues. The biggest challenge had been landowner coordination. They felt the railroad created a natural barrier. Development would be housed between the railroad and I-15. The land east of the railroad would remain farmland. They felt that was a benefit to Willard and seemed consistent with what Willard wanted to be. The development would provide a tax base that would help the city. They believed this development would have a minimal impact on the city as a whole because of the nearby freeway exit. User traffic would get on and off that exit. They weren't likely to bring cars into the city.

Mr. Nelson realized this would be a change for Willard residents, but they felt the development would benefit residents because of the increased tax revenue. For example, there was over \$200 million invested in the building in Garland. That kind of investment would generate tax revenue. The Willard site could hold 2 ½ of the Garland building. There was room on the Willard site for some very meaningful investment that could impact tax revenues that would generally help all residents.

Mr. Nelson said that once they had a solid user, they would begin addressing utility issues. They believed that would help Willard in general. It would continue to build out the city's infrastructure. The water would probably be more challenging than the sewer. Figuring out the utilities would require an additional investment with Willard as a partner. Before making that additional investment, they wanted to know they had the necessary zoning. The site would be accessed through 600 West. They anticipated 600 West would be extended with secondary emergency access. When they had a definitive user, they would start to look at roads in more detail. They felt the access from 600 West would be adequate.

Mr. Nelson stated that they were far enough into the process with time and money that they were unwilling to continue without the assurance of zoning. Rezoning this property would allow them to compete with other sites in Box Elder County and Northern Utah. Utah was being looked at by a lot of users. People in Utah were actively hunting tenants. If Willard wanted to compete for a good user that would bring a lot of tax base with minimal impact to the city, it had to get in the ring. If this site was zoned, he felt it would be very compelling. He felt it would compete well in the arena of projects coming to Utah.

Chairman Bodily opened the floor for public comments.

Jeff Wells, 1254 North Main, stated that his dad would not have considered this. It had taken his dad a long time to get his ground to where it was now. Mr. Nelson had offered to trade ground for ground and to pay for the water system. He had been trying to work with Greg Nelson, and he was getting push back from some family members. When one looked at the whole picture, he felt this was best for the city, and in the long run it might be best for them. It was just making the change. He hoped the change could be made as quickly and smoothly as possible. All the property owners involved were happy that the ground would remain farmland.

Larry Holmes, 1516 Hargis Hill Road, stated that part of the property being sold was his. He had lived in Willard all his life, but he had to look at the city too. Willard needed revenue. Building houses did not generate revenue. Willard had to look at businesses, like Perry had, that would bring revenue to the city. In the long run, he felt the rezone would benefit everyone. He felt this was a good project.

Commissioner Beebe moved to close the public hearing at 6:54 p.m. Commissioner Pierce seconded the motion. All voted "aye." The motion passed unanimously.



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- 5B. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL REGARDING A PETITION FROM WILLARD LAND PARTNERS, LLC, AN AFFILIATE OF MILLSTREAM MANAGEMENT, LLC, TO REZONE APPROXIMATELY 160 ACRES LOCATED AT APPROXIMATELY 1500 NORTH 600 WEST FROM A-5 TO INDUSTRIAL (PARCEL NOS. 02-043-0007 02-043-0016, 02-043-0042, 02-040-0032, 02-043-0017, 02-043-0043, 02-043-0005, 02-043-0004, 02-043-0002, 02-035-0010, 02-035-0009, AND 02-035-0023 THAT ARE LOCATED ON THE EAST SIDE OF I-15 AND THE WEST SIDE OF THE RAILROAD)

Time Stamp: 24:59 – 02/20/2025

Commissioner Gilbert understood that Millstream Partners did a lot of multi-family and hospitality projects. How many successful industrial projects had they done? Mr. Nelson said they had done two in Northern Utah consisting of about 4,000,000 square feet. They had done medical manufacturing in Texas.

Commissioner Dubovik stated that while he had served on the Planning Commission, he had heard over and over that residents wanted to preserve the rural feel of Willard. There had been opposition when the city wanted to do a blanket half-acre zone in this area. Now there was talk about food manufacturing and truck hauling logistics. Did the rezone mean there could be a hazardous waste transfer station? He didn't want to look at all this stuff when he was sitting on his back porch. Why wasn't something like a Farmington Station being considered? Something with nice shops, residential, and a family entertainment complex that would complement Willard Bay or potential access to Willard Canyon. Something that was more community than just big industry with noise, light, and sound pollution.

Greg Nelson stated that Millstream controlled the first two parcels north of Flying J. Both parcels were zoned commercial. There was already a provision for some of the uses Commissioner Dubovik mentioned. Retail development was based on established numbers. They could tell whether retail would work or not based on the population of an area. Willard did have Willard Bay which brought in a lot of annual visitors, but those numbers were seasonal. The question wasn't whether retail could go in north of Flying J. The question was how much retail? Could 33 acres of commercial go in north of Flying J based on the population within a certain radius? He felt that commercial development would be challenging for a little while. There weren't enough humans in this area to build out 160 acres of retail. Retail was a numbers game. Betting on more than 33 acres of retail in this location would be a tough bet. An alternative was to wait until there were enough people to support a Farmington Station.. Hazardous waste disposal was not on their list.

Commissioner Pierce stated that Mr. Nelson had talked about the possibility of a user using the railroad. Would the planned Front Runner have an impact on those logistics? Mr. Nelson said it would not. He explained that Front Runner would come through on the east side of the railroad. This corridor was west of the railroad track and east of I-15. Rezoning this area would allow Willard to maximize its tax impact. There were plans for a Front Runner station on the east side of the tracks.

Commissioner Gilbert said he couldn't think of a better spot in Willard for something like this. He liked that Millstream Partners was trading land to keep farmland. He was in favor of the request. He wanted to see more information about users.

Mr. Nelson explained about site selectors. If the rezone passed, Millstream would work with the state and site selectors to market the site and find the right fit for Willard. They wanted to do something that was good for them and good for the city. Nobody won if they did something nobody wanted.



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191 Mr. Nelson said they would have to follow the site plan mechanics when they found a user. He felt there
192 would be a couple of uses. A site that contained 150 acres of industrial and 33 acres of commercial tended
193 to get chopped up. There weren't a lot of 2.5 million square foot industrial buildings in the world. This site
194 would likely have multiple buildings and/or businesses. A data center had expressed interest in this site. A
195 data center had high investment dollars that generated a tax base with a super low traffic count.

196
197 Commissioner Gilbert asked where the water would come from. Mr. Nelson said it would be a closed loop
198 system. Mr. Nelson felt the biggest issue would be power. The Wasatch Front was currently powered by 5
199 gigawatts of power. Rocky Mountain Power currently had that much power being requested solely for data
200 centers along the Wasatch Front. If Rocky Mountain Power could supply the power, they would all be built.
201 Rocky Mountain Power couldn't supply that power, so the market innovated with smaller data centers that
202 used power differently. He didn't know what the use would be. It would be something industrial,
203 manufacturing, or a data center.

204
205 Commissioner Braegger asked about culinary water rights. Mr. Nelson said they did have some water
206 rights. The water needs would depend on what was built. They had sufficient water rights if they built a
207 couple of buildings like the one in Garland. Commissioner Gilbert felt fire suppression would be an issue.

208
209 Commissioner Braegger asked if the north water tank would have to be constructed to accommodate this
210 infrastructure. Mr. Kimpton said most likely.

211
212 Commissioner Beebe liked the idea of trading land, so the city didn't end up with a bunch of houses. Houses
213 cost the city money. She felt this was the best place in Willard for an industrial park.

214
215 Chairman Bodily agreed.

216
217 Commissioner Beebe said she didn't want to look at big buildings either, or a bunch of houses. She would
218 much rather look at green fields.

219
220 Greg Nelson understood Willard would rather have the ground remain vacant, but the land was probably
221 going to be used by something. Willard needed to figure out what it was going to do about tax increment in
222 order to solve some challenges. He agreed there were infrastructure questions that would have to be
223 addressed, but they were willing to work with Willard to solve them. Development was a team sport.

224
225 There was further discussion about the tax benefits of a data center. Mr. Nelson said data centers had a lot
226 of personal property that was really, really expensive. A small data center densified investment in a smaller
227 building, which left more land for additional buildings. Commissioner Dubovik asked about the recurring tax
228 benefit. Mr. Nelson said there wouldn't be a lot of sales tax revenue. The tax benefit came from personal
229 property and real property taxes.

230
231 Commissioner Gilbert asked if flex spaces would be considered. Mr. Nelson said they were not considering
232 flex spaces at this time because the risk was too great. There were some flex spaces nearby that had been
233 sitting vacant for a while.

234
235 Commissioner Braegger asked about having to upsize the sewer trunk line under I-15. Mr. Nelson said the
236 sewer needs would depend on what was built.



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Commissioner Braegger asked if the property on the west of I-15 would remain A-5 or MU-40. Mr. Nelson said it would. They currently didn't have any plans for it. They intended to leave it as is.

Commissioner Braegger asked why they were able to submit a rezone request if they didn't own the property. Mr. Nelson said they had all the property under contract.

Commissioner Dubovik asked what level of control or oversight the Planning Commission would have as projects started to percolate. Mr. Mund said that depended on what uses were allowed by the Zoning Code.

Commissioner Dubovik was concerned that the Planning Commission had not heard from any disinterested citizens. Commissioner Braegger said there might not be any. Chairman Bodily said a notice about the rezone was published in several places. Adjoining property owners were notified. Citizens had had the opportunity to express their concerns.

Commissioner Braegger agreed with Commissioner Gilbert. He didn't know of a better spot in Willard. He liked the location.

Chairman Bodily also felt it was a good idea. Willard certainly needed the revenue.

Commissioner Gilbert moved to recommend that the City Council approve a petition from Willard Land Partners, LLC, an affiliate of Millstream Management, LLC, to rezone approximately 160 acres located at approximately 1500 North 600 West from A-5 to Industrial. Commissioner Braegger seconded the motion. A roll call vote was taken. Commissioners Pierce, Dubovik, Beebe, Gilbert, and Braegger voted "aye." The motion passed unanimously.

5C. DISCUSSION REGARDING AMENDING THE MASTER PLANNED COMMUNITY ZONE FOUND IN CHAPTER 24.24 OF THE WILLARD CITY ZONING CODE (CONTINUED FROM APRIL 4, APRIL 18, AND DECEMBER 5, 2024, AND JANUARY 2 AND FEBRUARY 6, 2025)

Time Stamp: 45:10 – 02/20/2025

Madison Brown stated that the Planning Commission had spent several meetings discussing revisions to the Master Planned Community Zone. The revisions had been compiled into Ordinance No. 2025-03, and a public hearing had been scheduled for March 6th. The Planning Commission asked for time to review the proposed ordinance and asked that this item be placed on the agenda to allow for any further discussion. Ms. Brown asked if there was anything the Planning Commission felt was missing or anything that should be removed.

Commissioner Gilbert liked the proposed ordinance. Commissioner Beebe felt the ordinance was clearer.

Madison Brown wasn't sure a pre-application review could be required. Colt Mund it could. Jeremy Kimpton said Ordinance No. 2025-03 included a pre-application review. Commissioner Gilbert felt a work session was meant to benefit the applicant, not the city. An applicant didn't have to have one.

Commissioner Dubovik liked the Planning Commission's ability to have some qualitative input. He didn't want to see a development with one housing style where everything looked the same and was the same



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size. He hoped to see developments with a variety of lot sizes and needs. He liked the ability to demand a level of thoughtfulness.

Chairman Bodily stated that the public hearing was scheduled for March 6th.

5D. REVIEW OF A CONDITIONAL USE PERMIT ISSUED TO MARVIN NEFF ON FEBRUARY 7, 2020, FOR AN RV CAMPGROUND LOCATED AT 769 NORTH MAIN (PARCEL NO. 02-053-0059) (CONTINUED FROM JANUARY 2, JANUARY 16, AND FEBRUARY 6, 2025)

Time Stamp: 49:09 – 02/20/2025

Madison Brown stated that she reviewed the tenant list provided by Brinton Neff. It did look like some tenants were staying longer than the 90-day limit. She had not had a chance to speak with Brinton Neff about her findings. She planned to contact him to discuss her findings and to reach a resolution regarding compliance.

Mayor Mote pointed out that Brinton Neff was in attendance.

Chairman Bodily asked if the staff had considered better enforcement. Jeremy Kimpton felt the only enforcement option was to conduct periodic inspections and have better contact with the owners.

Chairman Bodily asked that this item remain on the agenda to allow the staff time to meet with Brinton Neff.

Commissioner Dubovik agreed there was an option for the city to do more patrols. There was also the option for the owners to comply with what they had agreed to do when the conditional use permit was approved.

Chairman Bodily allowed Brinton Neff to speak.

Brinton Neff, 423 North 200 West, felt they were following the ordinance. He reviewed the definitions of a recreational vehicle and recreational vehicle space found in the ordinance. The ordinance read, "No individual space in a recreational vehicle park shall be used by one individual recreational vehicle for more than 90 days consecutively." One spot could not be used for more than 90 days. "Nor shall such space be rented or leased to anyone individual for a period longer than 90 days in one calendar year." He felt that meant the same space could not be rented to one person for more than 90 days. He agreed that some of his tenants had been in the park for more than 90 days, but they were not in the same space more than 90 days once in a year.

Commissioner Dubovik asked if that was the more current language. Colt Mund said the current ordinance read, "Any space or spaces within a recreational vehicle park."

Brinton Neff stated that their conditional use permit was approved before the ordinance was changed. He felt that meant they were a non-conforming use. Colt Mund disagreed. This was an ordinance of general applicability. A use became *grandfathered* or non-conforming if it was an approved use in a zone at one time, and then the use was no longer approved. He did not understand why the current ordinance did not apply to the Willard Peak Campground. He did not feel the campground was a non-conforming use.



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331 Brinton Neff stated that their conditional use permit was approved under a previous ordinance. The
332 conditional use permit had not been changed. Their legal counsel felt their conditional use permit was under
333 the previous ordinance.
334

335 Colt Mund did not agree with the *grandfather* argument. The regulations for recreational vehicles were in a
336 zoning ordinance that was generally applied to all property within the city. Typically, a landowner had the
337 burden to comply with the city ordinance.
338

339 Commissioner Braegger stated that when ordinances were updated everyone had to live by them.
340

341 Lindsey Neff asked who was supposed to tell them the ordinance had changed. Commissioner Braegger
342 felt that as business owners, they had to keep up with the ordinances.
343

344 Brinton Neff felt that they were following the rules they were approved under.
345

346 Commissioner Gilbert said the bottom line was whether the Neff's were complying with the ordinance.
347

348 Colt Mund felt it would be fair to allow the Neff's to meet with the staff outside of a public meeting to review
349 and clarify any questions both parties might have.
350

351 Commissioner Braegger asked if the privacy fence required five years ago had been installed. Brinton Neff
352 said it had. A dumpster was not shown on their approved site plan. They put privacy slats in the fence
353 adjacent to Rew Wiley, which complied with Willard's code. Mr. Wiley didn't like the slats, so they replaced
354 them with a screen. Commissioner Gilbert asked if the ordinance required a dumpster to be enclosed. Colt
355 Mund said he would have to check.
356

357 Commissioner Gilbert agreed that the Neff's should meet with the staff. When questions were answered,
358 and the staff had more information, the Planning Commission could address the conditional use permit with
359 Neff's.
360

361 Marvin Neff, 325 North 200 West, stated that the privacy fence around the dumpster was discussed during
362 the approval process for their conditional use permit. They didn't put it on their plan, and their plan was
363 approved without it. They did have dumpsters in the corner, which were fenced. Garbage did not get away.
364 He felt they had been in total conformance. When the agreement with Willard was first written up, the city
365 staff asked them to supply several different drafts. The final draft included language about 90 days in one
366 space, which they had complied with from day one. He felt they were being insulted, which wasn't right. No
367 one had mentioned how beautiful the campground was. It used to be a dump. It was a great entrance to
368 the city. They had parties, Christmas decorations, and held chili cook-offs. The campground was a great
369 asset to the community. He didn't feel the city should be prejudiced toward anyone who lived in a
370 recreational vehicle. Mr. Neff disagreed with complaints filed by Rew Wiley.
371

372 Commissioner Braegger did not feel anyone was saying anything about how the campground looked.
373

374 Commissioner Dubovik appreciated the appearance of the campground. It was much better than it was. He
375 served on the Planning Commission when the conditional use permit was approved. He understood that
376 the ordinance was rewritten to say that no tenants could be in the park more than 90 days a year period. If
377 that was the case, compliance was a problem.
378



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Diana Baker, 276 West Center, stated that she served on the Planning Commission when the Neff's conditional use permit was approved. She had the same understanding as Commissioner Dubovik. The campground was meant for traveling recreational vehicles. It was meant to be a campground, not a permanent location for recreational vehicles.

Brinton Neff agreed that he needed to meet with the city staff. However, his conditional use permit said the length of stay was per Willard City Ordinance 12-504 Paragraph 11. He felt he was complying with what that ordinance said. Marvin Neff said both attorneys (theirs and the city's) had agreed with that language.

5E. UPDATE ON GRANITE RIDGE PHASE 5

Time Stamp: 1:04:54 – 02/20/2025

Jeremy Kimpton stated that the staff had been reviewing documents regarding Granite Ridge, but they were far from being done. He deferred to Colt Mund.

Colt Mund stated that he would do his best to present the circumstances regarding the Granite Ridge development agreement, the second access issue, and speculation about the number of lots. The Granite Ridge development agreement was approved by the city in 2015 pursuant to the city's Planned Unit Development ordinance which was in effect at that time. One of the attachments to the development agreement was a site plan that did not have a second through access. Granite Ridge was required to provide a road stub that would eventually connect to the future 300 East. On the approved drawings, the stub would be a turn-around. Granite Ridge was required in the development agreement to get an emergency access from Staker Parsons. That was supposed to have occurred by Phase 3, which had not happened.

Mr. Mund stated that based on the approved drawings and development agreement, there was an argument that the secondary access requirement was waived by the city. The site plan was adopted as an exhibit to the development agreement that was approved by the city. The site plan did not require a secondary public through access. The development agreement was approved ten years ago. City officials might have thought that 300 East would connect, and that the second access issue would resolve itself.

Mr. Mund stated the approved site plan had been reviewed by the City Manager, City Planner, and City Engineer. Granite Ridge did not have more lots than the original site plan. In fact, it appeared there were fewer lots. All he could say about approval of subsequent after Phase 3, when the emergency access was required, was that Granite Ridge had signed and recorded plats for Phases 4 and 5.

Mr. Mund said that if the Planning Commission felt that Granite Ridge had not complied with the development agreement, they should recommend that it be reviewed by the City Council. Ultimately, the City Council was responsible for deciding what to do about potential breaches to the development agreement.

Commissioner Braegger asked if Mr. Mund felt Phase 5 could continue and be built out without the emergency access from Staker Parsons. Colt Mund felt there was an argument. The City Council could recommend action that could potentially put Phase 5 up in the air because Granite Ridge did not have a signed agreement with Staker Parson.



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Commissioner Dubovik asked about the approval mechanism for Phases 4 and 5. Colt Mund stated that Granite Ridge brought in final plans that were reviewed by the City Engineer, himself, and city staff. The mylars were signed by several individuals from the city. Then the mylar was recorded at the county. Because Granite Ridge was a planned unit development, they did not have to come back to the Planning Commission and City Council for review. There had been times the city delayed signing a mylar until required improvements had been completed.

Commissioner Dubovik asked if the emergency access requirement by Phase 3 was overlooked in the approval process. Colt Mund felt that was the best way to say it.

Mayor Mote felt there was a lesson to be learned. Deferred requirements were very difficult to track. The city had moved to an electronic tracking system, which helped. But even in an electronic system there wasn't a great way to track deferrals. When improvements were deferred, things were missed due to things like staff turnover. He felt the city needed to avoid deferrals wherever possible. It was best to get everything upfront.

Colt Mund felt the city was in a very different place than it was in 2015. There was more staff, legal, engineering, Planning Commission, and City Council oversight.

Chairman Bodily felt there was a difference between an emergency access and a second access. A second access could be used whenever a resident wanted. A second access was required after the 30th home, not an emergency access. Colt Mund said the second access requirement, arguably, was waived by the city when it approved the development agreement in 2015 with the attached overall site plan that did not include a through street to 300 East.

Bryce Wheelwright, former City Planner, 135 North 100 West, provided additional historical information. The Granite Ridge developers submitted plans in 2009 under the guise of the Planned Unit Development Ordinance. At that time the Subdivision Ordinance said a secondary access was required. During the approval process, they were given a couple of options for the second access. Due to constraints of adjoining landowners, they couldn't get a second access. They pled a hardship and claimed there would eventually be a second access to the south through the Hardy property. At that time, their claim alleviated Planning Commission and City Council's concerns. Granite Ridge was required to do two things to get approval. One was the grade of the road. The other was emergency access through the *donut hole* in Willard Peak Ranches or the Staker Parsons' Haul Road. The City Council approved Granite Ridge with the idea that there would eventually be a second access to the south. Until then, there would be emergency access. In Phase 5, which used to be Phase 4, there was supposed to be access to 300 East.

Commissioner Dubovik felt it was unfortunate the Planning Commission had to tell some property owners they couldn't subdivide their land to build a home for the children because they were the 31st house while Granite Ridge had gotten by without access for several years. There wasn't anything that could be done about the past, except to say the city was making corrections. His commitment and expectation was that Willard would follow the letter of the law every step from here forward and hold everybody to the same standard.

Commissioner Gilbert felt the city should avoid deferrals. Everything should be done upfront.



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Commissioner Braegger asked if Granite Ridge was putting any infrastructure in Phase 6. Jeremy Kimpton stated that right now they were only allowed to work in Phase 5. Phase 6 was on hold until the emergency access through Staker Parson's Haul Road was resolved.

Chairman Bodily felt there had been discussion about a second access from the very beginning. Colt Mund said the minutes reflected discussion about a second access. Issues were contemplated. However, the signed development agreement did not require a second access, and the attached site plan did not call or show a second access, except for the emergency access on the Haul Road.

Commissioner Braegger didn't feel there was much the Planning Commission could do if the plan was approved by the City Council.

5F. PLANNING COMMISSION AGENDA REVIEW

Time Stamp: 1:17:42 – 02/20/2025

Mayor Mote suggested that a line item be added to the Planning Commission agendas to allow discussion and review of the next agenda. He asked that the Planning Commission Chairman review draft agendas.

Commissioner Gilbert asked that information be disseminated earlier to allow more review time, especially on the big-ticket items. Jeremy Kimpton stated that applicants had to submit information 14 days before the Planning Commission meeting. That gave the staff seven days to review it. Jeremy Kimpton had considered creating a shared folder where information could be placed as it was submitted.

6. CONSIDERATION AND APPROVAL OF THE FEBRUARY 6, 2025, REGULAR PLANNING COMMISSION MINUTES

Commissioner Beebe moved to approve the February 6, 2025, minutes as corrected. Commissioner Dubovik seconded the motion. All voted "aye." The motion passed unanimously.

8. COMMISSIONER/STAFF COMMENTS

Time Stamp: 0:00 - 02/20/2025 – Part 2

Colt Mund

Did not have any comments.

Jeremy Kimpton

Did not have any comments.

Madison Brown

Did not have any comments.

Commissioner Pierce



WILLARD CITY

Planning Commission Meeting – Regular Meeting

Thursday, February 20, 2025 – 6:30 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

Did not have any comments.

Commissioner Dubovik

Commissioner Dubovik thanked the staff. He felt they were doing an awesome job. His earlier comments stemmed from his frustration about wanting the city to be consistent. They weren't about frustration with the staff.

Commissioner Beebe

Commissioner Beebe agreed with Commissioner Gilbert. It would be nice to receive information earlier.

Commissioner Gilbert

Commissioner Gilbert asked if the city plowed the walking trail around the Nature Park. Mayor Mote stated that Public Works did plow the trail, but it was the last thing on the list.

Commissioner Braegger

Commissioner Braegger also expressed appreciation for the city staff.

Chairman Bodily

Chairman Bodily stated that his grandson had placed boxes to collect flags that needed to be retired in the Willard City offices and at the Brigham City Community Center. He was also trying to place one at Smith and Edwards. The VFW would pick up the flags periodically and retire them.

Chairman Bodily stated that he had brought the city a new flag for the Historic Cemetery, but it hadn't been put up.

9. **ADJOURN**

Commissioner Braegger moved to adjourn at 7:55 p.m. Commissioner Beebe seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: _____

Planning Commission, Chairman
Sid Bodily

Planning Commission Secretary
Michelle Drago

dc:PC 02-20-2025