WILLARD CITY

Planning Commission Meeting – Regular Meeting
Thursday, October 1, 2026 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

The meeting was a regular meeting designated by resolution. Notice of the meeting was provided 24 hours in advance. A copy of the agenda was posted at City Hall, on the State of Utah Public Meeting Notice website, on the Willard City website, and sent to the *Box Elder News Journal*.

The following members were in attendance:

Chandler Bingham, Chairman
Sid Bodily
Alex Dubovik
Brian Gilbert
Ken Ormond
Jay Thackeray

Jeremy Kimpton, City Manager
Amy Hugie, City Attorney
Madison Brown, City Planner
Michelle Drago, Deputy City Recorder

Excused: Diana Baker

Others in attendance were Mayor Travis Mote; Ruth Ormond, Doug Younger; Kent Harding; Brandon Jacobson; Doug Thompson; Virginia Thompson; Randy Lemon; Kyle White; Sam West; Wayne Harding; Kari Miller; Burt Miller; Crystal Beck; Brandon Beck; Troy Merrill; Layne Ferrin; and Lacey Richards.

Chairman Bingham called the meeting to order at 6:30 p.m.

1. PRAYER: Alex Dubovik

2. PLEDGE OF ALLEGIANCE: Jay Thackeray

3. GENERAL PUBLIC COMMENTS

No public comments were made.

4. CITY COUNCIL REPORT

There wasn't a Council report.

5A. PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS REGARDING A PRELIMINARY PLAN FOR THE WILLOW CREEK ESTATES SUBDIVISION SUBMITTED BY NILSON HOMES LOCATED AT APPROXIMATELY 1561 NORTH HARGIS HILL ROAD (PARCEL NOS. 02-038-0072, 02-038-0073, AND 02-040-0210)

Time Stamp – 02:51 - 09/17/2026 – Part 1

Commissioner Bodily moved to open the public hearing at 6:34 p.m. Commissioner Dubovik seconded the motion. All voted "aye." The motion carried.

Chairman Bingham read the Planning Commission's Rules of Order statement.

Madison Brown, City Planner, stated that on August 21st, Nilson Homes had applied for preliminary approval of the Willow Creek Estates Subdivision located at approximately 1561 North Hargis Hill Road. The property was rezoned from A-5 to R ½ in March. The subdivision contained a total of 40.29 acres. Nilson Homes

proposed 48 single-family lots, which was a density of two lots per acre. The average lot size was 23,993 square feet.

Ms. Brown explained that Nilson Homes' application was deemed complete on September 9th. All required documents and plans have been submitted, including the Subdivision Improvement Plan, and all required fees had been paid. Willard City staff had completed a preliminary review and compiled their comments in a staff report for the Planning Commission. It was time for the Planning Commission acting as the Administrative Land Use Authority (ALUA), to review the subdivision improvement plan and preliminary plat. After the public hearing she would compile all staff and Planning Commission comments for the applicant.

Ms. Brown reviewed staff comments that had already been sent to the application:

- Lot 15 shall be assigned an address on 1550 North Street due to the existing addresses of adjoining properties;
- A temporary turnaround easement with a legal description. (The application submitted a revised preliminary plan on September 24th that included the temporary turnaround. A copy of the update preliminary plan was included in the Planning Commission's packet. The City Engineer had not reviewed the turnaround or its legal description);
- The City Engineer's initial review of the water requirement did not include Parcel 02-043-0048. Nilson Homes indicated that Parcel 02-043-0048 was intended to be part of the subdivision. When the applicant corrected that mistake and included Parcel, 02-043-0048, Nilson Homes had more than enough water rights because of the water credit Willard added to its water plan.
- Staff recommended that the preliminary plat be revised to clearly include Parcel 02-043-0048 and identify its intended use. (The applicant provided a revised preliminary plat on October 1st that included Parcel 02-043-0048).
- The staff recommended that Nilson Homes build the entire 1450 North right-of-way on their property, which meant the sewer line on Parcel 02-040-0038 to the south would not be in a city right-of-way. It was in an easement and would be addressed when the adjoining property developed. Or Nilson Homes could work with the adjoining property owner to build the 1450 North right-of-way over the sewer easement.
- Nilson Homes' property contained an existing access lane along the south portion of the proposed development. The lane was being used to access adjoining agricultural property. There was a lot of history regarding the access lane. However, it was a civil issue. The land was not identified as a dedicated public street on the proposed preliminary plat. Nilson Homes proposed to create Parcel A and convey it to an adjoining property owner rather than dedicating it as a public street
- The City Attorney's comments had been addressed.
- The City Engineer's redlines were addressed by the submission of the October 1st plat. However, the October 1st plat had not been reviewed by the City Engineer.

Madison Brown said Larry Holmes had indicated to her that Nilson Homes was working with him to make sure he had access to his property. She felt the staff comment regarding the access lane had been addressed. She recommended that approval of the subdivision improvement plan and preliminary plat be tabled to confirm that the City Engineer's redlines had been addressed and to allow resolution of the 1450 North right-of-way.

Amy Hugie, City Attorney, stated that 1450 North needed to be a full width-right-of-way. It could either all be on Nilson Homes' property or the full width could include adjoining property. Madison Brown agreed that Willard would like to see the full right-of-way for 1450 North at this time.

Madison Brown stated that Nilson Homes had been very responsive to Willard's comments.

Chairman Bingham invited Nilson Homes to present their project.

Lacey Richards, Nilson Homes, appreciated the opportunity to present their preliminary subdivision plat. They had been working with the Kunzler family for the past several years. They were proposing a subdivision with 48 single-family lots that complied with Willard's R ½ Zone.

Ms. Richards responded to some of the staff's comments. They did not have a problem with the addressing restriction for Lot 15. One of the engineering comments was about addressing on the plat. Their engineer, Wasatch Civil, had spoken with Willard's engineer, Zac Burk. Mr. Burk indicated that Willard City would assign addresses. That is why addresses were not shown on the plat. Those addresses would be added before the final plat was recorded. All other redlines and comments had been addressed. The temporary turnaround had been added and was shown in the latest version of the preliminary plan. They had plenty of water. A second page had been added to the plat showing that Parcel 02-043-0048, located west of 200 West, had been added as Parcel B.

Ms. Richards stated that when Nilson Homes met with the staff and City Engineer in a preapplication meeting several months ago, Willard asked them to change 1500 North from a through street to a cul-de-sac. At that time, they also discussed the 1450 North alignment. Nilson Homes' engineer provided an exhibit showing the location of the sewer line to the south (see attached copy). If 1450 North is aligned as shown, the sewer line would end up in the south park strip of the right-of-way. If the road was shifted entirely to their property, it would leave the sewer line about 20 feet south of the 1450 North right-of-way.

Ms. Richards stated that in the staff report, Madison Brown cited WCZ 24.80.130(C)(7) which states, "Half streets shall not be permitted within any subdivision, unless approved as a Special Exception." Nilson Homes felt the location of the sewer line warranted consideration of a special exception so the sewer would eventually be in a city right-of-way. Then Willard would not end up with a right-of-way and a random sewer easement to the side. If the Wells wanted to have a portion of 1450 North constructed on their property at this time, Nilson Homes would be happy to work with them. If the Wells family didn't want a road at this time, Nilson Homes felt it a special exception was worth some thought. Typically, sewers were in city rights-of-way. Nilson Homes felt this was a situation that had been anticipated by Willard's Zoning Ordinance. A special exception made a lot of sense in this situation.

Amy Hugie stated that because Parcel 02-043-0048 was not included in the preliminary plat until today, it was not included in the public notice. The public hearing could not move forward. Items 5B and 5C would have to be tabled.

Lacey Richards stated that Parcel 02-043-0048 was included in the preliminary application they submitted in August. Public hearings for preliminary subdivisions were technically not required by state code. Nilson Homes would come back if the Planning Commission felt the noticing issue was significant.

Ms. Hugie said that Parcel 02-043-0048 was not part of the preliminary plat until today and was not included in the public notice. She recommended that the public hearing be closed and rescheduled to allow it to be properly noticed.

There was discussion about whether it would be proper to allow public in attendance to make comments.

Amy Hugie felt the cleanest approach was to table the public hearing. If comments were allowed, the Planning Commission could only hear comments on what was in the public notice. A public hearing for the entire project still had to be held.

Lacey Richards asked that the Planning Commission allow comments from the public as a courtesy to those in attendance. It would also allow her time to address their concerns at the next hearing.

Commissioner Thackeray pointed out that no development was proposed on Parcel 02-043-0048. It really wasn't part of the subdivision, except for water rights. Ms. Hugie said it was part of the development because it would be used for drainage.

The Planning Commission felt those in attendance should be allowed to make comments.

Chairman Bingham opened the floor for public comments.

Doug Thompson, 1370 North Main, stated that his comments pertained to the entire project. He would wait until the next public hearing to say anything.

There were no other comments.

Commissioner Bodily moved to close the public hearing at 6:54 p.m. Commissioner Ormond seconded the motion. All voted "aye." The motion carried.

5B. REVIEW AND CONSIDERATION OF SUBDIVISION IMPROVEMENT PLAN FOR THE WILLOW CREEK ESTATES SUBDIVISION SUBMITTED BY NILSON HOMES LOCATED AT APPROXIMATELY 1561 NORTH HARGIS HILL ROAD (PARCEL NOS. 02-038-0072, 02-038-0073, AND 02-040-0210)

Time Stamp – 24:34 - 09/17/2026 – Part 1

Commissioner Dubovik moved to table consideration of the subdivision improvement plan for the Willow Creek Estates Subdivision submitted by Nilson Homes located at approximately 1561 North Hargis Hill Road (Parcel Nos. 02-038-0072, 02-038-0073, and 02-040-0210). Commissioner Bodily seconded the motion. The motion carried.

5C. REVIEW AND CONSIDERATION OF A PRELIMINARY PLAN FOR THE WILLOW CREEK ESTATES SUBDIVISION SUBMITTED BY NILSON HOMES LOCATED AT APPROXIMATELY 1561 NORTH HARGIS HILL ROAD (PARCEL NOS. 02-038-0072, 0- 038-0073, AND 02-040-0210)

Time Stamp – 25:46 - 09/17/2026 – Part 1

Commissioner Bodily moved table consideration of a preliminary plan for the Willow Creek Estates Subdivision submitted by Nilson Homes located at approximately 1561 North Hargis Hill Road (Parcel Nos. 02-038-0072, 0- 038-0073, AND 02-040-0210). Commissioner Gilbert seconded the motion. All voted "aye." The motion carried.

5D. CONSIDERATION AND RECOMMENDATION REGARDING A PETITION FROM WESTERN LAND DEVELOPMENT TO REZONE APPROXIMATELY 24.83 ACRES LOCATED AT APPROXIMATELY 500 SOUTH 200 WEST FROM A-5 TO MASTER PLANNED COMMUNITY (MPC), A DEVELOPMENT AGREEMENT, AND A PRELIMINARY PLAT (02-052-0001, 02-052-0002, AND 02-052-0005) (CONTINUED FROM NOVEMBER 6, 2025, AND FEBRUARY 5, 2026)

Time Stamp – 26:44 - 09/17/2026 – Part 1

Madison Brown stated that the Canyon Bay project has been under consideration for some time. She provided a summary. Western Land was proposing a Master Planned Community Zone on 24.83 acres located at approximately 400 South 200 West. The proposed development would contain 48 single family lots, or a density of two units per acre. The average lot size would be 16,285 square feet.

Ms. Brown said the existing zone was A-5. Western Land was requesting that it be rezoned to MPC. The original application was submitted on January 29, 2025, which was before Willard updated the Master Planned Community Ordinance. A copy of the previous MPC Ordinance was provided to the Planning Commission. The application being considered at this meeting included the proposed development agreement, agricultural conservation easement, and associated exhibits and agreements.

Ms. Brown said a public hearing regarding the proposed rezone was held on November 6, 2025, after which consideration of the rezone was tabled. Canyon Bay presented further information to the Planning Commission on February 5, 2026.

Amy Hugie stated that since February, the staff has been working with the applicant to finalize the development agreement, agricultural conservation easement, and associated documents. The proposed plat included lots with a minimum frontage of 77 feet. side yard setbacks of 10 feet and 15 feet; Dimensions for a small building had been included in the agricultural conservation easement – 300 square feet with a height of 11 feet. The structure's location in the agricultural easement had also been identified. The development agreement included submittals and exhibits for the gazebo and playground equipment. There was also more clarifying language about how the development proposal complied with the General Plan. The agricultural conservation easement specified that the water rights for the agricultural easement would be turned over to the city. Willard would then lease the water rights back for $1 per year. Willard wanted to make sure the water rights stayed with the property. The agricultural easement language also specified that if the easement was not used for an agricultural purpose, or if the developer wanted to sell it and couldn't find a buyer who wanted to use it for agriculture, Willard would take ownership of that property.

Commissioner Dubovik asked how legally binding pictures or exhibits of submittals were.

Commissioner Gilbert said he was looking for product information, not submittals. Amy Hugie said the Planning Commission could ask Western Land to include information regarding sizes for the gazebo and playground equipment in Exhibit E of the development agreement. That would help clarify what Open Space 1 and 2 would look like.

Chairman Bingham was concerned about quality. Willard wanted to make sure it wouldn't have to be replace the gazebo or playground equipment in a few years.

Commissioner Gilbert said the playground would have to meet ADA standards. He also asked what surface was proposed under the playground. Kyle White said there were standards in the agreement to make sure the surface was adequate.

Mayor Travis Mote stated that Willard had completed a safety study of its playgrounds and found there were issues that had to be fixed. He felt the playground should comply with that study. The study information was available from the Public Works Department.

Commissioner Dubovik asked if the language recommended by the City Attorney could be included. Kyle White, Western Land, said that would not be a problem. Ms. Hugie said it was easier to put it in so there would not be arguments about it later.

Commissioner Gilbert asked if the rezone and development agreement could be recommended for approval with those changes. Ms. Hugie said it could.

Commissioner Gilbert asked about the phasing plan (shown in Exhibit D of the development agreement). He was concerned about the construction of 200 West, which was shown in Phase 3. He felt it should be part of Phase 1. Kyle White stated that phasing was based on existing infrastructure. Some sewer on the west side of Deer Run and The Orchards Subdivisions not been completed. Western Land planned to start their project where they had immediate connections. They also felt it would be best to have the agricultural easement in the beginning phase. In order to build 200 West, they needed a good number of lots. They couldn't put in lots west of 200 West until they could connect to sewer. Mr. White stated that there was a clock attached to the rezone. Once the rezone was approved, it was only vested for one year. They had to make consistent, continual progress. They couldn't drag their feet.

Commissioner Gilbert asked how the Planning Commission and staff felt about 200 West. Commissioner Ormond felt it was a priority. Commissioner Thackeray felt it should be part of Phase 1 or at least Phase 2. Amy Hugie said she was more concerned about the layout and lot frontages. Western Land needed certain infrastructure before they could move forward. She felt the development finances would end up controlling the viability of the phases.

Kyle White stated that developing four lots with infrastructure and the agricultural easement was not great economics. They were not incentivized to close and own the land and only build four lots. The math didn't work well. There was a function of what made sense with existing infrastructure. The reality was some of the phases would end up being consolidated. In Phase 1, Western Land wasn't relying on any outside sources.

Commissioner Thackeray asked how long it would take to complete all four phases. Kyle White estimated the project would be built out in two to three years. They had to break ground on Phase 1 within a year and Phase 2 within the second year or they could lose their zoning.

Commissioner Gilbert asked if the development agreement gave Western Land ten years to complete the project with a five-year option. Ms. Hugie thought it was ten years.

Charman Bingham felt that Western Land had complied with the criteria given to them in February. Commissioner Bodily agreed. They had accommodated what the Planning Commission asked them to do. Commissioner Gilbert liked it as well.

Kyle White stated that they had one change they wanted to talk to the Planning Commission about. They had a final review with the existing landowner, Randy Lemon. Mr. Lemon planned to continue operating and maintaining the peach orchard on the agricultural easement. The plan for the agricultural shed Western Land had discussed with the Planning Commission and staff wasn't a sustainable long-term solution for Mr. Lemon.

Amy Hugie asked if they were proposing a different size agricultural building. Mr. White said they were. She asked what the proposed size would be. Randy Lemon, 7365 South 625 West, South Willard, presented a proposed floor plan for an agricultural building 1,512 square feet in size (see attached copy). Ms. Hugie said that was five times the size outlined in the development agreement and agricultural conservation easement discussed by the Planning Commission last February.

Randy Lemon stated that the agricultural conservation easement allowed up to 1% of the 3.72 acres to be impervious improvement. That amounted to 1,620 square feet. The building he proposed was less than that. He didn't feel a larger building was that big of a deal. He felt a 300 square foot shed to maintain a three-acre peach orchard would be inadequate. Willard City would have a lien on his property that required him to live by certain restrictions. If he violated those restrictions, the city could take his property. He felt he needed a bigger building so he wouldn't be set up to fail. He felt he needed a larger building to house basic equipment.

Amy Hugie pointed out that Mr. Lemon was currently operating and maintaining the orchard without any structures. Mr. Lemon said his equipment was currently sitting on property that was being subdivided. He had to find somewhere else to put it. These three acres would be what was left. The proposed building was the only way he could see to avoid a future nuisance issue.

Amy Hugie stated that Randy Lemon was asking to put a very large building on an agricultural easement. Mr. Lemon said the proposed size was less than the 1% impervious limit. Ms. Hugie said that wasn't the point.

Kyle White took full responsibility for proposing only a 300 square foot building. He should have involved Randy Lemon sooner. He felt the size of the building needed to be evaluated from an agricultural standpoint. The Planning Commission should consider what it would take for the orchard to succeed over time. What was in the best interest of this easement/property and Willard City? He did not feel a large building on a large agricultural property was inconsistent.

Randy Lemon felt the proposed building height of 16 feet would be shorter than any of the adjoining homes. Commissioner Gilbert felt the building would have to be taller than 16 feet if it would have a 14-foot door.

Chairman Bingham said he had lived in Willard for a long time, and he had never seen a farmer keep his tractor or equipment in a shed. Randy Lemon said he was trying to be reasonable and live by the 1% impervious improvement allowed by the agricultural easement.

Amy Hugie stated that the administration had been working with the developer to finalize the development agreement since February. Nothing had been said about a larger agricultural building. She felt it was inappropriate for this request to be made in an open meeting.

Randy Lemon didn't want to mess up what had been done. Could a larger agricultural building be addressed at a later date? Amy Hugie said it could not. The Planning Commission had to make a recommendation to the City Council about whether to approve the rezone and development agreement. The development agreement and agricultural conservation easement addressed the concerns expressed by the Planning Commission in February. She felt the building size proposed by Randy Lemon defeated the purpose of having the agricultural/open space. It was supposed to be open space.

Kyle White stated that the location of the structure would not change. The agreement identified a 50 foot by 50-foot area for an agricultural building. The building proposed by Randy Lemon would fit in that area.

Mr. White felt Ms. Hugie's concern about timing was warranted. He suggested a work session to resolve the issue.

Commissioner Dubovik said this would be a big building in the middle of a subdivision. At the very least, he wanted to see an elevation. What would the building look like? Would it be aesthetically pleasing? Randy Lemon said it would be a plain steel building. Commission Dubovik had built a large barn, and he spent extra money on its appearance.

Ms. Hugie suggested that the rezone consideration be tabled to allow the Western Land to address the minimum requirements of the gazebo and playground and to bring back plans, elevations, and the exact location of the agricultural building.

Chairman Bingham expressed frustration about changes brought to the Planning Commission at the last minute hoping they would be overlooked.

Commissioner Gilbert said there had been a lot of discussion by the Planning Commission and City Council about preserving Willard's rural feel. He pointed out that a lot of orchards around Willard had large storage buildings. Amy Hugie stated that the agricultural easement was dedicated open space. It was not individually owned property that could be used however an owner wanted. It was part of the density issue. The developer was getting smaller lots because of the open space. The code talked about preservation and maintenance of open space. She felt a large building defeated the purpose of open space. Trees would be cut down for Mr. Lemon's building.

Kyle White said an agricultural building had been proposed from the beginning. He felt the debate should be about the size, not whether there should be a structure. He admitted he had introduced new information.

There was further discussion about the requested change to the agricultural building.

Commissioner Dubovik felt it would not be irresponsible of the Planning Commission to forward this project to the City Council at this time.

Kyle White asked if a work session was the right forum. Ms. Hugie said it would not. Western Land needed to provide information for the Planning Commission to consider at another meeting.

Commissioner Bodily moved to table consideration and recommendation of the rezone petition from Western Land Development until they had information regarding the gazebo, playground equipment, and the agricultural building. Commissioner Gilbert seconded the motion. All voted "aye." The motion carried.

5E. REVIEW AND CONSIDERATION OF A REQUEST FROM TROY MERRILL/TREADMASTERS TIRE AND LUBE FOR A CONDITIONAL USE PERMIT TO OPERATE AN AUTOMOBILE SERVICE BUSINESS AT APPROXIMATELY 705 SOUTH MAIN (02-053-0008)

Time Stamp – 1:13:00 - 09/17/2026 – Part 1

Madison Brown stated that Troy Merrill and Layne Ferrin applied for a business license to operate a tire shop called Treadmasters at 705 South Main. While reviewing their application, the staff realized the property was in a Commercial Neighborhood Zone. An automobile sales or service business in that zone was a conditional use. The building was previously used by Maxium Rentals, an equipment rental business.,

which was classified as a light manufacturing use. Light manufacturing was a permitted use in the Commercial Neighborhood Zone.

Ms. Brown said a Conditional Use Permit Review Committee meeting was held on Wednesday, September 23rd, to review and make a recommendation regarding Mr. Merrill's conditional use permit application. The CUP Committee discussed waste oil storage, the existing floor drain, parking, fencing, hours of operation, outdoor storage, outdoor lighting, and access to Highway 89.

Troy Merrill, Perry, stated that he owned tire shops in Garden City, Brigham City, and two in Arizona. He proposed moving his tire shop in Brigham City to Willard. His business was simple. They weren't mechanics. The CUP Committee asked about the oil separator. Because Treadmasters didn't have anything draining into the drainage or water systems, there wasn't a code that required them to have an oil separator. He had people lined up to do the signage and paint the parking and handicap stalls.

Commissioner Gilbert asked about the floor drain. Mr. Merrill said it didn't go anywhere. Ms. Brown said the floor drain was inspected by the Public Works Director who verified that the floor drain was not connected to Willard's storm drain. Troy Merrill said the floor drain could be closed if the Planning Commission wanted. They didn't have a lot of oil spills. If they did, they used dry material to absorb it. Then it was swept up.

Commissioner Gilbert stated that if oil got into the floor drain, it would seep into the gravel, and eventually into the ground water. He asked where oil spilled on the shop floor went. Mr. Merrill said it was absorbed by dry material and swept up.

Commissioner Gilbert asked about Department of Environmental Quality (DEQ) code requirements for a lube business. Troy Merrill said the DEQ did not require his business type to have an oil/water separator. If there was a requirement, he would tie into Willard's drain system.

Commissioner Thackeray asked about plans for an emergency spill. Chairman Bingham said the best way to clean up an oil spill was to use dry material to absorb it and then sweep it up. He recommended that the floor drain be plugged. Commissioner Thackeray agreed.

Troy Merrill asked about Willard's sign code. Madison Brown said Willard had a sign code. In this zone, a sign could not take up more than 10% of the building face. The signs proposed by Troy Merrill only used about 2%.

Troy Merrill described his business operations. They usually didn't have more than 15 customers a day. Most of their work was by appointment. They didn't keep vehicles overnight.

Commissioner Ormond asked about access onto Highway 89. Chairman Bingham said the access along Highway 89 was open along the entire property width.

Madison Brown reviewed the conditions listed on the draft conditional use permit:

- The business shall comply with all applicable requirements of Willard City Code and all other applicable federal, state, and local laws, permits, and regulations.
- The permitted use shall be limited to tire sales and services, oil changes, brake service, suspension work, and other similar minor automative services approved by the City. Major engine repair and other substantially different automotive uses are not permitted without further City approval.
- Service and repair work shall be conducted inside the building. Tire service for oversized vehicles

may be conducted outside only as specifically approved by the City.

- No overnight exterior storage of tires, vehicles, parts, equipment, or other business materials is permitted. Used tires shall be stored in an approved, enclosed area or approved Connex/container and shall be kept orderly and secured.
- The business shall operate during the approved hours of Monday through Friday 8:00 a.m. to 5:00 p.m. and Saturday 9:00 a.m. to 2:00 p.m. Any change to these hours requires City approval.
- Parking, vehicle circulations, and access shall be maintained in accordance with the approved site plan and applicable City requirements, including the required accessible parking space.
- Existing screening and fencing shall be maintained in good condition. Any changes to screening or fencing shall comply with City requirements.
- Used oil and other automative fluids shall be stored in sealed, properly labeled containers and handled in accordance with applicable environmental requirements. No discharge of oil, chemicals, or other contaminants to the ground, storm drain system, or other unauthorized location is permitted.
- The facility shall maintain the required fire extinguishers and other fire-safety equipment and shall comply with requirements identified by the Fire Chief and other applicable fire authority.
- The business shall not create excessive noise, unnecessary vehicle idling, or other conditions that create a nuisance for neighboring properties.
- Any floor drains, waste-oil systems, or other drainage facilities associated with the automotive use shall be inspected and approved by Willard City Public Works before operating.
- Any proposed changes to access from Highway 89, including a new or modified access, shall receive all required UDOT approvals and permits before construction or use.
- The Conditional Use Permit is limited to the property and use identified above. Any expansion of the use, significant change in operations, or change in the approved site configuration may require additional City review or amendment of this permit.

Chairman Bingham said he attended the CUP Committee meeting where the conditions were discussed.

Commissioner Gilbert didn't have a problem with the proposed conditional use permit, neither did Commissioners Bodily and Ormond. Commissioner Thackeray welcomed the business.

Troy Merrill stated that he looked up the code regarding the oil-water separator. If they weren't draining into a drain system or water system, they didn't have to have an oil-water separator. He didn't have a problem filling in the floor drain.

Commissioner Gilbert also looked up the DEQ regulations, which wouldn't even allow a drain in a lube shop to drain into a French drain. The floor drain needed to be filled in.

Troy Merrill stated that all their oil waste was in environmentally friendly containers which would be pumped out monthly. Old tires were picked up bimonthly.

Commissioner Thackeray moved to approve a conditional use permit for Troy Merrill/Treadmasters Tire and Lube located at approximately 705 South Main subject to the recommended conditions and the additional requirement to fill in the floor drain. Commissioner Dubovik seconded the motion. All voted "aye." The motion carried.

5F. DISCUSSION REGARDING OPEN MEETINGS COMPLIANCE

Time Stamp – 1:04 - 09/17/2026 – Part 2

This discussion was tabled until the next meeting.

6. CONSIDERATION AND APPROVAL OF REGULAR PLANNING COMMISSION MINUTES FOR SEPTEMBER 17, 2026

Commissioner Gilbert moved to approve the regular minutes for September 17, 2026, as corrected. Commissioner Ormond seconded the motion. All voted "aye." The motion passed unanimously.

7. ITEMS FOR THE OCTOBER 15, 2026, PLANNING COMMISSION AGENDA

Time Stamp: 23:41 – 09/17/2026 – Part 2

The Planning Commission discussed agenda items for the October 15, 2026, meeting – public hearing for Willow Creek and consideration of its subdivision improvement and preliminary plans; two conditional use permits; ordinances tabled during the September 17th meeting; discussion regarding the Open and Public meetings act; and possibly the deferral agreement for Braegger's subdivision.

Madison Brown encouraged the Planning Commission members to attend the Wasatch Choice Fall Workshop on October 21st. The meeting will be held at Perry City Hall from 4:00 to 6:00 p.m. On October 29th, there would be an open house for the HOP Trail at Willard City Hall.

Commissioner Gilbert asked that the Planning Commission be sent calendar events.

8. ADJOURN

Commissioner Bodily moved to adjourn at 8:06 p.m. Commissioner Thackery seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: 10/15/26

Planning Commission, Chairman
Chandler Bingham

Michelle Drago
Planning Commission Secretary
Michelle Drago

dc:PC 10-01-2026