

**WILLARD CITY CORPORATION PC010716**

DATE: January 7, 2016  
TIME: 6:30 p.m.  
PLACE: Willard City Hall  
ATTENDANCE: Chairperson – Terry Ross  
Commissioners: Sidney Bodily, Leslie Meyer, Gary Hart, Chandler Bingham, John Seamons  
Bryce Wheelwright - City Planner (non-voting member)  
Gaylene Nebeker - Planning Commission Secretary

EXCUSED:

CITIZENS: See attached sheet

1. **Prayer – Terry Ross**
2. **Pledge of Allegiance – John Seamons**
3. **General Public Comment (Input for items not on the agenda)**
4. **Discussion Item**

**a. Granite Ridge Subdivision – changes to the Development Agreement for a revision to the drawing of Phase 1 to eliminate a secondary access and add additional lots**

Eric Householder represented Granite Ridge Subdivision was present at the meeting to discuss changes to the Development Agreement to eliminate a secondary access in Phase 1. Eric showed on the overall plan for secondary accesses in Phase 2 and Phase 3. He explained there were a few issues they found it was not lot issues and have been working the Willard City Engineer on the irrigation and grades issues. He also stated there may be issues with UDOT and having the stub road to close to the current entrance. Chairperson Ross asked if he has talked with UDOT. Eric stated he has not made application with UDOT because of the requirements between accesses. City Planner Wheelwright said that he invited Chris Breinholt with Jones and Associates to address and issues or concerns. Chris has gone through the plan and checked the engineering and is up to the city specs.

Commissioner Bingham asked what the changes were. Eric Householder showed where they took out the stub road going west and spread out a few of the lots. Chairperson Ross asked how far behind Phase 1 would Phase 2 be put in. Eric said it all depended on the market and how fast things move with Phase 1 and was hoping for a phase a year. Chairperson Ross had concerns about the number of outlets with the possibility of one going off to the south. Chris said that was the concern was having this access going off to the west with the one going off to the south being the second access. He was not sure if it could be built now he was not sure it was part of the original development plan. City Planner Wheelwright said it was approved without them being required to purchase the Keven Hardy's property. He also said if the stub was there Willard City would have to purchase the property to put the road in to the hwy. with this being the issue. Chairperson Ross asked if the recommendation would be to recommend or deny the request and forward to the City Council. Chief Loveland asked about the requirements in the ordinance requiring 10 or more lots to have a second access. This requirement came about from another subdivision that only has one access. This can be an issue in the event of an emergency where no one can get out of the subdivision. She also asked if the water line goes up the current access and if they have to work on the waterline it shuts that access off. It was stated yes the water line does go up that road. It was also stated that is the access for Willard Peak Ranches so there would be 27 other homes that could not get out. Eric stated in

Phase 2 there is the second access to the south and they are trying to address this. He stated it can be stubbed but unless Willard City has plans to push the road down to the highway he does not see it going anywhere if UDOT will even allow it. Doug Thompson Willard City Maintenance said Willard City Ordinance requires a second access for 10 or more houses.

Commissioner Bingham asked about the road going up to Parson's gravel pit and asked if this road could be a possibility. Doug Thompson stated the road belongs to Parsons and he has talked to them and it is not an option for them to have as an access road. Eric Householder stated it is to be used as an emergency access. Commissioner Hart felt we were jumping the gun to allow this and if the property is owned by someone else and between them and UDOT no one ok's it we are stuck. Commissioner Bingham would like to see a provision for a second access and felt there were a lot of houses in there to only have one access. Chief Loveland felt it was not the cities responsibility to purchase the access for their development. There was discussion on accesses. Eric Householder asked what the ordinance says. While City Planner Wheelwright looked for the information Commissioner Seamons asked how many home are in the development. Eric stated in the whole development there will be 151 homes. Commissioner Seamons asked if they would all be coming off the same street. Eric stated no. Commissioner Seamons asked if there plan was to hope something gets developed so they accesses. Eric said they are required to have stubs which they have. He showed on the plan the stubs roads in all the phases. Commissioner Seamons stated he did not own the surrounding property with the possibility of purchasing at some time and with 151 homes planned and no access. Eric said they have no intent of buying any surrounding properties. There was questions about the number of accesses and without the ok from UDOT they would need to put a road in at the end of the subdivision. Eric stated there was no way the grade ? was going to work and felt it was their obligation to provide stubs which they have. There was discussion held on all the stub roads in the development and how to connect the roads. Eric said the plan has been approved with a zoning development agreement and is here to ask the Planning Commission to remove the stub. Commissioner Bingham was not sure how to approve without the second access. City Planner Wheelwright said he was told because it was a Planned Development the City Council has the ability to work with the developer. Chairperson Ross asked if it had been approved under a Planned Unit Development. Eric stated under the rules of a PUD they are able to vary some of the standards stating typically you have no more than 10 home in a cul-de-sac. He suggested they look at the whole project with future stubs. Commissioner Bingham stated he was looking at the whole development with the outlets and 1 emergency outlet by the gravel pit road. He had concerns with approx. 108 homes going in with only on outlet. Chief Loveland is also looking out for the safety of the citizens living in a development with only one access. Eric stated they are also concerned about the safety of the citizens. Chairperson Ross asked when it was approved. Eric said the development agreement was approved 2 years ago.

City Planner Wheelwright said he had a discussion about the accesses when the concept was first brought in and was approved with the understanding that the stub roads qualified as the accesses. He was not sure if the Planning Commission wanted to require them to put the stub road back in and did not feel the city would require them to purchase the ground from Hardy's since it has already been approved without that. City Engineer Chris Breinholt asked what the odds would be that the city could acquire the property from Hardy's for the stub road to go through. He felt that UDOT would not be a big issue as getting the property would be. City Planner Wheelwright asked Eric if they had talked to Keven Hardy about acquiring the property. Eric said that John Lewis had talked to him but was not sure of the outcome. Eric stated he has talked to Chris about the road and thought this plan was a better option. Chris Breinholt asked if the stub road was ever going to go through if not why put it in. Chairperson Ross said if the stub was left there it would help satisfy someone. Chris felt it would satisfy the requirements of what was approved and is not the best situation but it was what was approved. Chairperson Ross said we cannot go back and reject what was approved. City Planner Wheelwright said he tried to encourage them to put it in but the City Council approved it. There was discussion held on using the haul road but it was said it was to be used in case of an emergency only. Eric stated there has been discussion with Parsons for when Phase 3 is developed. In Phase 2 there

is a stub out on the south side and if the expectation is to connect all the roads to the main road stating they do not own the property to the south and did not feel it was a fair expectation. Chief Loveland stated none of the stub roads go to any kind of a road. Eric stated it is fairly common to put stub roads in a development and as future development comes around they are connected. City Planner Wheelwright read from 12-116-5.2 of the Zoning Ordinance "*For safety reasons and since a residence generate on average, ten (10) vehicular trips per day any Residential Subdivision or Planned Development that contains a street which provides access to more than ten (10) parcels including parcels accessed via one or more non-through streets that connect to the street must provide at least two district points of access to a public street for those parcels egress and ingress.*" Commissioner Bingham asked how wide the road was. City Planner Wheelwright stated the road width is 60 ft. road with 35 ft. pavement. There was discussion held on road widths and secondary accesses. Chairperson Ross asked for additional comments.

Commissioner Bodily said if you change it you are taking away the possibility of ever having second access if no one wants to sell property. Go with what is approved with the stub so there is that option. If you do away with the stub you never know what is going to happen with Phase 2.

Commissioner Bingham was not sure if you would be able to get a second access unless you could acquire additional property from the Norths for the second access. He felt there needed to be two accesses.

Commissioner Meyer asked if the irrigation was the reason for the change. Eric said part of the reason but it gave them more frontage for the lots. She loves the plan but is concerned with having only one access.

Commissioner Seamons felt it was a moot point with access because it has already been approved the way it was and we are eliminating an access that is a half a street away from the other stub and we cannot expect a developer to purchase all the property surrounding the development to access property. He was not sure how you can get a double access out of 10 lots because he does not own that much property. They have to be able to take a stub out for a potential access at some future time. There is no control on what the stub out is going to do in the future. They come in with a change that makes sense and he is voting to approve the request. Commissioner Bingham said it eliminates one of the potential accesses. Commissioner Seamons stated there was a second access a half a block away. There was discussion held on the different accesses.

Commissioner Hart agreed that we need to keep the options open because they do not own the other outlets and will be an option in the future with the more options we have the better it will be and felt the stub should stay. If they have ownership of the other two stubs and the one to connect to Hwy 89 it would be different.

Chairperson Ross asked if it was to remain the same would it need to go to the City Council. City Planner Wheelwright stated yes, because they requested a change so the City Council would need to hear the request.

Commissioner Bingham recommended we not remove the stub based on it would eliminate a potential second access. Chairperson Ross asked for any additional comments or a motion.

**Commissioner Bingham made a motion to recommend to City Council to leave the stub where it was approved.**

Chris Breinholt Willard City Engineer asked if they wanted to include in the motion a plan that was submitted showing the stub road angling to where it splits the two properties along the highway. He suggested to them they not split the properties but to take it straight down and only dealing with one property owner rather than two property owners. There was discussion on where the lot lines would be located.

**Commissioner Bingham amended his motion to include the adjustment of the stub road to move the property line over on the Keven Hardy property. The motion was seconded by Commissioner Bodily. Chairperson Ross asked for a roll call vote.**

**Commissioner Bodily – yea  
Commissioner Meyer – yea**

**Commissioner Bingham – yea  
Commissioner Hart – yea**

**Commissioner Seamons – nay. The motion carried with a 4 to 5 vote for the motion.**

**b. AC CABCO LLC representing the Harvey Braegger Trust Re-Zone Request for Parcels #02-046-0001 and 0044 from A-5 to Commercial General approximately 7.38 acres for a truck transfer station located on the south side of 750 North and west of 200 West**

City Planner Wheelwright said there were representatives at the meeting to discuss a re-zone request for Old Dominion Trucking for a parcel on land on 750 N 200 W.

Adam Maher with Old Dominion Trucking is looking to relocate the terminal from Logan to the 200 West site. The Willard City Zoning shows it as an approved use in the Zoning Ordinance. They felt this was the ideal site for their business because of the access to the freeway. Old Dominion currently runs a small location and presented the Clint who is the terminal manager in Logan who could answer any questions. The proposed site is 7.33 acres and is a larger site than needed. Old Dominion Trucking is a relay facility for truck trailers going north and south with merchandise inside to be picked up by other trucks. Chairperson Ross asked about access from 200 West and felt with trucks and double trailers and asked if 200 West was wide enough. City Planner Wheelwright stated this was staff concerns and would like to see them access off of 750 North. Mr. Maher stated UDOT is very particular about they allow access and said they have to have 300 ft. between accesses and traffic patterns in the compound can be conflicting and traffic needed to flow without cross patterns. They will need to work with city engineers to see if they could improve and widen 200 West.

Commissioner Bingham said he showed the plan to several individuals who voiced concerns about 200 West and the trails and the concerns of the citizens who travel 200 West. He asked if the development could be flipped. Mr. Maher said they looked at this but UDOT said this is the access they would be allowed and it would be a single access. In order to this they would need to create another road for circulation. There is approx. 18 trucks per day and will be a lighter use than most facilities. There was discussion held on secondary accesses.

Chairperson Ross asked about screening. Mr. Maher said they put a 6 ft. fence with or without privacy slats around with full landscaping detail. Old Dominion Trucking does not allow any outdoor storage. He showed pictures of what their other facilities look like.

City Planner Wheelwright told the Planning Commission members they should only be looking at the re-zone application and the use of the property is allowed under a conditional use. Mr. Maher has done a wetland and geotechnical study and have looked at city codes and specs and they do not see any problems. Chairperson Ross said the railroad crossing may be an issue stating there are times the train will stop and back up traffic for long periods of time. He felt this business belongs on the west side of the tracks. Mr. Maher stated he works by TRAXS in Salt Lake City and is aware of it. He asked for any other comments or concerns and asked for a recommendation to approve or reject the request.

**A motion was made by Commissioner Bodily to schedule a public hearing February 4, 2016 for the AC CABCO rezone request for parcels 02-046-0001 and 02-046-0044. The motion was seconded by Commissioner Seamons. The motion carried**

**5. Approval of Minutes- there was no minutes to approve for this meeting**

**6. Commissioner Comments/Staff Comments**

City Planner Wheelwright said the city received a grant from Bear River Health Department for signage along the 200 West Trail. Chairperson Ross asked about the work going on at the dike. City Planner Wheelwright stated they were doing the groundwork for the nature park. He also talked with the Dam Safety and they discussed raising the berm. Chairperson Ross asked if there would still be a waterfall. City Planner Wheelwright stated yes. Commissioner Bingham still has concerns about

only having one (1) access out of the Granite Ridge Subdivision but was not sure there was anything the city could do. Commissioner Bodily felt it should not be the cities responsibility to purchase property for him to make money building houses. City Planner Wheelwright stated the Planning Commission recommended there be a second access but when it went to the City Council and was approved with one access. Commissioner Meyer asked if Hardy's had been approached. City Planner Wheelwright said he has had contact with Hardy's and if the developer would have put the road in they would have sold the property for a reasonable price. This would have helped them because they wanted to put a house on the road. Granite Ridge said they were not interested because they felt they met the requirements for other accesses by putting in the stub roads and the Council approved. There was discussion held on the stub roads that do not go anywhere and secondary accesses. It was stated that when they come in for approval on Phase 2 and 3 they need to have accesses connecting all the development. There was also discussion held on road widths in the other phases. Commissioner Meyer asked about the retention pond and open space and asked if they would be allowed to cut through the retention if they put in a road and more houses. City Planner Wheelwright said there was discussion held on this but the elevation was too steep. Chairperson Ross said the City Council needs know we cannot keep putting in subdivisions with more than 10 homes without secondary accesses. Commissioner Bodily said the requirements are in the ordinances and asked how the City Council can approve it. City Planner Wheelwright said he was told by legal Council that because it was a PUD the City Council could barter and when he read it in the ordinance he knew it was not right. He will make sure future developments are done the right way. Commissioner Hart just wants to make sure that no other subdivision goes through what they went through with his subdivision. There was no further comments and Chairperson Ross asked for a motion to adjourn.

**7. Adjourn**

**A motion was made by Commissioner Meyer to adjourn the January 7, 2016 Planning Commission meeting. The motion was seconded by Commissioner Bingham. The motion carried. The meeting adjourned at 7:45 p.m.**

**Minutes were read individually and approved on February 4, 2016**

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Planning Commission Chair Person  
Terry Ross

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Planning Commission Secretary  
Gaylene Nebeker