

WILLARD CITY CORPORATION PC040716

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

1. **Prayer** – Gary Hart

2. **Pledge of Allegiance** led by Del Fredde

3. **General Public Comment (Input for items not on the agenda)**

Matt Hansen with Sierra Homes was present at the meeting to discuss the possibility of putting in a proposed 23 lot subdivision on the Harvey Braegger property along 200 West. He stated the property was not that big and asked the Planning Commission if they would work with them on the open space. They would like to know if the city would work with them on not putting in 30% open space and then contribute monetarily to other open space or parks within the city. He presented a concept plat for the 10 plus acres stating they would like to make bigger lots. Commissioner Bodily asked what the lot size would be. It was stated 1/3 acre lot and would like to come up with a ¼ acre set-backs to put in bigger homes. Chairperson Ross asked if this was a subdivision or a planned development. City Planner Wheelwright stated it would be a planned development and they would be bound by the zoning requirements. He felt the setbacks could be negotiated through the planned development but the 30% open space would not be negotiated. Mr. Hansen stated it would be amenity free so it could be put into another parks or open space and could be put into an escrow account. Commissioner Bodily stated with only one way in or out and did not want to have another problem like Granite Ridge. Chairperson Ross asked if the development would go all the way to the Haul Road. It was stated this is part of the Master Road Plan. Chairperson Ross felt that the open space was going to be a big issue and stated the Planning Commission were bound by the zoning policies and suggested they address the City Council. Mr. Hansen stated this was just a conceptual plan and would take the information back to Sierra Homes.

4. **Discussion Item**

a. Re-Zone Request for a Planned Development - Jared Erickson representing Samuel Kunzler for Parcels #02-035-0046, 02-038-0056, 02-040-0002, 02-043-0013, 02-038-0009, 02-040-0001 and 02-040-0011 from A-5 to PD at approximately 1469 Hargis Hill and set for possible public hearing

Jared Erickson updated the Planning Commission on questions from the last meeting. He stated he talked to City Planner Wheelwright about water issues. The Box Elder School District is on

board with putting in the school and they are discussing the purchase of the property or the trade for some property in South Willard. He said that would take several months for this to happen. He has talked to legal counsel on the current cattle easement and reported it is a non-issue so when the road goes in the access is granted through the road to their property. The road width in the lower area is the same as the width of the interior roads in the upper portion. The road going through being left open and will be part of the plan with future access going north from there. Since the last meeting he has not had a chance to talk with Dave Ormond but stated previously Dave was ok with sharing part of the right of way on the road. He felt the biggest issue will be the water and stated he had talked with City Planner Wheelwright about scheduling the public hearing and then the development will be contingent on the water stating they are still working with the engineer and could take a while. Chairperson Ross asked if they had any type of plan for getting the water to their development. Jared Erickson said they would not develop if they could not get water. It is a matter of money and are looking at the best way to do it. This should all be taken care of before it gets turned over to the City Council. Commissioner Bodily asked about storage tanks and if the city really needed 2 tanks. It was stated yes there would be a need for one on each end of town. Chairperson Ross asked how much time he would need to before a public hearing could be scheduled. City Planner Wheelwright stated the ordinance states 21 days prior to the public hearing for noticing requirements. Jared asked for somewhere in June which will give him time to come up with a plan.

A motion was made by Commissioner Seamons to schedule a public hearing for the Jared Erickson Rezone request for June 2, 2016 contingent on the water issues being resolved. The motion was seconded by Commissioner Bodily. The motion carried with a unanimous vote.

b. Guy Isakson Re-Zone Request for Parcel #02-041-0036 approximately 6.84 acres from A-5 to R-1 located at approximately 142 W 1050 N and set for possible public hearing.

Guy Isakson 142 W 1050 N is asking for a rezone of a 6.84 acres into 1 acre parcels in a R1 zone. Chairperson Ross asked if this property goes all the way to 200 West. Mr. Isakson stated yes. He will need to move his fence but the road will go all the way through. Chairperson Ross stated there is a proposed 100 West on the Master Road Plan and this will need to be taken into account. Mr. Isakson stated after talking with City Planner Wheelwright it appears the road goes through the middle of his house. City Planner Wheelwright stated 100 West would need to remain as a future road and stated they may be able to look at other options. City Planner Wheelwright stated at this time they are only looking at rezoning the property not subdividing. He state this is only a concept of what they want to do. Tammy Isakson asked when the roads were put in and why did the city not look at whose property they would be going through when they come up with the Master Plan. There was discussion on the 100 West Master Road Plan. Chairperson Ross asked if the road was to go through could they accommodate it. Mr. Isakson stated they wanted bigger lots to keep the rural feel and felt it was up to Willard City on what they wanted. Commissioner Seamons asked about high water table. Mr. Isakson said there has not been a high water table since he has lived there. Again this is a rezone request and other issues will be addressed at the subdivision level. City Planner Wheelwright said the Isaksons were going to contact the Christensen family to see if they wanted to go in on the project. Tammy Isakson stated the Christensen family wanted to develop several years ago but they were not able to. Chairperson Ross asked for a motion to schedule a public hearing.

A motion was made by Commissioner Bodily to schedule a public hearing on May 19, 2016 for the Guy Isakson rezone request. The motion was seconded by Commissioner Hart. The motion carried with a unanimous vote.

c. Conditional Use Permit for a 40' X 120' accessory building located on Parcel #02-053-0059 applicants are Scott Gilbert, Dustin Gilbert and Dee Russell located at 747 South Main

Dee Russell representing several individuals who are requesting a Conditional Use Permit for an accessory building to restore old cars. The building size on the plot plans will be addressed during the building permit application. They had to quickly put together the application for the Planning Commission and the building size before they had the survey completely done. The survey is done and they have the marks showing where the building can be put. They are also looking at putting in 2 smaller buildings. Chairperson Ross asked how big the building is going to be. Mr. Russell stated they are currently looking at bids for 3 sizes one that is 40x120 with 3 partitions, 2 buildings that are 40x80, 40x60 and 40x40 and depends on the survey. They are looking at each having a 40x40 building. City Planner Wheelwright asked if they have talked to UDOT about access to the lot. Mr. Russell stated this was the question they had with the survey. When the property was originally subdivided the right of way was for both lots. John Cox stated the plat map shows an access easement of 23 ft. for Willard City and them and would allow them to use the lane. City Planner Wheelwright said he had received a request for a boundary change. He stated with the updated survey the change would be coming from the back lot with the house down 12 ft. into their property. How tall are the buildings? They will be a maximum of 18 ft. with a minimum of 14 ft. Willard City has a height limit of 20 ft. It was asked if John Cox was ok with what is being put in. He stated they knew with the sale of the lot something would be going in and they are ok with it. He asked that they put the buildings more on the north side of the property so it does not block their property from postal deliveries. City Planner Wheelwright stated this was also a request from the Fire Chief so they have easy access in the event of an emergency. Commissioner Seamons asked if they would be putting in a paint shop. Mr. Russell stated no. City Planner Wheelwright presented the conditions for the Conditional Use Permit. See attached handout. Keven Hardy asked that as part of the condition noise be addressed and asked why they would put this type of building between 2 homes. He felt there was the possibility of having air wrenches and all types of machinery going at all times of the day and night. City Planner Wheelwright stated these items can be addressed as part of the Conditional Use Permit and will be reviewed every 6 months. The current ordinance on noise states business cannot operate before 6:00 am after 10 p.m. Commissioner Hart said he is in the restoration business and the noise is comparable to that of a lawn mower. Chairperson Ross asked about outside storage. Mr. Russell stated there would be very little storage outside. Commissioner Seamons suggested the requirements of the Nuisance and Noise Ordinance be added to the conditions. Chairperson Ross asked for a motion.

A motion was made by Commissioner Bodily to approve the Conditional Use Permit for an accessory building for Dee Russell, Scott Gilbert and Dustin Gilbert. The motion was seconded by Commissioner Hart. The motion carried with a unanimous vote.

d. Conditional Use Permit to allow Craig Mitchell to live in existing house while building a new single family dwelling located at 369 South Main Parcel #02-051-0099

Craig Mitchell was present at the meeting to ask for a Conditional Use Permit to allow him to live in his trailer house while he is building a new home. The home will be 380 ft. back on the property. A discussion was held on the conditions. He will be issued a Temporary Certificate of Occupancy for 60 days to allow him time to remove the trailer at which time the Certificate of Occupancy will be issued. Mr. Mitchell was asked what would be put where the trailer was removed. He stated it would be a pasture. City Planner Wheelwright asked what type of road he would be putting in. Mr. Mitchell stated it would be a gravel road. Chairperson Ross asked for a motion.

A motion was made by Commissioner Seamons to approve the Conditional Use Permit for Craig Mitchell. The motion was seconded by Commissioner Hart. The motion carried with a unanimous vote.

e. Discussion on the proposed Keven Hardy 2 Lot Subdivision for Parcel #02-053-0012 approximately 2.7 acres located at approximately 813 South Main

Keven Hardy was present at the meeting to discuss a proposed 2 lot subdivision on a 2.7 acre parcel of land. City Planner Wheelwright explained that Keven Hardy would like to subdivide his parcel so he could sell his current house and build on the subdivide lot. He showed on the map where Mr. Hardy would be responsible for paving. He explained the lot he would like to build on is at the stub road for the Granite Ridge Subdivision. Commissioner Seamons asked if Granite Ridge was going to help pay to put the road in. Mr. Hardy stated he has had no conversation with Granite Ridge. Commissioner Hart asked who would be responsible for paving the remaining portion from Hwy 89 to the proposed house. City Planner Wheelwright stated no one at this time. Mr. Hardy stated he has 170 ft. of frontage and 100 ft. will be going with the existing house leaving him the remaining 70 ft. which makes is a ½ acre lot. There was discussion on the possibility of the road going into the subdivision. There was also discussion on the open irrigation ditch that would need to be covered. City Planner Wheelwright stated this is a discussion only to see what issues the Planning Commission has before it goes to SLUA (Subdivision Land Use Authority). Chairperson Ross asked if there are issues with the shed on the property line. City Planner Wheelwright stated unless the road goes through there are no issues at this time. Mr. Hardy felt that the subdivision is too time consuming for small subdivision and suggested the Planning Commission come up with an easier process. City Planner Wheelwright stated he is looking at a small subdivision ordinance. City Council member Fredde asked if this would be considered a flag lot under our current ordinance. City Planner Wheelwright stated it would be if he was not coming down from the Granite Ridge Subdivision and Mr. Hardy would need to improve the road to his property line. Mr. Hardy said they would be happy to see the road go in and would line up with the road into the development across the road. Commissioner Seamons asked if this would be the road for the upper portion of Granite Ridge that will have the 300 homes on. It was stated yes. Chairperson Ross asked for any additional information from the Planning Commission members. Commissioner Hart asked if Granite Ridge would eventually have to use the stub road as their development expands. Commissioner Seamons stated at the Planning Commission required them to leave the stub road in. There was discussion on how he would access his property and if he access from Hwy 89 he would be required to pave the whole road or it would remain a flag lot. There was discussion on him giving the whole lane to the city. Mr. Hardy asked why he would want to give the property away for nothing. It was suggested he talk to Granite Ridge about them putting the road in.

5. Approval of Minutes

The minutes of March 17, 2016 the Planning Commission meeting were reviewed. A motion was made by Commissioner Seamons to approve the above minutes as amended with typographical errors. The motion was seconded by Commissioner Bodily. The motion carried.

6. Commissioner Comments/Staff Comments

City Planner Wheelwright reported on a conversation he had with the engineer on the water situation. He said Doug Young has contacted the Mayor and would like to move forward with Phase 1 as approved. He stated he is looking into it to see if he can move forward. Commissioner Bodily asked if there would be water available. City Planner Wheelwright stated no. They would not be developing all 17 lots this year and would be about a year out and may not have any water available. They city is looking at the system and how accurate the system is. The city may need to look at a moratorium on houses. There has been 6 house being built since the beginning of last year. Commissioner Seamons asked if the reason we are not building tanks is the city cannot afford the 10% down required to build a tank. City Planner Wheelwright stated the city would have to bond, take out a loan. It was stated Willard City has the water but not the storage. Discussion held on putting in secondary water and water issues and the cost to put in a system. Commissioner Bodily asked about the dike project and if the water would be going over the water

fall. It was stated yes. Commissioner Hart suggested the Planning Commission look at the Master Road Plan and future roads that go through houses. He also asked when 660 South would be opened back up. City Planner Wheelwright said it was supposed to open back up today. Commissioner Hart stated they only open the road during the day and close it off at night. He stated they have been operating machinery at 6:00 am and asked about the noise ordinance. It was stated the hours are from 6:00 am to 10:00 pm. City Council member Fredde suggeste the Planning Commission look into the Annexation Ordinance for the next meeting. Chairperson Ross asked for any additional comments and a motion to adjourn.

7. Adjourn

A motion was made by Commissioner Bodily to adjourn the April 7, 2016 Planning Commission meeting. The motion was seconded by Commissioner Seamons. The motion carried. The meeting adjourned at 8:35 p.m.

Minutes were read individually and approved on April 21, 2016

Planning Commission Chair Person
Terry Ross

Planning Commission Secretary
Gaylene Nebeker