

**WILLARD CITY CORPORATION PC090717**

DATE: September 7, 2017  
TIME: 6:30 p.m.  
PLACE: Willard City Hall  
ATTENDANCE: Chairperson – Terry Ross  
Commissioners: Sidney Bodily, Gary Hart, John Seamons, Leslie Meyer, Chandler Bingham  
Bryce Wheelwright - City Planner (non-voting member)  
Del Fredde – City Council member (non-voting member)  
Gaylene Nebeker - Planning Commission Secretary  
EXCUSED:  
OTHERS: See attached sheet

**1. Prayer – Chandler Bingham**

**2. Pledge of Allegiance led by**

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

Bernard Baker – asked how many of the Planning Commission members have actually walked the property? He said there is surface water and Doug Young is going to need a lot of road base to fill in the property because of the water. He said he started helping his father on the property at age 13. He explained they grew sugar beets and the east portion of the property grew beets well but the further west you went the smaller the beets grew because the seed would deteriorate because the ground water was so high. Doug may need to put in pumps and will need to address the issue with homeowners. He went on to explain that area flooded in the 1960's which sent water flowing across the road so he may need to put in a barrier to prevent this. He suggested the Planning Commission members go out and walk the property. He also voiced concerns about the Granite Ridge Subdivision only having one way in and out and what will happen when fire trucks are trying to get in and cars are trying to leave and the mountain is on fire.

**4. Discussion Item**

**a. Concept Review for Willard Bay Crossings Development submitted by Doug Young located at approximately 600-800 South Main**

City Planner Wheelwright read a letter from Mayor Braegger that states he has contacted and received comments back from the Mayors of Riverton and Herriman where Doug Young has built. They have both given Doug Young high praises on Doug's developments. They both wished that developers were as easy to work with as Doug has been and was their belief that Willard City can have assurance they will be getting a high quality development.

Kirk Young – SLC said this is a concept plan and will not have a lot of details at this time and is looking for approval to move forward to preliminary and turned the time over to Corey Shupe to answer questions and present a power point presentation. They have been through the process that is required by Willard City to getting a subdivision approval. They have met with SLUA and also received comments back

from the open house that was held. He showed on the power point the 88.8 acres that Doug Young owns or is under contract. A PUD was approved in 2011 for the upper portion and the bottom portion was left undefined at that time. They will show how the numbers work on the plan. He showed on the map that everything in green will be the 31.2% open space which includes the park and some of the green space. The cottages are not figured into the open space but the area around them is. Not included in the open space is the area in front of the condo spaces which would bring the open space up higher. He said there will be 219 cottages and 136 lots. This does not exceed what they were approved for which is 4 units per acre for a total of 355 units.

There were questions about the roads and he stated the roads are designed within Willard City Standards and in most cases have exceeded the standards. He showed on the plan the different roads widths and cross sections. The 66 ft. roads will be 35 ft. pavement and is the same as the other road. They have incorporated a roundabout to slow traffic flow along the north south roads. Commissioner Hart questioned the 219 homes going on the 35 ft. road. Corey stated it meets all of Willard Cities Codes. He showed what the houses and units will look like and stated they lost some of the larger lots to put the park in. Commissioner Bodily asked how many houses they were approved for in 2011. Corey stated 4 units per acre and was approximately 157 units on the west side only. Commissioner Bodily said he is asking for quite a few more houses than what he was approved for. Corey said they were approved for a PD at 4 units per acre but was only for a portion of the development.

Commissioner Meyer felt there should be more parking for the park and not rely on the church's parking lot. Corey said in other towns they have never had an issue with using the church lot. Commissioner Meyer felt if there was a function at the church and one at the soccer field it could become an issue. He showed on the map the open space. Commissioner Seamons voiced concerns about the on street parking for the twin homes. Corey stated they each have 2 car garages/driveways which will allow for 4 cars. It was asked what if they have trailers and boats. Corey and there will be no on street parking for boats and trailers. Commissioner Hart voiced strong concerns about his HOA not being enforced and asked how their HOA would be enforced. Corey said he understood Commissioner Hart's frustration with his HOA but theirs will be enforced by an HOA that will do monthly inspections and if they are violations they will be issued a letter by their in house attorney or a lien could be put against the home. It was asked what HOA fees would be. The fees will be \$30-50 for the single lots and \$150 for the cottages. He felt that the concerns were valid but did not have any bearing on the approval they are seeking and felt they issues have been addressed. Commissioner Hart felt that 219 cottage homes will generate a lot of traffic 400+ cars a day and will be a big concern. Corey felt this should be a concern for the engineers that will design the roads. Commissioner Hart stated this is our city and not theirs and this is why the concern and understands there are different studies and what other cities have done, but we want our city to be our way. Corey stated all they can do is meet the requirements which is what they have done. There was discussion on the approval of the PD it was stated the approval did not have the cottages. Corey stated the approval was for 4 units per acre which is what they have designed and was approved by the Planning Commission and City Council and have done everything to meet and address all the concerns. Commissioner Bingham said he talked with a lady that was given a citation from the

HOA on a weed growing along her fence and did not want to see this HOA be that strict and felt the residents should have some freedom to do what they want. Chairperson Ross asked if the trail along the west side was labeled as open space but there was talk of Frontrunner coming through at some point and asked if this would remove the path. Corey stated no the path has been designed outside the right of way. Kirk Young said if they built the in the future (40 years) they could come in and condemn the property. It was stated the open space would then go away. It was stated if it was a condemnation it would go away and there would be nothing they could do. They have taken this into consideration and it would not be taking any houses out.

Chairperson Ross asked if the cottages were single level. Corey stated not all of them. He said the sq. ft. of the cottages would be 1,400-2,200 depending on if the buyer wants multiple levels

Commissioner Seamons said the plan has been taken to the city engineer and has been approved by SLUA (Subdivision Land Use Authority) he is not aware of all the issues within the codes or the engineering requirements and is he is not sure what questions to ask. Corey said with SLUA committee goes through all the plan before it is submitted to the Planning Commission. City Planner Wheelwright states it meets the ordinances and has covered all the bases at this point. He said this is only the concept phase and if approved tonight they will come back with a pre-subdivision application at which time they will look at water, engineering, storm drain etc.

Commissioner Seamons also voiced concerns that in 2012 they came in with a plan for 4 units per acre and x amount of units and he would like for them not to come in saying it was all approved when there was a big empty space that had nothing on it. And now are showing what the big empty space has and himself and Commissioner Meyer are concerned it will look like and have the issues of Willard Peak Ranches. Corey said they were only trying to bring the current Planning Commission up to speed on the history of the development. He said they were approved for a PUD and the west side was defined as cluster units.

Alex Dubovic asked if how many accesses there were to the cluster houses. It was stated at least 2. He felt that 30-40% of the population will be using 2 accesses. He asked if the open space was achieved by the individuals living in the cottages not owning the land only the house. He said as a citizen he appreciates individuals wanting to make money and have a business but he has talked with citizens the last couple of weeks and has only had one individual who was in favor of the development. Bernard Baker asked where the storage would be for trailers etc. Chairperson Ross said they did not have to provide storage and the homeowners would have to have offsite storage units. Mr. Baker felt they needed to provide some type storage units.

Commissioner Hart felt that with 219 units and 3 accesses that is 73 units per access and the fire code allows for 30.

Commissioner Meyer felt there needs to be a 3<sup>rd</sup> access at the bottom of the development. She was also concerned about the cottage units becoming rental units and once someone buys a home the city has no control on rentals. Kirk Young said their CCR's state only a percentage of the units can become rentals and rentals are approved by the HOA. Corey felt as part of the approval the city can request they put in a 3<sup>rd</sup> access. Commissioner Meyer asked if they have a development that shows what they are proposing. Kirk stated he could get them information on developments. City Council member Fredde said he had talked with Doug who said

he would get footage of a drone flying over his developments and asked if this was available. Kirk said he was not sure and would have Doug contact him. City Council member Fredde said there is a serious water issue that will need to be addressed. Corey said this will be addressed during the next phase. Commissioner Seamons asked if there was plans for secondary water in the development. Corey said there is no plans and it is not a requirement. Bernard Baker felt if the city was going to take money for a second water tank they should put secondary water throughout the whole city and forget the storage tank. It was stated it would be Pineview water and not Willard City that would put in secondary water. There was discussion held on how to make the cluster housing age defined and it was stated this will be addressed more during the preliminary plan. There was no further discuss and Chairperson Ross asked for a motion.

**A motion was made by Commissioner Bingham to recommend approval and forward to SLUA with the recommendation it has met all the requirements and recommend they look at a 3<sup>rd</sup> access and requirements for age defined on the cluster houses. The motion was seconded by Commissioner Seamons. The motion carried with a unanimous vote.**

Chairperson Ross asked Corey Shupe if there was any way to make the pave roads wider and the parking strips smaller. Kirk Young said the city would need to change their standards. Corey stated he lives on a 32 ft. road and he does not have a lot of issues with it. City Planner Wheelwright said he has measured the roads in Perry City and North Ogden and said that 35 ft. is very common. Corey said if you go wider traffic seems to go faster. Discussion was held on the 24 ft. roads in the Willard Peak Ranches Subdivision and Commissioner Hart said the road is so narrow that if there are cars parked along the road that another vehicle cannot get through. Chairperson Ross also voiced concerns about the lighting and would need to be designed for full cut off lighting. Corey said he would need to look and see what the city standards are for lighting and it may be a major expense for the city if they have to stock other lights and parts.

#### **b. Discussion/Review of Section 12-116 of the Willard City Zoning Ordinance on Streets**

Commissioner Meyer read the revisions she had prepared. She stated that Willard City Ordinance allows for 10 homes on a single access and there has been discussion held on allowing 30 homes. She said in North Ogden there are streets with 30 homes on a wide street that has curb, gutter and sidewalks and paved and it works. She said we are not North Ogden and felt that 30 homes is way too many. She also felt that we needed to do it right and if we do not want to put a number in our policy we could take it as it comes from the developer. When a developer comes in they decide how many houses and accesses will be allowed. City Planner Wheelwright stated he talked with the fire department about the 30 homes he was told that is fire code but is for bigger towns like North Ogden etc. Kent Wilson (developer) felt the things the Planning Commission needs to look at is Willard City is going to become like North Ogden because they are requiring curb, gutter and sidewalks. They also need to look at densities, road widths etc. Commissioner Seamons asked if no number is put in the policy how it affect the new development. City Planner Wheelwright stated what is being discussed is for single access roads and the proposed development has 3

accesses. Commissioner Hart felt this is a big flaw by saying you can only have 10 homes on a single access but if you put in a second access you are allowed to have 1000 homes and felt 10 homes needs to be taken out of the ordinance. Commissioner Meyer stated most towns she has talked with do not have any number but address when a developer comes in with a plan. Kent Wilson said he has been a developer for 35 years and this is the best way to handle it because as soon as you put a number he will be doing the minimum to comply. Commissioner Hart voiced frustration with the proposed development saying they have adhered to all your ordinances and we are good to go and said the ordinances needs to be changed. A discussion was held on single access being an emergency access and fire-fighting capabilities. Chairperson Ross asked Kent Wilson from a developer's standpoint what he thought. Kent Wilson said leave a number out and put in as needed and make the developers responsible to come up with how it will work for the cities roads. City Planner Wheelwright said you can also require developers do a traffic study. Commissioner Meyer said she would create a new paragraph and ordinance for the next meeting. Commissioner Seamons will address 12-116-6 at the next meeting. Bernard Baker suggested the Planning Commission look at changing the ordinance to take out cluster homes. Kent Wilson explained there is good and bad with cluster housing and felt there is a need for cluster housing.

**5. Approval of Minutes**

**The minutes of the July 20, 2017 Planning Commission meeting were reviewed. A motion was made by Commissioner Meyer to approve the above minutes as amended with typographical errors. The motion was seconded by Commissioner Hart. The motion carried with a unanimous vote.**

**The minutes of the August 17, 2017 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 with a unanimous vote.**

**6. Commissioner Comments/Staff Comments**

City Planner Wheelwright felt the PD Ordinance needs to be addressed with what we want to see in Willard and if cluster houses is not what we want we need to look at changing the ordinance. During the last meeting there was discussion on Sexually Oriented Business in Manufacturing Zones and hurriedly put tattoo parlors in the same zone and felt we needed to further address zones. They can be in a Manufacturing Zone but may not always be the best place, for an example in home tattoo business he went on to explain cosmetic tattooing with these businesses being governed by the Health Department. Commissioner Bingham felt this may be something that can be decided on a case by case basis.

Commissioner Bodily said when a person buys a \$400,000+ house and has to pay HOA fees and storage fees and then decides they cannot afford it any more asked what kind of turnover there is going to be. He was concerned about the amount of fees a person will be charged.

Commissioner Bingham felt the PD Ordinance needs to be addressed. The 4 units per

acre on 10,000 sq.ft lots adds up but when looked at on paper that equals a lot of homes. He suggested on the roads we look at doing on a case by case basis and not be arbitrary and capricious.

Commissioner Meyer stated we need to keep working on the ordinances and felt the more details you have the worse they become.

Commissioner Seamons asked where we are with the water plan. City Planner Wheelwright said the study is complete and being reviewed by the engineer.

Commissioner Seamons asked if the Nathan Braegger Subdivision would have secondary water put in. City Planner Wheelwright said it is not required and felt this is something that needs to be put in the ordinance,

Commissioner Hart felt we need to look at not limiting ourselves on roads. He felt that a age defined community will become a low budget housing project further down the road and there needs to restrictions put in place. He said the proposed development has been in the works since 2006 and asked if there was a time limit put on it. It was stated the Planning Commission put a 2 year time limit but the City Council took the limit off. He also voiced concerns about the Planning Commission not knowing what the developer is doing and felt the Planning Commission was boxed in because there was nothing they could do but approve the development and he strongly disapproves.

City Council member Del Fredde felt there was good information given to the Planning Commission by a developer and they may not like everything he had to say but felt he was being honest with them.

City Planner Wheelwright discussed the handout with information from the Open House.

Chairperson Ross suggested if the Planning Commission does not like the PD Ordinance we need to look at getting rid of it. We also need to address roads, and look at fixing the ordinances. He also felt that cluster houses fill a need and the ones around this area are being filled and does not feel we can get away from them coming in and can be good and bad depending on how they are handled. Chairperson Ross asked for a motion to adjourn

**7. Adjourn**

**A motion was made by Commissioner Bingham to adjourn the September 7, 2017 Planning Commission meeting. The motion was seconded by Commissioner Meyer. The motion carried. The meeting adjourned at 8:30 p.m.**

**Minutes were read individually and approved on October 5, 2017**

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Planning Commission Chair Person  
Terry Ross

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Planning Commission Secretary  
Gaylene Nebeker