



Willard City

Subdivision Land Use Authority (SLUA) – Regular Meeting

January 28, 2021 – 2:30 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

The meeting was a regularly scheduled meeting designated by resolution. Notice of the meeting was provided 24 hours in advance. A copy of the agenda was posted at the City Hall and on the State of Utah Public Meeting Notice Website.

The following members were in attendance:

Chris Davis, City Manager
Colt Mund, City Attorney
Bryce Wheelwright, City Planner

Chris Breinholt, City Engineer/Jones & Associates
Doug Thompson, Public Works
Michelle Drago, Deputy City Recorder

Others in attendance: Izana Miller; Brad Brown, Colliers; Greg Hansen, Hansen & Associates

1. CALL TO ORDER

Bryce Wheelwright called the meeting to order at 2:35 p.m.

2A. PRELIMINARY PLAT APPROVAL FOR JONATHAN MILLER TWO-LOT SUBDIVISION FOR THE PROPERTY LOCATED AT APPROXIMATELY 110 SOUTH 200 WEST

Bryce Wheelwright explained that Jonathan and Izana Miller owned two parcels on the corner of 200 West and 100 South. They wanted to make a lot line adjustment to create a new building lot. There would also be a lot line adjustment with the neighbor to the south to resolve a driveway issue. The lot to be created would consist of .051 acres and would have 135 feet of frontage on 200 South. Willard City required lots to have a minimum of one-half acre and be at least 100 feet wide. The new lot proposed by the Miller's met the criteria for a building lot in Willard City. It was in the R ½ Zone. The Millers were seeking preliminary approval in order to proceed to the Planning Commission. Mr. Wheelwright did not see any issues with Miller's proposal.

Chris Breinholt, City Engineer/Jones & Associates, asked which road the lot would face. Mrs. Miller said it would face 100 South. Mr. Breinholt explained that 100 South was owned by Willard City, and it was being used as a street. However, it technically wasn't a street. It needed to be dedicated as a public right-of-way on the subdivision plat. A fire hydrant might also be required.

Doug Thompson, Public Works stated that there was a fire hydrant at the bottom of 100 South. Chris Breinholt would have to determine if it met the spacing requirement.

Chris Davis asked if the Willard City would have to pay some of the engineering fees to dedicate 100 South to Willard. Mr. Breinholt felt adding the street dedication would be a minimal expense.

Michelle Drago asked if the subdivision plat would also address the property line adjustment with the neighbor. Mr. Breinholt felt it made sense to address all of the adjustments at once.

Doug Thompson moved to grant preliminary approval of the Jonathan Miller Two-Lot Subdivision located at 110 West 200 South. Christ Breinholt seconded the motion. The motion passed unanimously.



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2B CONCEPT DISCUSSION WITH BRAD BROWN FROM COLLIERS CORPORATION REGARDING THE FITZGERALD PROPERTY LOCATED AT APPROXIMATELY 1700 NORTH 200 WEST – PARCELS 02-035-0079, 02-035-0061, AND 02-035-0063

Bryce Wheelwright explained that Brad Brown from Colliers wanted to present a concept plan for the Fitzgerald property located at 1700 North 200 West. The property consisted of three separate parcels.

Brad Brown, Colliers, stated that they had the Fitzgerald property under contract. Using Willard's current code, they had prepared a concept plan for the Willard View Subdivision. The subdivision contained Chad Fitzgerald's home and consisted of 64 lots. It had been designed around the City's PUD Ordinance. He understood that the PUD ordinance would be changing. Their goal was to present something based on the current code as a starting point. The open space of 30% was located at the back (west side) of the subdivision. He introduced their engineer, Greg Hansen, from Hansen & Associates.

Greg Hansen, Hansen & Associates, stated that they reviewed the City's ordinance and came up with the 6.3 acres of open space. The remaining property was divided into 64 lots.

Bryce Wheelwright liked the proposed frontages of 90 feet.

Brad Brown stated that utilities were a little bit of a problem, but they were working through solutions. The answers required a little bit of money, but they felt this was a good project and would work.

Bryce Wheelwright asked if Colliers had any culinary water to bring with the project. Mr. Brown said they hadn't completely figured out the water. He asked what the City's requirements were. Chris Breinholt said Willard used the State standard. The rights the City received would have to accommodate both indoor and outdoor needs. Water would have to be culinary rights converted for municipal instead of shares from the canal.

Chris Breinholt, City Engineer/Jones & Associates, said the biggest challenge would be the sewer. A discussion regarding sewer followed. Greg Hansen said the grade to the west was doable, but they wanted to avoid the pond and railroad tracks to the west. They really wanted to go south. Brad Brown said the worst case scenario was boring under the pond and tracks. Chris Breinholt asked if it could gravity flow back through Perry. Chris Davis, City Manager, said the Mayor's marching orders were that Willard City would supply the sewer and water. The City was not interested in an interlocal agreement with Perry.

There was a discussion regarding fire flows and looping. Mr. Breinholt said the subdivision would have to provide the necessary fire flows.

Brad Brown asked about the status of the water line on 200 West. Chris Davis stated that Nilson Homes wanted to have 75 homes with guaranteed water. In return they would serve as an underwriter for a water tank, but Willard City had to provide the property for the water tank. The City wasn't ready to enter into a development agreement with Nilson Homes until it had a piece of property to build a water tank on.

Mr. Davis said that 200 West was about to be constructed. Perry City had received a grant from UDOT to extend their 1200 West, which was 200 West in Willard. It would be extended to 750 North in Willard.

Bryce Wheelwright stated that Chad Fitzgerald's home was located in Willard, but he had paid impact fees to Perry City in order to receive water. He had a septic system.



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Brad Brown asked if there would be a problem with storm drainage. Chris Davis stated that Fred Barker was concerned about his pond being contaminated. Chris Breinholt said the storm water would have to be detained before entering the pond to the west. Greg Hansen asked if it could be detained in the open space. Mr. Wheelwright said it could until the ordinance changed.

Chris Davis stated that the PUD ordinance was clearly going to change. The Planning Commission held a public hearing on January 28th and recommended that the City Council repeal the PUD Ordinance. The City Council planned to hold a hearing on February 11th. The majority of the City Council had indicated a preference to come up with a new ordinance, which the staff was working on. There was not a draft ordinance right now.

Brad Brown said they had time commitments they had to operate within. He asked if there was any way to bridge the gap.

Chris Davis said the City Council liked wider frontages, the quality of the green space and how it was developed. The Council had also discussed bonuses for green space and paying a fee in lieu of green space to allow for more centralized parks. Bryce Wheelwright said the Council also wanted less density. Mr. Davis said the creation of additional zones had also been discussed. Willard had received a grant to create a new master plan, but that wouldn't help Mr. Brown turn dirt this summer.

Chris Breinholt said the water issue also had to be resolved.

Bryce Wheelwright asked if Doug Thompson had any concerns. Mr. Thompson said he didn't as long as the access to 1200 West coordinated with what Perry wanted. Where would the Willard water come in?

Greg Hansen agreed it was a unique situation, but he felt it was doable. The water would have to come in from one of the stub roads, or it could run along the west side of 1200 West in an easement.

Brad Brown said Colliers would figure out the water and sewer. Their biggest question was how to move forward given the current zoning issues. The PUD was going away, and no one knew what it would be replaced with. He hoped to present a project that was close enough with the City's future plans to receive approval to move forward or to serve as a case study. They wanted to bridge the gap and give the City what it wanted. They could incorporate open space that would be an addition to the community. He had an application ready to submit. All of the pieces were there – a good piece of property and a willing developer.

Chris Davis asked if Colliers would be willing to consider a payment in lieu of open space. Mr. Brown said they were open to that.

Doug Thompson said the City had a limited budget and resources. Open space was a concern. How would the City maintain it? The City didn't want to end up with a multitude of scattered one-lot parks.

Bryce Wheelwright the City Council wanted to repeal the PUD Ordinance because the City had been getting everything from unwanted wetlands to undeveloped open space with weeds to a park with an unknown maintenance source. Open space had become an issue.

Brad Brown suggested a concentrated open space in the middle of their subdivision that would be manageable and accomplish the City's goals. They were willing to have those discussions if the City was flexible in allowing them to move forward. They could not wait until July to start the development process. They wanted to work with the City. He asked if it was possible for them to submit an application.



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Chris Davis stated that submitting an application would not lock Colliers in under the current PUD Ordinance. The property was currently zoned A-5. The first step in the process would be a rezone to R ½. Then Colliers could apply for a PUD overlay. There wasn't a clear path forward.

Mr. Davis provided information regarding other properties in various planning stages. Nothing was moving forward as fast as the property owners wanted.

Brad Brown asked what the process would be if the PUD wasn't repealed. Mr. Wheelwright said the property would be rezoned, SLUA would review a plan, the plan would be considered by the Planning Commission and then the City Council. The only difference in the process would be a development agreement.

Brad Brown asked if the PUD Ordinance would be replaced with development agreements. Would it be possible to move forward with that scenario? Ultimately the City Council would have to approve a development agreement.

Greg Hansen felt the City Council and Planning Commission needed to be given latitude to approve acceptable open space rather than a certain percentage. Then developers could present usable options. He felt that would generate great projects.

Chris Breinholt suggested that Colliers get involved in the discussions.

Chris Davis stated that one option that had been suggested was master planned communities. Each project would become an ordinance in and of itself.

Chris Breinholt felt the City should use straight zoning. Development agreements and PUD's were such a process to go through every single time because everyone had an opinion. He felt it slowed the planning process down. Mr. Davis said that wasn't the first time straight zoning had been suggested.

Chris Davis asked for Michelle Drago's opinion regarding PUD's. Ms. Drago felt straight zoning was a better option. There always seemed to be problems with PUD developments that cities were left to deal with.

Chris Breinholt stated that this was a well-laid out project. How would it be received by the City? Both Chris Davis and Bryce Wheelwright said the City Council wanted at least 1/3 acre, or 15,000, square foot lots.

Chris Breinholt stated that right now the trend was moving toward smaller, more affordable lots because land was so expensive. He felt 15,000 square foot lots would be cost prohibitive. He felt cities also needed smaller, quarter acre zoning.

Greg Hansen agreed

Brad Brown stated that millennials wanted to be responsible for less. A lot of people wanted to stay in Willard, or where their roots were, but affordability was an issue.

Doug Thompson said this wasn't about more space. It was about usable space, and not having twenty-one-lot parks that the City had to maintain.

There was discussion about Wellsville's conservation easement. Greg Hansen felt a conservation easement was what Willard City didn't want its open space to become – weeds. He felt open space should be minimized, centralized, and generate revenue.



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Brad Brown stated that there were two discussions going on – lot sizes and sprucing up open space. Larger lots meant more expense, less value to the land, and less a developer could spend improving the open space. They wanted to catch Willard's vision, but half-acre lots tied their hands.

Mr. Brown asked if there was a path forward. Was there a way to work with the City Council to reach a conclusion in the next few months? Bryce Wheelwright felt the City Council was motivated to get something done. He hoped that motivation would continue, and that the City would have something in place sooner than later.

Mr. Brown asked if the staff would champion a concurrent path forward. Bryce Wheelwright did not feel the City could do anything with an application that was submitted now. Chris Davis stated that Colliers could not get entitled under the current PUD Ordinance. He hoped the City would have new regulations in place. The City Council wanted something in place very quickly. A majority wanted it done timely.

Brad Brown asked about a path for a straight-up development agreement. Mr. Davis said the City didn't have a zone that allowed for a development agreement/master planned community. Mr. Wheelwright said the lot sizes allowed by the Zoning Ordinance were one half acre, one, acre, three acres and five acres, and the Planned Development Ordinance. The only way to move forward was with half-acre lots.

Brad Brown asked how a half-acre was defined. Bryce Wheelwright said it was half an acre, not a builder's half acre.

Greg Hansen stated that Colliers could submit a plan that would make them the poster child for the new ordinance. A plan that matched what other communities were doing; that gave Colliers what they wanted; and the City as well. Then the City could see what could be done. Otherwise it could be fall of 2021 before the City had an ordinance.

Brad Brown asked if there was any way to make a presentation to the Planning Commission. Chris Davis said developers frequently presented conceptual plans to the Planning Commission.

Chris Breinholt understood that Colliers wanted to build right way, but the property still had infrastructure issues to be resolved.

Brad Brown asked if it was possible to annex into Perry City. Chris Davis did not feel Willard would support a deannexation. The current Mayor felt property should stay in Willard.

Brad Brown asked for suggestions on their next step. Chris Davis felt Colliers could submit a conceptual plan with centralized open space.

2C. APPROVAL OF DECEMBER 10, 2020, MINUTES – TABLED

The SLUA Board tabled consideration of the December 10, 2020, minutes.



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3. ADJOURN

Doug Thompson moved to adjourn at 3:56 p.m. Chris Breinholt seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: _____

Bryce Wheelwright, City Planner

Michelle Drago, Deputy City Recorder

dc:SLUA 01-28-2021