



WILLARD CITY
Subdivision Land Use Authority (SLUA) – Special Meeting
March 25, 2021 – 1:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

The meeting was a special 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	Doug Thompson, Public Works
Chris Breinholt, City Engineer/Jones & Associates	Michelle Drago, Deputy City Recorder
Bryce Wheelwright, City Planner	

Others in attendance: Garth Day and Aaron Robertson from Heritage Land Holdings

1. CALL TO ORDER

Bryce Wheelwright called the meeting to order at 1:33 p.m.

2A. CONCEPT PLAN FOR THE ORCHARDS AT WILLARD LOCATED AT APPROXIMATELY 300 SOUTH 200 WEST

Bryce Wheelwright stated that the meeting had been called to discuss an updated concept plan for The Orchards at Willard Subdivision located at approximately 300 South 200 West. This subdivision was located on property formerly known as the Helen Jane Lemon property.

Garth Day stated that they met with SLUA two weeks ago. Based on that discussion, they made some revisions, including straightening out 500 West. There would be large lots along the west side of 500 West.

Chris Davis asked what 'large' lots meant. Garth Day said the proposed lots on the west side of 500 West were half an acre or larger. Mr. Davis asked if the lots would be a true half acre or greater. The City Council always asked if lots were really half an acre or if they a builder's half acre. Mr. Day said that in the Master Plan Community Zone, the lot sizes would be what they were going to be. The lots that fronted 200 West in Phase 1 were true half-acre lots.

Bryce Wheelwright asked if animals would be allowed on the half acre lots. Garth Day said there would only be an HOA for the patio homes. There wouldn't be an HOA for the rest of the development because all of the improvements would be public. However, the subdivision would have CC&R's. He was pretty sure only domestic animals (dogs and cats) would be allowed.

Garth Day said he learned about a private access lane from 200 West when he walked the property with Randy Lemon, Helen Jane's son. The concept plan had been adjusted to show primary access to the patio homes via the private lane. He also talked to Mr. Lemon about water and the existing pond.

Doug Thompson said the access lane was located between Bud Morgan's old house and Helen Jane's. He asked if the private road would be gated. Mr. Day said it would probably be fenced, but it would not be gated. It would be private, and it would be smaller. The rights-of-way in the active adult community would not be 60 feet wide. However, the asphalt width of 26 to 28 feet would meet the City's standard. They planned to limit access through signage and design. The access really wouldn't go anywhere, except into the patio homes.

Bryce Wheelwright asked about maintenance. Mr. Day said the private roads would be maintained by the HOA. Doug Thompson asked what would happen if the City inherited maintenance of the smaller roads.



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Mr. Day said they tried to make the pavement width the same as a City street so it would look like a City street, although the actual right-of-way would be smaller. There would be curb and gutter on both sides, but there would only be sidewalk on one side. The roads would also act as a municipal utility easement because they would contain City-owned water and sewer lines. Chris Breinholt said the roads would be PUE's and MUE's.

Doug Thompson where water meters would be located. Mr. Day said the meters would be in front of the homes.

Chris Breinholt asked about the existing width of the access to 200 West. Mr. Day said it was less than 60 feet. He thought it was about 50 feet wide. Mr. Breinholt measured the width from the Box Elder County GIS Map. He said the access was only 44 feet wide. Mr. Day said they would get more definitive measurements as the project moved along. Right now they were just in the design and concept phase.

Garth Day stated that when they straightened out 500 West they were able to get a few more lots. In the Master Plan Community Zone they needed to calculate the density to get the fee in lieu of to the City. A good portion of the lots located in the center of the subdivision would be 10,000 to 15,000 square feet in size.

Bryce Wheelwright asked how wide the frontages would be. Mr. Day said the lots would be 100 feet wide. The square lots were 100 feet by 100 feet. He had instructed their engineer to make the lots 100 feet wide because that width worked the best for them. It gave them plenty of yard space and setback room. With 100 feet they could built about whatever home they wanted.

Garth Day said there would be some open space inside the HOA. It would have a little trail system that would wind around the pond and pickle ball courts, and it would probably be fenced. They cleaned up the connection between the private road and 400 West so there wouldn't be a weird transition.

Doug Thompson verified that all of the roads in the HOA would be private. Mr. Day said they would be, and they would be maintained by the HOA.

Chris Davis asked about the history of the access on 200 West. Garth Day said Helen Jane held it out as a farm access.

Bryce Wheelwright said it appeared there were a couple of lots that had frontage on the private access. Would those property owners be able to access their properties from the private road if they wanted to? Mr. Day said they would not/

Chris Breinholt said there could be a private property issue to resolve. Box Elder County's GIS maps showed a building straddling a property line into the proposed access road. He suggested that the property lines be verified with a survey.

Garth Day stated that there were two artesian wells on the property that produced a lot of water. Michelle Drago asked how they planned to address the wells and the water. Mr. Day wasn't sure what to do with the water. There was enough water to pressurize Randy Lemon's irrigation system. Heritage Land Holding purchased the wells and their water rights when they purchased the property. They weren't quite sure what to do with the water. Maybe they should talk about a pressurized secondary system in this development.



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Chris Breinholt asked if the water rights were State rights. Mr. Day thought they were. They purchased the water rights with the property, but he wasn't a water expert. They could cap the wells and transfer the rights somewhere else, but it was hard to walk away from an artesian well that ran that well.

Chris Breinholt said it was hard to tell where the water was coming from. Was it deep down, or was it surface influenced? He asked if the City wanted to pursue the secondary issue again. Mr. Davis said it could.

Garth Day asked if a secondary system would be private if they were able to capture and use the water. Mr. Breinholt said a secondary system would be. He wondered if the water was culinary viable. The City Code required developers to turn over water rights. If the water was culinary viable, he would rather keep it for potable water. There were other sources for secondary water. Mr. Day asked if the City could run a culinary system from an artesian well. Mr. Breinholt said the City would have to collect the water and pump it to the City reservoirs.

Garth Day said Randy Lemon told him the wells would pump 500,000 gallons in a 24 hour period. Mr. Breinholt asked if the water flowed consistently year round. Mr. Day said it did according to Mr. Lemon. They didn't know where the water for the pond came from. It was just there.

Chris Breinholt felt the City should investigate the water from these wells. If the water wasn't potable, it would be nice to put it into a secondary system and save the drinking water.

Aaron Robertson asked if the City wanted them to include a secondary water system in their design. Mr. Breinholt said he couldn't require a secondary system because it wasn't part of the City's Code. Mr. Day felt they should at least put in dry lines.

Chris Davis pointed out that this subdivision was being proposed under the Master Plan Community Zone. Mr. Day asked if a secondary or culinary water system could be part of the development under the MPC Zone. Mr. Davis said it could.

Chris Breinholt asked if the City wanted to take on a secondary system, or leave it private. Most of the development would have public streets. The secondary water issue kept coming up.

Garth Day said they could put in a dry system so it was ready to go.

Chris Davis felt the first step was to have Chris Breinholt check out the viability of the artesian wells.

Garth Day showed the SLUA members plans for patio homes from their Hooper City project. The Hooper project was very similar to the one being proposed in Willard. It was accessed through a small private lane. He felt there was a giant demand for this type of housing right now.

Michelle Drago asked about the depth of a triangular shaped lot on the south end of 500 West. Mr. Day said that was a remnant parcel. It wasn't a lot. There would probably be a detention basin on part of it. Michelle Drago asked if the City's ordinance allowed remainder parcels. A subsequent search of the City's Subdivision Ordinance revealed that the City did not have regulations regarding remnant parcels.

Garth Day stated that he had been trying to contact Hal Johnson from UTA.

Chris Breinholt stated that the concept plan still showed half streets. He had mentioned before that the City standards did not allow half streets. There was an offset for the private access from 300 South that he didn't like, but he wasn't sure what could be done about it. Because the access would be a private road, he could



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live with it. Garth Day said there was an offset, but it was an offset between a public street and a private access.

Aaron Robertson asked what options they had regarding the half streets. What was the City willing to live with? Chris Breinholt said the City required a full width road with curb and gutter on both sides. Garth Day asked if they could get a pioneering agreement. Mr. Breinholt said they would have to talk to the City about a pioneering agreement.

Chris Davis asked about phasing. Garth Day stated that the first phase consisted of six lots. Then they would start in the adult community.

Doug Thompson said his only concern was the private roads. If the pavement was the standard width and the roads remained private, there shouldn't be an issue. Garth Day felt the risk of the City inheriting the roads in the adult community were lower because of the HOA.

Chris Davis stated that the major issue was how the City Council felt about the Master Plan Community Zone. The City Council planned to schedule a joint work session with the Planning Commission for April 8th.

Aaron Robertson asked about the approval process if the MPC Zone was adopted. Bryce Wheelwright stated that as soon as the MPC Zone was approved and passed, Heritage Land could submit an application for preliminary approval.

Chris Davis felt that Chris Breinholt could look at the artesian wells, and Heritage Land Holding could get the water tested. Heritage Lane would have to have water rights for 143 acre feet of water because they were proposing 143 lots. The current ordinance said one acre foot of water was required per ERU. Garth Day felt that was an exaction. Chris Breinholt said the requirement was based on the State standards indoor/outdoor use that Willard was required to provide. That standards was just barely short of one acre foot per ERU. Mr. Wheelwright said the standard was also based on half acre lots. Mr. Breinholt said there had been discussions about adjusting the outdoor component. A secondary water system would certainly change the outdoor component. He felt the City needed to adjust the acre feet per ERU for a smaller lot size. There needed to be a component for indoor use and a component for outdoor use.

Chris Davis stated that another issue was a change of use. The State Engineer would have to determine how many acre feet Heritage Land really had.

Chris Davis verified that the only green space in the development was associated with the patio homes. Mr. Day said that was correct. They planned to do a fee in lieu of for the rest of the development.

Aaron Robertson anticipated that the water from the artesian wells would test for irrigation water. Would the City be interested in leaving it as irrigation water with a secondary system rather than going through a change of use?

Chris Breinholt felt that was a question the Council would have to answer. The Council would have to decide if the City wanted to get into the secondary water business. It cost money to run two systems. It was a revenue source, but people typically weren't willing to pay more for two systems than they could pay to water with culinary water. Good, clean culinary water was limited. The best way to extend it was with a secondary system.



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Garth Day asked if Pine View would be willing to expand its system into Willard. Bryce Wheelwright said Pine View made a presentation to the City Council a few years ago. Pine View could install a pressurized secondary system the entire City if 75% of the citizens would sign up for it. They would even install the lines. However, the cost to put in a secondary system was twice what it would cost for a new storage tank.

Chris Breinholt said a secondary system would save a lot of space in the water tanks. In the summer time two-thirds of water use went onto lawns.

2B. APPROVAL OF MARCH 11, 2021, MINUTES

Bryce Wheelwright tabled consideration of the minutes

3. ADJOURN

Doug Thompson moved to adjourn at 2.25 p.m. Chris Breinholt seconded the motion. All voted unanimously. The motion carried.

Minutes were read individually and approved on: _____

Bryce Wheelwright, City Planner

Michelle Drago, Deputy City Recorder

dc:SLUA 03-25-2021