



WILLARD CITY
Subdivision Land Use Authority (SLUA) – Special Meeting
May 6, 2021 – 2:00 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 Director
Chris Breinholt, City Engineer/Jones & Associates	Michelle Drago, Deputy City Recorder
Bryce Wheelwright, City Planner	

Others in attendance: Jim Flint, Hansen & Associates, and Brent Pearce

1. CALL TO ORDER

Bryce Wheelwright called the meeting to order at 2:02 p.m.

2A. DISCUSSION REGARDING A CONCEPT PLAN FOR ORMOND PROPERTY LOCATED AT APPROXIMATELY 1401 NORTH MAIN (02-040-0038 AND 02-043-0031)

Brent Pearce stated that the concept plan for the Ormond property was approved by the City in 2018. The Ormond family wanted to proceed with the approved plan with some minor changes. They wanted to move the townhome section to the highway, move one block of the subdivision to the west end, and do away with the commercial area. If the changes could not be approved, they would proceed with the development as proposed in 2018.

Bryce Wheelwright stated that the topography was wet. Mr. Pearce said they were aware of the water. The structures would have to be slab on grade.

Chris Davis asked if the green space shown on the west end of the concept plan was wet. Jim Flint said they had done a wetland study. Doug Thompson said he owned the property to the north. The area on the west side was somewhat wet.

Chris Davis felt the most critical issue was the lack of an ordinance to allow the City to approve the concept plan with the proposed density. The smallest lot size currently allowed in Willard City was half an acre. The PUD that would have allowed the City to consider the concept plan as proposed no longer existed.

Bryce Wheelwright stated that the concept plan was submitted to the City in 2018 and was approved by the Planning Commission. However, the Ormond's never entered into a development agreement with the City. It had been over three years. Approvals expired after one year unless action was taken by the applicant.

Brent Pearce understood that the City was in the process of amending the Zoning Ordinance.

Jim Flint asked what the property was currently zoned. Bryce Wheelwright said the frontage along Hargis Hill was zoned R-1/2. The rest was zoned A-5, which meant the minimum lot size was five acres. It could be rezoned to R-1/2 for half acre lots.

Jim Flint asked about the City's multi-family zone. Chris Davis explained that Willard did not have a multi-family zone. The State did not mandate that a City provide affordable housing unless its population was greater than 5,000. Willard City's population was less than 5,000.



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Brent Pearce felt Willard City had the ability to grow beyond 5,000 residents.

Jim Flint asked if the City had a PUD Ordinance in contemplation. Chris Davis said it did. Bryce Wheelwright explained that the City Council had repealed the current PUD Ordinance. The City staff was working on a newer version. However, the City had also just started the process to update the General Plan.

Jim Flint said a General Plan update usually took about a year. He if there would be a multi-family zone in the new General Plan. Chris Davis said it was a topic of discussion. Mr. Flint asked if the best avenue to pursue was the PUD Ordinance. Chris Davis said there currently wasn't a PUD option. The staff had proposed a master plan community zone. The City Council was concerned about how the master plan community zone would fit into the General Plan update.

Jim Flint knew water was a big thing in Willard. He asked three questions. Were 75 connections available? What was the timing and status of the water tank and waterline that Nilson Homes was going to take the lead on? Did Nilson Homes have a predominate position on the possible 75 connections because of their willingness to build the tank? Chris Davis said Nilson Homes did have a predominate position.

Chris Davis stated that Willard City had a fair amount of culinary water. It did not have a secondary system. Consequently, Willard used almost 2/3 of its water on people's grass. The City had plenty of culinary water if it ever got a secondary system. The City staff had been exploring secondary water options. Currently the City ordinance in place said a developer had to bring in one acre foot of water per ERU.

Chris Davis asked what kind of water rights were associated with the Ormond property. Jim Flint said they had three water rights and one irrigation right. Ormond's owned 209 shares of Willard Irrigation water. There were 24 shares to an acre foot, which was only good for eight lots. It depended on how the water rights transferred.

Chris Davis said the City was in the process of talking to Granite about a potential well site in the 750 North area. The site would include a water tank, a potential well site, and a potential secondary reservoir site.

Jim Flint asked how the City would get water for a secondary system. Chris Davis said the secondary water would come from Pineview. Brent Peace said amount of water saved by a secondary system was incredible. Secondary water allowed better watering with less water.

Bryce Wheelwright said the Ormond's were in a stalemate. They were right between everything that was going on. They could design and develop half acre lots or wait for new ordinances to come forward.

Brent Pearce asked about the possibility of a PUD. Chris Davis said it could happen because there was a PUD plan approved on the property adjacent to the Ormond's. The approved plans included townhomes and single family homes. Nilson Homes wanted to acquire that property, but they wouldn't purchase the property until the water issue was resolved. Jim Flint asked if that was a site specific entitlement.

Chris Davis asked about sewer in this area. Brent Pearce said the sewer ran along 200 West. Chris Breinholt said the sewer line in 200 West was a little undersized depending on the zoning and density. It was designed and laid out to serve this area. The density was first-come-first served. At some point Willard would have to upsize the sewer line. He didn't want to add areas below the line that it wasn't designed to serve. Eventually a sewer line would have to be extended to serve the area west of 200 West.



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Jim Flint asked Willard's urban zone. Chris Davis said it was R-1/2, half an acre. Jim Flint asked about the zoning that allowed the Deer Run and Granite Ridge Subdivision. Chris Davis said that zone did not exist any longer. Bryce Wheelwright said the PUD Ordinance had been repealed.

Chris Davis stated that right now the Ormond property could be rezoned from A-5 to R-1/2. A half-acre development wouldn't need green space.

Jim Flint felt the City would want a smaller zone so it could generate money to build another water tank.

Chris Davis stated that 200 West was being upgraded significantly. Right now it was a dirt road. By the end of the summer, it would be a paved City street that would extend from 750 North to the Perry City line. A 10-inch water line was being extended further north to serve the Kunzler property. It was wonderful that Nilson Homes had agreed to install the water tank, but it was only part of the puzzle. The cost to put in the water tank was about 1/3 of the cost to install the infrastructure. Chris Breinholt explained that to get water from the City's current well to the new tank and then down to distribution was \$1.8 million.

Chris Davis said the City was updating its water impact fees from \$3,618 to \$4,500/\$4,800. Water impact fees were being used to refund infrastructure costs to two developers. One developer paid for a water tank; another had paid for a water line extension.

Jim Flint asked why the development plan for the Kunzler property was vested while the plan for the Ormond property wasn't. Bryce Wheelwright said it had been three years since the Ormond plan was approved. Willard City's Zoning Ordinance said a subdivision approval was only good for one year. If work didn't commence on the subdivision within that year, its approval expired. Mr. Flint asked what the Kunzler's had done to keep their vesting status. Bryce Wheelwright said they had been continually trying to get a development agreement approved. Mr. Davis said the Kunzler's had been to the Planning Commission and City Council. Chris Breinholt said they had been meeting regularly with SLUA about water.

Chris Davis asked how far the Ormond's had gotten in the approval process. Bryce Wheelwright said they received approval from the Planning Commission, but they never submitted a development agreement for the City Council to approve. The Kunzler's were still trying to work out a development agreement with the City Council.

Jim Flint asked if they could squeeze in 30 half-acre lots without a tank. Chris Davis said the developers of the Deer Run Subdivision had paid for a capacity of about 300 lots. They had received approval for about 70 of those lots. They were entitled to water for approximately another 230 lots. The Deer Run and Granite Ridge Subdivisions were entitled to water in the new tank. Hypothetically, there was extra capacity for about 75 units in the tank. It was possible that something else could be developed and built before Deer Run needed their full 260 units. Chris Breinholt said it was a matter of timing. Once the City exceeded the excess capacity built into the reservoir, the City would be obligated to build another reservoir to provide the water Deer Run was entitled to.

Jim Flint asked how many lots could be built without the additional reservoir. Chris Davis said if Kunzler and Nilson Homes were excluded there was about 75 available lots. Chris Breinholt said that depended on how many building permits had already been issued because the supply was only guaranteed at the time a building permit was issued. Every building permit took away available capacity. There really wasn't a way for the City to provide an exact number.



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Jim Flint asked what would happen if a 30-lot half acre subdivision was submitted. Chris Breinholt said that right now it could be approved. However, it was possible construction could be halted before it was completed if there wasn't any available water.

Chris Davis said that Nilson Homes was willing to build a tank so they knew they would have 75 lots along with a guarantee for more lots somewhere down the road.

Chris Breinholt explained that Nilson Homes would put down money for the tank as soon as their development plans received approval. Chris Davis said part of the challenge with Nilson Homes was the cost to provide the rest of the water system. It was wonderful that Nilson Homes was willing to give the City for a water tank, but the City still had to figure out how to get water from the tank to Nilson's property.

Jim Flint summed up the discussion – the only available lot size was half an acre, and they were in a competitive situation for water.

Chris Davis said the City staff was working on some type of PUD ordinance, but it didn't know the timing. The City's General Plan consultant planned to begin working on the General Plan within the week. The City Council then had to decide whether to proceed with a PUD ordinance or wait until the General Plan was finished.

Chris Davis stated that if the City couldn't get the land and easements to build the tank, home building in Willard would end when the extra capacity of 75 lots was used up.

Jim Flint and Brent Pearce thanked SLUA for the succinct information.

2B. PRELIMINARY APPROVAL OF BURT JOHN MILLER SUBDIVISION LOCATED AT APPROXIMATELY 1469 HARGIS HILL ROAD (02-040-0002, 02-040-0011, AND 02-040-0039)

Bryce Wheelwright asked that this item be tabled because the applicant was not present.

Doug Thompson moved to table preliminary approval of Burt John Miller Subdivision located at approximately 1469 Hargis Hill Road because the applicant was not present. Chris Breinholt seconded the motion. All voted unanimously. The motion carried.

2C. APPROVAL OF APRIL 29, 2021, MINUTES

Chris Breinholt moved to approve the minutes of April 29, 2021, as written. Doug Thompson seconded Breinholt seconded the motion. All voted unanimously. The motion carried.

3. ADJOURN

Doug Thompson moved to adjourn at 2:44 p.m. Chris Breinholt seconded the motion. All voted unanimously. The motion carried.

Minutes were read individually and approved on: 8/19/21


Bryce Wheelwright, City Planner
dc:SLUA 05-06-2021


Michelle Drago, Deputy City Recorder