



WILLARD CITY
Subdivision Land Use Authority (SLUA) – Special Meeting
April 20, 2023, 2023 – 2:30 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
Bryce Wheelwright, City Planner
Chris Breinholt, City Engineer/Jones & Associates
Payden Vine, Public Works Director
Van Mund, Fire Chief
Michelle Drago Deputy City Recorder

Excused: Colt Mund, City Attorney

Others in attendance: Chris Marx.

1. CALL TO ORDER

Bryce Wheelwright, City Planner, called the meeting to order at 2:34 p.m. A roll call attendance was recorded by the secretary.

2A. CONSIDERATION OF A SKETCH PLAN AND A PRELIMINARY PLAN FOR THE XRAM SUBDIVISION LOCATED AT APPROXIMATELY 297 WEST 380 NORTH (PARCEL NOS. 02-046-0010, 02-046-0011, 02-046-0012, AND 02-044-0008)

Time Stamp – 0:36 04/20/2023

Bryce Wheelwright, City Planner, stated that the purpose of the meeting was to discuss a sketch plan for the Xram Subdivision located at 297 West 380 North (Parcel Nos. 02-046-0010, 02-046-0011, 02-046-0012, and 02-044,0008) which had been submitted by Chris Marx. Mr. Marx wanted to subdivide the land to supply some lots for his family and recoup some of its purchase cost. Mr. Marx had proposed two subdivision designs. Both contained eleven lots, but the first, and preferred, option ended with a cul-de-sac. The second option included two north/south roads. One was labeled 400 West. The other was labeled 500 West and was located at the very west end of the subdivision.

Chris Breinholt stated that there needed to be at least one north/south road through the subdivision in the area of 400 West. There was an existing 400 West at 200 North that could be continued north to 380 North. He would like to see 400 West continued north from 380 North, but he wasn't sure it could ever happen due to existing homes and natural barriers, such as a pond. Mr. Wheelwright agreed.

Chris Davis stated that UTA wanted to put in a road that would run along the railroad right-of-way from 750 North south to 600 South. He wasn't sure if that road would be called 500 West or something else. It would be many years before the road was actually built. He too felt that 400 West would not be able to continue north from 380 North because of the perpetual easement that Lynn Beard planned to place on his property. Bryce Wheelwright said Mr. Beard's conservation easement would prevent any development.

Van Mund, felt it would be advantageous to have 400 West continue north from 200 North to 380 North.



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Chris Breinholt felt 400 West would line up with the shop on Marvin Neff's property, located immediately to the south of the Xram Subdivision. He recommended that Lot 3 be replaced with a south stub for 400 West. He felt properties to the south, such as Bruce Keller's, could advantage of that street to develop. He hated to see the only north/south route between 200 West and 500 West eliminated. That was a long space without a tie in.

Bryce Wheelwright stated that not planning for 400 West might create more issues.

Van Mund stated that there was nothing worse than having a long drive end with cul-de-sac rather than a connection. If a stub road wasn't planned, a long cul-de-sac could end up extending north from 200 North rather than connecting with 380 North. If a connection between 200 North and 380 North was planned, he didn't feel it would have to continue further to the north.

Chris Breinholt felt it would be pointless to stub 400 West to the north. It would not be realistic.

Chris Marx stated that Gregg London and Bruce Keller were adamant that 400 West would never extend through their properties in their lifetimes. Marvin Neff felt the same way. Chief Mund stated Mr. London and Mr. Keller were both aging. It might not happen in their lifetimes, but the City had to plan for those who would purchase their properties in the future. Long term was longer than any of our lifetimes.

Chris Breinholt agreed.

Chris Marx asked if the City was going to force him to put in a stub for 400 West, did he have to pave it now. It was an improvement that might be needed for a long time. Chris Breinholt said it would be part of the subdivision improvements. Subdivision improvements were required by code.

Bryce Wheelwright stated improving the stub road was a requirement of the current Subdivision Ordinance. The SLUA did not have the authority to tell him he wouldn't have to pave the 400 West stub street.

Chris Marx asked who had the authority to waive the paving requirement. Bryce Wheelwright it would require appeal authority.

Chris Breinholt disliked stubbing a road right into Marv Neff's shop. He felt it made some sense to set aside a parcel for the future street and dedicate it to the City.

Chris Davis asked if the City's master road plan showed 400 West in this location. Bryce Wheelwright said it did. Mr. Davis said if the road had been planned, then perhaps the City could enter into a deferral agreement with Mr. Marx.

Bryce Wheelwright said the City had approved deferral agreements for curb and gutter. An agreement to defer street improvements might work in this case.

Michelle Drago, Deputy City Recorder, asked how the City could make sure it didn't end up paying for the street improvements in the future. Chris Davis felt the deferral agreement could stipulate that Chris Marx, or the current property owner, would be responsible to maintain the property and to put in the road improvements when the City required them to do so. Bryce Wheelwright felt that the agreement could also allow whoever purchased the lot to use and maintain the easement until the City needed it.

Chris Davis was excused at 3:47 p.m.



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Chief Mund said any the deferral would have to be approved by the Planning Commission and the City Council.

Bryce Wheelwright said the future road would have to be platted as City property.

Chris Breinholt stated that the subdivision would hook onto the existing sewer line in 380 North. The proposed subdivision layout meant the sewer line would run right through the middle of the large lot because the sewer continued west to the tracks.

Chief Mund asked about water. Chris Breinholt said the water line in 380 North was an 8-inch line. The proposed subdivision layout meant the water line would be a long dead end. Mr. Wheelwright asked if the water line needed to be looped. Mr. Breinholt said it did, but he wasn't sure how it could be looped right now. Mr. Wheelwright said the line could be flushed if there was a hydrant at the end of the cul-de-sac.

Chief Mund said the subdivision would need at least two hydrants. Chris Marx said there was an existing hydrant at the end of the existing street improvements on the north side. Chief Mund said one hydrant would need to be located where the future 400 West would be stubbed and another one at the end. Hydrants were easier to locate at corners than in the middle of the block,

Bryce Wheelwright said that Chris Marx did have water rights to give the City.

Bryce Wheelwright asked if Chris Marx would be required to put improvements in for the future 500 West. Chris Marx stated that he did not intend to build down that far at this time. Chris Breinholt recommended that 500 West be built. It would continue north and south, and it would be built much sooner than 400 West would.

Chris Marx stated that he planned to build his house on the largest lot and keep it in the green belt. If he built 500 West, he would lose the green belt designation. During his lifetime, that lot would remain in the green belt. Chris Breinholt stated that a temporary turnaround would be required at the west end of 380 North.

Chief Mund felt that 500 West could be part of a future, distant phase.

Chris Breinholt asked that the future configuration of 500 West be shown on the plan.

Chief Mund stated that 380 North did not have curb and gutter. Chris Marx asked that he be allowed to continue the road without curb and gutter. He like the Willard feel - the open feel of no curb.

Mr. Wheelwright said the City's current Subdivision Ordinance required curb and gutter. Mr. Marx would have to request approval of a deferral agreement from the Planning Commission and City Council. Chief Mund stated that curb and gutter meant providing somewhere for the storm water to go.

Chris Marx suggested that curb and gutter could be required when 400 West developed, or when Phase 2/500 West was built.

Chris Breinholt stated that the problem with no curb and gutter was that there wasn't anywhere for snow melt or running water from storms to go. Those problems had led cities to require curb and gutter because swales were difficult to enforce.



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Chief Mund asked how wide the road easement would be. Chris Breinholt said the existing right-of-way width was 60 feet. Chris Marx said he planned to match the existing road.

Chief Mund asked if 500 West would be a collector street. Bryce Wheelwright said it would be. A collector street was 66 feet wide. Chief Mund said Mr. Marx could request that curb and gutter be deferred because 380 North was not planned as a collector street.

Bryce Wheelwright stated that he would have to talk to the City Attorney about deferring curb and gutter. Deer Run and other subdivisions had been required to put those improvements in. It needed to be fair for everyone.

Chris Breinholt asked if the subdivision complied with current zoning. Chris Marx said he had been told the zoning was half acre so that is how he designed the subdivision. Bryce Wheelwright stated that the proposed subdivision was currently zoned A-5. The Future Land Use Map showed half of it with half-acre zoning. He felt half-acre zoning made sense given the large conservation easement going in to the north. The first thing Chris Marx needed to do was request a rezone to R½.

Payden Vine, Public Works Director, did not want to take care of a stub road. Chris Marx asked how wide the stub easement needed to be. Bryce Wheelwright said it needed to be 60 feet wide.

Chris Breinholt asked about the private lane that was shown. Chris Marx said Marv Neff used it to get to his pond. He had spoken with Mr. Neff about creating an easement for him across the first two lots.

Michelle Drago asked if this subdivision would have to have a second emergency access easement. Chief Mund stated the maximum number of homes allowed without a secondary access was 31. The total number of lots on this road would be seventeen. A second emergency access would not be needed.

Bryce Wheelwright stated that this was a concept review. After SLUA, the concept plan and rezone would be discussed by the Planning Commission.

The SLUA asked that the concept plan be revised to show the 400 West stub street; deferral requests for curb and gutter, and 400 West road improvements, and non-extension of 400 West to the north; rezone; and the future 500 West.

Chris Marx asked if he was supposed to prepare the deferral agreements. Bryce Wheelwright said Chris Marx would make a deferral request. If it was approved, the City Attorney would prepare the agreements.

2C. APPROVAL OF THE MARCH 23, 2023, MINUTES

Van Mund moved to approve the minutes of March 23, 2023, as written. Chris Breinholt seconded the motion. All voted “aye.” The motion passed.

3. ADJOURN

Chris Breinholt moved to adjourn at 3:11 p.m. Payden Vine seconded the motion. All voted “aye.” The motion passed unanimously.



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Minutes were read individually and approved on:

4/27/23

Bryce Wheelwright
Bryce Wheelwright, City Planner

Michelle Drago
Michelle Drago, Deputy City Recorder

dc:SLUA 04-20-2023

