

Willard City Corporation

80 West 50 South
Box 593



Willard, Utah 84340
(435)734-9881

NOTICE

Notice is hereby given that the Subdivision Land Use Authority (SLUA) of the Willard City Corporation will hold a special meeting at the Willard City Hall, 80 West 50 South, on Thursday, June 23, 2022. Said meeting shall start at 2:00 p.m.

Agenda is as follows:

1. Call to order:

2. Business:

- a. Consideration of final approval of Deer Run Phase 2 Part 1 located at approximately 700 South 100 West (Parcel No. 02-052-0006, 02-052-0008, 02-052-0040)
- c. Approval of May 19, 2022, minutes

3. Adjourn

SLUA Meetings: Held as needed based on applications.

I, the undersigned duly appointed and acting Deputy City Recorder for Willard City Corporation, hereby certify that a copy of the foregoing notice was posted at the Willard City Hall, on the State of Utah Public Meeting Notice website <https://www.utah.gov/pmn/index.html>, on the Willard City website www.willardcity.com, and sent to the Box Elder News Journal this 21st of June, 2022.

/s/ Michelle Drago

Deputy City Recorder

NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS - In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Office at 80 West 50 South, Willard, Utah 84340, phone number (435) 734-9881, at least three working days prior to the meeting.



Address, Street, Place



LANDMARKING INC

HEMON RANDALL CHARLES

WILLARD BAY CROSSINGS LLC
02-052-0006

WILLARD BAY CROSSINGS LLC
02-052-0006

WILLARD BAY CROSSINGS LLC
02-052-0007

WILLARD BAY CROSSINGS LLC
02-052-0008

WILLARD BAY CROSSINGS LLC
02-052-0105

WILLARD BAY CROSSING LLC
02-052-0110

LAND MARKETING INC
02-052-0105

100m
300ft

41.39485 -112.03406 Degrees





WILLARD CITY
Subdivision Land Use Authority (SLUA) – Special Meeting
May 19, 2022 – 2:00 p.m.
Willard City Hall – 80 West 50 South
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1 The meeting was a special meeting designated by resolution. Notice of the meeting was provided 24 hours
2 in advance. A copy of the agenda was posted at the City Hall and on the State of Utah Public Meeting
3 Notice Website.

4
5 The following members were in attendance:

6
7 Chris Davis, City Manager
8 Bryce Wheelwright, City Planner
9 Chris Breinholt, City Engineer/Jones & Associates
10 Payden Vine, Public Works Director
11 Michelle Drago Deputy City Recorder

12
13 Excused: Colt Mund, City Attorney; and Van Mund, Fire Chief.

14
15 Others in attendance: Kirk Young, Land Marketing, and Marshae Stokes, Heritage Land Development.

16
17 1. CALL TO ORDER

18
19 Bryce Wheelwright called the meeting to order at 2:07 p.m. A roll call attendance was recorded by the
20 secretary.

21
22 2A. CONSIDERATION OF FINAL APPROVAL OF DEER RUN PHASE 1 PART 3 AND PHASE 1 PART
23 4 LOCATED AT APPROXIMATELY 825 SOUTH 200 WEST (PARCEL NO. 02-052-0109)

24
25 Time Stamp – 05/19/2022 0:42

26
27 Bryce Wheelwright stated that Land Marketing was requesting final approval of Deer Run Phase 1 Parts 3
28 and 4 located at approximately 825 South 200 West.

29
30 Chris Breinholt, City Engineer/Jones & Associates, stated that everything had been reviewed. He did not
31 have any issues.

32
33 Payden Vine, Public Works Director, did not see any issues.

34
35 Michelle Drago, Deputy City Recorder, did not have any concerns.

36
37 Chris Davis, City Manager, asked when construction would begin on 600 South. Kirk Young stated that
38 installation of the water line on 600 South had started. He needed to schedule a SLUA meeting to start the
39 approval process for Phase 2 Part 1.

40
41 Chris Davis asked a question from Councilman John Seamons regarding the UTA trails. Did UTA still want
42 to acquire trail property from Deer Run? Kirk Young said he had not talked to UTA since he had spoken
43 with the City. He planned to start landscaping in the fall. His plan included a trail on the south half around
44 Phase 3.

45
46 Chris Davis stated that the City would be working with UDOT to apply for grant funding for a trail.

47
48 Bryce Wheelwright stated that Box Elder County had a Master Trail Plan that included the Historic Orchard
49 Pathway (HOP) Trail; a non-motorized trail that would extend north from the Weber County line to Brigham



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50 City. In Willard, the HOP Trail would run along 200 West. A portion of the trail along 200 West had been
51 completed north of 750 North to the Perry City border. The Legislature recently authorized \$40 million in
52 grant funding for trail projects. Municipalities who wanted to be involved needed to come up with a 20%
53 match. The match could be 'in kind' or property. The City would like to extend the pathway south through
54 town along 200 West, which would be through the Deer Run and The Orchards Subdivisions. The City
55 hoped the sidewalk installed in Deer Run and The Orchards could be part of the trail, and possibly a bike
56 lane.

57
58 Kirk Young thought the trail was going to be along the railroad tracks in the railroad corridor. His plans
59 included a park and connecting trails in the railroad corridor. There would be sidewalk on 200 West, but not
60 a trail.

61
62 Bryce Wheelwright asked if it would be possible to do have a little wider sidewalk on 200 West; maybe a
63 foot wider. Mr. Young said he would have to see how much room they had. He didn't want to have to redo
64 any engineering, but he was happy to help if he could.

65
66 Kirk Young asked if he needed to do a trail on the railroad corridor. Chris Davis said he would get in touch
67 with UTA. If the HOP Trail was located on 200, it might circumvent UTA's trail. The Rail Trail followed the
68 railroad. If the HOP Trail became the primary trail, he didn't think there would be a need for parallel trails.
69 Bryce Wheelwright felt the HOP Trail would eventually tie into the Rail Trail further south of the Deer Run
70 Subdivision. The trail Mr. Young planned in the Deer Run Subdivision would a fun neighborhood trail. Mr.
71 Davis said UTA might not need as much right-of-way from the Deer Run Subdivision if the HOP Trail
72 replaced the Rail Trail.

73
74 Kirk Young understood there would be a big water line through the UTA right-of-way. Chris Davis said that
75 when UDOT owned the right-of-way, the Division of Water Rights wanted to use it. The two parties had
76 been working together. After UTA purchased the right-of-way, they parted ways. UTA was now only looking
77 at the width they needed – 60 to 70 feet. Bryce Wheelwright said the Division of Water was considering a
78 different route.

79
80 Bryce Wheelwright stated that he had not heard from the Fire Department or the City Attorney.

81
82 Mr. Wheelwright asked if Kirk Young had any questions about the escrow amount. Kirk Young said the
83 engineer's estimate included improvements for Phase 3 that had been completed. Zac Burke, from Jones
84 & Associates, was going to adjust the estimate. Mr. Young said he would bring up a check and a signed
85 bond agreement when the estimate was adjusted. He also needed to change the name on the agreement
86 to Land Marketing, Inc., which was their development company.

87
88 Chris Davis asked about the locations of the different phases. Kirk Young said Phase 2 Part 1 was located
89 on Highway 89 and 600 South. Mr. Davis asked if all of the patio homes would be sold to one developer.
90 Kirk Young said the patio homes were currently under contract to Richmond American Homes, who was
91 also interested in the rest of the project.

92
93 **Chris Davis moved to grant final approval of Deer Run Phase 1 Parts 3 and 4 subject to receipt of**
94 **the escrow funds and bond agreement. Payden Vine seconded the motion. All voted "aye." The**
95 **motion passed unanimously.**

96
97 Kirk Young submitted a check for outstanding engineering fees. In response to a question from Bryce
98 Wheelwright, he said he would drop off payment of water shares to Kelly Facer.



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99 2B. CONSIDERATION OF FINAL APPROVAL OF THE ORCHARDS AT WILLARD PHASE 2
100 LOCATED AT APPROXIMATELY 300 SOUTH 200 WEST (PARCEL NOS. 02-051-0086, 02-051-
101 0087, 02-051-0164, AND 02-051-0236)
102

103 Bryce Wheelwright stated that Heritage Land Holding was requesting final approval of The Orchards at
104 Willard Phase 2, which was located at approximately 300 South 250 West. Phase 1 fronted 200 West and
105 was pretty much completed. Phase 2 would be located just west of Phase 1.
106

107 Chris Breinholt stated that the construction drawings had been reviewed and approved. He asked about
108 the final plat.
109

110 Marshae Stokes, Heritage Land Holdings, stated that Zac Burked had reviewed the final plat. They made
111 the changes he requested and resubmitted it. They had received an email from Zac stating it was ready for
112 final approval.
113

114 Payden Vine did not have any issues.
115

116 Michelle Drago asked if Heritage Land Holding had any outstanding engineering fees. Chris Davis said they
117 did not.
118

119 Chris Davis did not have any concerns.
120

121 Bryce Wheelwright asked about the status of the water rights. Marshae Stokes stated that their attorney
122 was finishing the declaration. When preparing the declaration he also wanted to take into consideration any
123 other property they would be allotting water rights to. Their attorney had asked if the City had told them how
124 much water they needed to provide for Phase 2. She had not seen a specific number from the City. Garth
125 Day had told her there was some unanswered questions about how the water was measured.
126

127 Chris Breinholt stated that the City code required one acre foot of water per lot.
128

129 Chris Davis said Heritage Land Holding needed to provide one acre foot of water per lot for all of the lots in
130 Phases 1 and 2 because the City hadn't seen any water rights for Phase 1. Garth Day had talked about
131 having the water banked.
132

133 Marshae Stokes stated that according to the Division of Water Quality they had 209 acre feet of water.
134 Their attorney was trying to figure out how much water was allotted to the wells. How much water actually
135 came up? How much water would they have to pump? They still planned to bank the excess water. The
136 attorney was trying to factor out how much was needed for Phases 1 and 2 and how much would have to
137 be banked. Her company was trying to figure out if they would have enough water to support other
138 properties they were looking at that might not have any. If she could give the attorney answers after this
139 meeting, she hoped the declaration would be finished in the next week.
140

141 Marshae Stokes asked if the City Engineer had sent an official memo stating how much water was needed,
142 or did they just reference the City code. Mr. Breinholt said they just referenced the code.
143

144 Chris Davis said there was a gentleman from Willard by the name of Jim Riley who had looked at all of the
145 water rights in Willard City and who currently owned them. Mr. Riley had provided the City with a report.
146 The City Engineer wasn't sure what the report was supposed to mean. Mr. Riley needed to come back and
147 explain his findings to the City. Chris Breinholt had indicated that based on what was in the Master Plan,



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148 the City may not need to, and may not be able to legally, require an acre foot per lot. That was why Garth
149 Day felt there was some question. Right now the City requirement was one acre foot of water per lot. That
150 might change in the future, but the City staff did not know what or how it would change.

151
152 Chris Breinholt stated that the General Plan needed to be updated was well.

153
154 Marshae Stokes stated that the plan for future phases of The Orchards would be based on the MPC Zone
155 that Willard City recently adopted. They were working with UTA to make sure UTA had the right-of-way it
156 needed and wanted. They were also working with the Harding's and Crossing's which would play a role in
157 how they continued to route the sewer.

158
159 Chris Davis asked about the zoning on the balance of the property owned by Heritage Land Holding. Bryce
160 Wheelwright said it was currently zoned R ½.

161
162 Marshae Stokes realized they would have to rezone their property from R ½ to MPC. She thought Garth
163 Day had shared their overall development plan with the City. It had a lot of knuckles she hoped could be
164 tweaked. Their attorney was aware of the density they were aiming for. Their goal was to have plenty of
165 water.

166
167 Marshae Stokes asked if it would be a problem for their excavation crew to begin demolition work. Did they
168 need a demolition permit? Bryce Wheelwright said they could do demolition work on their own property.
169 Marshae Stokes said they would be removing the trailer and the back part of the newer building to make
170 room for street improvements. Based on their agreement with Mr. Lemon, Lot 107 would be sold last. They
171 had agreed to leave two of the buildings for Randy Lemon throughout the summer.

172
173 Marshae Stokes said they would finalize the water declaration with the information provided about one acre
174 foot per lot, and they would finalize the escrow agreement. Now they had Zac's approval of the final plat,
175 they could print a mylar.

176
177 Marshae Stokes asked if the City had a standard a pioneering agreement they could use for the south side
178 of 420 West in Phase 2. Bryce Wheelwright said she would have to talk with the City Attorney. Ms. Stokes
179 said she could send the City a sample pioneering agreement. Mr. Davis said that would be fine.

180
181 Marshae Stokes estimated that site work would begin on June 15th based on material availability.

182
183 **Chris Davis moved to grant final approval of The Orchards at Willard Phase 2 subject to finalization**
184 **of the water declaration, finalization of the escrow, printing and receipt of the final mylar, and the**
185 **pioneering agreement. Chris Breinholt seconded the motion. All voted "aye." The motion passed**
186 **unanimously.**

187
188 2C. APPROVAL OF THE APRIL 21, 2022, MINUTES

189
190 **Chris Davis moved to approve the minutes of April 21, 2022, as written. Payden Vine seconded the**
191 **motion. All voted "aye." The motion passed unanimously.**

192
193 3. ADJOURN

194
195 **Michelle Drago moved to adjourn at 2:31 p.m. Chris Davis seconded the motion. All voted "aye."**
196 **The motion passed unanimously.**



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197 Minutes were read individually and approved on: _____

198
199
200
201
202
203
204

Bryce Wheelwright, City Planner

Michelle Drago, Deputy City Recorder

dc:SLUA 05-19-2022

DRAFT