



Notice is hereby given that the
WILLARD CITY PLANNING COMMISSION
Will meet in a regular session on
Thursday, April 15, 2021– 6:30 p.m.
Willard City Hall, 80 West 50 South
Willard, Utah, 84340

AGENDA

(Agenda items may or may not be discussed in the order they are listed and may be tabled or continued as appropriate.) Public Comment may or may not be taken

1. Prayer
2. Pledge of Allegiance
3. Roll Call
4. General Public Comment (Input for items not on the agenda)
5. Discussion/Action Items
 - a. Consideration of a Conditional Use Permit for Morgan Palmer for an event center located at approximately 683 North Main (02-046-0102)
 - b. Consideration of a request from Trisha Heath (Barker/Braegger) to rezone property located at approximately 110 South 250 West (02-054-0003) from A5 to R 1/2
 - c. Discussion with Jerome Jenkins regarding access to 13 acres located at approximately 625 South 400 East (02-049-0006)
 - d. Consideration of Lot Line Adjustment for David Grant located at approximately 488 South Main (02-052-0023 and 02-052-0039)
6. Consideration and approval of the April 1, 2021, regular Planning Commission minutes
7. Commissioner/Staff Comments
8. Adjourn

I, the undersigned duly appointed and acting Deputy City Recorder for Willard City Corporation, hereby certify that a copy of the foregoing notice and agenda was posted at the City Hall and on the State of Utah Public Meeting Notice Website this 9th day of April, 2021.

/s/ Michelle Drago

Deputy City Recorder

Individuals with questions, comments, or needing special accommodations pursuant to the Americans with Disabilities Act regarding this meeting may contact Michelle Snarr at (435) 734-9881. I, the undersigned duly appointed and acting Deputy City Recorder for Willard City Corporation, hereby certify that a copy of the foregoing notice and agenda was posted at the City Hall and on the State of Utah Public Meeting Notice Website this 9th day of April, 2021

/s/ Michelle Drago
Deputy City Recorder

**WILLARD CITY PLANNING COMMISSION
APPLICATION FOR PLANNING COMMISSION HEARING**

Application Date: 2-9-21

Assessor's Parcel Number _____

Applicant:

Damon & Morgan Palmer

Parcel Legal Description _____

Mailing Address

1082 North Main
Street Willard

Morgan Palmer

I hereby request a hearing before the
Willard City Planning Commission in
behalf of my application for:

Project Address

Same

☒ Conditional Use Permit \$25 Fee

445-225-16074

Phone Number

801-710-2906

☐ Lot Line Adjustment \$25 Fee

Cell Phone

☒ Other Fee variable, \$25 Min.

REZONE

NOTE: Fees will be charged on each application and are non-refundable. Additional applications on the same project will be considered as new applications and be charged accordingly. All applications, with required data and fees, must be filed in the Willard City Office at least two weeks prior to the scheduled hearing date.

Project description: (Attach additional sheets, as required.)

Complete Applicant Affidavit on back of this page.

- REZONE from residential to commercial
- Conditional use permit for Palmer Barn LLC

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) Morgan Palmer, being duly sworn, depose and say that I: (we) am (are) the owner(s)*, or authorized agent(s) of the owner, of property located at 603 N Main Street in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED Morgan Palmer
Property Owner(s)

AGENT _____

Subscribed and sworn before me this 9 day of February 2021

[Signature]
Notary Public



Residing in Brigham City
My commission expires: 11/26/2021

* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

AGENT AUTHORIZATION

I, (we) _____, the owner(s) of real property described above, hereby appoint _____, as my (our) agent(s) to represent me (us) with regard to this application affecting the above described real property, and do authorize them to appear on my (our) behalf before any Willard City Boards considering this application.

SIGNED _____
Property Owner(s)

Subscribed and sworn before me this _____ day of _____ 20 ____

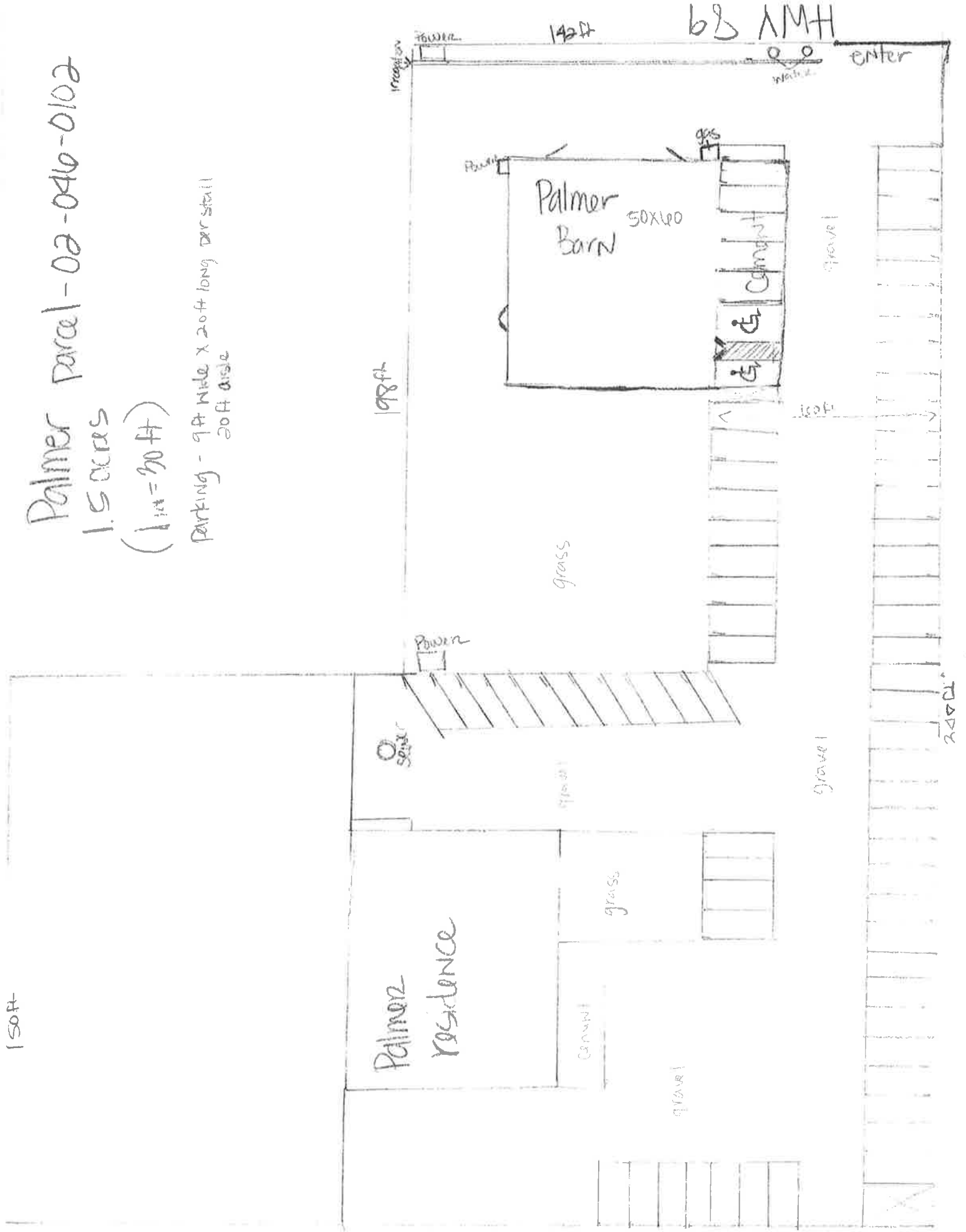
Notary Public

Residing in _____
My commission expires: _____

150 ft

Palmer Parcel - 02-040-0102
1.5 acres
(1 in = 20 ft)

Parking - 9 ft wide x 20 ft long per stall
20 ft aisle



RECEIVED DEC 31 2020 WILLARD CITY PLANNING COMMISSION
RE-ZONE APPLICATION

0202 0 8 030 RECEIVED DEC 31 2020
Application Date

12-29-2020

Applicant

Trisha Heath

Mailing Address

90 W 100 S

Willard, UT 84340

Assessor Parcel Number *

02-054-0003

Parcel Legal Description*

See attached

AS
Present Zone

R-1/2
Proposed Zone

Phone Number

435-730-8000

Cell Phone

This completed application, must be submitted at least 15 days prior to the April or October Planning Commission meeting and be accompanied by:

- 1) Proof of ownership.*
- 2) Non-refundable application fee of \$125.00.
- 3) Written petition designating the change desired and the reason for such change, bearing the signature(s) of the fee title owner(s) of the parcel or designated agent. (See reverse of this form for required Applicant's Affidavit.)
- 4) List of all property owners within 1/4 mile of the parcel.*
- 5) Map (Assessor's Plat* or suitable drawing) of the proposed re-zone area, annotated to show the location and boundaries of the parcel to be re-zoned.
- 6) If a subdivision is planned, supply sketch of possible subdivision, to show compatibility with existing and planned infrastructure, with emphasis on roads, water supply and other utilities.

* Available at the office of the Box Elder County Registrar, 01 South Main Street, Brigham, Utah, 84302

Project Summary

(Please use additional pages as necessary to adequately address the answers.)

1. Location Map (showing nearest cross streets):

See attached maps

2. Site Address/Description:

110 S. 250 W. Willard, Utah

3. Parcel Number(s):

02-054-0003

4. Current and Proposed Zoning by parcel number and area in acres:

8 acres to Residential land

5. Road Access Provided:

Road access would be 4th West, with ~~an easement~~ a private rightaway (easement) extending up the south side of the property and then along the east side of the property to 250 W.

6. Utility Plan:

*Sewer has already been ~~to~~ put through the property
Power and gas would be extended from 4th West*

7. Reason for the requested change:

Selling some of the property for a home to be built on it

8. Impacts (financial and other) of the change to surrounding properties and the city as a whole:

APPLICANT'S AFFIDAVIT

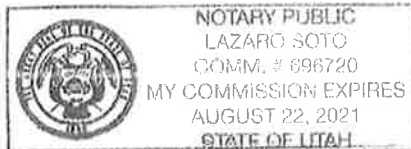
STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) Trisha Heath, being duly sworn, depose and say that I, (we) am (are) the owner(s)*, or authorized agent(s) of the owner, of property located at 110 S 250 W Willard UT in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED Trisha Heath Trisha Heath
Property Owner(s)

AGENT _____

Subscribed and sworn before me this 31st day of December 2020



[Signature]
Notary Public

Residing in Brigham City
My commission expires: August 22, 2021

* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

AGENT AUTHORIZATION

I, (we) _____, the owner(s) of real property described above, hereby appoint _____, as my (our) agent(s) to represent me (us) with regard to this application affecting the above described real property, and do authorize them to appear on my (our) behalf before any Willard City Boards considering this application.

SIGNED _____
Property Owner(s)

Subscribed and sworn before me this _____ day of _____ 200__

Notary Public

Residing in _____
My commission expires: _____



WILLARD, BOX ELDER COUNTY, UTAH
A PART OF THE NORTHEAST QUARTER OF SECTION 27,
TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN

THE PURPOSE OF THIS SURVEY WAS TO CREATE A NEW LOT SUBDIVISION FROM PROPERTY TAXAL IN U.S. 02-464-0003 AND TO ESTABLISH AND SET THE PROPERTY CORNERS AS SHOWN ON AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY BOB BRACGORE, THE CONTROL SURVEYOR, AND WAS CONDUCTED BY JOHN W. ROSE, JR., A PROFESSIONAL SURVEYOR, IN THE CENTURY NO. 225251, THE OFFICIAL MILLARD CITY PLAT AND ROSE'S 025109-1778 & 014648-1779 ALONG WITH THE EXISTING RAW ELMER COUNTY SURVEY MONUMENTATION SURROUNDING SECTION 26 AND 27N, 20W, 24E, SUBURBAN.

NOTES:

1. BUILD TO AVOID FLOODING.
2. THE SUBJECT PROPERTY DOES NOT FALL WITHIN THE 100 YEAR FLOOD PLAIN.
3. ALL PUBLIC UTILITY EASEMENTS (P.U.E.) ARE 10.00 FEET WIDE UNLESS NOTED OTHERWISE.

REMAINDER PARCEL BOUNDARY DESCRIPTION

[illegible]

ACKNOWLEDGMENT

STATE OF UTAH

ON THIS DAY OF 2021, TRISHA A. HEATH, PERSONALLY AND UNREPRESENTED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, COUNTY OF BOZ FLORER, IN THE STATE OF UTAH, THE SIGNER OF THE ATTACHED OWNERSHIP DOCUMENT, ONE IN NUMBER, WHO DULY ACKNOWLEDGED TO ME SHE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSE THEREIN MENTIONED.

NOTARY PUBLIC

ENGINEER'S CERTIFICATE

APPROVED AS TO FORM AND CONTENT BY _____, A.D., 2021.

APPROVAL AND ACCEPTANCE

PRESENTED TO THE WILLARD CITY COUNCIL THIS _____
OF _____ A.D., 2021, AT WHICH TIME
SUBDIVISION WAS APPROVED AND ACCEPTED.

TEST:

CLERK	MAJOR
-------	-------

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____ A.D.,
2021, BY THE WILLARD CITY PLANNING COMMISSION.

DATE	CHANGING
------	----------

COUNTY RECORDER'S NO.

STATE OF UTAH, COUNTY OF BOX ELDER, RECORDED AND
FILED AT THE REQUEST OF

DATE	TIME	OFF

© 2006 The Authors
Journal compilation © 2006 Blackwell Publishing Ltd

001_____

SAVED TO THE FILE OF PLAYS

COUNTY RECORDER

**WILLARD CITY PLANNING COMMISSION
APPLICATION FOR PLANNING COMMISSION HEARING**

Application Date: 4/2/2021

Assessor's Parcel Number

Applicant: Jerome Jenkins

02-049-0006

Mailing Address

Parcel Legal Description

150 E 600 S
Willard Ut, 84340

13 acres
RR-10

Project Address

I hereby request a hearing before the Willard City Planning Commission in behalf of my application for:

≈ Haul Rd. (625s) 400 E.

☐ Conditional Use Permit \$25 Fee

Phone Number (801) 866-7456

☐ Lot Line Adjustment \$25 Fee

Cell Phone (801) 866-7456

☒ Other Fee variable, \$25 Min.

Jenkins.engineering@gmail.com

Complaint against Granit Ridge Plan

NOTE: Fees will be charged on each application and are non-refundable. Additional applications on the same project will be considered as new applications and be charged accordingly. All applications, with required data and fees, must be filed in the Willard City Office at least two weeks prior to the scheduled hearing date.

Project description: (Attach additional sheets, as required.)

Complete Applicant Affidavit on back of this page.

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

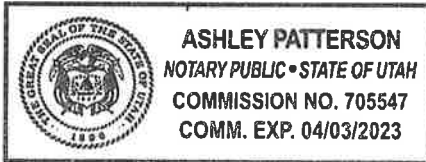
I, (we) Jerome Jenkins, being duly sworn, depose and say that I, (we) am (are) the owner(s)*, or authorized agent(s) of the owner, of property located at ~ 625 S 400 E parcel # 02-049-0006 in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED _____

Property Owner(s)

AGENT _____

Subscribed and sworn before me this 2 day of April 2021



Ashley Patterson
Notary Public

Residing in ogden, Utah

My commission expires: 04/03/2023

* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

AGENT AUTHORIZATION

I, (we) _____, the owner(s) of real property described above, hereby appoint _____, as my (our) agent(s) to represent me (us) with regard to this application affecting the above described real property, and do authorize them to appear on my (our) behalf before any Willard City Boards considering this application.

SIGNED _____

Property Owner(s)

Subscribed and sworn before me this _____ day of _____ 20 ____

Notary Public

Residing in _____

My commission expires: _____

XBP Confirmation Number: 97163770

**Receipt for Payment to:
Willard City**

Date/Time: 04/05/2021 4:16:11 PM
Transaction #: 145889465PT
Payment Method: Visa
Transaction Status: Successful

Items

CHARGES PC 25.00

Total: 25.00

JEROME CLYDE JENKINS 84340

**Receipt for Payment to:
Willard City**

Date/Time: 04/05/2021 4:16:12 PM
Transaction #: 145889468PT
Payment Method: Visa
Transaction Status: Successful

Items

SERVICE FEE 1.25

Total: 1.25

JEROME CLYDE JENKINS 84340

**Payment Service Provided By
www.xpressbillpay.com**

**Granite Ridge Development and
Staker Parson blocking access to**

Jenkins land

13 acres

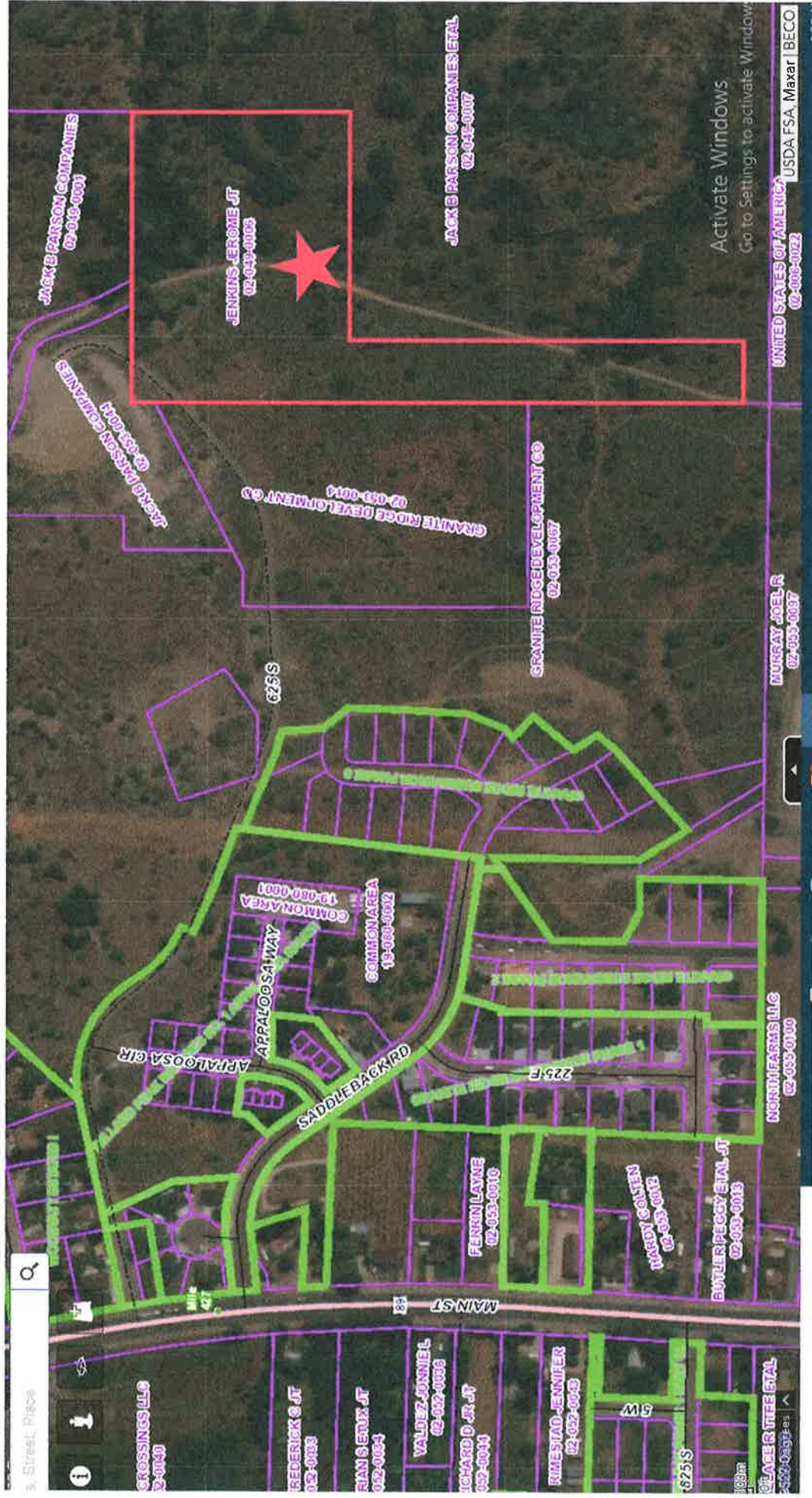
Parcel # 02-049-0006

**Seeking Assistance/Direction
from City**

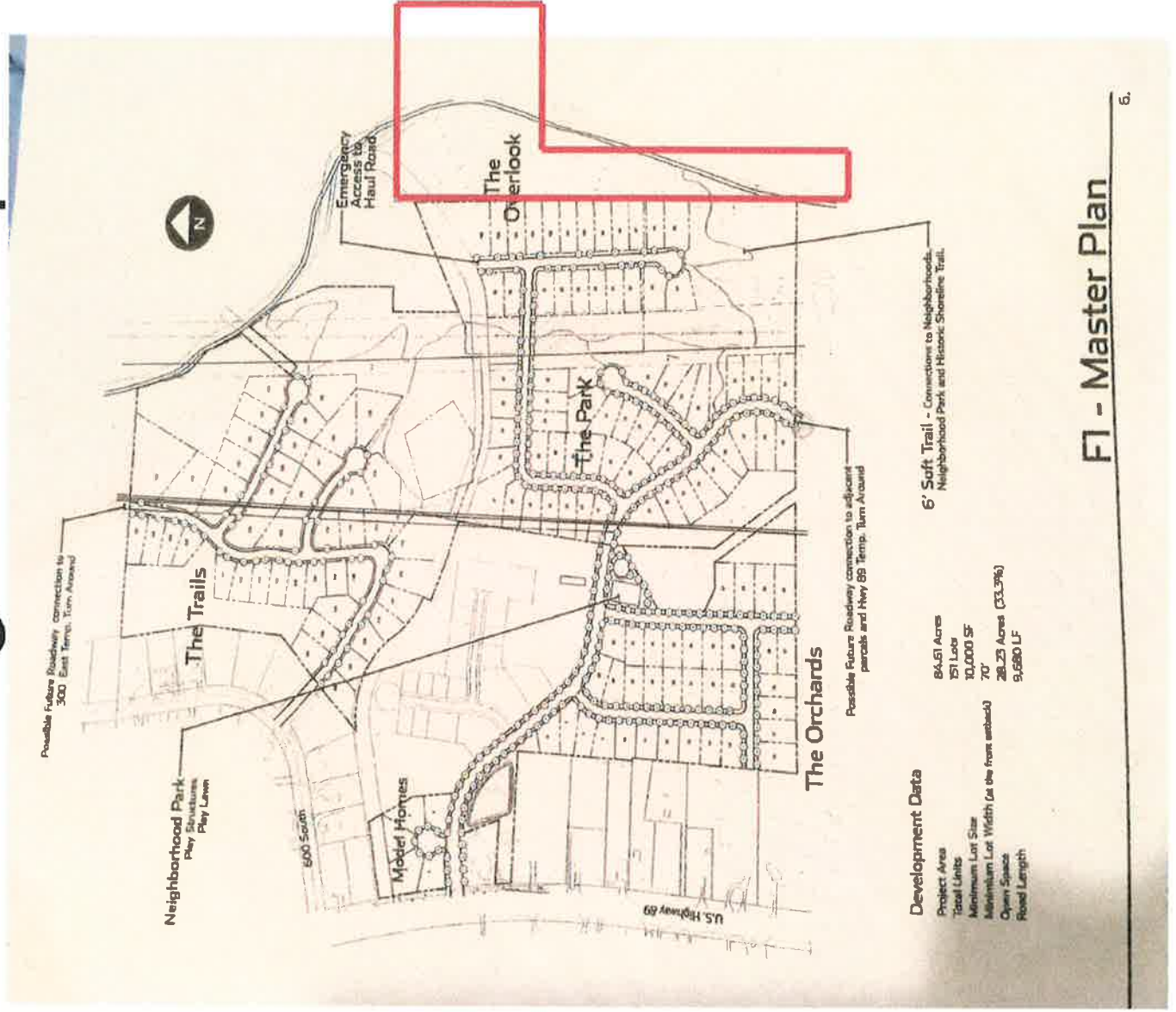
Jerome & Angela Jenkins

801-866-7456

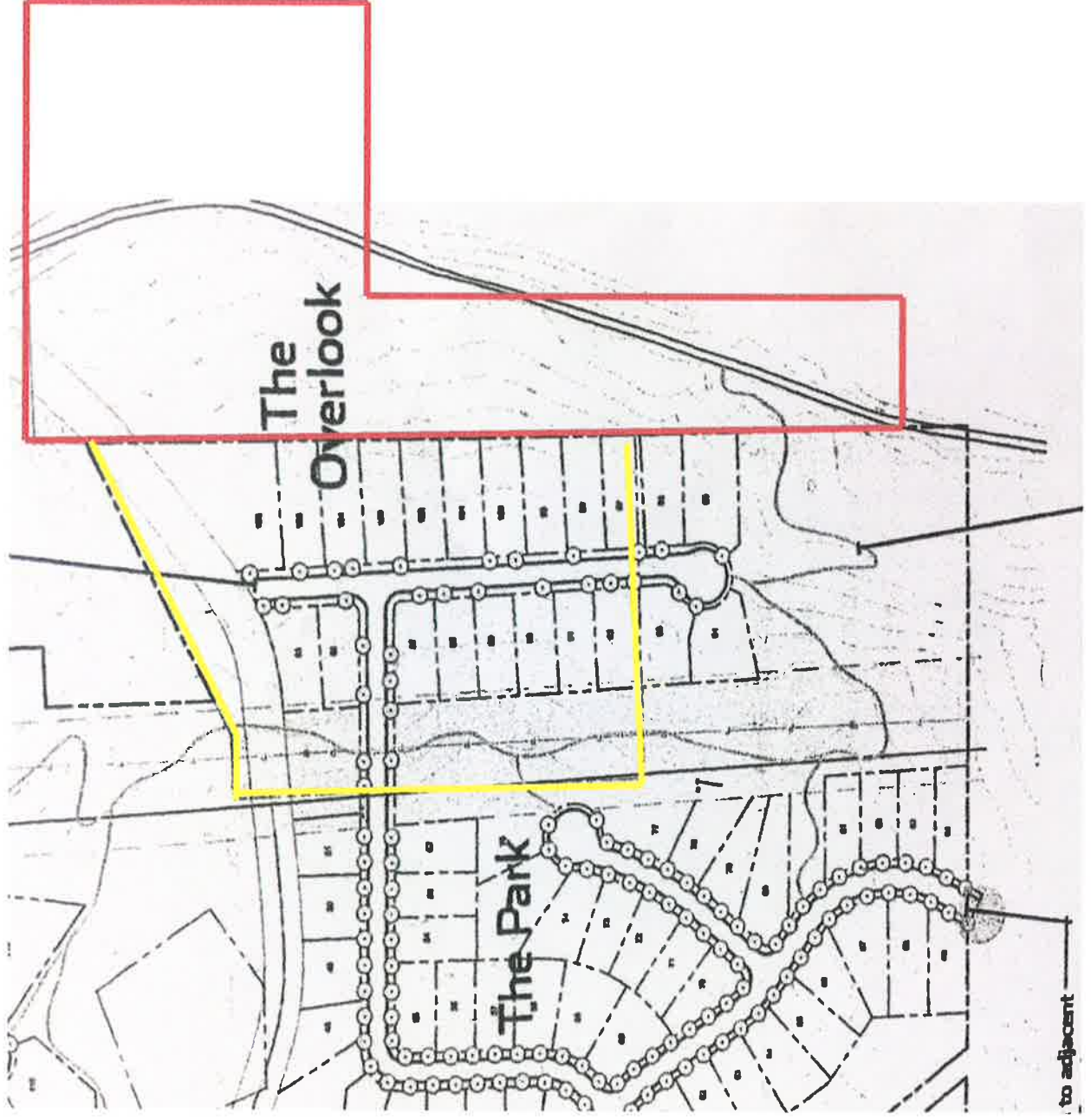
13 acres Parcel # 02-049-0006



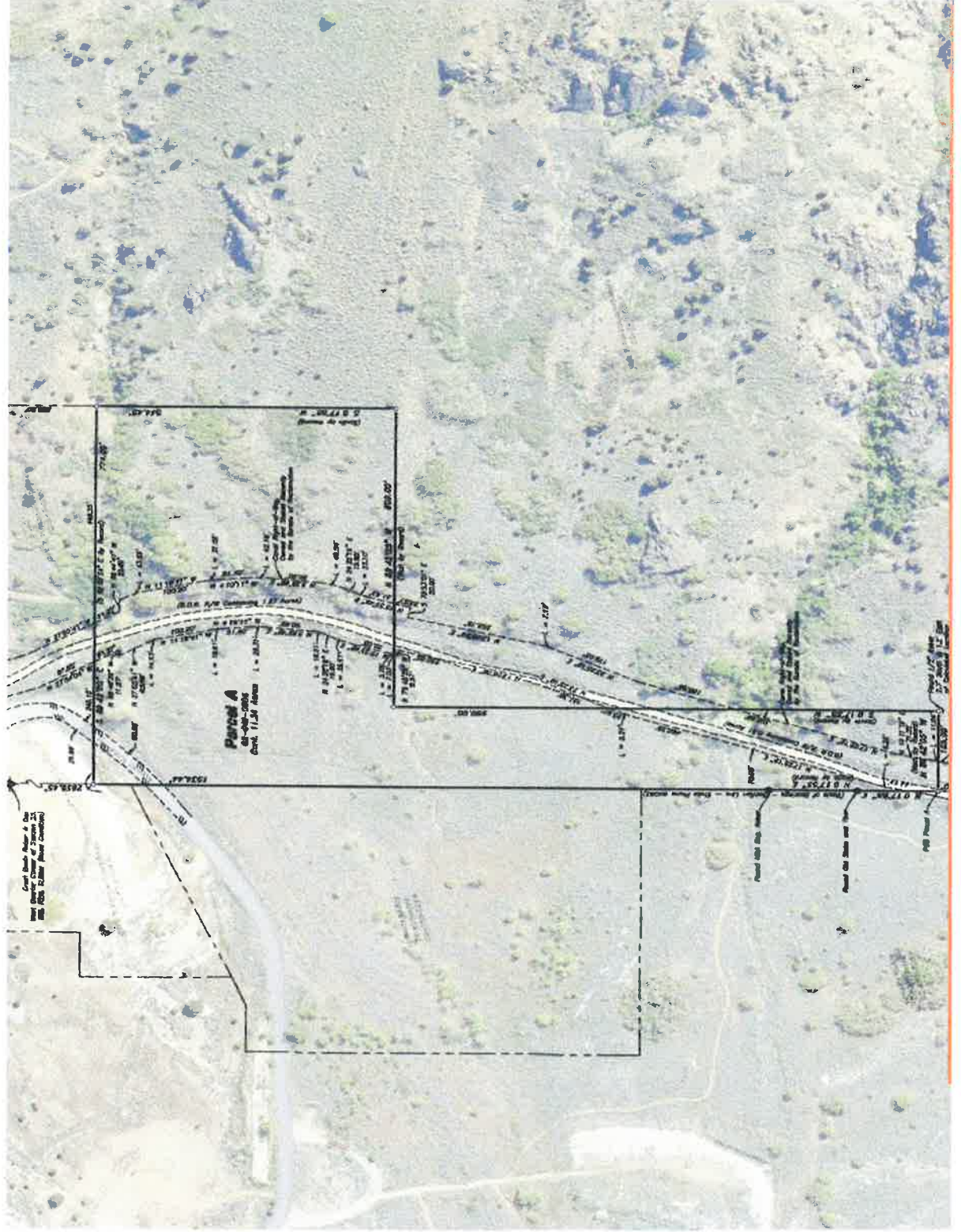
Granite Ridge Development



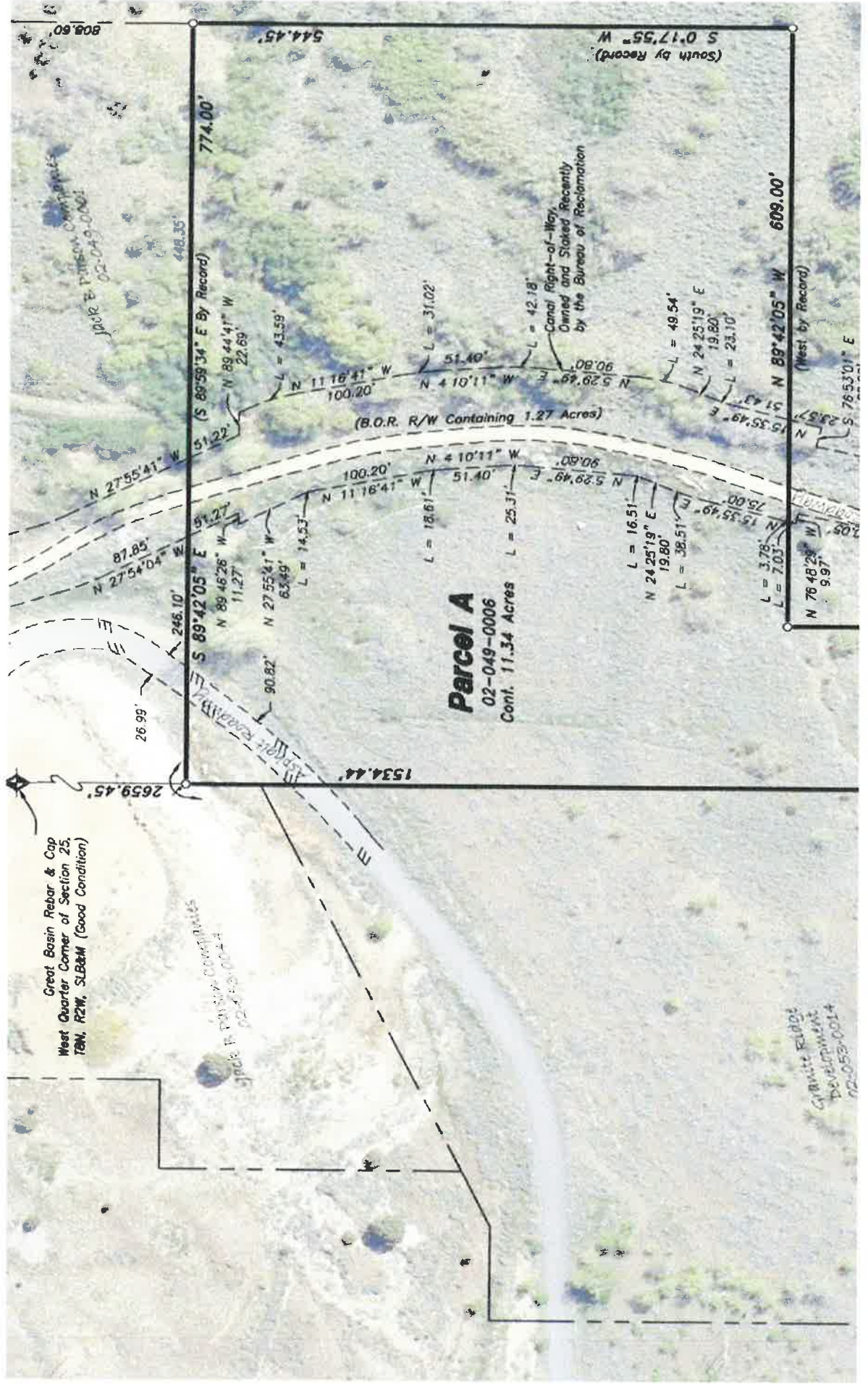
Granite Ridge Development



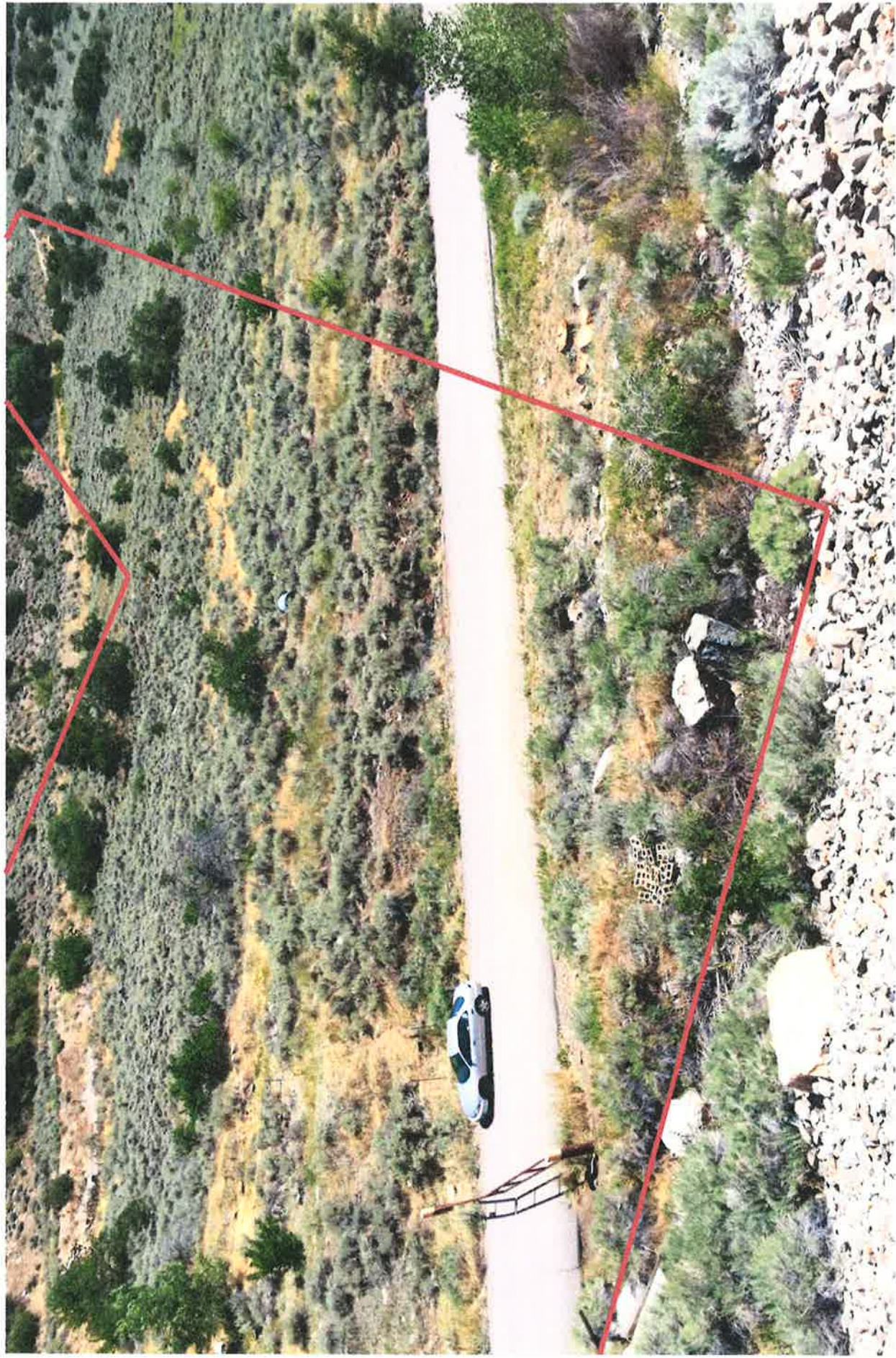
Survey 19 May 2015



Survey 19 May 2015



Gate And Paved Road



History- Staker Parsons

- Jerome and Angela Jenkins purchased 13 acres from James and Tina Green in May 6, 2015 Parcel # 02-049-0006 (zoned MU-160). Rezoned to RR-10.
- Land Surveyed by Clinton G. Hansen of Advanced Land Surveying Inc. May 19, 2015
- Box Elder County Zoning Commission rezoned land to RR-10 June 18, 2015
- Jack B Parson Gravel company Real Estate/Legal Rep, Dak Maxfield, stated (in person) Jenkins can't use the paved road (and only means of access) to the land even though it crosses Jenkins Land. Parsons claims exclusive right of way despite illegally constructing road in 1995.

History – Staker P. agrees with Jenkins survey 9/16/2015

Maxfield, Dak (Staker & Parson) <dak.maxfield@stakerparson.com>

to me

9/16/15

Jerome,

Nothing out of order was found. Based on the findings of our surveyor, he indicated it appears your survey is an accurate depiction of where those property lines are.

As I indicated to you out on site, the fact that our road has crossed your parcel of property for over 20 years and our use of the road has been open and notorious for that timeframe, we feel we have obtained a prescriptive easement right and would like to continue the use of that roadway. I have been counseled by our legal team that there are a couple of options we can take: 1) formalize the prescriptive easement amicably by entering into an agreement, or 2) if you disagree, we have no other option but to file an action in court to prove that an easement in our favor exists

As I also indicated to you at our onsite visit as well as earlier phone conversations, we hold the exclusive right to the existing easement and roadway to our property and are not willing to grant the right to use the existing roadway to anyone else at this time. If the intent of the use of our property changes in the future and the roadway is no longer needing to be used by heavy truck traffic, we may consider at that point of opening it up to other users. For now, we are not willing to entertain such an arrangement.

Let me know if you are willing to enter into an agreement on our portion of the roadway that crosses your property so we can take the steps necessary to formalize it one way or another.

~Dak

Dak Maxfield
Real Estate Manager
Staker & Parson Companies
(801) 408-2404 Off
(801) 731-8900 Fax

-----Original Message-----

From: Jerome [mailto:jenkins.engineering@gmail.com]
Sent: Wednesday, September 16, 2015 11:17 AM
To: Maxfield, Dak (Staker & Parson)
Subject: Re: Jerome Jenkins.pdf

Dak,

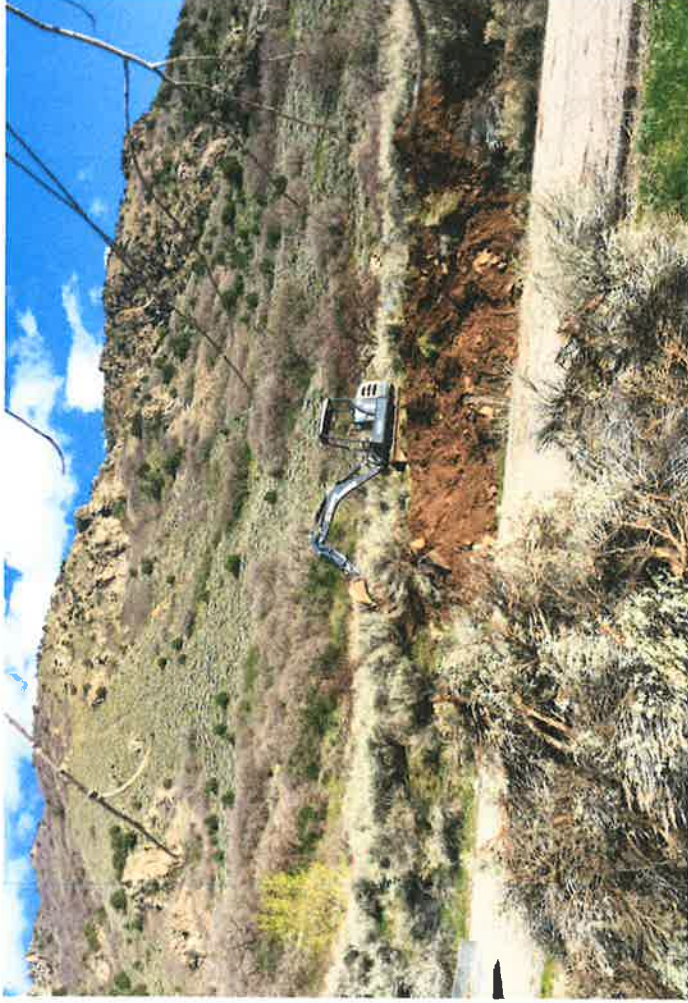
It's been a while since we talked last. Did your surveyor find anything out of order? Also, I checked the historical records of land ownership and my land was never owned by the same owner as the land to the west touching Highway 89.
- let me know your thoughts.

Thanks for your time.

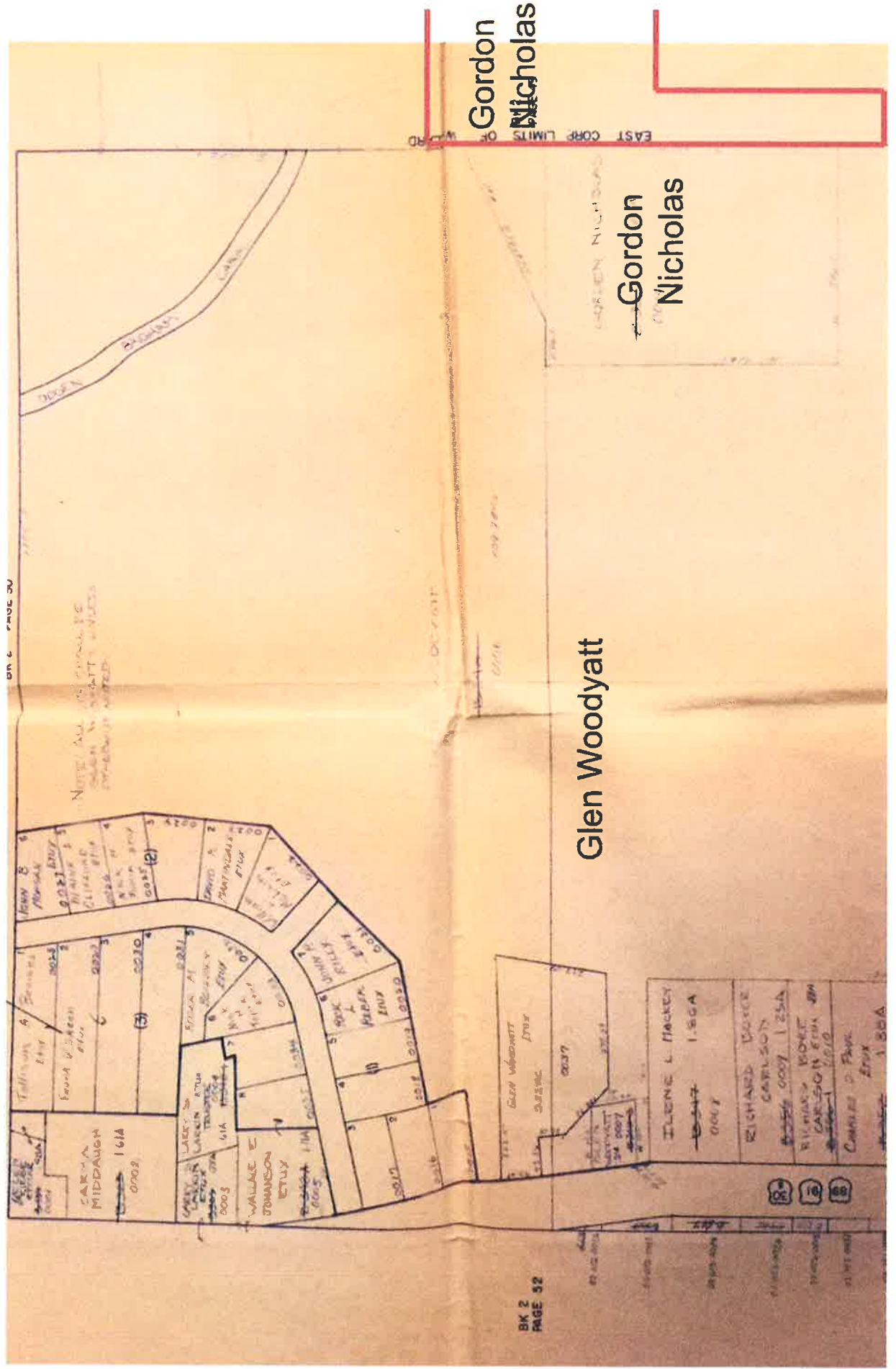
-Jerome Jenkins
[801-865-7456](tel:801-865-7456)

History – 7 Dec 2017

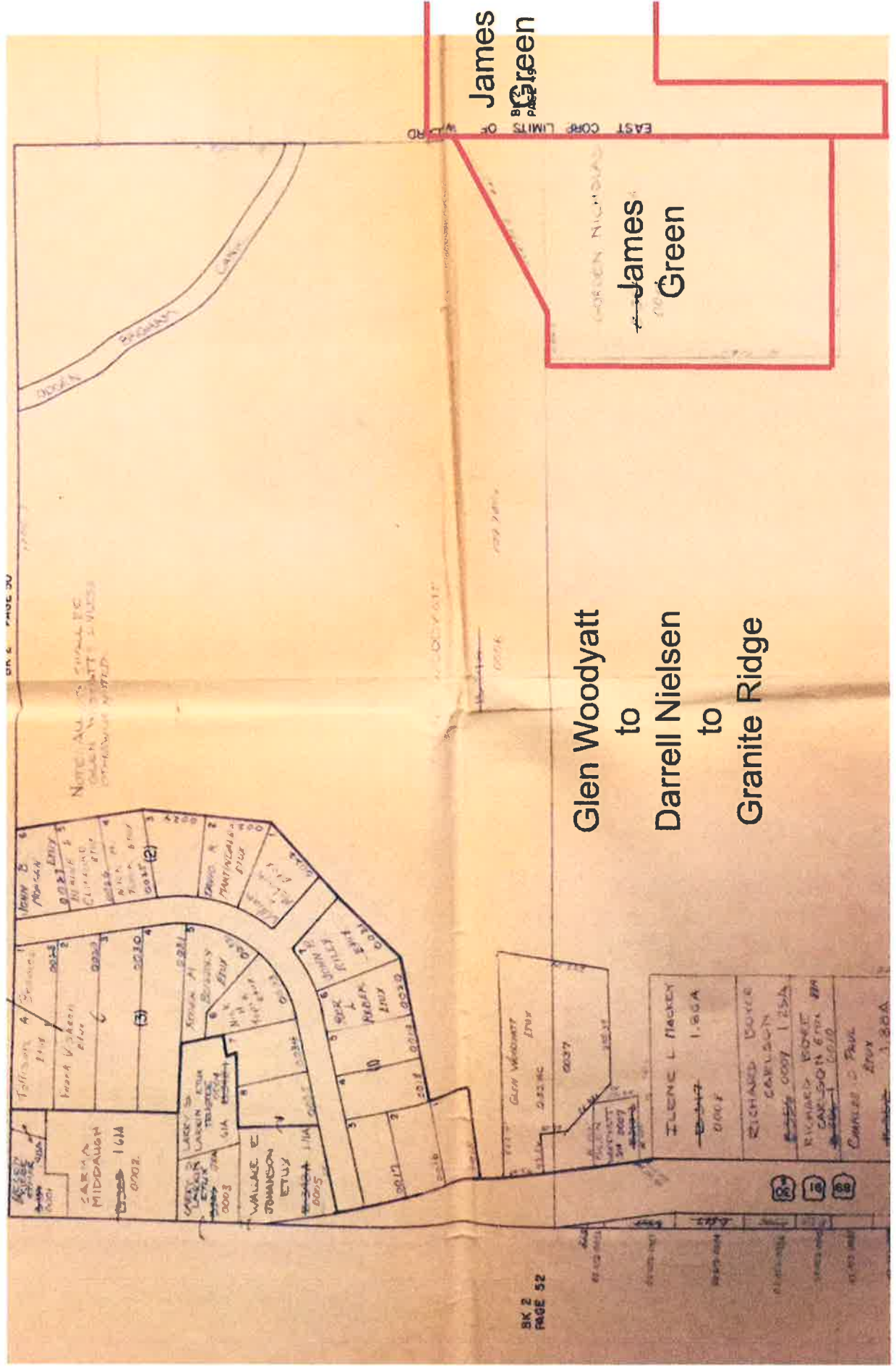
- Phone call from Dak Maxfield 7 Dec 2017 9:23 a.m. Dak was upset and questioned road dug on Jenkins land connecting to existing haul road (also on Jenkins land). He said Staker Parson would submit quiet title action for Judge to rule entire road exclusive right of way
- No action yet.



Land Ownership Prior to 1979



Land Ownership 1979-2007



History- Granite Ridge

Granite Ridge



Eric Householder <eric@thg-cs.com>
to me, Kevin ▾

 Fri, Dec 8, 2017, 11:40 AM



Hey Jerome.

Received your message. Attached is the overall plan for Granite Ridge that Willard City approved. My guess is that you are inquiring about access to your property. At one time we looked stubbing a road up to the your property from the upper road but the grades were too steep. I am going into a series of meetings but give me a call if you would like to discuss.

Thanks.

...

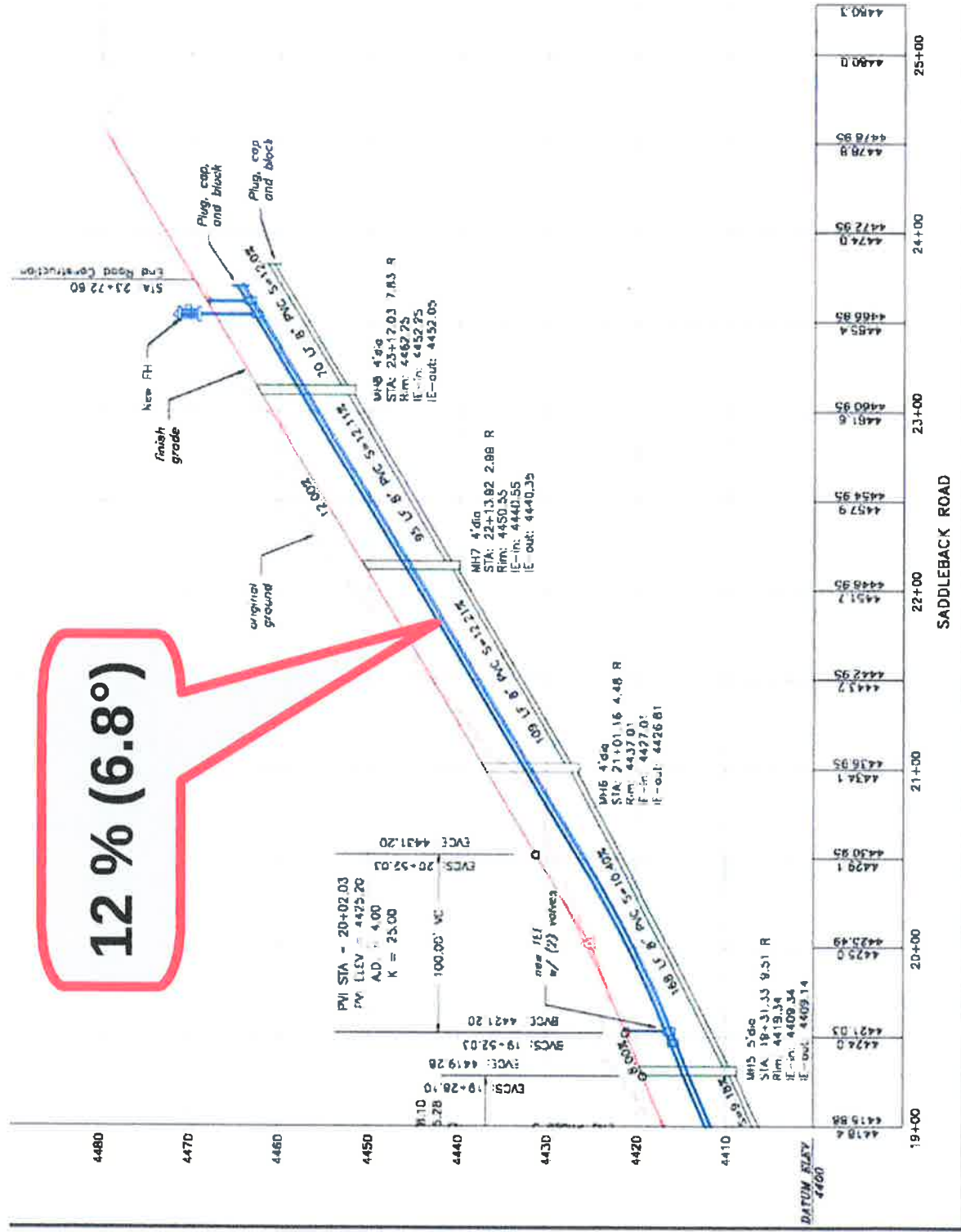
Eric Householder
801.389.0040

History- Granite Ridge

- 825 S road in Granite Ridge (phase 1) and gravel pit road crossing Jenkins land have the same grade/slope ~ 7.5 degrees.



Granite Ridge Phase 4 Rd. Slope



OPTIONS

Option 3: Contested
by Staker Parson

Option 1: Preferred

THE
OVERLOOK

Option 2: possible
with excavation

OPEN SPACE



REQUEST:

- Withhold final approval on phase 5 of Granite Ridge development until they provide access/roadway to Jenkins land.

Great Basin Rebar & Cap
West Quarter Corner of Section 25,
T8N, R2W, SLB&M (Good Condition)

Parcel A
02-049-0006
Cont. 11.34 Acres

(B.O.R. R/W Containing 1.27 Acres)

Asphalt Roadway

Jack E. Parson Companies
02-052-0044

Survey Data:

- N 27°55'41" W 51.22'
- N 27°54'04" W 87.85'
- S 89°42'05" E 246.10'
- N 89°46'28" W 11.27'
- N 89°44'41" W 22.69'
- N 11°16'41" W 100.20'
- N 4°10'11" W 51.40'
- N 27°55'41" W 63.49'
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- N 27°55'41" W 63.49'
- N 11°16'41" W 100.20'
- N 4°10'11" W 51.40'
- N 27°55'41" W 90.82'
- N 11°16'41" W 14.53'
- N 4°10'11" W 18.61'
- N 4°10'11" W 25.31'
- S 89°59'34" E By
- N 11°16'41" W 100.20'
- N 4°10'11" W 51.40'
- N 27°55'41" W 51.22'
- N 27°54'04" W 87.85'
- S 89°42'05" E 246.10'
- N 89°46'28" W 11.27'
- N 89°44'41" W 22.69'
- N 11°16'41" W 100.20'
- N 4°10'11" W 51.40'
- N 27°55'41" W 63.49'
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- N 4°10'11" W 18.61'
- N 4°10'11" W 25.31'
- S 89°59'34" E By
- N 11°16'41"

Jack P. Pearson COMP 71115
02-053-0044

Parcel A
02-049-0006
Cont. 11.34 Acres

**WILLARD CITY PLANNING COMMISSION
APPLICATION FOR PLANNING COMMISSION HEARING**

Application Date:

David Grant

Assessor's Parcel Number

Applicant:

798 W. 7425 S.

02-052-0023 +

Mailing Address

Willard, UT 84340

Parcel Legal Description

02-052-0039

Project Address

488 S. Main St

Willard

Phone Number

801-430-0218

Cell Phone

I hereby request a hearing before the
Willard City Planning Commission in
behalf of my application for:

☐

Conditional Use Permit \$25 Fee

☒

Lot Line Adjustment \$25 Fee

☐

Other Fee variable, \$25 Min.

NOTE: Fees will be charged on each application and are non-refundable. Additional applications on the same project will be considered as new applications and be charged accordingly. All applications, with required data and fees, must be filed in the Willard City Office at least two weeks prior to the scheduled hearing date.

Project description: (Attach additional sheets, as required.)

Complete Applicant Affidavit on back of this page.

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) DAVID GRANT, being duly sworn, depose and say that I, (we) am (are) the owner(s)*, or authorized agent(s) of the owner, of property located at 488 S. Main St. Willard, UT in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED [Signature]
Property Owner(s)

AGENT _____

Subscribed and sworn before me this 25 day of March 2021



Michelle Kathleen Snarr
Notary Public

Residing in SALT LAKE CITY, UT
My commission expires: 01-27-2028

* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

AGENT AUTHORIZATION

I, (we) _____, the owner(s) of real property described above, hereby appoint _____, as my (our) agent(s) to represent me (us) with regard to this application affecting the above described real property, and do authorize them to appear on my (our) behalf before any Willard City Boards considering this application.

SIGNED _____
Property Owner(s)

Subscribed and sworn before me this _____ day of _____ 20 _____

Notary Public

Residing in _____
My commission expires: _____

XBP Confirmation Number: 96675545

**Receipt for Payment to:
Willard City**

Date/Time: 03/25/2021 11:14:43 AM
Transaction #: 145331040PT
Payment Method: Visa
Transaction Status: Successful

Items

CHARGES PC 25.00

Total: 25.00

DAVID R GRANT 84340

**Receipt for Payment to:
Willard City**

Date/Time: 03/25/2021 11:14:44 AM
Transaction #: 145331042PT
Payment Method: Visa
Transaction Status: Successful

Items

SERVICE FEE 1.25

Total: 1.25

DAVID R GRANT 84340

**Payment Service Provided By
www.xpressbillpay.com**

April 9, 2021

WILLARD CITY STAFF REPORT

SUBJECT: David Grant Lot Line Adjustment 488 South Main

INTRODUCTION: Willard City Ordinance 12-102-22 Lot Line Adjustments

SUMMARY: Mr. Grant bought these two parcels and would like to separate the home with ½ acre and
Combine the rest into the one parcel.

As per Willard City Ordinance 12-102-22.

1. No new Dwelling lot or housing unit results.
2. The adjoining property owners are not affected.
3. The lot line adjustment does not result in any remnant land.
4. The adjustment does not violate the zoning.

RECOMMENDATION: Staff recommends that the Planning Commission approve the proposed lot line
Adjustment as it meets the requirements of ordinance 12-102-22



Box Elder County Web Map

boxeldercounty.org



Address, Street, Place



DRAWING NUMBER

Book 02 Page 052

SAFECO PRODUCTS • NEW YORK, MINNESOTA
TELEPHONE 800 345-6666

DRAWING NUMBER

SAND PRODUCTS • NEW HIRE, MINNESOTA
RECORD BY PART NUMBER 8002



PART OF SW1/4 OF SECTION 26 TOWNSHIP 8N RANGE 2W

Book 2 Page 52

S.L.B.&M.
SCALE 1" = 200'

WILLARD CITY SURVEY

SEE PAGE 51

PREFIX 02-052 TAX UNIT 32

THIS OWNERSHIP PLAT IS FOR
REFERENCE PURPOSES ONLY.
NO LIABILITY IS ASSUMED FOR
ACCURACY OR VARIATIONS WITH
THE ACTUAL SURVEY.

MAP NUMBER: 02-052
Ownership Map 8: 02 P: 052

SEE PAGE 54

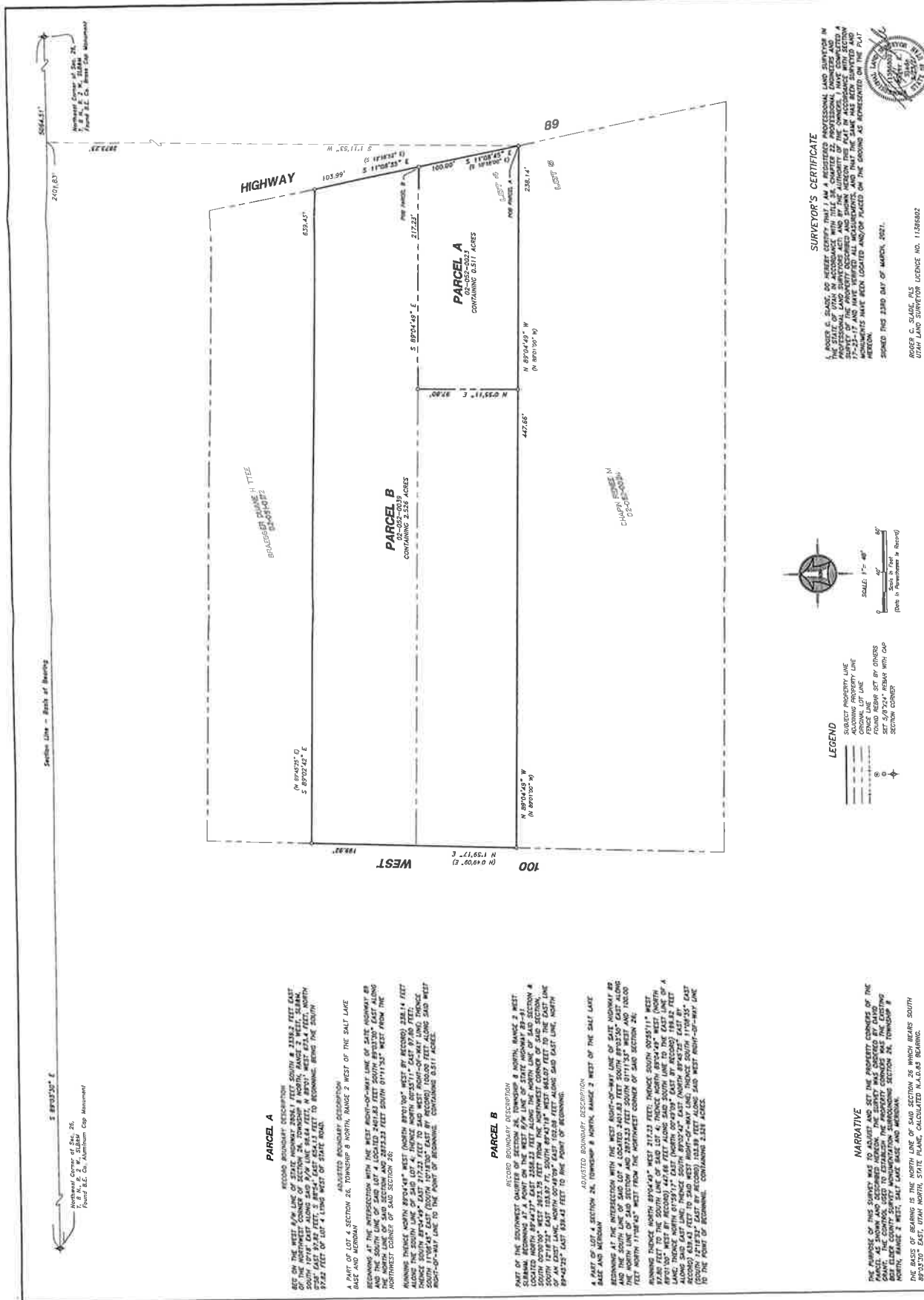
SEE PAGE 53

1-15

UTAH
DEPT OF
TRANS

SEE PAGE 55

DEER RUN AT WILLARD BAY PH1 1A
DEER RUN AT WILLARD BAY PH1 1B



PARCEL A
ADJUSTED BOUNDARY DESCRIPTION

A PART OF LOT 4 SECTION 26, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN

BEGINNING AT THE INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 89 AND THE SOUTH LINE OF SAID LOT 4 LOCATED 2401.83 FEET SOUTH 89°03'30" EAST ALONG THE NORTH LINE OF SAID SECTION AND 2873.23 FEET SOUTH 01°11'53" WEST FROM THE NORTHWEST CORNER OF SAID SECTION 26;

RUNNING THENCE NORTH 89°04'49" WEST (NORTH 89°01'00" WEST BY RECORD) 238.14 FEET ALONG THE SOUTH LINE OF SAID LOT 4; THENCE NORTH 00°55'11" EAST 97.80 FEET; THENCE SOUTH 89°04'49" EAST 217.23 FEET TO SAID WEST RIGHT-OF-WAY LINE; THENCE SOUTH 11°08'45" EAST (SOUTH 10°18'00" EAST BY RECORD) 100.00 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING. CONTAINING 0.511 ACRES.

PARCEL B
ADJUSTED BOUNDARY DESCRIPTION

A PART OF LOT 4 SECTION 26, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN

BEGINNING AT THE INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF SATE HIGHWAY 89 AND THE SOUTH LINE OF SAID LOT 4 LOCATED 2401.83 FEET SOUTH 89°03'30" EAST ALONG THE NORTH LINE OF SAID SECTION AND 2873.23 FEET SOUTH 01°11'53" WEST AND 100.00 FEET NORTH 11°08'45" WEST FROM THE NORTHWEST CORNER OF SAID SECTION 26;

RUNNING THENCE NORTH 89°04'49" WEST 217.23 FEET; THENCE SOUTH 00°55'11" WEST 97.80 FEET TO THE SOUTH LINE OF SAID LOT 4; THENCE NORTH 89°04'49" WEST (NORTH 89°01'00" WEST BY RECORD) 447.66 FEET ALONG SAID SOUTH LINE TO THE EAST LINE OF A LANE; THENCE NORTH 01°59'17" EAST (NORTH 00°49'09" EAST BY RECORD) 199.92 FEET ALONG SAID EAST LINE; THENCE SOUTH 89°02'42" EAST (NORTH 89°45'25" EAST BY RECORD) 639.43 FEET TO SAID WEST RIGHT-OF-WAY LINE; THENCE SOUTH 11°08'35" EAST (SOUTH 12°18'52" EAST BY RECORD) 103.99 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING. CONTAINING 2.526 ACRES.



WILLARD CITY
Planning Commission Meeting – Regular Meeting
April 1, 2021 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

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

4
5 The following members were in attendance:

6		
7	Sid Bodily, Chairman	Christ Davis, City Manager
8	Diane Baker	Colt Mund, City Attorney
9	Chandler Bingham	Bryce Wheelwright, City Planner
10	Zack Hulsey	Michelle Drago, Planning Secretary
11		

12 Excused: Alex Dubovik and Blake Harrop

13
14 Others in attendance: Rachel McIntire; Trisha Heath; Morgan Palmer. Rod Braegger; and Don Waite.

15
16 1. PRAYER: Chandler Bingham

17
18 2. PLEDGE OF ALLEGIANCE: Zack Hulsey

19
20 3. ROLL CALL – Attendance was recorded by the secretary.

21
22 4. GENERAL PUBLIC COMMENTS (INPUT FOR ITEMS NOT ON AGENDA)

23
24 No comments were made.

25
26 5A. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR MORGAN PALMER FOR AN EVENT
27 CENTER LOCATED AT APPROXIMATELY 683 NORTH MAIN (02-046-0102)

28
29 Bryce Wheelwright stated that Morgan Palmer's rezone request was approved by the City Council on March
30 25th. She was now requesting approval of a conditional use permit for an event center at 683 North Main.
31 The Planning Commission needed to consider and discuss conditions that would be appropriate for the
32 proposed use.

33
34 Morgan Palmer said she was willing to talk about whatever concerns the Planning Commission had.

35
36 Commissioner Baker and Chairman Bodily asked about Morgan Palmer's landscaping plans. Morgan
37 Palmer wanted to plant wildflowers and shrubs on the berm along the highway. The main open area west
38 of the event center would just be grass. The back area would be gravel and xeriscape.

39
40 Chairman Bodily asked how many parking spaces she would have. Ms. Palmer said Willard's ordinances
41 required her to have 40 paved parking spaces. There would be a total of 87 parking spaces. The extra 47
42 spaces were for overflow parking. They would be on her property, and they would be graveled.

43
44 Commissioner Hulsey asked about Morgan's lighting plans. Would there be lights along the highway?
45 Morgan Palmer said she couldn't have lighting along the highway. She had the required egress lighting
46 along the outside of the barn, and she had motion floodlights. All of the exterior doors had fancy, barn lights.
47 Commissioner Hulsey asked if there would be any lighting in the parking lot. Ms. Palmer said would not.



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Chairman Bodily asked about hours of operation. Morgan Palmer said most weddings were over and cleaned up by 10:00 p.m. Most private events ended around 11:30 p.m., but some private events could last until 12:30 a.m.

Commissioner Baker was concerned about how the neighbor to the north could be impacted. Would the floodlights bother them? Morgan Palmer said the floodlights were actually residential-looking lights. The light they produced was directed straight down, not out. She didn't want anything flashy that would deter traffic.

Commissioner Hulsey verified that there was only one ingress/egress and that it was from the highway. Ms. Palmer said that was correct.

Chairman Bodily asked if Morgan Palmer had received an access permit from UDOT. Bryce Wheelwright said she had.

Commissioner Hulsey asked if a single ingress/egress was a cause for concern. What happened if there was a fire? Colt Mund felt that was a valid question that should be answered by the Fire Chief. The Fire Chief could determine if anything should be required to mitigate a fire. Commissioner Baker asked how many exits the barn had. Morgan Palmer said the barn itself had four. She was only required to have two. There was only one ingress/egress for her house and the barn. When UDOT did their traffic study, it rated the ingress/egress for commercial. Commissioner Baker was okay with the access. Commissioner Hulsey asked if there was an option for a second access. Morgan Palmer said UDOT wouldn't allow another access on Highway 89. Commissioner Hulsey asked if there was a way to put in a second access from 750 North. Morgan Palmer stated that she would have to go through two private properties to access 750 North.

Bryce Wheelwright asked if Morgan Palmer had any fencing plans. Morgan Palmer said she would like to put in a fence.

Commissioner Baker asked if Morgan Palmer had hosted any large events that used a lot of the parking lot space. Morgan Palmer said most weddings were open house events with people constantly coming and going. Due to Covid, most events had been smaller. Her occupancy was limited to 148. She couldn't host a large event with 500 people.

Commissioner Baker asked about alcohol. Morgan Palmer said she could not sell alcohol, and she did not have an alcohol license. However, the Utah DBC allowed private held events to serve alcohol. If an event included alcohol, she required a security guard and a licensed and insured bartender. Commissioner Baker was concerned about someone drinking and pulling out onto the highway.

Colt Mund, City Attorney, asked if Morgan Palmer planned to hold outside events during the summer. Morgan Palmer said she planned to hold a few public events for the children in the community. They would be held in the large grass area.

Commissioner Hulsey felt that fencing should be required if there would be outside events; especially fencing along the highway. Morgan Palmer said she could put in a 6-foot, vinyl privacy fence.

Chairman Bodily asked if there was any concern about the hours of operation. Should there a restriction on 24-hour events? Morgan Palmer said an overnight restriction would prevent her from holding overnight events, such as sleepovers for Girl Scouts or Boy Scouts.



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Commissioner Hulsey was concerned that noise from an overnight event could affect adjoining property owners. He wasn't sure there was a quantifiable way to measure noise levels after certain hours. Morgan Palmer said other event centers in other communities had noise restrictions. Noise could be measured with a decibel test. She felt the highway produced much more noise than an event would. She required music to be turned off at 10:00 p.m. Commissioner Hulsey didn't care if people were in the event center 24 hours as long as they weren't keeping adjoining property owners up. Chandler Bingham felt the noise level should comply with the City's curfew regulations. Colt Mund said decibel levels had been used in other cities, but wasn't sure how well they worked. Morgan Palmer said most phones could measure decibel levels. In other event centers, noise was restricted to certain decibel levels after a certain time. She asked if the noise restriction only applied to outdoor events. Chairman Bodily felt that at a certain point the noise level had to drop to a specific level, no matter where the event was at – outdoor or indoor.

Chairman Bodily asked what the noise level should be. Morgan Palmer said Farr West and North Ogden had noise restrictions. Bryce Wheelwright thought Willard had noise restrictions in the Nuisance Ordinance. Colt Mund thought Brigham City had a Noise Ordinance. Commissioner Hulsey felt the noise could be monitored or managed by complaint. Commissioner Baker felt Willard should check on the decibel level used by Farr West and North Ogden.

Don Waite, 1389 North Main, stated that North Ogden's noise and lighting regulations were City wide. It was based on decibels. At 11:00 p.m. light and noise levels had to drop. He was surprised Willard did not have a noise ordinance.

Morgan Palmer felt Willard's asphalt regulations were overkill. She wanted to have a gravel parking for a more rustic feel. Willard required that she pave 40 required parking stalls. She asked that the Planning Commission grant her a variance on the asphalt requirement. Bryce Wheelwright stated that Willard required all off-street parking to be paved. Morgan Palmer asked that she be allowed to have gravel parking rather than asphalt. There was a \$40,000 difference in cost. She was trying to keep her expenses down as she started her business so she didn't go bankrupt. If she was allowed to have gravel, she would have to cement the handicap parking. Chairman Bodily said Morgan Palmer needed to have a surface that could support emergency vehicles.

Bryce Wheelwright said the City Council was the City's appeal authority.

Commissioner Baker felt the paved parking could be addressed again when Morgan Palmer's conditional use permit was reviewed in one year. After one year, she would know what problems needed to be addressed.

Chairman Bodily said the Commission and Morgan Palmer needed to follow the City's rules. He asked about the variance process. Bryce Wheelwright said the City's ordinance required that off-street parking stalls be paved with compacted asphalt, which Morgan Palmer had agreed to. Morgan Palmer said the ordinance required a surface that was bound together. Mr. Wheelwright said the City Engineer said a surface that was bound together was asphalt or concrete. Morgan Palmer said she had asked about rotomill, which would cost \$32,000 instead of \$38,000. Rotomill would get pressed and compacted. Chris Davis said the City Engineer said the surface had to be asphalt or concrete, not rotomill.

Commissioner Bingham felt the conditional use permit should be restricted to the current owner only. Morgan Palmer lived there. She would treat the use differently than an absentee owner. Chairman Bodily said a conditional use was usually attached to a property, not an owner. Could the Planning Commission



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restrict it to the current owner? Colt Mund said he would look into it, but he felt the Planning Commission make that condition.

Chairman Bodily asked if Bryce Wheelwright could look into appropriate noise levels. Colt Mund said he would work with Bryce on noise conditions.

Chairman Bodily felt Morgan Palmer would have to appeal the paving requirement to the appropriate authority. Colt Mund said the Palmer's could request a variance. Whether it would be granted was a different question. Chris Davis stated that right now the City's appeal authority was the City Council. Willard did not have a Board of Adjustment or a Hearing Officer. Morgan Palmer thought the ordinance said the Planning Commission had authority to grant a variance. If she didn't agree with the Planning Commission's decision she could appeal it to the City Council. Colt Mund said that would be the course Ms. Palmer would take if she were denied a land use. In this case, she was seeking a modification or alteration to the ordinance. The Planning Commission did not have the ability to grant a variance request or modify or alter the ordinances. Bryce Wheelwright said Morgan Palmer would have to make a request to be on the Council agenda to have her variance request considered. Colt Mund said the Planning Commission would have to approve a conditional use permit with an asphalt requirement before Morgan Palmer could make an appeal. Morgan Palmer would bear the burden of proving why the variance should be granted. A variance could not be self-imposed or economic. If her request was just to save money, he could comfortably say her request did not meet the variance requirements.

Chairman Bodily explained that the Planning Commission would probably table consideration of Morgan Palmer's conditional use permit to allow time to follow up on the concerns discussed. Bryce Wheelwright listed the concerns raised by the Planning Commission – landscaping, paving 40 parking stalls, lighting, fire safety, fencing, hours of operation, noise level, and restrict the use to current owner.

Chairman Bodily felt the hours of operation were tied to the noise level. Not matter how long an event lasted, its noise level needed to drop to a certain level after a certain time, such as 10:00 p.m.

Chris Davis stated that storm water detention was also a concern. Morgan Palmer stated that her site guy told her she could drain onto herself. He had already resolved the drainage.

Commissioner Bingham moved to table consideration of Morgan Palmer's conditional use until the next meeting in order to allow the staff time to address the Commission's concerns. Commissioner Baker seconded the motion. All voted unanimously. The motion carried.

5B. DISCUSSION REGARDING A REQUEST FROM TRISHA HEATH (BARKER/BRAEGGER) TO REZONE PROPERTY LOCATED AT APPROXIMATELY 110 SOUTH 250 WEST (02-054-003) FROM A5 TO R ½

Colt Mund stated that in the previous Commission meeting, there was discussion about access. The Commission wanted to make sure it was resolved. The Braegger's had been very accommodating. He would prepare an agreement that would give the City emergency access through their property which would function as the second access. Other concerns would be dealt with as they went through the subdivision approval process. He wanted to get feedback from the Fire Chief about what the City needed for a second access. He anticipated having an agreement done in two weeks so the Planning Commission could move forward. He asked that the Planning Commission table consideration of the Barker/Braegger Rezone until the next meeting when there would be a written agreement between the two parties.



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Commissioner Bingham asked about the difference between the Barker/Braegger Rezone and the Vern Price Rezone. Colt Mund said the difference was the access. An agreement for a second access couldn't be reached in the Price Rezone. In Willard's Street Ordinance, no more than 30 homes were allowed without two accesses. The International Fire Code said there was an exception to that restriction. Willard's ordinance did not include the exception. The exception said that if there was future development that would provide for additional access, and it was approved by the fire official, a city could allow more than 30 homes in a subdivision with one access. The staff was working to amend the City's ordinance. His understanding from previous counsel was that the City's Street Ordinance was modeled after the International Fire Code, but it left out the exception language. He felt that amendment would resolve the Price's concern.

Commissioner Hulsey asked if the Barker/Braegger's had considered an A3 Zone. Rachel McIntire said they couldn't do A3 because they couldn't meet the minimum lot size of three acres as UTA was purchasing part of their property. Rod Braegger said they weren't splitting the property into several half acre lots. They just wanted to have two homes. Commissioner Hulsey said that right now it was just the Barker/Braegger's wanting two homes. However, in an R ½ Zone, at some point it could be divided into half acre lots that would only have access through the emergency access.

Rachel McIntire asked if the A3 Zone was only for an agricultural use. Bryce Wheelwright said the only difference between the R ½ and A3 Zones was the minimum lot size.

Rachel McIntire said they had run across information that said if there was an agreement signed by them that restricted the number of homes to two an access exception could be granted. They were actually continuing the access for others on 400 West. Their easement wouldn't be the only outlet. Eventually, there would be other outlets.

Commissioner Hulsey moved to table the Barker/Braegger Rezone until the City Attorney could provide a written agreement for a second access. Commissioner Bingham seconded the motion. All voted unanimously. The motion carried.

5C. DISCUSSION REGARDING MASTER PLANNED COMMUNITY ZONE (CHAPTER 12-106)

Chris Davis stated that the City Council had scheduled a joint work session with the Planning Commission at the end of its April 8, 2021, meeting to discuss the Master Planned Community Zone. The Planning Commission would receive an updated, model ordinance to review prior to the work session.

Don Waite, 1369 North Main, asked if he could make a comment. Chris Davis reminded the Planning Commission that this was not a public hearing.

Chairman Bodily agreed to let Mr. Waite make a comment.

Don Waite stated that when the City replaced the PUD Ordinance with the Master Planned Community Zone, it needed to remember that it would never ever get anything better than what the ordinance required. Developers were in it to make money. They would promise how great the development would be, how pretty it would be, and how great it would be for the City, etc., but, they would never make a development better than they needed to. Roads really should meet all of the City's requirements because inevitably the City ended up taking care of them. He understood from listening to the City Council and Mayor that the City didn't want little pocket parks. The only reason for smaller parks was for children to play in high density developments. Again, eventually those parks would end up dedicated to the City because all HOA's dissolved and fell apart. The General Plan was really, really where teeth were located. If a development



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243 didn't meet current code and match the General Plan, the City could send developers packing. Willard City
244 had the right to define who and what Willard City was. That right did not belong to the development
245 community. Apartment buildings would bring a completely different set of requirements for law enforcement
246 and fire protection that Willard wasn't equipped to handle. There was a high demand for people who wanted
247 a little more space and elbow room. Right now Willard was providing that. It was an important service. The
248 State was mandating affordable housing. When someone left a smaller house to move to a bigger house,
249 affordable housing was just opened up.

250
251 6. CONSIDERATION AND APPROVAL OF MARCH 18, 2021, REGULAR PLANNING
252 COMMISSION MINUTES
253

254 **Commissioner Baker moved to approve the March 18, 2021, regular Planning Commission minutes**
255 **as corrected. Commissioner Hulsey seconded the motion. All voted unanimously. The motion**
256 **carried.**
257

258 7. COMMISSIONER/STAFF COMMENTS
259

260 Bryce Wheelwright didn't have anything to report.
261

262 Chris Davis, City Manager, reported:

- 263 - Dr. Hillam's property had been sold to The Church of Jesus Christ of Latter-day Saints
- 264 - Next week construction would begin on 200 West. The staff was working with the City Engineer to
- 265 make sure Willard used all of the available funds to enhance the road as much as possible.
- 266 - The staff was still working with potential developers to resolve water issues.
- 267

268 Colt Mund, City Attorney, didn't have anything to report.
269

270 Commissioner Bingham asked if the Hillam lawsuit had been resolved. Mr. Davis did not know.
271

272 Commissioner Bingham was still worried about storm drainage and curb and gutter.
273

274 Commissioner Baker was concerned about the private roadway being submitted in a proposed subdivision.
275 When she started studying the City's Street Ordinance she realized how outdated it was. The last known
276 edition was dated 2001, when Jean Loveland was Mayor. How could the Planning Commission be making
277 decisions when its books were so outdated? She felt everything should be frozen until the City could get its
278 ordinances updated. Bryce Wheelwright said the City was in the process of codifying its ordinances.
279 Commissioner Baker asked how long that would take. Chris Davis said it was taking longer because none
280 of the City's ordinances were electronic. It took longer to get information to the codification company. The
281 initial review was mostly complete. Then it would have a legal review to determine where Willard's
282 ordinances conflicted with State law. After the legal review, Colt Mund would begin the process of making
283 changes to comply with the State's code. Commissioner Baker was concerned about sub-standard streets.
284 She found a chart that listed the sub-standard streets and compared it to the City's future road map. She
285 found that the City hadn't followed its future road plan. How could the City move forward if it didn't have
286 updated references?
287

288 Commissioner Hulsey asked about UDOT's high priority trail list. Chris Davis stated that UTA wanted to
289 put in a rail trail along the Front Runner tracks. Bryce Wheelwright said there was a master trail plan for the
290 County. It talked about the Bonneville Shoreline Trail. There was also the rail trail extension from the Box
291 Elder/Weber County line coming north. It would tie into the Historic Orchard Pathway Trail, which was 200



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West. There was a good possibility the City would get funds to improve that trail at some point. When the Deer Run development reached 200 West, the developer was supposed to enhance the trail and extend it further to the south. Chris Davis said there were potential funds for active transportation. UDOT was very interested in having active transportation, which was alternative transportation. Grants for active transportation would be coming open. Grants could extend the trail on 200 West further to the south.

Chairman Bodily stated that he had given the City streets some thought. He felt that 200 West met City requirements. The City needed to keep watching it. It needed to know what the current capacity of 200 West was, as well as its safety zone. The City needed a way to prove that the road's capacity had been checked. He felt the City's biggest concern should be Center Street. Even though 200 West was busier than it was 50 years ago, he didn't feel it was a hazard. Yes, Willard was more crowded than it used to be and there was a need to be more cautious, but he didn't feel it was that far out of line. Chris Davis reminded the Planning Commission that it had recently updated the City's Public Works Standards.

8. ADJOURN

Commissioner Hulsey moved to adjourn at 7:33 p.m. Commissioner Baker seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: _____

Planning Commission, Chairman
Sid Bodily

Planning Commission Secretary
Michelle Drago

dc:PC 04-01 2021