



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

The meeting was a regularly scheduled 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:

Sid Bodily, Chairman
Diane Baker
Chandler Bingham
Zack Hulsey

Christ Davis, City Manager
Colt Mund, City Attorney
Bryce Wheelwright, City Planner
Michelle Drago, Planning Secretary

Excused: Alex Dubovik and Blake Harrop

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

1. PRAYER: Chandler Bingham
2. PLEDGE OF ALLEGIANCE: Zack Hulsey
3. ROLL CALL – Attendance was recorded by the secretary.
4. GENERAL PUBLIC COMMENTS (INPUT FOR ITEMS NOT ON AGENDA)

No comments were made.

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

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

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

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

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

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



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

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 be 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.



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

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



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

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.



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

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 be 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.



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

The meeting was a regularly scheduled 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:

Sid Bodily, Chairman
Diane Baker
Chandler Bingham
Zack Hulsey

Christ Davis, City Manager
Colt Mund, City Attorney
Bryce Wheelwright, City Planner
Michelle Drago, Planning Secretary

Excused: Alex Dubovik and Blake Harrop

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

1. PRAYER: Chandler Bingham
2. PLEDGE OF ALLEGIANCE: Zack Hulsey
3. ROLL CALL – Attendance was recorded by the secretary.
4. GENERAL PUBLIC COMMENTS (INPUT FOR ITEMS NOT ON AGENDA)

No comments were made.

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

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

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

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

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

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



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

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: 4/15/21

Sid Bodily
Planning Commission, Chairman
Sid Bodily

Michelle Drago
Planning Commission Secretary
Michelle Drago

dc:PC 04-01 2021

