

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, May 27, 2015, at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairwoman Ruth P. Maughan, Paul Egbert, Jerald Leishman, and Brian Pattee. Also present were City Manager/Recorder Don Hartle and Councilman Carl Leatham. A copy of the Notice and Agenda was posted, faxed and emailed to the Herald Journal, and mailed to the Planning Commission on May 22, 2015. The meeting was called to order at 6:00 p.m. by Chairwoman Ruth P. Maughan.

<u>Others Present:</u>	Jennifer Leishman	Syndee Atkinson	Steven Atkinson
	Ray Pickette	Monte Williams	Stephanie Williams
	Brian Burbank	Eileen Burbank	Steve Kyriopoulos
	Dale Bankhead	Todd Meyers	Todd Harmon
	Don Schroeder	Dale Anderson	Reed Bailey
	Robert Bolton	Bruce Miller	Brayden Sparrow
	Bill Tingey	Jeff Jackson	David Kurek
	Sandra Kurek	Zan Sharp	Vivian Sharp
	Jason Lundahl	Jeff Nielsen	Kevin Opsahl
	Jonathan Cook	Scott Gary	Garity Line
	Sam Winward	Karma Leatham	Marcene Parker

Opening Ceremony: Paul Egbert

Planning Commission member Chris Clark was excused from this meeting.

Ruth P. Maughan reviewed the agenda with the Commission. After discussion, Brian Pattee made a motion, seconded by Jerald Leishman, that the agenda be approved as presented.

<u>YEA 4</u>	<u>NAY 0</u>
Paul Egbert	
Jerald Leishman	
Ruth P. Maughan	
Brian Pattee	

At 6:05 p.m., conduct the following public hearing:

First, receive public input, then consider for approval a request from Monte Williams for a conditional use for a “Home Occupation” to conduct auctions on his property at 1010 South 200 East. Monte Williams stated that he would like to have auctions in his barn. Mr. Williams stated that it is a service that he would like to provide to the residents of Wellsville City so that they can buy and sell items. Steve Kyriopoulos stated that He has been to Mr. Williams’ home. The auctions will be held in a 6,000 square-foot barn. Mr. Kyriopoulos stated that the Planning Commission could limit the number of auctions, but it would be unwise because the Planning Commission doesn’t limit other businesses in Wellsville City. Garity Line stated that she has been to several auctions that Mr. Williams has hosted. These auctions would be a benefit to the City, and she fully supports Mr. Williams. Dale Bankhead stated that he seconds the opinions that have been shared, and the number of auctions shouldn’t be limited.

At 6:10 p.m., the public hearing was closed.

Ruth P. Maughan asked if the auctions would be held every third Saturday. Monte Williams stated they will be held in the barn. Paul Ebert asked if the City Council approved auctions to be allowed in the RA-1 zone. Don Hartle stated yes. Mr. Egbert stated that in past submittals, additional parking was shown on the neighbor’s property. That parking is not on this application. Mr. Williams stated that he has 3 acres of property for parking. Ms. Maughan read from the Wellsville City code, under the home occupation section. There should be no more than 25% of the property used for a home occupation. Ms. Maughan stated that this is obviously more than 25%. Ms. Maughan stated that this home occupation will need to be monitored. Ms. Maughan asked about signage on auction days. Mr. Williams stated that he will have a sign on a flat-bed trailer parked on Paul Cooper’s or McKay Leishman’s property. Mr. Williams stated that this is not a

full-time business like other home occupations. This is for one Saturday a month. Ms. Maughan asked if Mr. Williams will improve the parking. Mr. Williams stated that it is grass now. Mr. Egbert stated that his concern is the mud that will be tracked onto the roadway during the wet and rainy season. Mr. Williams stated that most of the property is covered with gravel. Mr. Egbert stated that the application says that Mr. Williams will provide services, such as a port-a-potty. Mr. Egbert asked if the port-a-potty would be on the property year around. Mr. Williams stated that he could leave the port-a-potty there or pull it off of the property. Mr. Egbert stated that the neighbors in this area are very supportive. This home occupation is not in a business district. Mr. Egbert stated that he would like to see the port-a-potty removed after every auction. Mr. Egbert stated that the entry way should have gravel and a clean surface a certain distance back to help from tracking mud onto the roadway. Jerald Leishman stated that he is concerned about parking also. Mr. Leishman suggested monitoring this business and re-evaluate it every 6 months because there are a lot of unknown. After discussion, Brian Pattee made a motion, seconded by Paul Egbert, to approve a request from Monte Williams for a conditional use for a "Home Occupation" to conduct auctions on his property at 1010 South 200 East with the conditions that Mr. Williams returns in 6 months to review the business, the port-a-potties will be removed within 3 days after every auction, maintain driveway access, no parking on the City right-of-way, and submit a separate application for signage.

YEA 4

NAY 0

Paul Egbert
Jerald Leishman
Ruth P. Maughan
Brian Pattee

At 6:22 p.m., conduct the following public hearing:

Second, receive public input, then consider for approval a request from Syndee Atkinson for a conditional use for a "Home Occupation" for a hair and nail salon to be operated out of her home being constructed at 1534 South 150 West. Syndee Atkinson stated that she and her husband are in the process of building a home in Wellsville. They currently reside in Smithfield, and she has operated a salon there for 23 years. Ms. Atkinson stated that the salon is open a couple of days a week. Ms. Atkinson stated that she sees 7 to 10 people per day, and has 1 to 2 cars parked in her driveway at a time. Sam Winward stated that he has visited Ms. Atkinson's business in Smithfield, and she has a beautiful salon there. Ruth P. Maughan asked about signage. Ms. Atkinson stated that there would be no signs. Ray Pickette stated that he is new to Wellsville City, and purchased property next to Ms. Atkinson. Mr. Pickette stated that his concern is that the CC&R's of the subdivision do not allow home-based businesses. Mr. Pickette stated that this is not an undesirable business, but if it is passed as the exception, it opens the door for more home-based businesses. Steve Atkinson stated that this home-based business doesn't generate a lot of traffic. Mr. Atkinson stated that he discussed a home-based business with the developer before purchasing the lot, and there were no issues. Garity Line stated that there are 8 other home-based businesses in the subdivision, and 2 other salons. Paul Egbert stated that the Planning Commission approves or denies home occupations based on the City code. Mr. Egbert stated that CC&R's are private agreements. Mr. Pickette stated that the CC&R's are part of the deed to the property, which is part of the county and state. Sam Winward stated that based on his understanding and how his subdivision operates, if there is an issue with the CC&R's, it should be discussed with the HOA.

At 6:29 p.m., the public hearing was closed.

Paul Egbert stated that the Planning Commission should act on this issue. Brian Pattee stated that he agreed. Jerald Leishman stated that the home occupation meets the City code. After discussion, Brian Pattee made a motion, seconded by Paul Egbert, to approve a request from Syndee Atkinson for a conditional use for a "Home Occupation" for a hair and nail salon to be operated out of her home being constructed at 1534 South 150 West.

YEA 4

NAY 0

Paul Egbert
Jerald Leishman
Ruth P. Maughan
Brian Pattee

At 6:32 p.m., conduct the following public hearing:

Third, receive public input, then consider for approval a request from Maverik, Inc. for a conditional use for a Maverik store with gasoline sales including high flow diesel at the southeast corner of the intersection of Highway 89/91 and Main Street (also Highway 101). Todd Meyers stated that Maverik has 270 stores mostly in Utah and Idaho, but they do operate in 10 different states. Maverik currently has 106 old stores. The proposal tonight is a new design as of February 2015. It has bigger, nicer restrooms, an option of a bakery or a made-to-order sandwich shop. There are now 2 front doors with additional windows. The new plan also incorporates outdoor picnic tables. The vendors have a separate door and storage for their product. There will be long parking spaces along the edge of the property. The main gas canopy will have 5 gas dispensers, with 10 gas dispensers at full build-out. There will also be a small gas canopy for high-flow diesel pumps. This site will also have a RV dump. Mr. Meyers discussed landscaping. The 150-foot landscaping strip from the highway is excessive. The 6-foot high berm, which is City code, will block seeing the site from Highway 89/91. Mr. Meyers proposed a 3-foot high berm, 40-foot landscaping strip along Highway 89/91, and a 35-foot landscaping strip along Highway 101. Mr. Meyers stated that they would like to have this project under construction this year. There will be 1 access off of Highway 101 which is designed around the CMPO requirements. Ruth P. Maughan asked about storm water. Mr. Meyers stated that it will be incorporated into their landscaped area. Dale Anderson stated that an irrigation ditch owned by Eastfield Irrigation Company runs down the levy on this property. Paul Egbert stated that this plan looks like it skirts by the irrigation ditch. Don Hartle asked what Mr. Anderson would suggest being done with the irrigation ditch. Mr. Anderson stated that the ditch should be piped. Mr. Meyers stated that Utah is in a desert. Maverik deals with irrigation companies and ditches all the time. There are tough standards to comply with. Mr. Meyers stated that their civil engineer is aware of the requirements. Steve Kyriopoulos stated that he is concerned with the irrigation ditch because it services property that he owns across Highway 89/91. Mr. Kyriopoulos stated that the previous intent was 150-foot setback with landscaping. Ms. Maughan stated that the Planning Commission is addressing the 150-foot setback with landscaping on June 10, 2015. Mr. Kyriopoulos stated that he doesn't disagree. The 150-foot setback with landscaping is excessive. Mr. Kyriopoulos stated that the project is here today, and should fall under today's rules. Ms. Maughan stated that Mr. Kyriopoulos is right, and that the Planning Commission is in the process of revising the landscaping requirements. City Engineer Chris Breinholt asked about access onto a State highway. Mr. Meyers stated that it is approved with the concept plan. Mr. Breinholt stated that storm water is another concern. Mr. Breinholt stated that he has dealt with Maverik projects in other cities, and they are very good to work with. Mr. Breinholt stated that there will be more details to come with the site design. Mr. Egbert asked if Mr. Meyers had seen the comments submitted by City Planner Jay Nielson. Mr. Meyers stated that he has reviewed the comments. Jerald Leishman stated that there is a high-pressure natural gas line along the property. Mr. Meyers stated that they have met with the gas company, and that line will be relocated. Sam Winward stated that it is exciting to have a company who wants to do business in Wellsville City. Monte Williams stated that it is good for the community to have goods and supplies available in the community. Mr. Kyriopoulos asked about the sewer connection. Mr. Meyers stated that the sewer connection is a challenge and expense of the site. Mr. Meyers stated that there are 2 options; 1) bore under Highway 89/91, or 2) connect to the east of the property, which would require a lift station. Mr. Meyers stated that Maverik would more than likely bore under Highway 89/91.

At 6:55 p.m., the public hearing was closed.

Paul Egbert suggested a sidewalk from the corner of the property up to the store front. Mr. Egbert stated that Todd Meyers could coordinate with UDOT to dress up the landscaping. Mr. Egbert asked what the intentions are for the remainder of the property. Mr. Meyers stated that Maverik is still working with the property owner. The current property owner may retain some of the property. Mr. Egbert asked what the use or value of the remaining parcel would be. Mr. Meyers stated that it may be limited. Ruth P. Maughan

asked how far the sewer is from this property. Don Hartle stated that the sewer is located on the west side of Wellcome Mart. Jerald Leishman stated that all of his concerns have been met. Brian Pattee stated that nothing jumps out at him with this project. Mr. Egbert stated that for the public's information, City Planner Jay Nielson authored a 5-page document of conditions and discussions for this project. Mr. Pattee read from Mr. Nielson's comments. There will be no certificate of occupancy until all of the conditions have been met. Ms. Maughan asked if the berm will be completed removed. Mr. Meyers stated that there will be a 3-foot berm along Highway 89/91. Mr. Egbert stated that the current plan shows a 30-inch berm. Mr. Meyers apologized and stated that per the plan, the berm would be 30 inches high. Mr. Egbert reviewed the list of conditions from Mr. Nielson. Don Hartle suggested that Mr. Nielson's comment be part of the motion. After discussion, Paul Egbert made a motion, seconded by Brian Pattee, to approve a request from Maverik, Inc. for a conditional use for a Maverik store with gasoline sales including high flow diesel at the southeast corner of the intersection of Highway 89/91 and Main Street (also Highway 101) with the conditions that all of the comments from City Planner Jay Nielson are met, a sidewalk is added along Highway 101, Eastfield Irrigation Company signs off on the plan, and that UDOT-approved simple landscaping be completed along Highway 101.

YEA 4

Paul Egbert
Jerald Leishman
Ruth P. Maughan
Brian Pattee

NAY 0

The Planning Commission reviewed for approval the preliminary plat for the Wellsville Landing Subdivision, consisting of a total of 10 lots on property on the north side of 300 South from 200 East to 300 East. Brayden Sparrow stated that he is the owner of the 5 acres of property. There are 10 lots, with the existing home located on lot #10. Mr. Sparrow stated that he has had conversations with Don Hartle and the Public Works department. Mr. Sparrow stated that he has also had conversations with Arlyn Brenchley concerning the irrigation ditch and water. Mr. Sparrow stated that he has complied with all of the standards that Wellsville City requires. Mr. Sparrow stated that 200 East will have the asphalt continued, with Wellsville City paying for the other half of asphalt. Mr. Sparrow stated that the water line will be in a continuous loop. Mr. Sparrow stated that the additional 9 lots will add value to Wellsville City. Ruth P. Maughan asked about the 10-foot P.U.E. around each lot. Mr. Sparrow stated that they are located on page 2. Paul Egbert stated that the 10-foot P.U.E. around each lot is missing. Mr. Sparrow stated that it will definitely be added to the final plat. Brian Pattee stated that lots 1 and 2 will need to have a lift station installed for the entire house. Todd Harmon stated that as a real estate agent, he sees it all the time, and it is very common to have a lift station in the home. Don Hartle suggested adding some verbiage on the final plat concerning the lift stations for lots 1 and 2. Mr. Pattee stated that the owners of lots 1 and 2 should sign some contract stating that they are aware that a lift station will be needed for the lot. Mr. Pattee stated that this situation is unique. Ms. Maughan stated that there is an error concerning the frontage on lots 5 and 7. Mr. Sparrow stated that it has been noted. Ms. Maughan asked if lots 1 and 2 will have separate entrances off of 200 East. Mr. Sparrow stated yes. Mr. Egbert stated that along 200 East, there is no slope on the left-hand side, just a vertical drop off. Mr. Sparrow stated that is correct. After discussion, Paul Egbert made a motion, seconded by Brian Pattee, to approve the preliminary plat for the Wellsville Landing subdivision, consisting of a total of 10 lots on property on the north side of 300 South from 200 East to 300 East with the following correction to be made on the final plat; 1) 10-foot P.U.E. shown, 2) corrections to the frontage of lots 5 and 7, 3) water and sewer laterals, and 4) Arlyn Brenchley signs off concerning the irrigation ditch and water.

YEA 4

Paul Egbert
Jerald Leishman
Ruth P. Maughan
Brian Pattee

NAY 0

The Planning Commission reviewed for approval the concept plan for the Cooper Ridge Subdivision on the west side of Center Street from approximately 1335 South to 1419 South. Jeff Jackson stated that this is a

challenging project. Mr. Jackson stated that with some help from City Planner Jay Nielson, they have made a plan for 9 lots instead of 13 lots. This will allow them to keep the open space onsite. Mr. Jackson stated that he hasn't seen any comments from City Engineer Chris Breinholt. Ruth P. Maughan asked how the road Dale Cooper uses will fit into this project. Mr. Jackson stated that it is the south boundary, and would be abandoned. Brian Pattee asked about the sewer connection for Dale Cooper. Mr. Jackson stated that Dale Cooper is on septic. Don Hartle stated that Dale Cooper would be required to connect to the sewer. Paul Egbert stated that the frontage of the lots is not labeled. Mr. Jackson stated that there is no curve table on the concept plan. Mr. Egbert asked if all of the lots meet the 82.5' of frontage. Mr. Jackson stated yes. Brian Pattee asked if the right-of-way is 66 feet. Mr. Jackson stated that the right-of-way is 99 feet. Jerald Leishman asked about the flood plain. Mr. Jackson stated that the property is in the flood plain "A". Mr. Egbert asked if there would be an HOA that holds the open space. Mr. Jackson stated that most of the open space will be privately owned by Dale Cooper. Mr. Egbert asked about detention ponds. Mr. Jackson stated that they will be owned by lots 1 and 8. There will be CC&R's for this subdivision. Ms. Maughan asked about the small sliver of property on the north side of lot 8. Mr. Jackson stated that it is a remainder piece of property that will be owned by Dale Cooper. Don Hartle stated that Wellsville City code requires that the water line be located on the high side of the property and sewer line be located on the low side of the property. Mr. Hartle stated that the Public Works department doesn't want to keep relocating water meters. There is also 10-foot P.U.E.'s required around each lot. After discussion, Paul Egbert made a motion, seconded by Brian Pattee, to approve the concept plan for the Cooper Ridge Subdivision on the west side of Center Street from approximately 1335 South to 1419 South.

YEA 4

Paul Egbert
Jerald Leishman
Ruth P. Maughan
Brian Pattee

NAY 0

The Planning Commission continued consideration in making a recommendation to the City Council on a request from David Kurek that the land use map and the zoning map be amended to rezone additional property he is currently using for South Valley R.V. Repair to be rezoned from RA-1 to CH, Highway Commercial, on said property at 252 East 760 South. David Kurek stated that he is required to add landscaping to the property. Mr. Kurek stated that help from City Planner Jay Nielson and City Manager Don Hartle, they came up with a drawing of some proposed landscaping. Mr. Kurek also handed out a drawing of landscaping that he came up with. Paul Egbert stated that he would like to see the landscaping help with parking off of the city street. Brian Pattee stated that he likes the landscaping, and would do away with the berm. Mr. Egbert stated that the berm helps with delineation and showing the property boundary. Mr. Pattee suggested completing all of the other landscape and doing a test run of the berm with cones. Jerald Leishman stated that he is concerned with traffic, and wonders if a berm will make traffic worse. Mr. Leishman stated that landscaping will help eliminate future growth of the commercial zone. Mr. Pattee stated that whiskey barrel planters could be used on a temporary basis to see how it works. Mr. Egbert suggested some type of signage concerning drop-off's with arrows. After discussion, Brian Pattee made a motion, seconded by Paul Egbert, to recommend to the City Council approval on a request from David Kurek that the land use map and the zoning map be amended to rezone additional property he is currently using for South Valley R.V. Repair to be rezoned from RA-1 to CH, Highway Commercial, on said property at 252 East 760 South.

YEA 4

Paul Egbert
Jerald Leishman
Ruth P. Maughan
Brian Pattee

NAY 0

After discussion, Brian Pattee made a motion, seconded by Jerald Leishman, to approve the conditional use request for South Valley R.V. Repair to add additional landscaping as per drawing, and to also implement yard lighting for the dark sky lighting ordinance.

YEA 3
Paul Egbert
Jerald Leishman
Brian Pattee

NAY 1
Ruth P. Maughan

The Planning Commission continued consideration for possible approval a request from Sharp Trucking for a conditional use to expand his existing business at 390 North 900 East. Zan Sharp stated that this issue was continued because of the setback along 400 North. Mr. Sharp stated that he is working on purchasing the property to the north of him from Steve Kyriopoulos. Paul Egbert asked if the frontage is based off of 900 East. Don Hartle stated yes. Ruth P. Maughan stated that there is enough frontage, but it is the side yard that is in question. The question was asked if the buildings could be 10 feet apart with a fire-rated wall. Mr. Hartle asked what the height of the new building is. Mr. Sharp stated 29 feet. The buildings are currently 20 feet apart. With the buildings being 20 feet apart, they lack between 7 and 8 feet for the side yard. Mr. Hartle stated that there are no comments submitted concerning this project from City Engineer Chris Breinholt. Mr. Egbert stated that he feels that this project is headed in the right direction, but hates to approve it without any comments from Mr. Breinholt. After discussion, Paul Egbert made a motion, seconded by Brian Pattee, to approve a request from Sharp Trucking for a conditional use to expand his existing business at 390 North 900 East with the conditions listed by City Planner Jay Nielson and paving ½ of the width (22 feet) of the roadway along 400 South.

YEA 4
Paul Egbert
Jerald Leishman
Ruth P. Maughan
Brian Pattee

NAY 0

At 9:17 p.m., Jerald Leishman made a motion, seconded by Brian Pattee, to adjourn the meeting.

YEA 4
Paul Egbert
Jerald Leishman
Ruth P. Maughan
Brian Pattee

NAY 0

Ruth P. Maughan
Chairperson