

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, May 11, 2016, at the temporary Wellsville City Offices, 25 North 100 East in Wellsville. Commission members present were Chairwoman Ruth P. Maughan, Chris Clark, Paul Egbert, and Marcene Parker. Also present were City Manager/Recorder Don Hartle, City Planner Jay Nielson, 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 6, 2016. The meeting was called to order at 6:00 p.m. by Chairwoman Ruth P. Maughan.

Others Present: Jennifer Leishman Tamara Poppleton Jay Davis
Erik Johnson

Opening Ceremony: Marcene Parker

Planning Commission member Brian Pattee was excused from this meeting.

Ruth P. Maughan reviewed the agenda with the Commission. After discussion, Paul Egbert made a motion, seconded by Chris Clark to approve the agenda as presented.

YEA 4 NAY 0
Chris Clark
Paul Egbert
Ruth P. Maughan
Marcene Parker

The Commission reviewed the minutes for the Commission meeting which was held April 13, 2016. There was a word change on line 151. After review, Marcene Parker made a motion, seconded by Chris Clark, to approve the minutes of the April 13, 2016 meeting with the correction.

YEA 3 NAY 0 ABSTAIN 1
Chris Clark Paul Egbert
Ruth P. Maughan
Marcene Parker

The Commission reviewed the minutes for the Commission meeting which was held April 27, 2016. After review, Marcene Parker made a motion, seconded by Paul Egbert, to approve the minutes of the April 27, 2016 meeting as presented.

YEA 3 NAY 0 ABSTAIN 1
Paul Egbert Chris Clark
Ruth P. Maughan
Marcene Parker

The Planning Commission considered for approval a lot line adjustment on property identified by tax I.D.'s 10-028-0017, 10-025-0043, and 10-028-0018. Tamara Poppleton stated that her son, Troy, owns this property. There has been a fence line for several years. Ms. Poppleton stated that an agreement has been reached, and that the property owner is selling to her son, a very small strip of property approximately 6 feet at the north end, and tapering to 2 ½ feet at the south end. The property owner is giving 2.82 feet to her son, which is enough frontage to comply with Wellsville City code. Paul Egbert stated that there are 3 tax I.D. numbers. Don Hartle stated that he added all 3 tax I.D. numbers just in case there were needed. Mr. Egbert stated that the agreement is between just 2 tax I.D. numbers. Mr. Hartle stated that is correct. Mr. Egbert asked if this was for a buildable frontage lot. Ms. Poppleton stated yes. Mr. Egbert stated that the minimum frontage goes back only so far, and that it should go back to the rear setback line. Mr. Hartle stated that the statement that Mr. Egbert is referring to is in the new code, which hasn't been adopted yet. Mr. Egbert stated that if Ms. Poppleton is going to build a home now, there is no problem. If Ms. Poppleton decided to wait for a couple of years to build, the property may still be off by inches. Mr. Hartle stated that he has no problem with what Mr. Egbert is suggesting, but it is not 100% needed. City Planner Jay

Nielson reviewed the proposed new land use code. Mr. Egbert is correct. It was suggested that Ms. Poppleton obtain enough frontage for the depth of the property now, and not have to go through this process again when they decide to build a home. After discussion, Paul Egbert made a motion, seconded by Chris Clark, to continue this discussion at a later Planning Commission meeting.

YEA 4

Chris Clark
Paul Egbert
Ruth P. Maughan
Marcene Parker

NAY 0

The Planning Commission reviewed for approval a revised Final Plat for the Pioneer Divide Subdivision. Paul Egbert stated that Jay Davis is trying to preserve the right of the irrigation company to modify the head gate. Mr. Egbert stated that Mr. Davis is giving a 12-foot easement on the west property line. Mr. Egbert stated that it seem reasonable to him. Mr. Davis has tried to communicate with the irrigation company with no success. Marcene Parker stated that she believes that approval shouldn't be given until Mr. Davis complies with contacting the irrigation company. Don Hartle stated that according to Mr. Davis' attorney, he is in his right to do this. Ruth P. Maughan stated that her concern is that if something goes wrong, it will fall back on Wellsville City. Mr. Egbert stated that Mr. Davis has tried to communicate with the irrigation company. Mr. Egbert stated that there is a prescriptive right for usage. Mr. Egbert stated that there are 2 different easements. There is the easement for the pipe, and there is the easement for a 2-track lane to modify the head gate. Ms. Maughan asked if Mr. Davis has tried to talk to Scott Hendry, the president of the irrigation company. Mr. Davis stated that he has tried to talk to Mr. Hendry, spoke with him once, and Mr. Hendry didn't have time to talk with him. Mr. Davis stated that he has created a right-of-way along the west side of the property. Ms. Parker asked what Mr. Hendry said about this issue. Mr. Davis stated that Mr. Hendry told him he didn't want a house built on the property. Mr. Davis stated that he has tried to make it simple by doing it this way. Mr. Egbert asked if there is a fence. Mr. Davis stated that the fence is 10 to 12 feet off to the west. Mr. Egbert stated that he feels that what has been done is reasonable. Ms. Maughan stated that if Mr. Hendry is not working with Mr. Davis because he doesn't want a home on the property is unreasonable. Mr. Davis stated that he does have a letter from his attorney stated that he is within his right to do this. Mr. Egbert stated that it seems reasonable to him. Ms. Maughan asked if City Planner Jay Nielson had any thoughts. Mr. Nielson stated that there is nothing in the Wellsville City code that allows the Planning Commission to impose conditions on the property owner from the irrigation company. After discussion, Paul Egbert made a motion, seconded by Marcene Parker, to approve a revised Final Plat for the Pioneer Divide Subdivision, with an easement for the existing pipe, and a new 12-foot easement to access the head gate.

YEA 4

Chris Clark
Paul Egbert
Ruth P. Maughan
Marcene Parker

NAY 0

The Planning Commission reviewed for further consideration the signs for the scales at Maverik, Inc. at 748 East Main. Ruth P. Maughan asked if City Planner Jay Nielson had a chance to review this proposal. City Planner Jay Nielson stated yes, he had reviewed the proposal. Erik Johnson, representing Maverik, Inc., stated that he had notes from the previous meeting. Mr. Johnson stated that the thought process is similar in regards to the scales at the Maverik for Wellsville and 1000 West Logan. Mr. Johnson handed out pictures of different concepts for the scales. Mr. Johnson stated that Logan City didn't classify the structure as a sign because it doesn't advertize along 200 North (Valley View Highway). Mr. Johnson suggested using a canopy instead of a free-standing sign. Paul Egbert asked what the square footage of the sign is. Ms. Maughan stated that the major concern is that the sign is too tall, and that it doesn't fit the sign code at all. Ms. Maughan asked if Mr. Nielson had any input on this sign. Mr. Nielson stated that he doesn't know how Logan City doesn't classify the structure as a sign. Mr. Johnson stated that it is a function for the property. Mr. Nielson stated that a function for the property is a camera and speaker and a pole. A sign is for advertising. Mr. Nielson stated that there is a way to make the structure work. Mr. Egbert suggested a

canopy that is blank. Mr. Nielson stated that a canopy is a building, and this is a sign. Mr. Nielson asked what function a canopy provides versus a camera and speaker on a pole. Mr. Johnson stated that the canopy protects the driver from the rain. Mr. Nielson stated that the canopy would provide the same protection to the driver of a semi as the canopy provides to the customer using the gas pumps. Mr. Nielson stated that the driver doesn't get out of a truck, and then asked why a canopy is needed. Ms. Maughan stated that it is an advertising sign, which doesn't fit the sign code. Ms. Maughan stated that Mr. Nielson has submitted 3 different alternatives, but Maverik keeps submitting the same proposal. Mr. Johnson stated that if Wellsville City will not allow a sign, then a canopy is their second choice. Mr. Nielson stated that he hasn't seen any signs that were submitted that come close to the sign code. Mr. Johnson asked why the canopy that was submitted won't work. Mr. Nielson stated that the canopy has to look like the canopies over the gas pumps. Mr. Nielson stated that comparing the Wellsville site to the 1000 West Logan site that is in a high industrial zone, the comparison is not even close. The Wellsville site is the gateway to Cache County, and there is no comparison. Mr. Nielson stated that the canopy has to resemble the look of the canopies over the gas pumps. Maverik also has to reduce the dominance of the yellow. The canopy also had to be built like the canopy over the gas pumps. Mr. Egbert stated that he likes the idea of the canopies all looking the same, and not a hodge-podge of different ideas. The site needs to look that there is one owner, one single business, not thirty-one flavors. Mr. Nielson stated Maverik still has the option of another monument sign that can be 8-feet tall. After discussion, Paul Egbert made a motion, seconded by Chris Clark, to allow Maverik, Inc. to work with City Planner Jay Nielson on a final design for a canopy for scales that will meet the sign requirements, and to work on colors that will match the existing canopies.

YEA 4

Chris Clark
Paul Egbert
Ruth P. Maughan
Marcene Parker

NAY 0

City Planner/Zoning Consultant Jay Nielson conducted a workshop and presentation to the Planning Commission on the 2nd revision to the Land Use Code.

At 8:02 p.m., Marcene Parker made a motion, seconded by Paul Egbert, to adjourn the meeting.

YEA 4

Chris Clark
Paul Egbert
Ruth P. Maughan
Marcene Parker

NAY 0

Ruth P Maughan
Chairperson