

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, August 22, 2012, at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairman Loyal Green, Russell Glenn, Paul Egbert, John Spence, and M. Kent Larsen. Also present were City Manager/Recorder Don Hartle, Councilman Ron Case, Colin Harrison, and 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 August 17, 2012. The meeting was called to order at 6:00 p.m.

Others Present: Jennifer Leishman Justin Cooper Gary Hansen
Jonathan Cook Jonathan Marchant Candice Sorensen

Opening Ceremony: John Spence

Loyal Green reviewed the agenda with the Commission. Don Hartle added a discussion about house plans. After discussion, John Spence made a motion, seconded by M. Kent Larsen, that the agenda be approved with the addition.

YEA 5 NAY 0
Russell Glenn
Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

The Commission reviewed the minutes for the Commission meeting which was held July 11, 2012. After review, Russell Glenn made a motion, seconded by Paul Egbert, that the minutes of the July 11, 2012 meeting be approved as presented.

YEA 5 NAY 0
Russell Glenn
Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

The Commission reviewed the minutes for the Commission meeting which was held August 8, 2012. After review, M. Kent Larsen made a motion, seconded by Paul Egbert, that the minutes of the August 8, 2012 meeting be approved as presented.

YEA 5 NAY 0
Russell Glenn
Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

The Planning Commission reviewed for approval the preliminary plat for the "Parker Escape Subdivision" consisting of a total of 3 lots on the north side of 800 South from 50 West to 100 West. Justin Cooper stated that the City Council asked that the sidewalk be installed as part of this subdivision. The sidewalk is drawn on the plat along 800 South. There are utility poles along 100 West that are approximately 1 foot in front of the property line, so he bumped the sidewalk on 100 West to go outside of the utility poles. Loyal Green asked where the sidewalk would be installed in relationship to the ditch. Mr. Cooper stated that the ditch will still be piped along 800 South. Mr. Cooper stated that he spoke to Ray Bankhead concerning this issue. The ditch will remain open along 100 West. The sidewalk will miss the ditch. Mr. Green asked how deep the ditch is. Mr. Cooper stated that along 100 West, it isn't too bad. Along 800 South, the ditch is fairly deep. Mr. Green asked that other than a safety concern, is there any other issues concerning the ditch. Mr. Cooper stated that the ditch along 800 South is a safety issue; therefore they are piping the ditch. After

discussion, M. Kent Larsen made a motion, seconded by Paul Egbert, to approve the preliminary plat for the “Parker Escape Subdivision” consisting of a total of 3 lots on the north side of 800 South from 50 West to 100 West.

YEA 5

NAY 0

Russell Glenn
Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

Gary Hansen met with the Planning Commission to discuss a potential development of property from 300 North to 400 North on the west side of 200 East from 200 East to approximately 150 East with a “mixed residential zone” concept. Gary Hansen stated that he appeared before the Planning Commission approximately 8 months ago with a plan for a townhome community. Mr. Hansen stated that he has the property where the cheese plant is located under contract to purchase. Mr. Hansen would like to build a townhome community, but the tricky part is there is no code or zone for a townhome community. Mr. Hansen would like to work with Wellsville City to develop a code and zone for a townhome community, and would like to start immediately into the subdivision process. Loyal Green asked if there is a concept plan or a vision of what Mr. Hansen wants to do. Mr. Hansen stated that he would like to use the same drawing that he provided to the Planning Commission approximately 8 months ago, but instead of 46 units, he would like to have 52 units on the property. Mr. Hansen stated that having more units doesn’t affect the open space, and it becomes more feasible for him to do this project. Mr. Green asked how many acres of property are there. Mr. Hansen stated 4.71 acres. Mr. Green asked how many units per acre. Mr. Hansen stated that there are approximately 11 units per acre. Mr. Green asked about the “mixed use” zone. Mr. Hansen stated that it is all residential, but mixed use is what other cities call this type of density. M. Kent Larsen asked what part of the building would be owned by the owner. Mr. Hansen stated that the owner of the unit would own the 4 walls and inward. The outside of the building and surrounding area would be owned by an HOA. Paul Egbert stated that the Planning Commission was given a copy of Logan City’s mixed use code and asked if it was provided by Mr. Hansen. Mr. Hansen stated no. Don Hartle stated that the process would be to design a code, amend the land use map, and amend the zoning map. Mr. Hansen stated that as he read the General Plan, a new zone could be created and the property would be rezoned to the new zone. Mr. Egbert asked if the process is defined. Mr. Hartle stated that the Planning Commission would decide if the General Plan should be amended or not. Mr. Green stated that it is Mr. Hansen’s opinion that the General Plan didn’t need to be amended, and asked if Mr. Hansen had page numbers of the code as a reference. Mr. Hansen stated that he didn’t have that information with him. Mr. Green asked how flexible Mr. Hansen is to develop an HOA document. Mr. Hansen stated that the Planning Commission has to review the HOA document, but he is open to it and the process of creating it. Mr. Green stated that the HOA document is critical. How and who enforces the HOA document is an issue. Mr. Hansen stated that he wants to stay away from multi-colored façade to differentiate between units. Mr. Hansen stated that he has tried to hide the garage for each unit. Mr. Hansen would like to use the stream as a feature. Mr. Hansen would like to have a playground, a bowery, and picnic areas. John Spence asked how large the garage would be. Mr. Hansen stated that they are 2-car garages. Mr. Spence stated that parking and congestion are big issues. Mr. Egbert asked how many bedrooms. Mr. Hansen stated 3, or what the market wants. Mr. Hartle asked if the infrastructure and streets would be owned by the HOA. Mr. Hansen stated yes. Mr. Green asked the square feet per unit. Mr. Hansen stated that approximately 1,550 square feet. Mr. Spence asked if the project would be done in phases or all at once. Mr. Hansen stated that the project would be completed all at once. Mr. Egbert asked what the code is concerning the ratio of parking stalls per unit. Mr. Hartle stated that the code requires 1 extra parking stall for visitors per unit. Mr. Larsen asked the cost per unit. Mr. Hansen stated that it is in the \$160,000 to \$180,000 range. Mr. Egbert stated that he has a concern with parking. Mr. Egbert stated that some college kids use more than 3 stalls. Mr. Hansen stated that there is a lot of frontage around the community, and there are 2 full blocks that residents can park around. Mr. Egbert stated that 200 East may be an option to park on, but the north and south is too close and the cars would come out into traffic. Mr. Hansen asked if there was a traffic study to review. Mr. Egbert stated that a traffic study should be required with this type of development. Mr. Egbert stated that he sees 2 challenges; 1) zoning in general, and 2) and site specific in this area. Mr.

Hansen stated that this plan will not bring 1,000 new cars into the community. Mr. Hartle stated that parking could be addressed in the code. Russell Glenn stated that his concern is with deliveries and people coming to visit. Mr. Glenn asked how people would know where to go. Mr. Hansen stated that each building would have a number on it. The mailboxes would be centrally located on the property. Mr. Glenn stated that visually, the project looks great. The practicality of the project is something that people would have to get used to. Mr. Glenn stated that he has a problem with proceeding without having the code finalized. Mr. Glenn stated that it is not good planning practice. Mr. Hansen stated that he has used the RM-4 zone and made modifications to it for a mixed residential zone. Mr. Hansen asked if the Planning Commission would be willing to review it. Mr. Glenn stated that the Planning Commission would be happy to review it, but a change can't be made to the code without it affecting the entire code. Mr. Glenn stated that Wellsville City couldn't adopt the code from Logan City as is because this project would violate that code. Mr. Glenn stated that the code shouldn't be modified to fit one project. The Planning Commission needs to think about the future. Mr. Green stated that the Planning Commission is willing to proceed and work through the issues, but there need to be collaborating and cooperation. Mr. Hansen stated that he is willing to work with Wellsville City as long as he is not the one always giving and Wellsville City taking. Mr. Egbert stated that there is criteria that needs to be defined on some goals. The General Plan may need to deal with higher density. The code may need to be more broad or tightened down. Mr. Hansen stated that a minimum to maximum could be written into the code. Mr. Hansen stated that one city had added a bonus point system into their code. Mr. Green asked how to proceed with this and how to do it. Mr. Egbert stated that no additional work from Mr. Hansen would be required beyond the current concept plan. The Planning Commission needs to work toward building a code. Mr. Green stated that the current residential code can be used as a guideline. Mr. Spence stated that Mr. Hansen shouldn't spend too much more money on this project before the code is completed. Mr. Larsen asked if there would be any units with the bedroom on the main floor. Mr. Hansen stated that he is willing to work on that issue. Mr. Green stated that the City Council has to be involved and hold public hearings. Mr. Green stated that the Planning Commission is willing to move forward, but not willing if the City Council is not on board with the project. Mr. Hartle stated that this issue is a zoning matter, which comes to the Planning Commission first. It will then go on the agenda for the City Council, or Carl Leatham will discuss it during his department report of the City Council meeting. Mr. Green asked if the idea has been presented to the City Council. Mr. Hansen stated that he attended City Council meeting last week and gave a quick 5-minute explanation of his project. Mr. Hansen stated that he got the general feeling that the City Council was on board with the project. Carl Leatham stated that the City Council feels there is a need for a multi-family mixed use zone. Ron Case stated that no specifics were given so there is no commitment yet. Mr. Leatham stated that the City Council is open to a zoning change. Mr. Hansen stated that he discussed the subdivision process with Mr. Hartle, and asked if it would be possible for him to start on the subdivision process. Mr. Green stated that the responsibility of the Planning Commission is to enforce the code. At this point in time, there is no code so there is nothing to enforce. There has to be a code before the Planning Commission can do their job. There is nothing to base the development on because it has to be based on a code. Mr. Hansen asked who creates the code. Mr. Green stated that the Planning Commission and the City Council creates the code and holds public hearings on it. Mr. Egbert cautioned the Planning Commission not to create the code based on the location of the project. Mr. Green stated that the project has to meet the code. Mr. Glenn stated that the code defines the areas of the community. Mr. Larsen asked if the code can be created with the help for Mr. Hansen and other communities. Mr. Larsen asked if the Planning Commission could get copies of 3 to 5 different codes to review. Mr. Glenn stated that if this type of project has been seen and done in other communities, a copy of their code to review would be nice. Mr. Green stated that a City Planner writes the code and then compares it to the General Plan. The code is then given to the Planning Commission for review. Mr. Green stated that Wellsville City is back to square one because they need to hire a City Planner. Mr. Leatham stated that Wellsville City is looking at finding an interim, if not a permanent City Planner. Mr. Hartle stated that the process for finding a City Planner has been started. Mr. Green asked if the City Planner for Logan City could write a code for the Planning Commission to review. Mr. Leatham stated that is an option. Mr. Leatham stated that in the meantime, the Planning Commission could get on the internet and look up codes from different cities and towns and review them. Mr. Egbert stated that a time frame should be established. Mr. Larsen stated that not having a City Planner for Wellsville City discourages people and Wellsville City loses projects. Mr. Hartle stated that this project began last week, not 8 months ago. Mr. Hansen stated that he agrees with putting a time frame on the project. Mr. Hansen stated that he would like to help build a nice asset for the community. Mr. Leatham asked about forming

a committee in order to move forward while the City continues to find a City Planner. Mr. Green stated that if they are on the right track, a code could be written and reviewed within a month. Justin Cooper volunteered to head the committee. Mr. Glenn asked if Mr. Cooper had any connection to this project. Mr. Cooper stated no. Mr. Hartle stated that Mayor Thomas G. Bailey and the City Council would have to approve of the committee. After discussion, M. Kent Larsen made a motion, seconded by Russell Glenn, to recommend to the City Council that a committee be formed with membership from the Planning Commission, City Council, and members of the community in order to write a code for a mixed residential zone.

YEA 5

NAY 0

Russell Glenn
Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

The Commercial Development Committee met with the Planning Commission. Carl Leatham stated that the master roads concept plan was approved by the City Council. The next step in the process is to hold public hearings. Mr. Leatham stated that he was going to present tonight the changes to the C3 and CH zones, but will hold off until they are able to discuss this with a City Planner. The Commercial Development Committee will then review the land use code.

Don Hartle discussed with the Planning Commission a potential sign. Mr. Hartle showed the Planning Commission pictures of the signs at the Shaved Ice Shack as they are now, and then showed pictures of the new signs they would like to install. Mr. Hartle stated that he needed some advice. The entire project is on City property. Russell Glenn stated that the signs should meet the sign code. Loyal Green asked if the sign was attached to the structure. Mr. Hartle stated yes. Paul Egbert stated that the Planning Commission needs to treat this issue as they would for any other business, but remember the simplicity of the signs. Mr. Hartle asked what the Planning Commission wanted to do. Mr. Green stated that the free-standing sign that is in the right-of-way should not be allowed. M. Kent Larsen stated that the signs should be kept with the building. Mr. Egbert stated that a sign be allowed anywhere between the buildings, but nothing on the sidewalk. Mr. Glenn read from the sign code concerning temporary signs. Mr. Hartle stated that it is too late this year, but will tell the owners that they will need a conditional use permit for the signs for next year.

Don Hartle discussed with the Planning Commission some house plans. Mr. Hartle explained the situation of the Cory Hubbard Subdivision. There was a paragraph on the plat concerning the high water table. Mr. Hubbard sold the property as one lot, so Mr. Hartle never filed the subdivision. The entire lot will be used to build a home, garage, and an attached for a mother-in-law building for living quarters. Mr. Hartle stated that his opinion is that it is a multi-family dwelling. Mr. Hartle stated that they were going to have a mother-in-law apartment in the basement, but because of the high water table, removed the basement and put it attached to the house. Carl Leatham stated that the property is in the R-1-12 zone. There isn't a duplex on the street, so he could have a duplex. Mr. Hartle stated that was explained to the owner, but he doesn't want a duplex. Mr. Hartle stated that he has filed an occupancy restriction on other homes within Wellsville City limits. The Planning Commission agreed, and Mr. Hartle will file the correct documents with Cache County.

At 7:36 p.m., Paul Egbert made a motion, seconded by John Spence, to adjourn the meeting.

YEA 5

NAY 0

Russell Glenn
Paul Egbert
Loyal Green
John Spence
M. Kent Larsen

Loyal Green
Chairman