

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, July 22, 2015, at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairwoman Ruth P. Maughan, Paul Egbert, Marcene Parker, and Brian Pattee. Also present were City Manager/Recorder Don Hartle, City Planner Jay Nielson, Mayor Thomas G. Bailey, 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 July 17, 2015. The meeting was called to order at 6:00 p.m. by Chairwoman Ruth P. Maughan.

Others Present: Jennifer Leishman Nate Reeve Jim Child
Jeff Jackson Rick Stednitz Jonathan Cook
Robert Bolton

Opening Ceremony: Brian Pattee

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

YEA 4 NAY 0
Paul Egbert
Ruth P. Maughan
Marcene Parker
Brian Pattee

Commission member Chris Clark arrived at the meeting at 6:03.

The Planning Commission reviewed for possible final approval 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 (Highway 101). Nate Reeve introduced himself as the project engineer and Jim Child introduced himself as the manager of construction. Mr. Reeve handed out larger copies of the Concept Plan. Mr. Reeve stated that he received a copy of the comments from City Engineer Chris Breinholt. Mr. Reeve stated that as he sat down tonight, he received a copy of the comments from City Planner Jay Nielson. Mr. Reeve stated that Maverik is excited to build a convenience store in Wellsville City. Mr. Reeve stated that Maverik is working with UDOT concerning access onto Highway 101. Mr. Reeve stated that concerning landscape, the berm is 3 feet high with a base of 8 feet inside the front of the 40-foot area. City Planner Jay Nielson stated that the on-site top of curb does not exist on either highway. Mr. Reeve stated that it is very low, and a lot of fill will be required. Mr. Reeve stated that it will be 18 inches above on-site curb. Mr. Nielson asked why the base of the berm is 8 feet. The required base is 40 feet. Mr. Reeve stated that the storm water will be in that location. Mr. Nielson stated that the height of the berm was reduced from 6 feet to 3 feet. Mr. Reeve stated that this process doesn't change the green space. It is a very large change. Mr. Nielson stated that it is not a change. The 40-foot base has been part of the code since day one. Mr. Nielson stated that the only change was the height of the berm. Mr. Reeve stated that Maverik would like the detention pond above ground because of the cost. Mr. Nielson asked what the slope of the detention pond is. Mr. Reeve stated that it is 3:1, which is maintainable. Mr. Reeve stated that the goal is to maintain the landscape and detention pond up front. Mr. Nielson stated that there are other obvious alternatives. Mr. Nielson stated that a 3-foot high berm in relationship to the curb will put the curb right against a wall and then slope down to a detention pond. Mr. Reeve stated that there is no other choice but to go underground, which the soil is not conducive for that. Ruth P. Maughan asked if the major concern is the base width. Mr. Reeve stated yes. There should be some latitude on the base width. Brian Pattee asked where in the code it states that the base width is 40 feet. Mr. Nielson stated that it is code 10-39-040-F. Mr. Reeve stated that a 40-foot base would make sense if the berm was 5 feet high. Mr. Reeve stated that with a small berm, the base should be smaller also. Paul Egbert asked where in the code it gives flexibility on the height of the berm. Mr. Nielson read from code 10-39-130-2D. Mr. Nielson stated that in order to modify the base requirement, a finding would need to be made that the base of the berm is reduced to the height of the berm, which is by 50%. Marcene Parker asked if the 40-foot base is length or width. Mr. Nielson stated that it is width. Ms. Parker stated that she believes that is excessive. Mr. Nielson stated that spreading out the berm will make it look more natural. Mr. Egbert stated that there is enough

flexibility to reduce the base of the berm to 20 feet along Highway 89/91 and Highway 101. Mr. Reeve stated that 76 trees are required and the Concept Plan shows 28 onsite. Mr. Reeve stated that he has a real concern increasing the number of trees up to 76. There is a lot of clustering of trees. Mr. Reeve asked if there was any flexibility concerning the trees. Mr. Nielson stated that there are no trees on the south or east borders. Mr. Reeve stated that he hopes as Maverik begins to build, additional commercial development will follow. Ms. Maughan stated that Maverik could use a buffer of trees along the south border. Mr. Reeve stated that with water and sewer upgrades, he is hopeful for additional commercial development. Jim Child stated that water resources are becoming more scarce. Mr. Nielson stated that Wellsville City doesn't require any grass. The property could have zero-scape if it is wanted. Mr. Nielson stated that trees don't take water, grass does. Mr. Egbert stated that the additional 48 trees could line both highways. Mr. Nielson stated that street trees are required. Mr. Reeve stated that he hoped to cluster the highway trees. Mr. Nielson stated that the number of trees is a requirement of the code. Ms. Maughan asked what type of trees. Mr. Nielson stated that there is a diverse group of trees that could be used. Mr. Reeve asked if it was possible to cluster the trees along the frontage. Ms. Maughan asked if the code allows clusters. Mr. Nielson stated that the trees have to be planted 30 feet on center. They need to be spread out. Mr. Nielson suggested increase the planters to increase the number of trees and place the remainder on the south and east borders. Mr. Egbert stated that Maverik is 48 trees short, and suggested planting 10 trees on the south side, 10 trees on the east side, and 28 trees along highways 89/91 and 101. Mr. Reeve asked if a compacted gravel trail is sufficient. Mr. Egbert stated that a 5-foot wide sidewalk was required. Mr. Child discussed lighting, and stated that Maverik uses LED lights that are flush-mounted in the canopy and shielded sconces on the building. Mr. Nielson asked if there was up-lighting on the building. Mr. Child stated no. Mr. Nielson stated that it will meet the lighting requirement. Ms. Maughan asked if Maverik had discussed this building with Eastfield Irrigation Company. Mr. Reeve stated yes, and that a 24-inch pipe would be installed. Ms. Maughan asked if the fire chief had been involved in any discussions. Mr. Reeve stated that Maverik is working with him, and that the building will meet the international fire code. Ms. Maughan asked if this project would be built in one phase. Mr. Reeve stated yes. Ms. Maughan stated that Wellsville City requires a subdivision plat. Mr. Reeve stated that it is prepared and will be submitted to Wellsville City tomorrow. Ms. Maughan asked if Maverik owns the entire parcel of property. Mr. Reeve stated that Maverik owns a large parcel, and that the seller of the property will retain some property on the south side. Mr. Reeve asked if this would be a subdivision, or a division by deed. Mr. Nielson stated that the question should be referred back to Mr. Breinholt. Mr. Hartle asked about a sewer line easement. Mr. Reeve stated that there would be a sewer line easement from Wellcome Mart to Maverik and from Maverik to Wellsville City. Mr. Egbert asked about how the sewer line will get to Maverik. Mr. Reeve stated that it is a straight shot from Wellcome Mart to Maverik. Mr. Egbert asked how the other side of the road would connect to the sewer. Mr. Hartle stated that to the south is marsh lands, so the north side would have to bore under Highway 101. Mr. Pattee asked what size of water meter would be needed for Maverik. Mr. Reeve stated that the plumbing engineer is recommending a 4-inch meter. Mr. Egbert asked if the gas line will need to be relocated. Mr. Reeve stated that Maverik is meeting with Questar Gas on Monday, July 27, 2015 at 1:00 p.m. to discuss the issue. Mr. Nielson stated that Maverik will need to make the revisions to the Concept Plan that was submitted to Wellsville City to show that the conditions placed on the business have been met. Mr. Hartle asked that the Planning Commission clarify when Maverik can begin construction. Mr. Egbert suggested that the conditions be tied to occupancy. Mr. Reeve wondered if there is a different permit that Maverik could obtain to begin the earth work. After discussion, Paul Egbert made a motion, seconded by Brian Pattee, that Maverik has met the conditions placed on the business for development with a few minor changes that have been discussed tonight. The Concept Plan for Maverik has been reviewed by City Engineer Chris Breinholt and City Planner Jay Nielson. Their comments/staff reports are referenced as "Exhibit A" and "Exhibit B".

YEA 5
Chris Clark
Paul Egbert
Ruth P. Maughan
Marcene Parker
Brian Pattee

NAY 0

The Planning Commission reviewed for approval the Preliminary Plat for the Cooper Ridge Subdivision on the west side of Center Street at approximately 1335 South to 1419 South. Jeff Jackson stated that he met with City Engineer Chris Breinholt yesterday. Mr. Jackson stated that taking property out of a flood plain is very expensive and it is something that they don't want to do until final approval has been given for this subdivision. Mr. Jackson stated that he will be able to answer all of the questions when the Final Plat is ready. Paul Egbert stated that Mr. Breinholt's comments concerning the Concept Plan have yet to be addressed. Mr. Egbert read a paragraph from Mr. Breinholt's comments. Mr. Jackson stated that he never received a copy of Mr. Breinholt's comments concerning the Concept Plan. Don Hartle stated that the comments from Mr. Breinholt were dated June 11, 2015 concerning the Concept Plan. Ruth P. Maughan stated that Mr. Breinholt has reviewed the requirements for the Preliminary Plat, and according to Mr. Breinholt, the Preliminary Plat doesn't comply with the code. Brian Pattee asked Mr. Jackson to show the Planning Commission where the sewer line will come from Dale Cooper's home and tie in. Mr. Jackson stated that was missed as part of the Preliminary Plan. Mr. Egbert stated that all of the work needs to be completed before the Final Plat is presented. Mr. Jackson stated that he doesn't think that the property has to be taken out of the flood plain before approval can be given. Mr. Jackson stated that all that is needed is a certification. City Planner Jay Nielson asked what the final grade would be for the paved road. Mr. Jackson stated that it would be 18 inches above the existing grade. Ms. Maughan stated that her concern is that the sensitive lands are left as is. Mr. Hartle stated that the channel will be left as it is because of time. Mr. Nielson suggested cleaning the debris out of the channel. Mr. Egbert stated that Wellsville City would own part of the sensitive lands, and asked if the road would be moved over 12 feet. Mr. Jackson stated that the channel and the right-of-way will be left as is. Mr. Hartle stated that the water line could be put on the high side of the 10-foot P.U.E. around each lot and the sewer line would be put on the low side. Mr. Hartle stated that this issue will be discussed with the Planning Commission. Mr. Hartle asked if the driveway to Dale Cooper's home will remain. Mr. Jackson stated that the bridge will be kept, but the road will turn and come straight out to the road. Mr. Hartle asked if there would be an HOA. Mr. Jackson stated yes. Mr. Nielson stated that there is an item on the Staff Report of the Concept Plan that there is a deficit of .74 acres. Ms. Maughan stated that the Preliminary Plat could not be approved until the issues concerning the Concept Plan have been met. After discussion, Paul Egbert made a motion, seconded by Brian Pattee, to continue this discussion once the issues concerning the Concept Plan have been addressed. The channel will not be straightened.

YEA 5

Chris Clark
Paul Egbert
Ruth P. Maughan
Marcene Parker
Brian Pattee

NAY 0

At 7:37 p.m., Marcene Parker made a motion, seconded by Paul Egbert, to adjourn the meeting.

YEA 5

Chris Clark
Paul Egbert
Ruth P. Maughan
Marcene Parker
Brian Pattee

NAY 0

Ruth P. Maughan
Chairperson