

Mendon Planning and Zoning Committee Meeting

May 11th, 2016

Mendon Station – 95 N Main

Administration meeting began at 7pm

Public Meeting began at 7:30PM

In Attendance:

Chairman: Jay Apedaile

Co-Chairman: Joni Endicott

Commissioners: Dave Willie, John McKell, Jeremy Martin, Nancy Tolman

Secretary: Teena Young

Excused: Jill Pack, Secretary

Mayor: Ed Buist

Public Works: Kirk Taylor

City Council: Bob Jepsen

Chris Salvesen, Karl Pulley, Christopher Puller, Virginia Puller, Jill Romo, Steve Romo, Valerie Harris, Mickie Mathews, Shonya Mathews, Phil Rawlinson, Tyson Griffin, Heath Worley, Dick Cheney, Mark Curdy, Brent Bevan, Annie Bevan, Robert Hyatt, Heidi Hyatt, Tony Hardman

Administration Meeting:

Dave presented information about some revisions to the Subdivision ordinances in order to fix the loop holes that have been encountered. Dave met with Kirk, Teena, and Eric Dursteler, City Engineer about some of the issues and mentioned that some changes need to be made. He presented the commission with procedures from other entities. Kirk added that the state is encouraging more natural management of run-off such as swales instead of curb and gutter. Jay and Bob added that it leaves the city to make sure that the swales are maintained. Joni stated that we need more education for people on the purpose of the swale.

Teena stated that Kelly Barrett has done some research on other community's restrictions. Some cities have a 3-5 year waiting period after an approved subdivision before allowing further development. Dave stated that he doesn't see what benefit a waiting period would give, as a developer could do a major subdivision in phases, but it wouldn't be considered a minor subdivision. John agreed that developers should plan for the whole development and then develop in phases. Dave asked why a developer would do a minor, instead of seeking approval for a major. John stated that it would be cheaper to pay for approval of a minor. The commission will review the resources and provide opinions next month.

Public Meeting:

Jay Apedaile called the public meeting to order at 7:30PM. John McKell led the Pledge of Allegiance, with Dave Willie giving the prayer.

April 2016 Minutes

Joni motioned to approve the minutes from April 2016, John McKell seconded the motion and the minutes were approved.

Jay Nielson – Property Development Q&A

Jay Nielson was not present to the meeting.

Conditional Use Permit Renewal – Robert Hyatt

Rob Hyatt stated that the production has changed a lot since the beginning. They are outsourcing out of state for much of the production. The parts are then shipped to the Hyatt's garage for assembly. The CUP renewal was approved.

Rob stated that they would like to install a new entry on their home but it would encroach into the setback area. Jay stated that they could go to Board of Adjustments, but variances are only given for hardships or extenuating circumstance. Rob asked about whether the setback applied to the foundation or to the roof. Jay stated that it would be the side of the house and added that he could talk to Paul Taylor for more information.

Public Hearing – Olsen Annexation

Jay Apedaile opened the Public Hearing at 7:36PM. Jenn Felton, representing the annexation, was not yet present to the meeting.

Jay opened the meeting up for public comment. Tony Hardman commented that he owns a neighboring parcel. He stated that 10yrs ago the city had discussed annexing the same parcel. Tony stated that Jon Hardman wrote a letter to the county stating that Mendon doesn't have the water for the property. Now Cache County won't give the property a well permit. Tony stated that the wells are producing 35 or less feet of water. Tony stated that Mendon doesn't have water and any development has to start with water. Jay stated that there are no building permits allowed in Mendon City at this time. Tony asked how many houses are intended to be built if the property was annexed. Jay stated he didn't know for sure but that he believes they wanted 4 lots. Jay added that Mendon City would not bring out the water line because that is the responsibility of the developer. Tony stated that previously the city wanted a 12" line and a return line; water is essential and Mendon doesn't have it.

Jay reiterated that Mendon City is not the one pushing forward this Annexation but that received a petition for annexation. Jenn Felton arrived as representative for her father and property owner, Eugene Olsen. She has spoken with Chris Harrild, Cache County Planner, who said it would not be considered a peninsula if annexed. Jenn stated that it would be 3-5 houses. Her father probably wouldn't develop that many homes, but doesn't want to be limited. He would like to have 3 lots by the road initially. Jenn stated that the county told her that they couldn't rezone, because they were too close to Mendon city limits, so she needed try to annex.

Jenn stated that because the property is part of a county subdivision, Willow Creek Subdivision, the county is allowing them to cut off from the subdivision and essentially forcing the other property to annex also. Tony added that five lots were allowed in the minor subdivision and anything above the 5 is not allowed by the county.

Jenn stated that if they annex into Mendon City, they would remain agricultural and have to apply for rezone to residential prior to developing. Jeremy Martin stated that in order to subdivide you would have to bring culinary water $\frac{3}{4}$ mile. Dave stated that they would also have to provide fire protection in some way. Jay added that we don't want to promote a lot of little wells and the city doesn't approve of wells within city limits. This would be an expensive development because of the cost to bring the water and provide fire protection. Jenn stated that what she understands is that the road is already wide enough, and they would just do wells for the properties.

Jenn remembers that they would have to put a fire hydrant in within 300 ft, but they are wanting to do a well and asked why a well has been approved in Mendon City limits in the past. Kirk stated that a home recently approved for a well, was approved because the property was already part of Mendon City and Mendon couldn't provide them water because they are in a low pressure zone. Jay added that the state doesn't want to see private wells within city limits and most likely won't approve.

Jay stated that if the annexation is denied they can go to the county and ask for help. Jeremy stated that once you are annexed you will be subject to Mendon policy and may or may not be approved for a well. Jay added that they would most likely not be approved for a well, but be required to extend the culinary line. Kirk stated that hydrants are supposed to be spaced every 500 ft. There would need to be several hydrants and a booster station along the culinary line.

Bob asked if this would create a peninsula. Jenn stated that Chris Harrild told her it won't be considered a peninsula. Bob stated that we need to look into it. Jay will contact Chris Harrild. Gene Olsen, owner of the property, will call Jay to discuss the issue.

Brent Bevan, who lives across the street, would like to have extra neighbors but he doesn't want to be annexed, but he would much rather be in Mendon City than Logan City. Brent asked if he would be forced to annex. Jay answered that Mendon City is not pursuing annexing this property or any other property at this time. Virginia Pulley has the property directly west, they are concerned about the wells, as they have had to put in 2 wells because pressure is so low.

Chris Salvesen, who's property would be forced to annex if this was approved, asked if he would have to forfeit his well to the city. Jay stated that if the pipeline went through, he would have to abandon the well and hook onto the city water.

Jay added that the water policy would also go into effect requiring secondary water for newly created parcels. Bob Jepsen added that the city has a freeze on building permits at this time.

Mayor Buist clarified that the city would not take the wells, because there is no water to pipe out there. He stated that the city is in the process of other development projects and has ample water for residents. Currently though, there are no more building permits available for homes. Mayor Buist added that we don't allow wells in Mendon. In the future, Mendon will expand. The state required cities to put out a vision of expansion and allows cities to expand to those boundaries throughout time.

Jay closed the Public Hearing closed at 8:24pm.

Phil Rawlinson – SFH Application for Powell Property – Transfer of Permit

Phil stated that he is in the process of purchasing a lot in the Powell Subdivision. They would like to change the approval for a home on the property to their name contingent on the closing of the loan. He has talked with Gene Hiibner, who will change the secondary water into their name. The secondary water is available at the lot, and he will have 5 shares. Phil said they will be building right-a-way. He presented his house plans, but there will be a few changes. The home is a single level with a bonus room above the garage. Dave stated that the setbacks look good. Once the loan closes, Phil will send the proof of ownership to Jill. Dave motioned to approve contingent that the purchase goes through. John seconded the motion, and they approved unanimously.

Short Term Rental Recommendations

Joni and Jeremy have worked on some things pertaining to short term rentals. They will look at what they have together. Joni stated that the state may be making a policy for cities also. She will look into it.

John motioned to adjourn. Joni seconded the motion, and the meeting adjourned at 8:36PM