

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, January 27, 2016, at the temporary Wellsville City Offices, 25 North 100 East in Wellsville. Commission members present were Chairwoman Ruth P. Maughan, Chris Clark, Marcene Parker, and Brian Pattee. 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 January 8, 2016. The meeting was called to order at 6:00 p.m. by Chairwoman Ruth P. Maughan.

<u>Others Present:</u>	Jennifer Leishman	Jamie Pugmire	Nate Pugmire
	Steve Kyriopoulos	Jonathan Cook	Liam Nessen
	Linda Nessen	Trevor Allen	Chad Wright
	Brayden Wright	Bridger Winward	Justin Naser
	James Naser	Logan Tholen	

Opening Ceremony: Brian Pattee

Ruth P. Maughan reviewed the agenda with the Commission. Don Hartle stated that he needs to update the Planning Commission on several items. After discussion, Marcene Parker made a motion, seconded by Chris Clark to approve the agenda with the addition.

<u>YEA 4</u>	<u>NAY 0</u>
Chris Clark	
Ruth P. Maughan	
Marcene Parker	
Brian Pattee	

The Commission reviewed the minutes for the Commission meeting which was held December 23, 2015. There were word changes on lines 12, 14, 15, 47, and 54. After review, Marcene Parker made a motion, seconded by Chris Clark, to approve the minutes of the December 23, 2015 meeting with the changes.

<u>YEA 4</u>	<u>NAY 0</u>
Chris Clark	
Ruth P. Maughan	
Marcene Parker	
Brian Pattee	

At 6:05 p.m., conduct a public hearing to receive public input, then consider for approval a request from Jamie Pugmire for a conditional use for a Level 1, Home Occupation to operate a cosmetology salon out of her home at 444 South Center. Ms. Pugmire stated that she would like a business license to operate a salon out of her home. Ruth P. Maughan asked if there was any public input. There was no public input.

At 6:06 p.m., the public hearing was closed.

Chris Clark asked if Jamie Pugmire would have any type of signage. Ms. Pugmire stated no. Ruth P. Maughan asked about the number of customers. Ms. Pugmire stated that she would have one customer at a time. After discussion, Brian Pattee made a motion, seconded by Chris Clark, to approve a request from Jamie Pugmire for a conditional use for a Level 1, Home Occupation to operate a cosmetology salon out of her home at 444 South Center.

<u>YEA 4</u>	<u>NAY 0</u>
Chris Clark	
Ruth P. Maughan	
Marcene Parker	
Brian Pattee	

City Planner Jay Nielson conducted a workshop on clarification in sections of the new Land Use code. Mr. Nielson stated that he has updated several items in this code, but can see the light at the end of the tunnel. Mr. Nielson stated that he is finishing up the graphics. Mr. Nielson stated that he had 1 question. Under title 10-35-040 under open space standards, number 11, he added item D, rubbish and old vehicles. Mr. Nielson stated that he had a note about adding another item, E, city utility structures with enhancements approved by the Planning Commission. Mr. Nielson stated that he believes this is a spin off from a discussion concerning the pump station in the Red Slide Subdivision. Mr. Nielson stated that title 10-35-040 are items not allowed in the open space, but city utility structures would be allowed in open space. Mr. Nielson stated that he would add this item under items allowed in the open space. Mr. Nielson asked the Planning Commission how they would like to review the final draft of the code. Mr. Nielson stated that his thought is to project it on the wall, and review it page by page. Mr. Nielson can then show the Planning Commission where the changes have been made. Brian Pattee stated that he thinks that is the only way to review the code. Mr. Nielson stated that he will bring his projector and he and the Planning Commission will work through it. Mr. Nielson asked to be added to the February 24, 2016 agenda. Carl Leatham suggested inviting the City Council to that meeting so that they can review the code also.

City Planner Jay Nielson handed out copies of an email that he sent to City Engineer Chris Breinholt and Cooper Ridge Subdivision representative Craig Winder concerning the Cooper Ridge Subdivision. The email included an excerpt from the code, 11-5-5. Mr. Nielson read from the code. Mr. Nielson stated that he is not asking the Planning Commission to reverse their decision. Mr. Nielson wanted the Planning Commission to be aware of what is stated in the Wellsville City code. Don Hartle stated that the City Council approved the Cooper Ridge Subdivision at their meeting last week. Mr. Hartle stated that the Planning Commission needs to discuss the flood plain and what is required of storm water on a development. Mr. Hartle stated that at a previous Planning Commission meeting, Mr. Winder was told not to return until he had the response from FEMA. Mr. Winder called and wanted on the agenda. Mr. Hartle stated that he gave in and added him to it. Mr. Hartle stated that according to what Mr. Nielson just read from the Wellsville City code, the flood plain should be addressed before any subdivision is added to the agenda. Mr. Nielson stated that in years past, it has been said that it is okay to build in a flood plain as long as you purchase flood insurance. Mr. Hartle stated that in the past 3 to 5 years, different cities have used tax dollars to tear down homes that were built in a flood plain. Mr. Hartle asked if the Planning Commission wants the developer to bring in the established flood plain elevations. Mr. Nielson stated that the Wellsville City code requires the established flood plain elevations. Mr. Nielson stated that the developer can challenge it, but the Planning Commission should require proof. Brian Pattee stated that the issue is in the code, and it needs to be met. Mr. Hartle stated that on future developments, the flood plain needs to be addressed with FEMA before it can be added to the agenda.

Don Hartle stated that Mark Thompson is cutting roads to build a home. Mr. Hartle stated that the Planning Commission will be receiving a subdivision plat for the property about the Mount Sterling Estates Subdivision. City Planner Jay Nielson stated that the property is in the RCA zone, which is a critical zone, and the requirements are very hairy. Brian Pattee stated that the subdivision is coming in before it meets the code. Mr. Hartle stated that they are presenting a concept plan to the Planning Commission. Mr. Nielson stated that the subdivision may come in and the developer will challenge the code. Ruth P. Maughan stated that the developer doesn't have a leg to stand on. Mr. Nielson stated that is correct. The code is the code.

Planning Commission member Paul Egbert arrived at the meeting at 6:22 p.m.

City Planner Jay Nielson stated that he and Don Hartle met with Sharp Transportation. Mr. Nielson gave Sharp Transportation a matrix of what they need to do to finish the plat. Mr. Nielson stated that he has changed the format so that it is easier to read. Mr. Nielson stated that he gave a copy of the plat to City Engineer Chris Breinholt displaying the new road to the north of Sharp Transportation. Ruth P. Maughan stated that there will be quite a curve in the road. Mr. Nielson doesn't think there will be. Paul Egbert asked if Sharp Transportation will dedicate the road to Wellsville City. Mr. Nielson stated yes.

City Planner Jay Nielson stated that he has created a matrix for Maverik, Inc. and has put it in the same format as Sharp Transportation so that it is easier to read.

City Planner Jay Nielson stated that he received a sign application from Yesco for Maverik, Inc. Mr. Nielson stated that they have opted to use the new code. Mr. Nielson stated that the new code allows the staff to review and approve signage. Mr. Nielson stated that Maverik, Inc. is allowed a 60 square-foot sign face. Mr. Nielson stated that Yesco submitted a 70.44 square-foot sign face. Mr. Nielson stated that he suggested they revise the sign and resubmit it. Mr. Nielson stated that he received the email on January 20, 2016, and replied back today, January 27, 2016. Ruth P. Maughan asked if Maverik is required to adhere to the new code if it hasn't be approved. Mr. Nielson stated that if a city has a pending code, any project can choose to follow the old or new code, but it has to be the choice of the project. The city can't impose which code they want the project to follow. Brian Pattee asked about the 3-way sign. Mr. Nielson stated that they have abandoned that idea. Ms. Maughan asked if the sign that was submitted is what is wanted on both roads. Mr. Nielson stated yes. The signs will be located on the north and west side of the project.

The Commission reviewed the minutes for the Commission meeting which was held January 13, 2016. After review, Paul Egbert made a motion, seconded by Chris Clark, to approve the minutes of the January 13, 2016 meeting as presented.

YEA 3
Chris Clark
Paul Egbert
Marcene Parker

NAY 0

ABSTAIN 2
Ruth P. Maughan
Brian Pattee

At 6:40 p.m., Chris Clark made a motion, seconded by Brian Pattee, to adjourn the meeting.

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

NAY 0

Ruth P. Maughan
Chairperson