

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, March 26, 2014, at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairwoman Ruth P. Maughan, Paul Egbert, Jerald Leishman, and Brian Pattee. Also present were City Manager/Recorder Don Hartle, Mayor Thomas G. Bailey, Councilman Carl Leatham and City Planner Jay Nielson. A copy of the Notice and Agenda was posted, faxed and emailed to the Herald Journal, and mailed to the Planning Commission on March 21, 2014. The meeting was called to order at 6:00 p.m. by Mayor Thomas G. Bailey.

Others Present:

Jennifer Leishman	Dave Nielsen	Alton Hebdon
Steve Kyriopoulos	Sam Winward	Katie Christensen
Candy Sorensen	Stacie Adams	Charee Vellinga
Robert Bolton	Kendall Leishman	Scott Gary
Beth Gary	Jonathan Cook	

Mayor Thomas G. Bailey stated that M. Kent Larsen resigned from the Planning Commission. Mayor Bailey thanked him for his time, effort, and service that he has rendered for and on behalf of Wellsville City. Mayor Bailey stated that the City Council has approved Chris Clark as a member of the Planning Commission. Don Hartle swore Chris Clark into office.

Mayor Thomas G. Bailey expressed his appreciation to all the members of the Planning Commission for their time, effort, and service that they have rendered for and on behalf of Wellsville City.

Opening Ceremony: Brian Pattee

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

<u>YEA 5</u>	<u>NAY 0</u>
Chris Clark	
Paul Egbert	
Jerald Leishman	
Ruth P. Maughan	
Brian Pattee	

The Commission reviewed the minutes for the Commission meeting which was held February 12, 2014. After review, Paul Egbert made a motion, seconded by Brian Pattee, to approve the minutes of the February 12, 2014 meeting as presented.

<u>YEA 3</u>	<u>NAY 0</u>	<u>ABSTAIN 2</u>
Paul Egbert		Chris Clark
Ruth P. Maughan		Jerald Leishman
Brian Pattee		

The Commission reviewed the minutes for the Commission meeting which was held February 26, 2014. There were word changes on lines 54 and 57. After review, Jerald Leishman made a motion, seconded by Paul Egbert, to approve the minutes of the February 26, 2014 meeting with the corrections.

<u>YEA 3</u>	<u>NAY 0</u>	<u>ABSTAIN 2</u>
Paul Egbert		Chris Clark
Jerald Leishman		Brian Pattee
Ruth P. Maughan		

At 6:05 p.m., conduct the following public hearings:

First, received public input, then consider making a recommendation to the City Council on the proposed "Affordable Housing Plan". Ruth P. Maughan opened the public hearing to the audience. There were

no comments. Paul Egbert stated that he reviewed the code and had no additional comments. Brian Pattee stated that he reviewed the code and had no additional comments. Ms. Maughan asked if the code was a suggestion/recommendation and not something that was black and white. City Planner Jay Nielson stated that is correct. This code is full of suggestions to consider. It gives Wellsville City the opportunity to help those that need affordable housing.

At 6:10 p.m., the public hearing was closed.

After discussion, Brian Pattee made a motion, seconded by Paul Egbert, to recommend to the City Council approval of the proposed "Affordable Housing Plan".

YEA 5

NAY 0

Chris Clark
Paul Egbert
Jerald Leishman
Ruth P. Maughan
Brian Pattee

Second, received public input, then consider making a recommendation to the City Council on the proposed "Landscape Code". Steve Kyriopoulos stated that he is in the process of developing a business along Highway 89/91. He reviewed the example of a 150-foot setback with a 6-foot berm on page 12 of the code. Mr. Kyriopoulos stated that he has been in the parks and recreation business for years and has dealt with berms. They are difficult to maintain and require a lot of water. Mr. Kyriopoulos stated that he believes the setback is excessive. If he interprets the code correctly, his development will require 400 trees and 600 bushes. Paul Egbert stated that it does make a difference on the vegetation choices. Mr. Kyriopoulos stated that the Planning Commission needs to think about water conservation. Katie Christensen stated that she serves on a committee concerning the future of Wellsville. She also lives in the Southwest Heritage Estates Subdivision. Her concern is the outlet of this subdivision and how dangerous it is. There isn't commercial across from the subdivision yet. There is an issue when cars are pulling out of the subdivision. Ms. Christensen stated that a traffic light would make it easier at this intersection, but pulling out at any other place can complicate the line of sight. A berm will help reduce noise. Everyone needs to be considerate. A drainage system can be setup for berms. It is something that all can benefit from. Dave Nielsen stated that he represents Bruce Petersen who owns property in the commercial area. Mr. Nielsen asked what the general reason or goal of the berm is. He asked if it was to create open space, and if it is, would higher density be allowed in certain areas. Ruth P. Maughan asked if City Planner Jay Nielson would answer this question. City Planner Jay Nielson stated that the goal and purpose is stated in the General Plan. It has been in the General Plan for 20 years. Mr. Nielsen read from the General Plan. It is not suggesting the commercial highway, but in places that are appropriate. Alton Hebdon stated that he owns a real estate business. Mr. Hebdon stated that 150 feet is one-half the length of a football field that is non-usable property. Mr. Hebdon stated that there would be some owners of property in the commercial areas who would have no value to their property. Ms. Maughan read from the proposed code to answer the question. Mr. Nielsen stated that the Planning Commission will have the ability to review each situation. Wellsville City can't take away the opportunity to use property from a property owner. Sam Winward stated that he is a citizen of Wellsville City. Mr. Winward asked the distance from the fence at the Wellsville Ranches Subdivision to the edge of the highway. Mr. Egbert stated that it is about 170 feet. Mr. Winward read from the proposed landscape code. Mr. Winward asked if it is the intent to keep water away from the building. Don Hartle answered yes. Mr. Winward stated that the proposed code stated that the residential exception is that within 1 year, the front yard has to be completed, and that within 2 years, the back yard has to be completed. A home owner has 2 years to get the yard completed. Mr. Hartle stated that is the intent. Mr. Winward stated that all of these come with a secondary water requirement. Ms. Maughan stated no. Some properties in the commercial area have irrigation water. Mr. Winward asked if there would be any public workshops on this issue. Mr. Egbert stated that there have been 2 public workshops on this issue already. Mr. Hebdon stated that growth is inevitable. Mr. Hebdon sympathizes with the residents in the Southwest Heritage Estates Subdivision. Mr. Hebdon stated that it would be to their advantage to support a development on the opposite side of Highway 89/91. Jerald Leishman stated that his concern is maintenance and upkeep on a berm. Developers need to be careful where trees are planted. When trees

are planted next to roads, sidewalks, and stop signs, it is near impossible to see up and down the road. Mr. Leishman stated that imposing this code on existing situation will be hard on businesses and next to impossible to comply with. Mr. Egbert stated that the safety at intersections is covered by a state law the discussed the site triangle. The vegetation will be outside and beyond the highway right-of-way. There is 80 feet of asphalt and 30 feet of highway right-of-way. Mr. Nielson stated that there is no flexibility on this code, or everyone would do the minimum required. The Planning Commission will review all plans. Mr. Egbert stated that large setbacks are required. There are similar concerns with flexibility and how to deal with it. This code has tried to accommodate all concerns and not everyone will agree on a certain number. The code has tried to keep a good balance of beauty and allowed use. During previous workshops, adjustments and recommendations have been made. Brian Pattee stated that this code has been reviewed many times with a fine-tooth comb. A berm will work with the proper use of materials and irrigation system. Chris Clark asked what happens if a residential yard is not completed within the 2-year timeframe. Mr. Nielson stated that Wellsville City will choose how to enforce and the penalty. Mr. Leishman asked how the code will be enforces with existing businesses. Mr. Nielson referred Mr. Leishman to the top of page 3 of the proposed code. There are some standards that are the same of UDOT. If there is a change in use, the business will be required to conform. There may be substantial upgrades. This code is more for new development than existing businesses. Carl Leatham asked if the 150-foot setback applies to other streets. Mr. Egbert stated that it only applies to Highway 89/91.

At 6:50 p.m., the public hearing was closed.

After discussion, Paul Egbert made a motion, seconded by Brian Pattee, to recommend to the City Council approval of the proposed "Landscape Code".

YEA 5

NAY 0

Chris Clark
Paul Egbert
Jerald Leishman
Ruth P. Maughan
Brian Pattee

Ronda Savoy met with the Planning Commission to discuss property she owns at 715 East 400 North. Ms. Savoy was not in attendance to this meeting. Don Hartle explained her situation. Mr. Hartle handed out a copy of the plat map. Mr. Hartle stated that Ms. Savoy lives in New York City. A piece of property was listed for sale for some time, and Ms. Savoy purchased the property. It is a long, narrow piece of property. Mr. Hartle stated years ago, Dale Wyatt was allowed to build a home behind his father's home. He deeded 30 feet of property for a road right-of-way. Ms. Savoy would like to subdivide the property and build a home in the back. The road requirement now is 99 feet. Mr. Hartle stated that he needed some guidance concerning this issue. The Planning Commission all agreed that the 99 feet of property is required for the road.

The Planning Commission considered the possible election of a Chairman Pro-tem. Brian Pattee recommended Paul Egbert to serve as Chairman Pro-tem. After discussion, Brian Pattee made a motion, seconded by Chris Clark, to approved Paul Egbert as Chairman Pro-tem.

YEA 5

NAY 0

Chris Clark
Paul Egbert
Jerald Leishman
Ruth P. Maughan
Brian Pattee

Don Hartle handed out a packet of information concerning the All-American Auto Plaza for the public hearing scheduled April 9, 2014.

At 7:00 p.m., Brian Pattee made a motion, seconded by Jerald Leishman, to adjourn the meeting.

YEA 5

Chris Clark
Paul Egbert
Jerald Leishman
Ruth P. Maughan
Brian Pattee

NAY 0

Ruth P. Maughan
Chairperson