

Russell Glenn
Jaye Colling
Loyal Green
John Spence
M. Kent Larsen

Second, receive public input and consider for approval a request from Debra Leishman for a conditional use for a Level 1 “Home Occupation” for a daycare facility for 16 children at 745 East 400 North. Current daycare facility is allowed 8 children. Ms. Leishman stated that she currently runs a daycare for 8 children, and would like to increase that to 16 children with the addition of a helper. Ms. Leishman stated that she has a fully-fenced yard, plenty of parking, and is licensed through the State of Utah. Loyal Green asked how often her home is inspected by the state. Ms. Leishman stated that the state does 1 announced visit and 2 unannounced visits per year. Russell Glenn asked if the helper is a member of her family. Ms. Leishman stated yes, this individual currently lives with her at her residence. Mr. Glenn asked if this individual meets the licensing requirements. Ms. Leishman stated yes. There are training hours and licensing requirements that this individual had to complete with the state in order to work for a state-licensed daycare facility. Jay Nielson quoted from the code, section 10-11-10.2.f that states under a Level 1 “Home Occupation”, the individual has to lawfully live at the residence. Ms. Leishman stated that the individual does live in her home. Mr. Glenn also quoted from the code, stating that the neighbors should not be aware of the existence of the “Home Occupation”. Mr. Glenn stated that having 16 cars come to the home to drop off and pick up children; he has a hard time believing that the neighbors are unaware that there is a daycare facility next door to them. Ms. Leishman stated that some cars may have 3 children that are being dropped off, so there are not a total of 16 cars coming to her home every day. John Spence asked if there is an age limit. Ms. Leishman stated that it is from 0 to kindergarten age. Mr. Glenn asked what her hours are. Ms. Leishman stated from 5:30 a.m. to 5:30 p.m. Jaye Colling asked if any of the parking is on the City’s property or on the City’s right-of-way. Ms. Leishman stated no. M. Kent Larsen read a definition of a child nursery from the code 10-2-1. Mr. Nielson stated that definition doesn’t apply in this situation. Ms. Leishman stated that the fire marshal has been to her home, and says that she has enough room to care for 16 children. Ms. Leishman stated that she has her CPR license, and has to follow a nutrition program that is reviewed every 3 months. Mr. Glenn asked what percentage of her home is used for the business. Ms. Leishman stated her entire house is used for the business. Mr. Glenn stated that the code states that no more than 25% of the home can be used for the business. Ms. Leishman stated that she uses the kitchen, front room, and toy room for the business. Mr. Glenn asked if Ms. Leishman feels that she can comply with using just 25% of her home for the business. Ms. Leishman stated that yes. Ms. Leishman stated that she has been state-licensed for the past 8 years. Mr. Nielson asked if there were other 16-child daycare facilities in Wellsville City. Don Hartle stated that there is 1 other daycare facility in Wellsville City that is allowed 16 children. Mr. Nielson asked if the City had received any complaints. Mr. Hartle stated that the City has never received any complaints about any daycare facility. Mr. Glenn stated that the most important issue is how the children are being cared for and treated. Mr. Glenn asked if there were any neighbors in the audience. Dale Anderson stated that he feeds cattle behind her home and has never seen or heard of any problems. Mr. Green stated that safety is a big issue for Wellsville City. Mr. Larsen stated that if there were any concerns, they would have been expressed to Ms. Leishman or the resident would have been in attendance to this meeting. Mr. Nielson stated that this type of business is not allowed in the Level 1 “Home Occupation”, and recommended to the Planning Commission that it be approved under a different paragraph in the code. Ms. Leishman asked if it would be a problem if she did hire someone else to help her. Mr. Glenn stated that she would have to appear again before the Planning Commission for a Level 2 “Home Occupation”. After discussion, Russell Glenn made a motion, seconded by Jaye Colling, to approve a request from Debra Leishman for a conditional use for a Level 1 “Home Occupation” for a daycare facility for 16 children at 745 East 400 North based on code 10-11-18, paragraph C, subparagraph P.

Yea 5

Nay 0

Russell Glenn
Jaye Colling
Loyal Green
John Spence
M. Kent Larsen

Third, receive public input and consider for approval a request by Don Hartle, agent for Wellsville City, for a conditional use for a public utility. A 1,000,000-gallon culinary water reservoir at approximately 50 North 450 West. Mr. Hartle stated that he sent a copy of the application in the packet to the Planning Commission, and handed out a copy of the construction drawing. The new 1,000,000-gallon reservoir will be located next to the existing 350,000-gallon reservoir. The City will install a new transmission line from wells 1 and 3 to the new 1,000,000-gallon reservoir. Both reservoirs will be tied together. Russell Glenn asked if a new 1,000,000-gallon reservoir is allowed by zoning. Mr. Hartle stated yes, public facilities are allowed. M. Kent Larsen asked if the area will be fenced. Mr. Hartle stated that there will be a 6-foot chain-link fence with 3 rows of barbed wire on top. The fence will be around the new 1,000,000-gallon reservoir only. The new 1,000,000-gallon reservoir will be at ground-level, covered, and have air vents. Dale Anderson stated that he spoke to an attorney concerning fences around irrigation ditches and canals. Mr. Anderson stated that the attorney told him that if a fence is installed, there is a potential for liability, and not to install any fence around an irrigation ditch or canal. Mr. Hartle stated that is correct. Mr. Hartle stated that culinary water is different than irrigation water. Mr. Hartle stated that he anticipates that Wellsville City will obtain approval from the State of Utah by May 27, 2010, awarding the contract by July 7, 2010, and have the project completed before winter 2010. Mr. Glenn asked if there are certain reasons as to why the City is building a new 1,000,000-gallon reservoir. Mr. Hartle stated that there are several. The new 1,000,000-gallon reservoir will give the City additional storage, and will cut down on pumping costs. After discussion, Jaye Colling made a motion, seconded by John Spence, to approve a request by Don Hartle, agent for Wellsville City, for a conditional use for a public utility. A 1,000,000-gallon culinary water reservoir at approximately 50 North 450 West.

Yea 5

Nay 0

Russell Glenn
Jaye Colling
Loyal Green
John Spence
M. Kent Larsen

The Planning Commission reviewed for approval the final plat for the Dale Anderson subdivision containing a total of 2 lots (1 additional building lot) on property at 332 North 200 East. Don Hartle stated that the City Engineer has reviewed the final plat, and has approved and signed the final plat. Russell Glenn asked if all of the City Engineer's comments had been met. Mr. Hartle stated yes. M. Kent Larsen asked what the zoning of the property was. Mr. Hartle stated that the property is in the R-1-12 zone. After discussion, Russell Glenn made a motion, seconded by M. Kent Larsen, to approve the final plat for the Dale Anderson subdivision containing a total of 2 lots (1 additional building lot) on property at 332 North 200 East.

Yea 5

Nay 0

Russell Glenn
Jaye Colling
Loyal Green
John Spence
M. Kent Larsen

The Planning Commission continued review for considering recommending to the City Council that they adopt a resolution approving the revised/updated General Plan.

Planning Commission member Jaye Colling left the meeting at 6:53 p.m.

The Planning Commission continued the workshop on the revisions to the land use tables and code.

At 7:25 p.m., M. Kent Larsen made a motion, seconded by John Spence, to adjourn the meeting.

YEA 4

Russell Glenn
Loyal Green
John Spence
M. Kent Larsen

NAY 0

Loyal Green
Chairman