

MINUTES of the Wellsville City Planning Commission meeting held Wednesday, August 11, 2010, at the Wellsville City Offices, 75 East Main in Wellsville. Commission members present were Chairman Loyal Green, Russell Glenn, Jaye Colling, John Spence, and M. Kent Larsen. Also present were City Manager/Recorder Don Hartle, City Planner Jay Nielson, and City 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 August 6, 2010. The meeting was called to order at 6:00 p.m.

Others Present: Jennifer Leishman Robert Kurek Dave Kurek
Brian Leishman Connie Leishman Karma Leatham
Scott Einerson Edward Stuart Sandra Wilson
Denver Stack Cole Knighton

Opening Ceremony: Jaye Colling

Loyal Green reviewed the agenda with the Commission. After review, John Spence made a motion, seconded by Russell Glenn, that the agenda be approved as presented.

YEA 5 NAY 0
Russell Glenn
Jaye Colling
Loyal Green
John Spence
M. Kent Larsen

The Commission reviewed the minutes for the Commission meeting which was held July 28, 2010. There was a word change on line 67. After review, Jaye Colling made a motion, seconded by Russell Glenn, that the minutes of the July 28, 2010 meeting be approved with the change.

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 Lavell Leishman subdivision containing a total of 3 lots (2 additional building lots) at 245 North 100 East. Russell Glenn asked what the tax identification number on the lots would be. Don Hartle stated that the County assigns the numbers when it is filed. John Spence asked about the lot with the house that is next to this subdivision. Mr. Hartle stated that it is an existing non-conforming lot. If something happens to the home, a new home can be constructed on the lot, but it has to have the same square footage as the existing home. Mr. Hartle stated that this lot was grandfathered in, and if something happens to the home, it can be replaced with exactly what was there. Mr. Glenn asked if the use remains the same if the property changes hands. Mr. Hartle stated yes. Loyal Green asked what the square footage of the existing non-conforming lot is. Jay Nielson stated that it is 5,720 square feet. Brian Leishman stated that it was about 9,000 square feet. Mr. Hartle stated that the home was built before 1972. Mr. Glenn asked if there were any comments from the City Engineer. Mr. Hartle stated no, and the City Engineer has signed the final plat. After discussion, Russell Glenn made a motion, seconded by John Spence, to approve the final plat for the Lavell Leishman subdivision containing a total of 3 lots (2 additional building lots) at 245 North 100 East.

YEA 5 NAY 0
Russell Glenn
Jaye Colling
Loyal Green
John Spence
M. Kent Larsen

At 6:20 p.m., Jaye Colling made a motion, seconded by Russell Glenn, to go into a public hearing:

<u>YEA 5</u>	<u>NAY 0</u>
Russell Glenn	
Jaye Colling	
Loyal Green	
John Spence	
M. Kent Larsen	

First, receive public input, then make a recommendation to the City Council on a request from Scott Einerson at 65 East 600 South that said property, 1.52 acres, be rezoned from RA-1 to R-1-12. Scott Einerson stated that he wants to subdivide his property so that he can build another home. Russell Glenn asked where the dividing line would be. Mr. Einerson showed the Planning Commission on a map the area where the dividing line would be. Mr. Einerson stated that he spent a lot of time with Don Hartle to make sure that everything was correct, and that the Commission had reviewed how he wanted to divide it and the Commission had stated it would meet zoning requirements.. Don Hartle stated that the dividing line would come in to the Planning Commission during the subdivision. The land use map shows that this property can be rezoned to R-1-12. Mr. Glenn asked if this property borders other property that is zoned R-1-12. Mr. Hartle stated yes. Mr. Glenn stated that this property would not be an island. Denver Stack asked when the new home is built, would it change his ability to have livestock on his property. Mr. Hartle stated no. Edward Stuart stated that this in inter-block development when 2 people access property with 1 right-of-way. Mr. Hartle stated that inter-block development is when an individual doesn't have enough frontage, which is 82 ½ feet. Mr. Stuart stated that he doesn't have 82 ½ feet of frontage. Mr. Hartle stated that issue will be discussed when Mr. Einerson goes through the subdivision process. Mr. Einerson stated that he is willing to have the property surveyed. Loyal Green stated that surveying the property will protect Mr. Einerson, but it is part of the subdivision process also. Mr. Green stated that legally Mr. Einerson can rezone this property because the land use table says that it can be rezoned to R-1-12. Jay Nielson stated that the subdivision has nothing to do with rezoning the property.

At 6:35 p.m., Russell Glenn made a motion, seconded by John Spence, to close the public hearing.

<u>YEA 5</u>	<u>NAY 0</u>
Russell Glenn	
Jaye Colling	
Loyal Green	
John Spence	
M. Kent Larsen	

Jaye Colling made a motion, seconded by Russell Glenn, to recommend to the City Council that property owned by Scott Einerson at 65 East 600 South, 1.52 acres, be rezoned from RA-1 to R-1-12.

<u>YEA 5</u>	<u>NAY 0</u>
Russell Glenn	
Jaye Colling	
Loyal Green	
John Spence	
M. Kent Larsen	

At 6:37 p.m., M. Kent Larsen made a motion, seconded by John Spence, to go into a second public hearing:

<u>YEA 5</u>	<u>NAY 0</u>
Russell Glenn	
Jaye Colling	
Loyal Green	
John Spence	
M. Kent Larsen	

Second, receive public input and consider for approval a request from Robert Kurek for a conditional use for “repair and maintenance of motor homes, campers, R.V. trailers, and utility trailers” in the CH, Highway Commercial zone, at 252 East 760 South. Robert Kurek stated that he and his brother, Dave, would like to open a repair and maintenance of motor homes, campers, R.V. trailers, and utility trailers shop. Karma Leatham asked how many trailers could be parked at one time. Mr. Kurek stated 8, but he doesn’t want to get into the storage of trailers business because it is a liability for them to have trailers parked at their business. Ms. Leatham asked how many trailers can be parked inside. Mr. Kurek stated 3. Mr. Kurek stated that a neighbor, Wes Davis, contacted him about parking trailers on the north side of 760 South. Mr. Kurek stated that he would try to have people pull into the parking lot. Mr. Kurek stated that he would suggest having Wellsville City install no parking signs along the north side of 760 South. John Spence asked what the hours of operation would be. Mr. Kurek stated that during the summer, they would like to have their hours be 7 a.m. to 7 p.m., and during the winter, the hours would be from 9 a.m. to 5 p.m. Mr. Spence asked if all of the work would be completed inside of the building. Mr. Kurek stated yes, unless it is a small job that would take longer to pull the trailer in the building than it would to fix it in the parking lot. Loyal Green stated that because this business is next to a residential zone, the hours of operation need to be very specific. Don Hartle stated that he received 2 telephone calls from neighbors. Mr. Hartle stated that 1 neighbor requested that no trailers be allowed to park in front or on the east side of the building, and 1 neighbor requested that when a trailer is detached from a vehicle, there be no parking of trailers on the west side of the building from the building to the road. Mr. Spence stated that he agrees with those 2 comments. Mr. Kurek stated that their lease states that nothing can be parked on the east side of the building. Russell Glenn asked if there is a fence on the north side of 760 South. Mr. Hartle stated yes. Mr. Green asked if Wellsville City would be willing to install no parking signs. Mr. Hartle stated that if the Planning Commission makes it a condition, Wellsville City will install the no parking signs. Carl Leatham stated that there is 156-feet on the north end of the property, and that it should be specified how far back any parking can be from the stop sign. Mr. Kurek stated that there are parking stalls painted on the asphalt directly in front of the building. Jay Nielson stated that there should be no parking east of the east side of the building all the way to Highway 89/91. Mr. Green asked, based on the amount of property, how many trailers can be parked? Mr. Kurek stated on the outside, there can be 5, and inside of the building, there can be 3. Mr. Kurek asked if they could install 2 signs that say reserved parking for employees, and that is all that is parked on the east side of the building. Mr. Green asked how many parking spaces there were. Mr. Kurek stated there are 4 or 5 parking spaces in front of the building. Mr. Spence stated that they would need to review the sign ordinance and follow it. Mr. Green asked if there is any concern about noise. Mr. Hartle stated that the Wellsville City code does have a noise ordinance. Mr. Glenn reviewed the conditions. They are: 1) Hours are April through September, 7 a.m. to 7 p.m., and October through March, 8 a.m. to 5 p.m., 2) parking of trailers must be on the inside of the building or on the west side behind the front of the building. There can be no more than 5 motor homes and/or trailers parked outside, 3) no parking or storage on the east side of the building to Highway 89.91 except for 2 employee parking spots, 4) Wellsville City will install no parking signs on the north side of 760 South, and 5) short-term parking, which there is a maximum of 20 minutes, is allowed parallel to the asphalt.

At 6:58 p.m., John Spence made a motion, seconded by Jaye Colling, to go out of public hearing.

YEA 5

NAY 0

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

M. Kent Larsen made a motion, seconded by John Spence, to approve a request from Robert Kurek for a conditional use for “repair and maintenance of motor homes, campers, R.V. trailers, and utility trailers” in the CH, Highway Commercial zone, at 252 East 760 South, with the following conditions: 1) Hours are April through September, 7 a.m. to 7 p.m., and October through March, 8 a.m. to 5 p.m., 2) parking of trailers must be on the inside of the building or on the west side behind the front of the building. There can be no more than 5 motor homes and/or trailers parked outside, 3) no parking or storage on the east side of the building to Highway 89.91 except for 2 employee parking spots, 4) Wellsville City will install no

parking signs on the north side of 760 South, and 5) short-term parking, which there is a maximum of 20 minutes, is allowed parallel to the asphalt.

YEA 5
Russell Glenn
Jaye Colling
Loyal Green
John Spence
M. Kent Larsen

NAY 0

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

Russell Glenn asked about exchanging a piece of open space for a building lot. Don Hartle explained to the Planning Commission the problems that Wellsville City is experiencing in the Red Slide subdivision concerning open space, as well as the problems that they are experiencing in the Mt. Sterling Estates subdivision concerning open space. After this discussion, Russell Glenn withdrew his question.

At 7:29 p.m., Russell Glenn made a motion, seconded by M. Kent Larsen, to adjourn the meeting.

YEA 5
Russell Glenn
Jaye Colling
Loyal Green
John Spence
M. Kent Larsen

NAY 0

Loyal Green
Chairman