



Harrisville City Planning Commission Minutes
Harrisville City Offices
Wednesday, March 13, 2024

Commissioners: Nathan Averill
Chad Holbrook
Bill Smith
Brad Elmer
Jordan Read

Staff: Jennie Knight (City Administrator)
Cynthia Benson (Deputy Recorder)
Justin Shinsel (Public Works Director)
Matt Robertson (City Engineer)
Brandon Green (City Planner)

Visitors: Glade McCombs, William Kirby, Kim Kirby, Abram Hill, Don Furlong, Arnold Tait, Michelle Tait, Nancy Field, Shannon Rich, Tawna Field, Madalyn Haas, Joshua Haas, Jim Bradshaw, Becky Zimbo, Katherine Berrett, Jeanne Godfrey, Jen Fischer.

1. CALL TO ORDER

Chair Averill welcomed all in attendance and excused Commissioner Elmer.

2. CONSENT APPROVAL – of Planning Commission minutes from January 10, 2024.

MOTION: Commissioner Holbrook motioned to approve Planning Commission minutes from January 10, 2024. Commissioner Smith seconded the motion.

3. PUBLIC HEARING – the Harrisville City Planning Commission will hold a public hearing to take comments for and/or against Harrisville Ordinance 551; a Clustered Development Plan for property located at approximately 265 Larsen Lane – Glade McCombs

Chair Averill reviewed the rules of a public hearing then asked Jennie Knight, City Administrator, to give an introduction of Ordinance 551; a cluster development plan. Ms. Knight began with the history of the project as outlined in the staff memo dated March 5, 2024. The city received an application on November 17, 2023, to consider a proposed mixed-use development located at approximately 265 Larsen Lane. This was reviewed by the Planning Commission, after a public hearing at the January 10, 2024, meeting, this received a negative recommendation. The developer requested the application be considered for a Clustered Development Plan under Title 11, Chapter 16 of the Harrisville Municipal Code. At this time, we are here to take comments for and against that request.

MOTION: Commissioner Read motioned to open the public hearing. Commissioner Holbrook seconded the motion.

Nathan Averill **Yes**
Chad Holbrook **Yes**
Bill Smith **Yes**
Jordan Read **Yes**

All voted in the affirmative.

Madalyn Haas highlighted comments given to the commissioners by her father, Greg Montgomery. She and the family are concerned about the ditch and their water rights. The ditch currently runs in the middle of lots 6 and 11. She wants to make sure the water is still able to get to their property with clean outs. Ms. Haas referred to page 3 of Montgomery's notes where he points out the drain which leads through their backyard. When they built, they had to install pipe to address these issues. She is concerned about pooling water. She wants to make sure their rights are tended to. Her recommendation would be to table the item until they see a better revision of the plans.

Shannon Rich would like to see better plans with more detail to make sure they will be taken care of. She doesn't have sprinklers. When they flood irrigate the water goes right up to the houses. She reiterated again she wants to make certain they are taken care of. They are not happy with the plan, but they understand there is development happening everywhere. She is worried there are no head gates on the plans for them to gain access to their water.

Tawna Field began by explaining her house backs the proposed development and feels she is the one impacted the most. She clarified she agreed with Mr. Montgomery's interpretation there will be 31 lots altogether not the 30 shown. She is concerned with the hammerhead road that dead ends on the property line. She would like to know what will happen with this dead end and what will it look like. Her preference is no development since the development to the west did not keep their promises. But if development is going in, she prefers a road behind their home, rather than a backyard neighbor looking into her kitchen window from their kitchen window. And if not a road, at least a side yard rather than a backyard. She wants the city to place some kind of screening for privacy. She stated she would rather have the detention basin than a home to ensure her privacy. Ms. Fields would like to know how the city plans to address their water rights to the ditch. She feels there needs to be some changes to the current plan before approval.

Joshua Haas stated the item he would like to address is the proposed inlet road from Larsen Lane. He is wondering how the developer is going to accommodate a house on the smaller lot size. He would like to see the plan outlined a bit more. He had a lot of fill dirt brought in just to drive straight into his property without sloping. The other property will need to manage the elevation with a possible retention wall of some kind. He would like to see how the elevation difference between his property and this proposed smaller corner lot will be handled. His number one concern is the water shares for watering his lawn. He is not seeing this on the plans at all.

MOTION: Commissioner Read motioned to close the public hearing. Commissioner Holbrook seconded the motion.

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| Nathan Averill | Yes |
| Chad Holbrook | Yes |
| Bill Smith | Yes |
| Jordan Read | Yes |

All voted in the affirmative.

- 4. DISCUSSION/ACTION/RECOMMEND** – to recommend Ordinance #551; an ordinance adopting a Clustered Development Plan for property located at approximately 265 Larsen Lane based upon an application filed with the city. – Glade McCombs

Ms. Knight introduced Brandon Green, contracted city planner, and Justin Shinsel, Public Works Director, to answer questions the commissioners may have about the proposed cluster development plans.

Mr. Green introduced himself to the commissioners and began by stressing the ditch and water concerns mentioned will not be ignored as the project moves forward. At the moment, the commission is here to review the cluster development plan layout. The city will work with the developer and the ditch owners to provide the water rights. The development is not to the point where engineered drawings are required. The city understands there are items which will need to be taken into consideration for the safety of the residents. As far as the lot sizes go, the development is providing the option for smaller lots for necessity. The city feels very comfortable about the proposed plan and positively recommends the project.

Chair Averill asked about the realignment of the ditch for access and maintenance. Mr. Shinsel answered by saying the city is working with the developer to place the alignment in the rights-of-way which is required by state law for maintenance. Its appearance will be similar to what was completed in another subdivision. The ditch would need to be realigned, buried, or piped prior to the watering season, April 15 to Sept 1. The developer is aware he will need to manage this during his construction process. The developer will need to complete a full set of engineered drawings to be approved for any ditch realignment. When the city reaches that point in the development process, they will meet with the ditch users and/or master and Western Irrigation to meet the demands of the users and receive the necessary approvals. The sizing of the ditch is based off the size of the head gate at the canal access. This property does have water rights as well.

Chair Averill asked the process for approval. Ms. Knight reviewed the process responding with this development being in a preliminary phase. The concerns tonight will be brought up and discussed during the subdivision process.

Glade McCombs, developer, echoed what was said and restated the proposed is a conceptual surveyed plan. None of the engineering has been completed. He is taking into account the concerns. The ditches will be buried which go across the property. They will be phasing this into two different phases. The first phase is the main road with the hammerhead. The reason for phasing is to consider the ditches which run on the property. His understanding of the meeting tonight is to approve the MDA and the conceptual plan.

Chair Averill asked about the properties on Larsen Lane regarding access on these corner lots. Mr. McCombs said this is something which will be addressed during the engineering process. He mentioned Mr. Montgomery's comment about the seepage from Larsen Lane creating a water saturated area on the property. He went over there to check the seepage. He walked the ground prior to the meeting which was held after days of rain. He found no seepage or concerns mentioned by Montgomery's concerns. The developer is planning on obtaining a full GEOTech review on this area to make certain this is addressed.

Ms. Knight discovered a correction with the lot numbers in the MDA. The lot number of 40 is supposed to be 30 lots in section 2.2. This will be amended before being approved by the city council.

MOTION: Commissioner Holbrook motioned to forward a positive recommendation of

Ordinance #551; an ordinance adopting a Clustered Development Plan for property located at approximately 265 Larsen Lane subject to the Staff Memo dated March 5, 2024, and any other staff or agency comments along with updating the MDA from 40 lots to 30 lots in section 2.2. Commissioner Read seconded the motion.

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| Nathan Averill | Yes |
| Chad Holbrook | Yes |
| Bill Smith | Yes |
| Jordan Read | Yes |

All voted in the affirmative.

5. DISCUSSION/ACTION/RECOMMEND – to recommend approval of Ordinance #552: an ordinance amending the official zoning map for certain parcels located at approximately 125 West 1100 North based upon an application filed with the city. – Glade McCombs

Ms. Knight reviewed the background and summary from the staff memo. An application was received for a rezone of property located at approximately 125 West 1100 North from Residential “RE-15” to Mixed-Use Residential “MU-R”. A public hearing to receive public comments was held on March 8, 2023. The Mixed-Use Subcommittee met approximately five (5) times over the last year to negotiate the Master Development Agreement (MDA) with accompanying exhibits. The Mixed-Use/Infill Overlay Map does identify this area as a proposed MU-R use. Ms. Knight reviewed where the project is located along with the various roads on the proposed master plan map. Exhibit B4—Landscape and open space Plan—was shown as an example of what the developer proposes in their typical developments. All applicable fees have been paid to date. Exhibit B1—Master Development Plan—was reviewed for the commission depicting the location of the townhomes, single-family homes, and amenities. There are 40 units on this development with the acreage being 6.67 acres with 2.08 acres being open space. There is property designated in the FEMA floodplain and wetland area. This is addressed in the MDA. Exhibits F1 – F3—Elevation Plans—show the general concept for the townhomes, homes, and club house. They have the HOA documents and CCR’s within the MDA. Chair Averill, Councilmember Loveland, Councilmember Weiss have sat on the committee review of the MDA.

Chair Averill explained at the last committee discussion the committee reviewed the access to the pickle ball courts being public. Another point of interest was the access point for Greenwood Charter School to allow for a northern access point for their development. Mr. McCombs reiterated staff comments. He said they have completed the GEOTech study for the whole project. The phasing of the development would occur with the townhomes built first. Adjustments for the housing positions have been made. They have already contacted FEMA about the flood plain. He said one of the challenges they are working on is the ditches. There are two (2) along the width of the property. They are taking all those into account with the engineering plan. Most of the ditches will be buried. At some point there was a relocation of a stream on the property, this has been redirected without permits being pulled with the state. This will also be taken into account. Mr. McCombs brought up the parking lot was anticipated for public access. If this is not a public area, he is requesting the size be reduced.

MOTION: Commissioner Read to recommends forwarding a positive recommendation of

Ordinance #552: an ordinance amending the official zoning map for certain parcels located at approximately 125 West 1100 North subject to compliance with the Staff Memo dated March 5, 2024, and any other staff or agency comments. Commissioner Smith seconded the motion.

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| Nathan Averill | Yes |
| Chad Holbrook | Yes |
| Bill Smith | Yes |
| Jordan Read | Yes |

All voted in the affirmative.

6. PUBLIC COMMENTS – (3 minute maximum)

Madalyn Haas added the water mentioned in Mr. Montgomery’s comments is right behind the house where the ditch is. She asked if the pipe is buried will they have access to it for maintenance.

7. COMMISSION/STAFF FOLLOW-UP.

Ms. Knight said the legislative wrap up will be reported back after meeting with the UCMA.

Commissioner Holbrook asked about the progress of the Ben Lomond project. Ms. Knight stated the city has been informed the Ben Lomond project has changed ownership. The new owners are on a tight timeline to install the offsite sewer piping before the UDOT resurfacing of Highway 89.

8. ADJOURN.

MOTION: Commissioner Read motioned to adjourn the meeting. Commissioner Holbrook seconded.

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| Nathan Averill | Yes |
| Chad Holbrook | Yes |
| Bill Smith | Yes |
| Jordan Read | Yes |

All voted in the affirmative.

The meeting adjourned at 7:53 pm.

Nathan Averill
Chair

Cynthia Benson
Deputy Recorder