

**Harrisville City Planning Commission
363 W. Independence Boulevard
7:00 p.m., April 14, 2021
Conducting: Chair Chad Holbrook**

Commissioners: Chad Holbrook, Chair
Brenda Nelson
Bill Smith
Nathan Averill
Kevin Shakespeare

Staff: Bill Morris (City Administrator)
Glen Gammell (Public Works)
Jennie Knight (City Administrator)
Ronda Kippen (Planning Consultant)

Visitors: Holly Anderton, Marlow Larson, Brent Anderton, Laurence Moyes, Darren Dalley, Joan Brown, Jake Thompson, Rod Thompson, Glenn Williams, Blake Davis, Angie Francom, Scott Smoot, Jordan Stephens, Anna Buckley, Stacy?

1. Call to Order.

Chair Holbrook called the meeting to order.

2. Consent Approval – of Planning Commission minutes from March 10, 2021.

MOTION: Commissioner Averill motioned to approve the minutes of March 10, 2021 as presented. Commissioner Smith seconded the motion. Voting was unanimous.

3. PUBLIC HEARING – The Planning Commission will take public comment on proposed rezone application received from CP-2 (Commercial) and R-1-10 (Residential) to Mixed-Use Commercial Subzone (MU-C) located at approximately 1956 N. Hwy 89.

Bill Morris explained the application received and zoning request for this ordinance. This includes a proposed commercial area on 750 West with connection to 2150 North. Some of the proposed development includes a combination of live and work in the same space where a professional service is maintained on the lower level with living quarters upstairs. Other proposed units on the side and rear for residential and a commercial element on the south side of 2000 North. After the public hearing we can look to address the questions raised tonight. The public comments are on this proposal alone. He reminded Planning Commission we will take notes on the comments received but will not be responding this evening.

Chair Holbrook opened the public hearing to take public comments.

Glen Williams explained he owns 28 acres on 750 West. He is concerned with the proposed south section and the existing two water easements. It currently takes three days for him to water. This area of ground is very small and they need to make sure the flow is adequate. When the city does something, they do not work things out with the stock holders and they end up having to deal with it. He is opposed until there is adequate engineering to deal with the water issues.

Darren Dalley explained right behind the proposed commercial building there is a prescriptive easement. He is on the board for North Ogden Irrigation. He would like this engineered correctly so they will not adversely affect the water users. He is opposed until there is further information.

He also submitted letters from Brenda Tuinei and Marvin Farrell into the record. Jordan Stephens said he moved here recently. He is a teacher and is concerned with this proposal bringing in transient people who live in townhouse. He has two friends working at Majestic Elementary, when they built townhomes near, and they become aged, they see kids coming in and out which is taxing on teachers and other students. If you look at Majestic, test scores have declined. As a community, we need to consider what the teachers are dealing with as well as the students.

T. Chambers has concerns with traffic congestions on 2150 North and Highway 89.

Jeri Knighton said with the number of living/working units, we have vacant business options already. She said we know we need to support the tax base but 24 units seems like a lot of business units and asked what types of businesses will be there. Additional vacant businesses do not add to the value of the property. Some areas are having squatters break in and cause problems.

Chair Holbrook declared the public hearing closed.

4. PUBLIC HEARING – The Planning Commission will take public comment on proposed rezone application received from RE-15 Residential to Mixed-Use Commercial Subzone (MU-C) located at approximately 1371 N. Washington Blvd.

Bill Morris explained the application received and zoning request for this ordinance. He reviewed the proposal. The developer originally brought in another place that showed additional accesses but UDOT governs the access onto Washington Blvd and they have reduced this. This proposal includes 11 acres being put into open space with a commercial pad and townhomes on the south area. The north portion will not connect into 1400 North since they do not own that property. We do not know the specifics on the commercial area but this is more than what was originally proposed. There are residents in the neighborhood requesting single family dwellings along the exterior to buffer the residential area. Something including patio homes might be more acceptable for a transition. Fire code requires two access points but UDOT controls the access to Washington. Another option might be to gate access to the existing development. The proposed roads in the residential area will be maintained by the HOA

Chair Holbrook opened the public hearing to take public comments.

Lynette Kelley said she has a question where the orange building is and whether that is being purchased. She is unaware of that being purchased. The buffer zone, and the family that lives on that corner will be affected the most. She suggested a bigger buffer. On the Mixed-Use Sub zoning, there are more than five units connected and that needs to be addressed. As far as the large rectangles, are those fields? Another question is how many of these will be rentals. If they are having a buffer, they need to make sure this does not turn into a rental area, but keep them owner occupied.

Brent Anderton asked about access on 1400 North or coming into the neighborhood. If there is a south area access, is that coming into the development. Has consideration been given to the fact we live in a desert, has water been addressed? Are the utilities being considered as well as

Pineview for big developments.

Jeri Knighton suggested another option for an entrance to be brought back to the commercial area. Maybe pathways to the park with trails and keeping the road traffic separate. A transition to patio homes or single-family dwellings would be nice. Having too many close dwellings is hard and North Ogden said that is where their police force spends most of their time. She asked for consideration to what that brings to the environment of the area. They can walk around the park at the Main Park. The ball fields are overgrown and there is a small playground to maintain. She would like to make sure the HOA has appropriate working to maintain the quality of the property and polices the area to cover for protection. She would like to avoid traffic to the current development.

Gary Kelley expressed concern about the access road into Plush Nest. 500 drivers would impact the neighbors through to Washington. He likes the open space and he understands they are here to meet on this. Will they be altering this plan? The city has a foot height limit of 30 feet. With three story buildings, these will be 50 feet. He looked on the wetlands inventory, there are several classifications of the wetlands. He would like to make sure the developer gets the proper permits through the Army Corp of Engineers.

Sara Havey expressed concern with the outlet onto Washington and 1400 North. Currently the connection at 1100 North is difficult and this would cause more problems with more accidents and with teenage drivers in this neighborhood. The south west connection with the two access requirements, she would appreciate a gated access. There are 33 small children on one road and another 20 children on a separate road. She likes having access to the commercial on the north and not having that come into the neighborhood at all. They like that their neighborhood is secluded. She realizes these things are needed, and she understands the need, but with minimal impact to existing neighbors. Patio homes and single-family homes on the boarder. She understands the city's interest of the citizens and with several proposals coming in, this was the one that was a compromise. She recognizes with the state requirements put into law; these have to be considered to make it the best we can. Come up with a solution that everyone can meet one. She feels the city is really listening.

Mike Braley said the lake on the proposal is unlikely because the stream does not provide that much. He enjoys seeing the mountain, but now he would look on two- or three-story homes. These will be bought and sold and low-income people will move in; crime will increase. With 1100 North going through, tickets have increased. Families walk around, but now there will be more traffic. He opposes this.

Jordan Stephens said he is unaware of the 250 units. He asked if the school could accommodate this. There are currently two bond proposals with Pioneer Elementary being in the big pond pool. Any decision here would be inappropriate unless the bond passes. Pioneer would not be included unless the larger bond passes. They are going to force a small school to absorb a lot of students. Even if the larger bond passes, it is too far out to help. He asked what the benefits are besides affordable housing. Why would the city want to invest in something like this? What would benefit be to the community, because it seems there is very little besides taxes.

Marlow Larson said he has lived here for three years. He came here because it was pleasant and now there are high rises. He will not be able to see the mountains. Someone is money hungry to affect this sanctuary. Now he will not be able to see past that. He cannot believe someone would do that to their community. If they cannot come in from Washington, they should not be allowed. He is disappointed the city would consider this project. There is no access. What would happen if there was a fire? This does not make sense.

Doug Frecker said he lives at the end of 1400 North and he is against this. He would like to see homes in there. They are building these wherever they can fit them. He votes no on density. The golf course will be doing a bunch of these homes, that will put enough stress on things. We have that development going on already.

Joan Brown lives on 1100 North and she thinks this is too many and too high. She moved here because of the mountain views and so did everyone else. To put townhouses and expect everyone to like them. She is concerned they would then develop the wetlands.

Holly Anderton said she agrees with what they are saying. She moved here for the view. The minute she hears something going in she feels like she is living in a ticking time bomb. The minute this goes in, they will be selling. They do not want to subject their kids to this. They love Harrisville and asked Planning Commission to consider all of this.

Angie Francom said she lives on the north end of the city. It has been mentioned by a lot of people in the community would like to see single family homes. High density housing with under quarter acre. With townhomes but a transition to small single-family homes would serve a variety of people with some green space. Accommodating multifamily does not always mean affordable. This is not affordable housing. She would rather see some of the same community and transition down the density.

Eric Bechard said he is concerned with a connection road from the townhomes.

Chris Schofield said he understands the addition of these properties but would like less density. He proposed switching the open space to run along the west side; leaving an open space corridor down to the south side. The property units would be behind the commercial space with access onto Washington.

Jeff Kunz said he build a house and moved up in February. He moved here for the views and the great neighborhood. He sees the need for more affordable housing; he has family being affected by this. He looks at where they are and the water pressure they do not have. This is not going to give this an increase. Traffic is a concern, with opening up neighborhoods. There has been conversation on more single-family homes. He would like to see his view maintained. He moved because of this. He appreciates what the city has to do, but asked for a reduction in density.

Shannon Ford said she chose to move to Harrisville 18 years ago because of the small town feel. By building townhouses, they will take that away. This would turn into Salt Lake, Ogden, or Riverdale. The green space will be in her backyard. She spends a lot of time in her backyard. They do not want a walkway looking into their backyard seeing what they are doing. They spend

a lot of time over at the park; she does not think we need another park. They spend time watching the wildlife and they do not want that to go away. She is opposed to this proposal.

Chair Holbrook declared the public hearing closed.

Bill Morris said as staff, we appreciate the volunteer work of the planning commissioners. He appreciates what they do and often they are the victim of circumstances. With unfunded mandates that the city must deal with.

Chair Holbrook said we will do what they can to bring into the city the appropriate balance with open space and housing. He has lived here for 26 years, he used to see pheasants regularly; he also knows there are more and more people coming north. As a city we can get ahead of the wave, or spend our time trying to catch up.

5. DISCUSSION/ACTION/RECOMMEND – to grant Conditional Use Permit for Davis Signs Utah located at 746 N. Harrisville Road for sign manufacturing and installation.

Bill Morris explained application was received from Davis regarding opening a business for sign manufacturing and installation at this location. Harrisville Code required this to be regulated by conditional use permit. Bill reviewed the code regulations. The products cannot be toxic fumes or anything that would cause a detrimental impact.

Blake Davis said they signed a lease with the property owner. This property has previously been used for auto repair. They have cleaned up the property significantly. They are a small simple business which will not have any negative impact on the surrounding community.

Bill Morris said Planning Commissioners are looking to mitigate any adverse impacts. Staff does not anticipate having any adverse impacts but this is bordered by R-1-10 zone which may be bothered by late night noises. Limiting hours of operation and requiring a vent system to filter any fumes should mitigate any unforeseen issues. Blake Davis explained they operate under normal business hours but might start at 7am. They do not have a large staff. Bill Morris asked how late they work. Blake Davis replied they end the work day at 6pm. Bill Morris said these are reasonable but said this conditional use will hold them to that. Blake Davis asked to extend the hours to 6am to 6pm. They sometimes have installation trucks that leave early for job sites. They are an electric sign company. They will bring in skilled trade employment to the area. Chair Holbrook asked what the scope of the business entails. Blake Davis explained they are a small family-owned electronic sign business who does banners, building and illuminated signs and decals. They also service broken signs and electronic message centers.

When they checked with North View Fire for compliance, they were interested in them doing some services. The property where this is location used to have some compliance issues. They are hoping to resolve those with their business.

Bill Morris recommended the conditions would be hours of operation and that they abide by the noise, vibration, toxic fumes, and performance standards. Blake Davis said everything they do is inside the building. They are not modifying the building or the parking lot. They are only repainting the interior because of the deteriorating condition. Chair Holbrook asked for any commissioner comments. Commissioner Smith asked if there are any neon lights. Blake Davis said they do not have the ability to service or make neon lights. That is outside the scope of their business.

MOTION: Commissioner Averill motioned to grant the Conditional Use Permit for Davis Signs Utah located at 746 N. Harrisville Road for sign manufacturing and installation with the following conditions: subject to Harrisville Municipal Code §11.20.190 and the hours of operation be set to 6am -6pm. Commissioner Shakespeare seconded the motion. Voting was unanimous.

Bill Morris explained the 10-day appeal period and then Blake Davis can receive the conditional use permit.

6. DISCUSSION/ACTION/RECOMMEND – to recommend adoption of Harrisville Ordinance 515; Zoning Map Amendment Ben Lomond View.

Ronda Kippen said she brings forward a positive recommendation for the approval of the Ordinance 515 subject to a corrected landscape plan, developer continues with work committees for commercial area, landscape and fencing design between Highway 89 and Ben Lomond View for a buffer area and a landscaped buffer along the main road. Rezone complies to the 2019 general plan, complies to the city standards, building uses, etc., the master planned development conforms to the MU-LP ordinance, will not be detrimental to or deteriorate the general area or negatively impact surrounding properties.

Further reviews will need to take place at the subdivision level. This plan has been modified from the original 722 units to 664 units across 130.8 acres. The two-story commercial foot print will surround an Amphitheatre in the center which will preserve the open space. The addition of Millennium Park has increased the original open space. Developer will put in flood improvements, parking, and a playground with the park remaining as a public park with six additional parks throughout the rest of the development. The developer has gone through fifteen work committee meetings with staff members and the legislative committee from July to date for negotiations; has redesigned the concept plan to conform to the public feedback received and held two Planning Commission work sessions where they responded to the comments made. This is what the decision tonight is based on. Considerations for the Planning Commission tonight are: does this comply with the 2019 General Plan, with the MU-LP code. Considerations for the rezone include: architectural designs on the site, commercial designs, parking dimensions, setbacks, and open space requirements, etc. The applicant and designer are both available for questions or comments.

Bill Morris said the city appreciates the work from Ronda Kippen over the past year. Most of these documents have been reviewed. The packet for rezone has to be reviewed as an entire packet to meet the criteria of the code and be approved together. It takes a developer a long time to get to this point and also why this is 108 pages. A lot of the legal jargon has been reviewed and the plans have evolved on what is the biggest project for the city. There is also a massive flood plain which takes time to go through the process. Chair Holbrook asked for commissioner comments.

Commissioner Averill said he has no questions and is good to move forward with a positive recommendation. Commissioner Shakespeare said he has no questions as well. Chair Holbrook asked if commissioners had questions from those serving on the work committees. No additional comments were made.

MOTION: Commissioner Shakespeare motioned to forward a positive recommendation to the City Council for the approval of Harrisville Ordinance 515; Zoning Map Amendment Ben Lomond View for approximately 130.80 acres being rezoned by an MDA from 0-1 Zone and A-1 Zone to MU-LP Ben Lomond Zone subject to the following conditions: a corrected Landscape Plan that shows improvements for Park “G” and Millennium Park, the developer will continue to work with the work committee and Planning Commission to receive input for the design of the commercial village which includes the condominiums, landscape and fencing design for the area between Hwy 89 and the Ben Lomond View buffer area as well as the landscaped buffer area along the main road will be submitted for review and approval. This recommendation is based on the following findings: the proposed rezone conforms to the Harrisville General Plan, with the recommended conditions, the proposed MDA complies with the applicable City ordinances, the building uses, roads, street widths, locations, lot area, width, yard, height, and coverage regulations proposed are acceptable as shown on the conceptual site plan, the proposed master planned development is in conformance and meets the purpose and intent of the MU-LP ordinance, the proposed rezone will not be detrimental to the public health, safety, or welfare, and the proposed rezone will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses. Commissioner Averill seconded the motion. Voting was unanimous.

7. Commission/Staff Follow-Up.

Bill Morris said staff will keep Planning Commission informed on the other proposed developments. We may form work committee to address the other projects.

8. Adjourn.

Chair Holbrook declared the meeting adjourned at 8:29pm.

Jennie Knight
City Recorder

Chad Holbrook
Chair