

Harrisville City Planning Commission
363 W. Independence Boulevard
7:00 p.m., June 9, 2021
Conducting: Chair Chad Holbrook

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

Staff: Bill Morris (City Administrator)
Jennie Knight (City Recorder)
Cynthia Benson (Deputy Recorder)
Glen Gammel (Public Works)

Visitors: Ronda Kippen, William Scott, Jerry Eddy, Steve Weiss, Kenny Loveland, Mayor Michelle Tait, Arnold Tait, Leslie Morton, Grover Wilhelmsen, Blair Christiansen, Eric Langvardt.

1. Call to Order.

Chair Holbrook called the meeting to order and welcomed all visitors.

2. Consent Approval – of Planning Commission minutes from May 12, 2021.

MOTION: Commissioner Smith motioned to approve the minutes of May 12, 2021 as presented. Commissioner Averill seconded the motion. Voting was unanimous.

3. Work Session – Presentation of Ben Lomond View Development.

Chair Holbrook explained that Eric Langvardt is here to present. Eric explained he will focus on the specific changes on parks, trails, and the open space plan or PTOS plan. Park “G” was not identified on the original submissions and is built around the existing pond. This Park will contain trails, but will not be a programmed park with playground or swings. Millennium Park was also negotiated since that time. Discussions have been on-going but all the components are included. The other component details are the berms along Highway 89 running north to south. Through the design process, they pulled the collector road to the south-east allowing for another berm as a landscaping buffer.

Chair Holbrook asked for clarification on the south side of the road, and the details about moving the road. Eric clarified this road is the one road in their development shown on the master road plan for the city. Once that was positioned through, they moved the road south and east from the existing townhomes, and included a berm on the east side. Eric outlined the berm on the Highway 89 details. There are also no homes backing or fronting the highway, only one side will face the highway. They will also be placing the fence on the development lots in the side yard. The idea is that the fence will help to visually separate everybody. The idea is to keep kids inside the development area. The berm on the right, and the collector road with the drive lane on the other side. The existing townhomes were modeled to approximate height, with an approximate five- or six-foot berm. That should be a good solution for the residents and are additionally added items. Ronda said that covers the conditions for approval.

Eric explained the formalized park details. Chair Holbrook asked if they have decided on the fence design. Eric said they will work with the builder to match the architecture. They are also dealing with supply issues. But something that will be less of a visual impact to the citizens on the highway. More of an impact to the residents, not the public outside. The parks are all individualized. Those will be a big contributor to the city's current open space.

Chair Holbrook asked about the park on the farthest east, Park "F". Eric said this will be a simple shade pavilion, utilized by dogs or grandkids as a pass of lawn with a shade pavilion. Commissioner Averill asked for the previous motion to be referenced. Chair Holbrook asked for Commissioners Nelson and Shakespeare's input. Ronda said there was language in the MDA that the committee would continue to work with the developer to address the commercial elements.

Chair Holbrook thanked the developer for their consideration with the feedback from the community. Chair Holbrook recognized Ronda.

Ronda said she condensed the 553-page MDA into six key components and they were meeting the conditions of approval from the last meeting. The one that was not addressed was the commercial component on Exhibit "F" – Phasing Plan Phase 3. "The design process will be linked to the design of the Town Center commercial areas including discussions with the Planning Commission and City work groups beginning in late summer or early fall depending upon the timing of the MDA approval and City scheduling of planning discussions. This section is how the developer is proposing to address that condition of approval tonight."

Rhonda continued with her summarization of the MDA by pointing out 3 of the 6 outlined in her staff report. The first was the density remains at 664 units which includes: 425 single family lots, 144 townhouses, 80 multi-family condo units and two 2-story commercial pads with an overall footprint of 40,836 sq ft. There are an additional 15 single family homes, provisionally planned for the flood plain. Page 3 of the staff report, item #5, Sensitive Lands Map, the current code does not allow the city to develop in the flood plain. The developers acknowledge this and originally the plan did not include these units. The developer added this area to their master plan as their intent to include in the development. If the applicant cannot successfully negotiate with FEMA this area would remain in the flood plain. If the Planning Commission grants the total 664 units, under the current MDA, they would be able to transfer those units to other density areas in the development with your approval of modified master plan areas. That is how this is currently drawn up. The Planning Commission has the right to not grant the 15 units, and require the developer to come back and amend the MDA to allow those units in the future. The flood plain clean up would be beneficial to the community. The recommendation to the City Council, on whether to include the total 664 units or whether you are reducing it by the sensitive land area. The PTOS plan has been covered by Eric. The Four-Mile Special Service District is across the board in the entire development. No questions were asked about this point.

The only thing that will be different outside of the regular building and land use permitting, are issues with the MDA to ensure the landscaping, architecture and HOA design standards are met. The developer is implementing a stamp on the building permit by the architectural design group, showing the plans are approved and show they do meet all requirements set forth in the MDA. She does not recommend a paper stamp that they have been approved, but an actual electronic stamp. Commissioner Averill clarified she was recommending the HOA has an actual stamp of approval with a possible representative from the HOA included in the approval process. This

section is actually highlighted in the HOA documents on page 21 of the CCR's, 8.2 Architectural Control, plan and design approval from Design Review Committee, as written in Exhibit J. "No Lot Owner or Builder shall submit to the City of Harrisville an application for a building permit without first having received plan and design approval from the Design Review Committee, proof of which approval shall be submitted to the City with the relevant permit application. The Design Committee shall use its best and reasonable efforts to review and either approve or reject all requests for plan and design approval within fifteen (15) business days after submission for such review. Any rejections shall be accompanied by notes or comments from the Design Committee explaining in reasonable detail the reasons for the rejection and an invitation for resubmission." That will ensure they are meeting our design standards, down to the landscaping plans, and simplify the building permit review process by having those site plans reviewed prior.

Summarizing the consideration for application; last time there were some conditions. Ronda reviewed this section as written in her Staff Report. Does this proposal comply with the 2019 Harrisville General Plan? Does this proposal comply with the applicable MU-LP ordinance? In considering the proposed rezone, the planning commission shall review and consider the following, as applicable: The architectural design of buildings and their relationship on the site and development beyond the boundaries of the proposal. Proposed development standards for the various types of residential, commercial, retail office, or other uses proposed, including parking areas, dimensions, and setbacks. Proposed design standards addressing building height, massing and orientation, open space, natural resource protection, architectural design and materials, landscaping and buffering standards, parking, and signage. The landscaping and screening as related to the several uses within the development and as a means of its integration into its surroundings. The residential density of the proposed development and its distribution as compared with the residential density of the surrounding lands, either existing or as indicated on the zoning map or general plan proposals of the city as being a desirable future residential density. She gave a unanimous recommendation for approval "to the City Council for the request for approval of Harrisville Ordinance 515 and the final Master Development Agreement (MDA); Ben Lomond Views Zoning Map Amendment for approximately 130.80 acres being rezoned by an MDA from O-1 Zone and A-1 Zone to "MU-LP-Ben Lomond Zone." This recommendation is based on the following findings: The proposed rezone conforms to the 2019 Harrisville General Plan. 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 attached MDA Exhibits showing the conceptual site plans, maps, and standards. The proposed master-planned development is in conformance and meets the MU-LP ordinance's purpose and intent. The proposed rezone will not be detrimental to public health, safety, or welfare. The proposed rezone will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses."

Chair Holbrook asked as part of the motion the number of houses included at 664 with the possibility of 15 more if flood plain is mitigated. Ronda said the 664 units include the 15 units in the flood plain. All of the reports and studies included the 664 units and up clarifying the commissioners can reduce the overall density if the flood plain cannot be mitigated. Chair Holbrook asked what the design of that area would be. Developer said the area would remain open as a natural space.

4. Discussion/Action/Recommend – finalization on various outstanding details relating to recommendation to adopt Harrisville Ordinance 515; Zoning Map Amendment Ben Lomond View.

Chair Holbrook said this is the time to finalize the details of the ordinance, asking if commissioners have questions or concerns, they want to address. Chair said it appears those conditions have been addressed.

MOTION: Commissioner Averill motioned to forward a positive recommendation to the City Council for approval of Harrisville Ordinance 515; Zoning Map Amendment Ben Lomond View for approximately 130.80 acres being rezoned by an MDA from O-1 Zone and A-1 Zone to MU-LP Ben Lomond Zone. This recommendation is based on the following findings: the proposed rezone conforms to the Harrisville General Plan, met the 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 attached MDA Exhibits showing the conceptual site plans, maps, and standards, the proposed master-planned development is in conformance and meets the MU-LP ordinance’s purpose and intent, the proposed rezone will not be detrimental to public health, safety, or welfare. The proposed rezone will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses with the 664 units. Commissioner Shakespeare seconded the motion. Voting was unanimous.

5. Commission/Staff Follow-Up.

Commissioner Averill mentioned the mandatory training for the Commissioners. Bill said the league is putting this training together. Jennie Knight introduced Cynthia Benson, the new Deputy Recorder.

6. Adjourn.

Chair Holbrook declared the meeting adjourned at 7:43p.m.

Jennie Knight
City Recorder

Chad Holbrook
Chair