

Harrisville City Planning Commission Meeting
363 W. Independence Blvd
February 10, 2021 – 7:00 p.m.
Conducting: Chair Chad Holbrook

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

Staff:
Bill Morris, City Administrator
Jennie Knight, City Recorder
Glen Gammell, Public Works

Visitors: Austin Moffitt, Marvin Farrell, Lynnette Kelley, Darlene Kunz, Perry Kunz, Jessica Prestwich, Shanna Edwards.

1. Call to Order.
Chair Holbrook called the meeting to order.

2. Consent Approval – of Planning Commission minutes from November 18, 2020 and December 9, 2020.

MOTION: Commissioner Smith motioned to approve the minutes of Planning Commission meeting from November 18, 2020 and December 9, 2020 as presented. Commissioner Nelson seconded the motion. Voting was unanimous.

3. Public Hearing – The Planning Commission will take public comment in support or opposition to Harrisville Ordinance 518; Mixed-Use/In-Fill Commercial Amendments.

Bill Morris gave a brief overview of the amendments in this proposed ordinance. A developer is interested in this property and has asked the city to consider these proposed changes. He noted, this does not apply to the golf course development. The city cannot change an ordinance when we have already received application on the project. This is a different code section that includes a few changes. The old ordinance required the entire frontage to be commercial zone because on Washington Blvd and other major corridors, it makes sense to have the commercial there, and also consider the mixed-use options. Again, the original language required the frontage be commercial with residential in the back. This proposal would allow them to cluster the commercial in one area, if they had a Walgreens or like business. He suggested Chair Holbrook open the public hearing and we can answer any questions that may arise.

Chair Holbrook declared the public hearing open.

Lynnette Kelley said she has mentioned to both Grover and Brenda the gentleman selling this property, she lives adjacent west of this property, is advertising that upon interviewing city officials the planning commission is considering changing this to mixed use. She has great concern with this because in the fall of 2019 they fought hard to have this remain R-15, like what is in the current neighborhood. She has concern that someone is telling them they can use this as

high-density housing along their fence line.
Chair Holbrook closed the public hearing.

Commissioner Nelson asked for a map of the area to be displayed. Bill Morris pointed out the Mixed-Use Map and explained any area in pink on this map can be potential considered for Mixed-Use. He used an example of areas that have commercial on the first level with residential above on subsequent levels. This proposed change would allow the clustering of commercial in one area, but maintaining the same amount of commercial space. As it stands with the frontage requirement, they could not fit a Walgreens along the frontage. On the General Plan Map, this area is proposed commercial, but that is not the current zoning. Also, the developer has considered donating a large portion of this as a park, which open space can count towards commercial, with the residential element being townhouses. Bill Morris agreed the way this is advertised in the MLS listing is incorrect. The developer came to the project review committee to ask if they could cluster the commercial rather than have it along the frontage. Commissioner Averill pointed out this would then allow residential along the frontage. Bill Morris said yes, with a large portion being open space.

Chair Holbrook said everyone on the Planning Commission takes their communication with people very seriously to avoid that type of communication.

Lynette Kelley pointed out the yellow area on the map to the east of her house floods any time there is precipitation and her neighbor's house flooded once. Bill Morris said there are not proposed site plans yet but what they are proposing that wetlands area be a park, leaving the dead end at 1300 North, but they might tie into 1400 North and have that go through to Washington with a Walgreens or something. That is what entices us with this development, to keep this area as a park, but we must make some concession which would allow them to have higher density on the south end of the development.

4. Discussion/Action/Recommend – to recommend Preliminary approval of Ashlar Cove Subdivision located at approximately 1100 North 325 West.

Chair Holbrook asked the commissioners if they have had time to review the engineer's memo. Bill Morris said there are a lot of engineering issues that need to be resolved before any final approval application will be considered. The property is already zoned RE-15 and they are proposing a 23-lot subdivision. The city engineer recommended preliminary approval subject to the 29 outlined items.

Commissioner Averill asked if they are replacing the existing cul de sac on the south where they are tying in. Glen Gammell said the cul de sac in the proposed subdivision will be built to the current standard with the new widths. Commissioner Nelson asked for a legal opinion from Bill Morris. Bill Morris said he is okay with granting preliminary approval but that the developer work through the 29 items before applying for final approval. There cannot be any outstanding issues for final approval. Commissioners agreed these issues need to be resolved. Commissioner Smith expressed concern with the secondary water requirement with reference to Bona Vista's service letter. Commissioner Nelson reminded commissioners the developer will be building an irrigation pond with secondary system that will be turned over to the city, like the golf course. Chair Holbrook pointed out the city engineer is okay with preliminary approval. Bill Morris suggested a sample motion would include being subject to the engineer's memo and commitment to serve letters from Bona Vista, Central Weber Sewer, North View Fire, and UDOT.

MOTION: Commissioner Averill motioned to recommend preliminary approval of Ashlar Cove Subdivision located at approximately 1100 North 325 West subject to the engineer's memo and will serve letters from the applicable utilities and that all items need to be resolved before coming back for final approval. Commissioner Shakespeare seconded the motion. Voting was unanimous.

5. Discussion/Action/Recommend – to grant Conditional Use Permit for Jason Richards located at 1011 W 1650 N for ATV/UTV repair business as a home occupation.

Bill Morris explained this applicant would like to run a small ATV/UTV repair business out of their shop and since they will have customers coming and going from their house, they need a conditional use to mitigate the effect on the residential neighbors. There are two ideas that compete but are not exclusive; the neighbors live in a residential area, but to get a small business started is really hard. If they able to do some small business out of their home, they can get a jump start on having a business. As long as they do not interfere with the residential neighborhood. Bill Morris reviewed the application requirements. Commissioner Averill asked if ATV/UTV's are considered vehicles, which are not allowed under the home occupation regulations. Bill Morris pointed out home occupations are allowed in accessory buildings and said the commissioners can make the interpretation of whether ATV/UTV's are considered vehicles, he is fine either way.

Chair Holbrook suggested limiting the hours to reduce the impact to the neighbors, saying 10pm is too late for customers to come drop off their ATV/UTV's. The map and location of the proposed conditional use was displayed. Jason Richards said he had his neighbor with him who gave his okay with this business. Chair Holbrook asked what type of equipment will be used for work. Jason Richards said he uses cordless tools and he has an insulated shop as well. Chair Holbrook said most business hours would end by 7pm, and asked if those would be the hours customers will drop off their machines. Jason Richards said people will not come later than 8pm. Realistically he does not work that late. He also does not get home earlier than 5pm so no one will drop off their machines before that.

Chair Holbrook asked if commissioners had any additional concerns. Commissioner Shakespeare asked about delivery of the machines, if someone is picking up a machine, he does not want the test driving them up and down the street. Jason Richards said he does not drive his own up and down the street and will not allow that. He said customers can pick up and drop off with a trailer but he will not allow them to drive on the road. Chair Holbrook suggested that be a condition of approval; no test driving of vehicles. Jason Richards said he also will not allow trailers to be left, and will have no outdoor storage. Bill Morris said everything must be contained in an enclosure. Chair Holbrook said his application includes up to three machines at a time. Jason Richards said that is excluding his own machines and vehicles; he can fit up to three more, but does not intend to have that many at one time. This is just a side job to make a little extra money.

Chair Holbrook asked if there is any exterior lighting. Jason Richards said no, but he will be installing a security light. His neighbor already has motions sensor lights. Bill Morris asked how he will handle hazardous materials. Jason Richards said he either takes this to the transfer station or to O'Reilly Auto Parts. He does not store a large quantity of oil and fluids. When he completes work on one machine, he disposes of the fluids.

MOTION: Commissioner Nelson motioned to approve the Conditional Use Permit for Jason Richards for home occupation located at 1011 W 1650 N for ATV/UTV repairs with the

following conditions: no test-driving machines through the neighborhood, drop off between 5-8pm; weekends included, legally disposing of hazardous material, no more than three customer machines, with the determination that ATV/UTV's are not vehicles, and no outdoor storage of customer equipment/machines. Commissioner Smith seconded the motion. Voting was unanimous.

Bill Morris explained the 10-day appeal period and said once that is complete staff will write up the conditional use permit and he can sign and apply for a business license.

6. Discussion/Action/Recommend – to recommend adoption of Harrisville Ordinance 518; Mixed-Use/In-Fill Commercial Amendments.

Chair Holbrook opened up additional discussion by commissioners on the proposed ordinance. Marvin Farrell asked for permission to give public comment, saying he had difficulty connecting to the meeting. Chair Holbrook granted him an opportunity to give public comment.

Marvin Farrell said he did not have time to review the entire ordinance but has concern with limiting the 150-foot commercial requirement and asked if that is a setback. Bill Morris said the old ordinance required the frontage to be commercial and with the proposed change, this sets the scope and minimum depth at 150 feet. When staff was reviewing this ordinance and with UDOT access requirements, parking allowance, and having a small business, the 150 feet might not even be large enough. Marvin Farrell said if the city is trying to entice commercial, North Ogden has smaller businesses that sit less than 150 feet, he would like to see smaller businesses allowed. He used the car wash in North Ogden as an example, with limited parking, and a good business. Bill Morris asked for suggestions as to how to address this; we want to make sure we cover this. Marvin Farrell suggested a conditional use. Bill Morris suggested making this an average depth of 150 feet rather than a minimum. Marvin Farrell also said he would like to increase the three-story minimum, possibly allow higher, since Harrisville does not have as much commercial. He farms and likes ground, but he said if we do this right, with good planning, this could be beneficial for the city. Bill Morris said there is push back from the fire district, they cannot accommodate anything higher than three stories. That is also not a proposed change in this ordinance. Marvin Farrell said he has concern with the irrigation and storm water in this area and asked where is water will be going. He suggested there needs to be an easement for secondary water lines.

Bill Morris said another item for consideration is the commercial uses and whether to allow recreation as a commercial element. There have been some concerns with what is recreation, and if the developer builds a pickle ball court, or things that must generate money, could they be considered part of the commercial element. He asked for commissioners' thoughts. Commissioner Averill suggested monetized recreation could be considered commercial. Bill Morris said if the open space is given to the city for development or would we consider allowing credit for providing an amenity. Commissioner Nelson asked if that would keep them from providing those fitness/recreation services. Bill said fitness/recreation could also be considered a personal service. Commissioner Averill again said he would like to monetize the recreation. If a walking path is developed, with public access, that is open space and tied to the residential use, rather than the commercial use. Bill Morris said his thought was more like indoor soccer facility as monetized recreation. He can also see the developer's side, which saves the city money as well with the installation of recreational facilities.

Chair Holbrook said some of the recreational sales type shops as well. Bill Morris suggested outlining commercial uses as “businesses that generate revenue”. Commissioners agreed to the addition of businesses that generate revenue.

MOTION: Commissioner Shakespeare motioned to recommend adoption of Harrisville Ordinance 518; Mixed-Use/In-Fill Commercial Amendments subject to the changes in the meeting discussed. Commissioner Averill seconded the motion. Voting was unanimous.

7. Commission/Staff/Follow-Up.

Bill Morris explained commissioners cleared the agenda tonight so that next month we will be taking up the golf course project. Commissioner Averill said he and Chair Holbrook are going over the latest revisions on the golf course beginning tomorrow.

8. Adjourn.

Chair Holbrook declared the meeting adjourned at 8:03pm.

Jennie Knight
City Recorder

Chad Holbrook
Chair