

Harrisville City Planning Commission Meeting  
363 W. Independence Boulevard  
7:00 p.m., October 10, 2018

Commissioners: Roger Shuman  
Nathan Averill  
Brenda Nelson  
Kevin Jensen  
Chad Holbrook

Staff: Bill Morris (City Administrator)  
Laurence Boswell (Land Use Coordinator)

Visitors: Blaine Barrow, Bryan Bayles, Shawn Matthewson, Donald Farrell, Marvin Farrell, Fred Stettler, Julie DeWolfe, Jimmy Owens, Micheal Farrell, Sherry Farrell, Glen, Leslee Clifton.

**1. CALL TO ORDER.**

Commissioner Chad Holbrook called the meeting to order at 7:01 PM.

**2. CONSENT APPROVAL** of Planning Commission Meeting Minutes June 13, 2018.

**MOTION**

Motion by Commissioner Brenda Nelson, second by Nathan Averill, to approve minutes of Planning Commission meeting held June 13, 2018, as written. Vote called and passed unanimous.

**3. PUBLIC HEARING** for the purpose of receiving comment on a zoning map amendment from A-1 Zone (Agriculture) to R-1-20 Zone (Residential) for a property located at approximately 750 W 2100 N.

**MOTION**

Commissioner Chad Holbrook opened the public hearing.

Bill Morris gives a staff report about the proposed zoning change. Bill reminds planning commissioners that they are held to the legislative standard and have power to say yes or no to the zoning change application.

Commissioner Chad Holbrook recites guidelines for the public hearing, stating that behavior should be appropriate and courteous. Each resident will have three minutes maximum to make a comment.

Bill Morris states that the zone will be changed to an R-1-20 zone, and the concept plan reflects a subdivision within that zone following the cluster subdivision ordinance.

**COMMENTS**

Blain Barrow – I live down the street from this parcel. If this zoning is changed from the acre lots to half acre lots, I understand that is a preliminary step to okay smaller lots on the same piece of ground. If this parcel gets changed to R-1-20, how much easier will it

be for the developer to go to smaller lots? Will there be another zoning change after this one to get smaller lots?

Bill Morris states that he will answer any questions after the public hearing.

Marvin Farrell – I have some questions. If we change the zoning for this parcel, could other properties on 750 change as well? There are some concerns we have. There is flood irrigation, there needs to be an out for that water. There would need to be some things done with the water flow. When it rains the canal backs up. Our concern is the property around it. Does that mean the surrounding property will change zones as well?

Commissioner Chad Holbrook asks if anyone is concerned about the rezone and if anyone is against it.

### **MOTION**

Motion by Commissioner Kevin Jensen, second by Commissioner Nathan Averill, to close the public hearing for the zoning map amendment from A-1 Zone (Agriculture) to R-1-20 Zone (Residential) for a property located at approximately 750 W 2100 N. Vote called and passed unanimous.

4. **REVIEW/DISCUSSION/ACTION** on a zoning map amendment from A-1 Zone (Agriculture) to R-1-20 Zone (Residential) for a property located at approximately 750 W 2100 N.

### **DISCUSSION**

Bill Morris states that if this rezone goes through, it will be easier to have smaller lot sizes on the property. The developer can go down to a minimum of 10,000 square feet. Bill states that a cluster subdivision tends to save on infrastructure and provide more open space. The cluster subdivision ordinance is found in the Harrisville municipal code online in Chapter 11, Section 16. Bill states that in the general plan, this property is zoned to be R-1-20, but all other properties off 750 W are zoned to be A-1. Bill would like the applicant to come up and explain more about the property. Bill states that he cannot answer any questions about water issues and will refer those issues to the City Engineer when the applicant applies for subdivision development.

Commissioner Brenda Nelson states that the Utah real estate website gives a more precise address of 1900 N 750 W for this property.

Commissioner Chad Holbrook states that because this developer is petitioning for a smaller zone, and for a cluster subdivision, the developer will have smaller lot sizes and more open space. The developer applies for different allowances in order to develop smaller lots.

Bill Morris states that some of these allowances include energy efficient homes, open space, etc. The developer could petition for enough allowances in order to create a more dense subdivision. The developer can go down to a minimum of 10,000 square foot lots.

Commissioner Nathan Averill states that if the rezone is approved tonight, then planning commission cannot stop the subdivision going through because the planning commission's role will change from legislative power to quasi-judicial.

Bryan Bayles presents a PowerPoint presentation. The presentation shows the parcels that Bryan would like rezoned. He states that there is a trail along the railroad and there will be a trail running through the property. Bryan has experience throughout the US doing property development, primarily for the Church of Jesus Christ of Latter-day Saints. Bryan has studied the Harrisville general plan and feels that the rezone and future subdivision development is a good fit for the community. Bryan understands the impact of zoning properties and economic development. Bryan explains that by putting in more housing, there will be more support for commercial stores and retail in Harrisville. Bryan explains that there is some open space in the proposed development and that open space would be maintained by an HOA so that the community will be clean and heavily enforced. This property will also be right next to the trail map that Harrisville has implemented in their general plan and Bryan has plans to include that trail as part of the subdivision, including an equestrian trail. Bryan explains the sewer connection problem and if needs be, Bryan has plans to connect north to the Pleasant View sewer connection. Bryan explains that all storm water will drain into a culvert under the railroad. Bryan states that there will be two access points off 750 W for the proposed subdivision in order to mitigate wear and tear off 750 W. There will not be any driveways connected directly to 750 W. Bryan addresses one of the comments made by residents and states that this parcel is the only one in the general plan that will change zones. All other property off 750 W will remain A-1. The proposed subdivision will have on average 10,000 square foot lots. Bryan states that he lives in a subdivision very similar to the one he wants to develop. He is proud and excited about this community.

Commissioner Chad Holbrooke asks if this will be more of a transient community.

Bryan Bayles explains that these are not entry level homes. These homes will exceed the Harrisville market price. Bryan explains that people usually turn over their home, on average, every 5-8 years. Bryan expects people to stay a while.

Commissioner Kevin Jensen asks about the sections on the concept map labeled A, B, and C.

Bryan explains that those are sections marked as open space. This is just a concept plan. Bryan plans on addressing questions like that, and others, later when the subdivision application comes through. For now, Bryan is mostly concerned about the re-zone.

Bill Morris suggests tabling it the rezoning application.

Commissioner Roger Shuman states that he has some thoughts about the development, but would rather table it for now.

## **MOTION**

Motion by Commissioner Nathan Averill, second by Commissioner Kevin Jensen, to table the zoning map amendment from A-1 Zone (Agriculture) to R-1-20 Zone

(Residential) for a property located at approximately 750 W 2100 N. Vote called and passed unanimous.

## **DISCUSSION**

Commissioner Brenda Nelson asks why the City is deciding to table this.

Bill Morris explains that there is no written ordinance for the rezone application. There will be a written ordinance created so planning commission can submit it to the city council next month.

### **5. REVIEW/DISCUSSION/A CTION on conditional use permit for Jimmy Owens for a business to be located at 812 N HWY 89.**

## **DISCUSSION**

Jimmy Owens wants to sell a few cars in front of the meat packing place off HWY 89. Jimmy explains that he will be selling used cars, and will have about 10 on the lot. There will be no improvements to the land.

Commissioner Brenda Nelson asks if Jimmy will be purchasing the buildings. Brenda also asks about the hours of operation for the business.

Jimmy Owens states that he is leasing the property and wants to operate his business from 9am to 7pm.

Bill Morris recommends approval with compliance to the municipal code.

## **MOTION**

Motion by Commissioner Kevin Jensen, second by Commissioner Nathan Averill, to approve the conditional use permit for Jimmy Owens for a car dealership to be located at 812 N HWY 89 subject to the following conditions: No more than 10 cars for sale at a time on the lot, the hours of operation set from 9am to 7pm Monday thru Saturday, and that the business complies with all regulations in the municipal code. Vote called and passed unanimous.

### **6. REVIEW/DISCUSSION/ACTION on site plan amendment for Greenwood Charter Elementary (Julie DeWolfe).**

## **DISCUSSION**

Bill Morris explains that local municipalities do not regulate schools. However, municipalities do regulate site plans for schools. Julie DeWolfe wants to build some sheds and other small buildings on the Greenwood Charter Elementary school property. Bill explains that this process calls for an amendment to the Greenwood Charter Elementary site plan.

Julie DeWolfe explains that she is planning to build a couple of greenhouses and storage sheds to use for her school lessons and to store outdoor tools. Julie explains that she runs a nature school and the participants are outdoors a lot.

Commissioner Chad Holbrooke asks if Julie will hold trainings in the outdoor greenhouses.

Julie DeWolfe responds and states that she will have some classes in the gardens.

### **MOTION**

Motion by Commissioner Brenda Nelson, second by Commissioner Roger Shuman, to approve the site plan amendment for Greenwood Charter Elementary and putting in two sheds and greenhouses for the school. Vote called and passed unanimous.

7. **PUBLIC COMMENTS:** *“This is an opportunity to address the Planning commission regarding our concerns or ideas on land use issues. Comments are limited to three minutes. The Planning commission cannot take action on any item brought to the planning Commissions’ attention except to instruct staff to place this item on a future agenda.”*

### **DISCUSSION**

Commissioner Brenda Nelson asks if the developer knew the planning commission was going to table the project.

Bill Morris states that he heard a lot of residents would have a problem with the development. Bill explains that if there is a meeting that might be controversial, then it is best to do the public hearing and then table it.

Commissioner Brenda Nelson comments and states that planning commission does not have to approve 80 lots, however, the state of Utah is dealing with housing shortage.

Bill Morris suggest that this issue will be addressed the next time this item comes on the agenda. Bill also suggests to remind residents that they can email Laurence when they have questions or concerns.

Commissioner Brenda Nelson asks other planning commissioners how they feel about then development.

Commissioner Nathan Averill states that he does not want the development to go to an R-1-10 lot size. He believes it should remain an R-1-20 lot size.

Commissioner Roger Shuman suggests that everyone review and study the cluster subdivision ordinance.

Bill Morris suggest that planning commission do a work session before the next meeting in order to understand better what is happening and what is coming up on future agendas. Laurence will also send out project management minutes to planning commissioners so they can know what is coming up as far as development in the City.

### **8. Adjourn**

Being no further business, the meeting was adjourned at 8:01 p.m.  
Chad Holbrook, Chair

Laurence Boswell, Land Use Coordinator