



assisted living facility could even include food service to homes if needed. Their reason for not limiting it to seniors is to have a cross section of the population so that the development has more of a neighborhood feel.

**MOTION TO OPEN PUBLIC HEARING:** Commissioner Norseth motion and Commissioner Weiss seconded with unanimous approval to open the public hearing.

*Public Comments:*

Ray Clark - 867 North Harrisville Road. He stated that he has no objection to the rest home facility. However, for past 13 years, residents have been to these meetings trying to defeat developers who were trying to rezone that area for higher density. That property was zoned to A-1 because there was not infrastructure capacity to support more dense housing. He is concerned that once one area is given a higher density designation, the whole area will go for higher density, losing the open rural atmosphere. He does not feel that Harrisville needs another area for low to moderate income housing. If commissioners recommend this change, he asked what will they tell the last applicant (Wayne Taylor)? Previous requests have been denied. This is the last area where there is any open space in Harrisville. If they vote in favor of this application, people who have trusted in the General Plan will be disappointed.

*(Commissioner Hohosh arrived)*

Dave Stephenson - 863 North Harrisville Road. He stated that he moved here five years ago because it was rural and zoned A-1. Since that time, there have been several applications turned down to amend the zoning for higher density. Property to the south of his property was turned down a short time ago. If the commissioners recommend increasing the density on this property now, where is the consistency? He is opposed to the proposed amendment to the general plan and zoning.

Jim Whetton - 887 North Harrisville Road. He has been living here for 48 years and he has been involved in past requests for this area. He liked the plans presented in the past but they were denied, even an attempt for higher density down by tracks was denied which in his opinion would have worked well. If the city rezones this as requested, how can they answer to those who have previously been turned down? He does not think it would be a good idea to do the amendment.

Michelle Tait - 775 North Harrisville Road. She stated that she has trusted what the planning commission has brought forth in the past and she trusts they will make the best decision. She stated that she loves to live here because of the rural atmosphere. She would like the commissioners to keep that in mind and uphold the general plan. She does not want to see higher density happen there.

Justin Tisdale - 495 5<sup>th</sup> Street, formerly of 880 North Harrisville Road. He stated that he is here to represent Wayne Taylor. Wayne Taylor is the developer that three people referred to in this

meeting as turned down for higher density. His property is directly west of the property included in this application. Justin Tinsdale reported that Wayne Taylor is not for or against the amendment. However, if the density is increased, Wayne Taylor would appreciate the same consideration on his property. Wayne Taylor has been in several times to amend his property to higher density residential, and he would be interested in the R-6 Zone as well.

**MOTION TO CLOSE PUBLIC HEARING:** Commissioner Norseth motioned and Commissioner Howard seconded with unanimous approval to close the public hearing.

**DISCUSSION:** Commissioner Norseth asked Gene Bingham if it is possible to support that many houses with sewer in that area. Gene Bingham said that the sewer is Central Weber. The water is provided by Bona Vista and they were going to do some upgrades when the Deseret Industries went in, but he is not qualified to answer for them. There is no pressurized secondary water available to this property. Commissioner Knighton asked about the water table and Gene Bingham stated that it is pretty wet. Commissioners determined that the first 275 feet would fall in the present commercial zone. Commissioner Norseth mentioned concern that any wetland areas on the property would need to be identified. He stated that he is not opposed to the concept of the proposal. On the south side of North Street there is a lot of high density housing. As long as there is some buffer between property zoned A-1 to the north, and as long as density is not too high, and the subdivision not too extensive, he does not have a problem with the change.

With reference to wetlands, according to Justin Tinsdale, a lot of the Taylor property was removed from wetland designation when the drainage canal was dug.

Commissioner Knighton mentioned that development of the assisted living center is possible without making any changes and she does not have a problem with that, her issue is with the housing density. She hates to see anything less than R-1-10.

Chairman Pearce pointed out that anything more than 30 units has to have two street accesses and he is concerned about how developers will accomplish that.

Commissioner Saunders stated that the city has enough higher density and he does not want to see more come in. Bob Howard agreed, and stated that he is in favor of the assisted living center but does not favor amending the general plan or zoning on the rest of the property. He feels it should be left as is. Commissioner Knighton stated that the higher density across the street is in Ogden City, and Harrisville cannot control what they do in their city, but we can control what is done in Harrisville. The future land use map has designates it as agricultural, so it was foreseen keeping that area agriculture. Commissioner Hohosh stated she did not see any need to change the Zoning or General Plan.

**MOTION:** Commissioner Knighton motioned to recommend to the city council that they deny the application to change the land use element of the General Plan from Rural Residential to High Density Residential for the remainder of the Five "T" property located west of the area proposed for the residential facility for the elderly due to the history of the land itself and

development issues with ground water. She included that since a change is not recommended for the General Plan, there is no need to amend the Zoning Map for the same property from Agricultural A-1 to residential R5-6.

DISCUSSION: Commissioner Norseth asked if there is some compromise to develop that property. He thinks it would be nice to have an assisted living facility and this is a good location. The need for a buffer between commercial and agricultural was brought out. To make the proposal more feasible, commissioner discussed the possibility of the remaining commercial zoned area being amended for housing without changing the agricultural zone. Commissioner Knighton said that is not what is before the commission at this time. That would have to be heard as another proposal. Commissioner Norseth agreed that commissioners have to address the application as it now stands.

VOTE ON THE MOTION: All commissioners present voted unanimously in favor of the recommendation to deny the application.

**2. PUBLIC HEARING / ACTION / RECOMMENDATION on a conditional use permit application from Allen Whetton to relocate his auto sales lot from the present location to the south side of Knight Plaza, 1150 North Highway 89.**

Allen Whetton explained that he proposes to move his auto sales lot onto the south end of Knight plaza and utilize one of the suites for his office. His business includes some scooter and utility trailer sales, but it would mostly include parking his inventory of used cars. Commissioners were referred to the site plan drawing presented with the application. Allen Whetton explained that he is required to have something to designate the location of the parked inventory. He stated that he could probably park close to 40 cars on the lot and not obstruct the traffic lane around the building, but the maximum number of cars he will display is 15 to 20. His is also applying to amend a portion of the landscaping originally approved for Knight Plaza by replacing the south plot of grass with xeriscaping that he will also utilize it for display purposes.

MOTION TO OPEN PUBLIC HEARING: Commissioner Norseth motioned and Commissioner Weiss seconded with unanimous approval to open the public hearing.

*Public comments:*

Geanita Birks - She is the owner of the building directly south and right next to where Mr. Whetton wants to park his cars. Her concern is that there is nothing to protect her building from being hit by cars as they are pulling in to park there. She would like some type of a cement guard to prevent cars from being able to be close enough to hit her building. Her other concern is for adequate distance for emergency fire trucks to drive on the traffic lane that will be left between the parked cars and the south end of the Knight Plaza building.

MOTION TO CLOSE PUBLIC HEARING: Commissioner Weiss motioned and Commissioner Hohosh seconded with unanimous approval to close the public hearing.

DISCUSSION: Commissioners asked Allen Whetton how much distance would be left in the traffic lane if a large pickup truck was parked in that area and he said probably 20 feet. Paula referred to the drawing which shows the shortest distance to be 44 feet. As a condition, commissioners agreed that Mr. Whetton should maintain a 20-foot minimum clearance for the traffic lane at all times. As another condition, they asked for parking bocks to be placed so that they will block the vehicles from any contact with the building on the south. Vehicles usually overhang parking blocks so they will need to be placed back far enough to accommodate for that. Commissioners agreed to the change in the original landscape design for Knight Plaza as part of this approval. Mr. Whetton explained that the detail operation at his other location was never part of his business. However, he will be doing some insurance sales in the suite at the Knight Plaza location.

MOTION: Commissioner Norseth motioned to approve the conditional use permit for Allen Whetton to relocate his auto sales lot to the south side of Knight Plaza, 1150 North Highway 89. Conditions include: (1) to maintain a 20-foot minimum drive lane of any obstruction between his car display and any vehicles parked on the southwest corner or the south end of the Knight Plaza building, (2) locate parking blocks on the south side of the parking areas to prevent any damage to the adjacent dance studio building, (3) approve a change in the original landscape design for Knight Plaza to include a portion to be xeriscaped and used for display purposes for Allen Whetton's business. The motion was seconded by Commissioner Weiss.

VOTE: Commissioner Saunders abstained from voting. Commissioners Weiss, Hohosh, Howard, Knighton, Norseth, and Weiss voted aye.

### **3. Discuss/recommend an amendment to the Land Use Ordinance Chapter 11.08 to clarify the number of animals allowed for family food production and include bees.**

DISCUSSION: Commissioners agreed that the ordinance needed to include acreage applied to the points, not just the whole parcel. After some discussion, Commissioner Norseth suggested that paragraph 6 be changed as follows:

- a. A-1 = 10 points for the first 25,000 square feet of pasture/open space, 1 point for each additional 2,000 square feet up to five (5) acres. The number of animals allowed on parcels over five (5) acres is governed by standard of sound agricultural practice.
- b. R-1-20 = 8 points for the first 20,000 square feet, 1 point for each additional 2,000 square feet up to five (5) acres.
- c. RE-15 = 6 points for the first 15,000 square feet, 1 point for each additional 2,000 square feet up to five (5) acres.
- d. R-1-10 = 4 points for the first 10,000 square feet, 1 point for each additional 3,000 square feet up to five (5) acres.
- e. R-1-6 = 2 points for the first 6,000 square feet, 1 point for each additional 3,000 square feet up to five (5) acres.

MOTION: Commissioner Hohosh motioned to table forwarding a recommendation to the city council on the amendment to Chapter 11.08 of the Land Use Ordinance until the next meeting and have Bill Morris review the changes suggested. The motion was seconded by Commissioner Norseth and commissioners voted unanimously in favor to table the recommendation.

**4. Approval of Minutes of meeting held April 14, 2010.**

MOTION: Commissioner Saunders motioned and Commissioner Howard seconded to approve minutes of the planning commission meeting held April 14, 2010. The motion passed with a unanimous vote.

Commissioners recalled when the agenda included a report from the commissioner who was assigned to attend the city council meetings for the month and they agreed they would like that included as part of the agenda for each meeting.

**5. Public Comments.** None

**6. Adjournment.**

At 8:45 p.m., the meeting adjourned. The next regular Planning Commission meeting will be held June 9, 2010, 7:00 p.m. at the city hall.

Shanna C. Edwards  
Secretary

Jeff Pearce  
Chairman