

Harrisville City Planning Commission
363 West Independence Boulevard
7:00 p.m. – August 12, 2020
Conducting: Chair Holbrook

Commissioners:

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

Staff:

Bill Morris, City Administrator
Jennie Knight, City Recorder
Dennis Moore, Police Lieutenant

Visitors: Roger Shuman, Lynnette Shuman, Chelsey Shuman, Blaine Barrow, Morgan Rich, Zach Obelberry, Michael Dabb, Carey Smith, Debbie Smith, Gae Tustmor?, Jim Pushkin?, Jennifer Moore, Jeff Richardson, Blair Christensen, Chris ?, Sherry Farrell, Mike Farrell, Kevin Starkey, Anne Teuscher, Rick Wetz, Kelly Singleton, Brenda Tuinei, Daren Dalley, Minnon Kummer?.

1. Call to Order.

Chair Holbrook called the meeting to order. Roll Call was taken. All Commissioners were in attendance.

2. Consent Approval – of Planning Commission minutes from July 8, 2020.

MOTION: Commissioner Nelson motioned to approve the minutes of Planning Commission from July 8, 2020. Commissioner Smith seconded the motion. Voting was unanimous.

3. Public Hearing – Harrisville Ordinance 512; General Plan Map and Manufacturing Zone Amendments.

Chair Holbrook opened the public hearing. Bill Morris explained the proposed ordinance with associated map being the primary issue.

Roger Shuman said he has lived in Harrisville most of his life and owned property since 1985. He enjoys the one acre and larger properties and does not understand why city council and staff have an issue with rural residential. He has spent hundreds of thousands of dollars on his property and worked hard to get where he can have an investment. He feels this is a bizarre and ludicrous plan. He has included pictures in his document showing a manufacturing area on Wilson lane in West Haven and West Ogden area. This is a rundown and blighted area. Just like the pallet company in the city, which is not even close to what was approved by planning commission. There were comments in the minutes of the Industrial Park being built out, which is not accurate. He feels this is not the direction the city wants to go. The proposed residential was turned down because it did not meet the zoning. Unless the city wants to buy all the property owners out. His other concern is, this ordinance allows sexually oriented businesses by conditional use. Conditional means, you can do whatever you want because there are limited controls. The existing manufacturing area is already a concern, by attracting rodents and a flag flying without property lighting. The city

agreed to clean up this area. HHI has three semi-trucks parked on 750 West. They did clean up the brickyard but have other issues. He is opposed to this ordinance.

Glen Williams owns 28 acres on 750 West. He understands the MP-1 zone must be aligned with a major arterial road. He is asking who will do the improvements on 750 West and will they go all the way down. This is not to border or share frontage with residential usage. All across the streets is residential. If the city has been approached by an entity that is being considered rezoned to manufacturing, shouldn't the property owner be notified. Years ago, he proposed an active assisted living community with activities and other amenities. Mr. Shuman did not want this when he was on the Planning Commission at that time. He expressed his support of this ordinance saying he is in favor of what will make his property as valuable as possible.

Marvin Farrell has lived in Harrisville most of his life. He grew up on 750 West and they have seen a lot of changes there. He understands this is to create a better tax base for the city, but if this goes through, manufacturing will sacrifice the people that live there now. A lot of those people are here tonight, including his father, and an aunt and uncle. This land was not given to them. They have had to work for this. Mr. Shuman said he lives there because of the rural area. The residents do not want to live by a manufacturing plant or something like that in their backyard. He asked Planning Commission to consider if this were in their backyard. Comments were made, that is does not matter until your property is sold, but this would decrease the value of the property. When considering property value, residential value is approximately \$7 per square foot, where as manufacturing is \$4 per square foot by his estimation. He has had people from Planning Commission walk his property and feels the concerns fell on deaf ears. There is an area on North Street, that is considered in the flood plain. If this was drained to 12th street and clean up of four-mile creek, the flooding is caused by irrigation water. He is against this proposal, and represents his father who is also against this as well.

Brenda Tuinei said this will cause all the property values to depreciate. No residents want to move, they live here for a reason. She says they will be dealing with heavy traffic, especially with sexual oriented business. She has small children at home. She is against this proposal.

Mike Ferrell said he attended a planning meeting six or nine months ago where there was discussion about trying to annex Kimberly Clark. He feels this is why this is being proposed. He feels they are throwing away residents to get Kimberly Clark.

Blaine Barrow said he lives on 750 West; he would like to go on record that he opposes this to enhance the interest of people who do not live here. There are people who own property but do not live here. They have bought property for investments. Those that live here, do not want manufacturing in their backyard. This would not be good for the residents. This would not enhance anything. Like the Industrial Park, there were homes in there at the time they created that. They bought out the property owners so they did not have to live there. This would affect the residents.

Jeff Richardson said he understands the city is thinking of changing this area from housing to manufacturing. He asked if this is changing the zoning. Commissioner Averill said this is currently agricultural. Jeff Richardson said he is concerned with the limited amount of housing.

We used to have the golf course, now this is an eye sore. But to cram manufacturing in a housing area where there is already a shortage of housing. He suggests leaving this alone and let someone develop this into housing.

Richard Allen said he lives on 750 west on westside of Highway 89. He asked about the proposed 2020 zoning map; saying the future map shows this area being ½ acre to 1 acre lots. He is confused why the city is considering changing. He looked on the map down the westside of 750 West, which shows mixed use where he lives. The future map shows smaller lots. He does not know what the city is thinking. He thinks this should remain the same. All zoning in this area should remain A-1. His lot is 1.25 acres and he does not understand why anyone would want to live anywhere else.

Daren Dalley said he has lived here about a year and loves his property. He said he does not want this proposed industrial park with additional lights. He can already see the lights from Kimberly Clark. He is opposed saying this proposal only benefits one person. He likes the rural area and has two acres.

Morgan Rich said she represents her parents, Mark and Gayle Rich, who have lived on 750 West for 24 years. She said they live there for a reason and enjoy this area. If this is industrialized, where 750 West has been peoples home forever, they are taking away all of these memories. They are against this proposal.

Mike Dabb said he does not fully understand what is being proposed. What level of manufacturing is being proposed and what impacts will this have to existing property owners. Is the city expecting more sale of properties in the future and what is the expectation of the city.

Chris Draper said his mother-in-law lives on the corner of 750 West and Highway 89. He is confused if this is to bring in revenue to the city. He asked if Kimberly Clark is planning to span over the railroad tracks. He said he understands the golf course no longer exists and asked if that is being turned into a housing complex. In his view, that would bring in more money than this manufacturing area.

Roger Shuman said he appreciates what Glen Williams commented and said he touches on that in his letter. This proposal is much worse. He said he is ashamed of what he has turned down in the past while he was on the planning commission. He would rather see an assisted living facility rather than a manufacturing area which would take down the value of his property.

4. Continue Public Hearing – Harrisville Ordinance 511; Recreation and Commercial Vehicle Amended.

Chair Holbrook opened the public hearing.

Lt. Moore gave an overview of the proposed changes. The new ordinance requires a permit that will be tracked with the city with special exceptions for anything longer than 15 days. The city cannot put one size fits all throughout the city. There are circumstances where someone might need to occupy an RV for six months if they are building a home as long as they are hooked up to water and sewer. The issue is we are seeing nuisances arise and an increase in crime from people living in RV's. Salt Lake City is inundated with this, where people eventually leave and the city is

forced to come through and clean this up. He not only has an obligation as a police officer, but also as a resident. As a city and police department, we have a history of supporting our citizens. Officers are given discretion to handle individual situations. He reviewed the proposed changes that are included.

Kevin Starkey said he currently manages Walmart. He is concerned for the safety of his employees and the customers because of ongoing issues in the parking lot. Trailers are the main problem. He called the police department to remove a trailer that was in shambles. They must rely on city code to help with these issues. With a 24-hour parking restriction, he can install signs in the parking lot. There are times when officers are met at the door with a gun. This is much better coming as a city ordinance than a private property owner. They are asking people with not very much experience to address these issues. There is no way to expect the city to enforce things that are not in the code. The tow truck drivers will not tow without it being against the city code. In his opinion, 24 hours is a good amount of time. Our Walmart sits far off the freeway, so the people who are staying overnight are not the same as those that are right off the freeway.

Rick Wetz said he lives around the corner from City Hall. He would like to review the proposed ordinance since this varies from the one included in the packet. This proposed ordinance is more agreeable than the previous one. He does not agree with the side parking regulations. Some houses do not have that option. He understands the problems the officers encounter. If they try to enforce this against one, but not other, is there liability with preferential treatment. He recognizes this is a hard job. In his opinion, Walmart should have a policy that enforces parking issues. He believes they do not want to suffer the bad name that comes from this.

Roger Shuman said he supports anything that helps the police department do their job. He likes some of the comments that allow the residents to have someone stay for a few days through a permit and suggested having a digital application to facilitate these permits. That way residents do not have to come into the city. Anything that helps clean up the commercial area, which causes challenges to business owners. This is hard to keep people from parking there.

Allen Clark said he has two trailers and is lucky to have a large lot that can accommodate this. He said the city is allowing houses to be built on small lots and the people buying these homes do not have the room they need. He is against the requirement of keeping RV's behind or to the side of the house.

Marvin Farrell said he likes the comments on trying to police this issue. He has had to live in the middle of this type of situation where there are trailers being parking in the yard where drugs are being dealt. He likes what they city is trying to do, by having the citizens of Harrisville have their input. He asked when this will go into effect, when it is voted on. He suggested, if possible, to table this so other people can look into this. There are people living in trailer in town, not just next to him. He thanked the city for cleaning up his neighbor's property. He said we need to be smart about what we are doing. With development coming in, there needs to be money to pay for this. He proposed having ways for residents to help by enforcing this and taking care.

Resident #1 said she is for permits and we should help our local businesses. She supports the police department.

Kip Mollendorf said Walmart is a business and it sounds like they are having difficulties, but he is again the impact to residents. He said he feels this is pushing on residents instead of commercial. The city is allowing people to build on small lots. He is for taking care of Walmart and agrees this is scary on the east side where this is. He understands we should take into consideration Walmart because they are a large tax base but a lot of people live here because they enjoy Harrisville. He would like to see the city make this to where everyone can do what they need to do.

Chair Holbrook closed the public hearing.

5. Discussion/Action/Recommend – Harrisville Ordinance 512; General Plan Map and Manufacturing Zone Amendments.

Bill Morris said the largest issue with the proposed ordinance is the manufacturing area on the map and suggested Planning Commission remove this area from the map.

MOTION: Commissioner Nelson motioned to remove the manufacturing area from the proposed map. Commissioner Holbrook seconded the motion. Commissioners Holbrook, Nelson, Smith, and Shakespeare voted aye. Commissioner Averill abstained from the vote.

Commissioner Averill pointed out some of the proposed changes include permitted uses that are now conditional; meaning what was allowed before will now have to come before the Planning Commission for conditions.

MOTION: Commissioner Averill motioned to give positive recommendation for Ordinance 512 as amended, removing the manufacturing area from the map. Commissioner Holbrook seconded the motion. Voting was unanimous.

Commissioner Holbrook said he hopes this shows they listen to the public when considering items.

6. Discussion/Action/Recommend – Harrisville Ordinance 510; Mixed-Use Commercial Amendments.

Bill Morris reviewed the memo which outlines the recommended comments that are now included in the proposed ordinance. He suggested Planning Commission table this ordinance to better define a commercial element including open space, parking, and landscaping. He would like to define this must have a commercial use as part of the commercial element.

MOTION: Commissioner Nelson motioned to table Harrisville Ordinance 510; Mixed-Use Commercial Amendments. Commissioner Averill seconded the motion. Voting was unanimous.

7. Discussion/Action/Recommend – Harrisville Ordinance 511; Recreation and Commercial Vehicle Amended.

Bill Morris said he recommends tabling this proposed ordinance to allow public access to the new information. Commissioner Averill said he likes the permit regulations better than his proposed

changes from the North Ogden template. Bill Morris will edit Lt. Moore proposed ordinance and have this available at the next meeting.

MOTION: Commissioner Smith motioned to table Harrisville Ordinance 511; Recreation and Commercial Vehicle Amended. Commissioner Nelson seconded the motion. Voting was unanimous.

8. Discussion/Action/Recommend – Conditional Use Permit for Anne Teuscher located at 190 E Wahlen Circle.

Anne Teuscher explained the nature of her business. She would like to do spray tans in her home with one client at a time. Bill Morris outlined the municipal code requirements for home occupations. Anne Teuscher agreed to meet all of these requirements. Commissioner Holbrook asked for clarification on her service and how she will maintain client's privacy. Ms. Teuscher said she will conduct the service in her bathroom for now. Commissioner Holbrook suggested she obtain insurance and safety measures. Ms. Teuscher said she wanted to get approval through the city first. Commissioner Averill asked if there are any offensive odors. She said nothing that will be emitted. She plans to install a larger fan for venting when she finishes her basement. Bill Morris instructed the fan be no louder than a regular air conditioning unit.

MOTION: Commissioner Smith motioned to approve Conditional Use Permit subject to Harrisville Municipal Code requirements for Glow Studio (Anne Teuscher) for property located at 190 East Wahlen Circle. Commissioner Shakespeare seconded the motion. Voting was unanimous.

9. Discussion/Action/Recommend – Final approval on Jennings Subdivision – 1st Amendment.

Bill Morris reviewed the engineer's memo dated August 12, 2020. The amendment adjusts the lot size of one lot and adds two more lots into the subdivision.

MOTION: Commissioner Holbrook motioned to grant final approval on Jennings Subdivision – 1st Amendment subject to the engineer's memo and compliance with the municipal code. Commissioner Smith seconded the motion. Voting was unanimous.

Greg Montgomery asked to review the engineer's memo. He clarified the secondary water has already been stubbed in the road. Bill Morris suggested submitting that proof to Bona Vista for his water service. Mr. Montgomery said Matt Robertson mentioned the signature block for city council can be removed since this approval is through Planning Commission with nothing being dedicated to the city. The county surveyor's office had mixed messages on their review. Bill Morris explained the city previously had an interlocal agreement for review and fees. The developers engineer will need to add a signature block for the Mayor and take this to the city engineer's office to begin collecting signatures.

10. Commission/Staff Follow-Up.

Bill Morris thanked Planning Commission for their efforts tonight. He said we end up with a better product when we take into consideration public comments.

Bill Morris also informed Planning Commission the committee has been formed and is meeting regarding development of the golf course.

11. Adjourn.

Chair Holbrook declared the meeting adjourned at 8:39pm.

Jennie Knight
City Recorder

Chad Holbrook
Chair