

Harrisville City Planning Commission
363 W. Independence Boulevard
7:00 p.m., March 9, 2022
Conducting: Chair Chad Holbrook

Commissioners: Chad Holbrook, Chair
Brenda Nelson
Nathan Averill
Bill Smith
Kevin Shakespeare
Brad Elmer – Alternate

Staff: Jennie Knight (City Recorder)
Cynthia Benson (Deputy Recorder)
Justin Shinsel (Public Works Director)

Visitors: Michelle Tait, Arnold Tait, Blaine Barrow, William Allen, Debra Allen, Marvin Farrell, Brandi O’Toole, Wade Rasmussen, Justin Longfellow, Kathi Hill, Tim Hill.

1. CALL TO ORDER

Chair Holbrook called the meeting to order.

2. CONSENT APPROVAL – of Planning Commission minutes from February 9, 2022.

MOTION: Commissioner Smith motioned to approve Planning Commission minutes from February 9, 2022 as presented. Commissioner Averill seconded. Voting was unanimous.

3. PUBLIC HEARING – Harrisville Planning Commission will hold a public hearing March 9, at 7:00 p.m., at Harrisville City Hall located at 363 W. Independence Blvd., Harrisville, Utah, to take comments for and/or against Harrisville Ordinance 532; a zoning change application received by Triple Peaks, LLC from Agricultural (A-1) zone to Commercial (CP-2) for Weber County Parcel #17-066-0062, located at approximately 2440 N. Highway 89.

Chair Holbrook asked Jennie Knight to give some background. Ms. Knight began by stating Triple Peaks LLC submitted an application on February 8, 2022 for a re-zone of the parcel located at approximately 2440 N. Highway 89. All notices were sent to surrounding parcels. This hearing is to address the zone change request from Agricultural (A-1) zone to Commercial (CP-2).

Chair Holbrook opened for public comment.

Marvin Farrell stood and began by saying he understands the city needs to have the commercial. He feels businesses along Highway 89 is a good location. He stated he noticed only parcel 17-066-0062 was mentioned in the notice. He asked if the parcel south of the mentioned was going to be included in this rezone as well. Commissioner Averill replied by stating only the parcels mentioned in the notice are those involved in the rezone. Mr. Farrell was for the rezone since he knew businesses coming in was inevitable. However, he asked if there could be a buffer between the residential and the commercial development. He was curious what type of business would be built on the property since he was unaware. Mr. Farrell read a portion of HCMC §11.12.010; with limited disturbance to the residential areas of the community. He asked the commission to be considerate of this when making their decision.

Commissioner Nelson asked for a map of the area to be displayed to clarify which parcels Mr. Farrell was referring to. Ms. Knight displayed the current zoning map and explained the parcel referenced by

Mr. Farrell was already zoned Commercial (CP-2) and the only parcel discussed tonight is the parcel currently zoned Agricultural (A-1). Commissioner Averill stated from his understanding the business which burnt down is being moved back a bit to accommodate parking. Commissioners discussed the topic for a moment before public comment was continued. Ms. Knight brought up the parcels. She addressed Mr. Farrell's concern with the parcel to the north of his property by saying parcel 17-066-0063 would stay the same for now since it will only be used for a utility easement.

William Allen stood and stated his concern is the properties on either side of the parcel being rezoned. They have cows and horses. He is concerned for his grandchildren playing in his open yard and their safety during development. Dirt has already been pushed back towards his property creating an issue with standing water. He said he has standing water on the property behind him and it moving into his backyard. The current fence is one his grandchildren can climb over and with the moving of dirt, berms being built, etc. he is concerned for their safety. He restated his concern with the water coming right into the backyards of the houses along 750 W if more dirt is brought in. Chair Holbrook asked if the water has already entered his property. Mr. Allen said no not yet. Chair Holbrook asked if there is a natural low area about his property. Mr. Allen answered in the affirmative. He continued by saying the development is bringing in dirt causing a potential issue with the standing water if we have a large water season. He is not concerned with what the development is, only the water and safety of his grandchildren.

Cathy Hill stood and stated she had been on her property for forty-two (42) years. There was not an issue with standing water until the owners to the north built up their property. Now with all the dirt coming in and the land being built up once more about her land the water is a real concern. In wet years the water forms a lake. When there is standing water, it is affectionately called Lake Harrisville by the residents surrounding it. In these wet years, the water will flood her pasture and come right up to the house. She is concerned the water will flow directly into houses, pasture land and backyards of the four (4) houses along 750 W with all the land being built up. Her biggest concern is what is going to happen to the water.

Wade Rasmussen stood and said he was concerned with the standing water on the rezoned parcel and where it will go during the development. He has already had water issues from prior years without any developments. Chair Holbrook asked where flooding has occurred on his property. Mr. Rasmussen answered within his yard. He wants to know how the water will be mitigated. He is also concerned with the easement to the north of his property. He is curious if the easement is part of the rezone and how far back the development will come.

Justin Longfellow stood and stated he is concerned with the water on the property. He has horses and is concerned what the dirt will bring into the area such as chemicals, etc. He wants to know what is being brought in and how the new fill will affect what he is doing on his own property. He stated at this point he does not wish to see the development continue.

Chair Holbrook closed the public hearing portion of the meeting and reminded everyone present the public comment period will remain open until the next City Council meeting of April 12, 2022.

4. **DISCUSSION/ACTION/RECOMMEND** – to recommend adoption of Harrisville Ordinance 532; a zoning change application received by Triple Peaks, LLC from Agricultural (A-1) zone to Commercial (CP-2) for Weber County Parcel #17-066-0062, located at approximately 2440 N. Highway 89.

Chair Holbrook asked Jennie Knight to address some of the concerns of the residents. He asked for her to bring up the development to show them where exactly the parcel is and those addressed during public

comment. Chair Holbrook addressed the residents by saying currently the only thing being presented for development is the gray box on the site plan. He said there will be a restaurant, convention center, and party center. He said the developer is presenting a nice-looking building. Commissioner Averill asked Justin Shinsel to address the water concern. After introducing himself as the Public Works Director, Mr. Shinsel said there is a natural low in the land here and all the surrounding parcels shed into this low area. He is looking at various options within the new development, and other developments in the area, to capture any of the water in the area. Chair Holbrook asked where the line for the fill is. Mr. Shinsel went to the whiteboard to answer the resident's questions. Chair Holbrook asked what the plan was with the water on the property surrounding the development. Mr. Shinsel said there will be a storm system included in the infrastructure for the new development. As far as the property owners to the north and the east, the drainage is natural to the area of concern and will be addressed as an ongoing basis with the developments in the area. Chair Holbrook asked for Mr. Shinsel to express to the residents present what the city's intentions are to manage the storm water in this area. Mr. Shinsel said the goal is to capture as much water as can be to recharge the system further downstream. Commissioner Averill said the development is a good idea since it will capture the water and move it along. Chair Holbrook addressed the residents letting them know the city hears their concerns and are attempting to address them during the process of the development and other developments within the area.

Commissioner Nelson asked to see the zoning maps. After seeing the maps, she asked for a clarification for tonight's purpose. Her understanding is the rezone only. Ms. Knight confirmed she was correct. Tonight's meeting is about the rezone only. Ms. Knight stated the staff findings are in line with the general plan. Staff recommends adoption based on the following findings: the concept plan complies with Harrisville Municipal Code and the Purpose and Intent of the CP-2 zone and the zoning change is consistent with the Harrisville 2019 Future Land Use Map. Zoning changes are property owner driven. Commissioner Nelson asked how the rezone came about. Ms. Knight replied with the city does not require a rezone for any parcel within the city. This was application based.

MOTION: Commissioner Averill motioned to recommend adoption of Ordinance 532; Triple Peaks, LLC from Agricultural (A-1) zone to Commercial (CP-2) for Weber County Parcel #17-066-0062, located at approximately 2440 N. Highway 89. Commissioner Smith seconded. Voting was unanimous.

5. COMMISSION/STAFF FOLLOW-UP.

a. Open Meeting Acts and Non-Discrimination Training

Ms. Knight gave the Open Meetings Acts and Non-Discrimination Training for the Planning Commission to cover the annual training requirement.

6. ADJOURN.

Chair Holbrook formally adjourned at 8:05 PM.

Chad Holbrook
Chair

Cynthia Benson
Deputy Recorder