

1 **PROVIDENCE CITY PLANNING COMMISSION MINUTES**

2 **June 10, 2009, 6:00 p.m.**

3 **Providence City Office Building**

4 **15 South Main, Providence, UT 84332**

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6 **Chairman:** W Wimmer  
7 **Commissioners:** G Busch, D Briel  
8 **Excused:** H Ames, S Flammer  
9 **Alternates:** R Gustaveson, R Sneddon

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11 **ACTION ITEM:**

12 **Item No. 1.** The Providence City Planning Commission will consider for approval the minutes of May 27, 2009.

13 **Motion to approve: D Briel, G Busch second**

14 **Vote: Yea: G Busch, W Wimmer, D Briel, R Gustaveson, R Sneddon**

15 **Nay: None**

16 **Abstain: None**

17 **Excused: H Ames, S Flammer**

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19 **PUBLIC HEARING (6:10 pm):**

20 **Item No. 1.** The Providence City Planning Commission will receive public comment on a request from Sky Properties  
21 for Preliminary Plat approval for the Providence Crossroads Subdivision located generally at the northwest corner of  
22 Gateway Drive and Golf Course Road.

23 **Motion to open the public hearing: D Briel, G Busch second**

24 Scott Kjar, Danny McFarland and David Wilkinson were present to answer any questions or concerns.

25 W Wimmer asked about the tenant in lot 2.

26 S Kjar told the Commission that the Gold's Gym is still looking at coming here. He explained how they would like the  
27 subdivision to look. He reminded the Commission of the different subdivisions that they have done throughout the  
28 State. They are just trying to get the subdivision approved.

29 W Wimmer explained that the Commission is trying to look at different ways to do the commercial subdivisions in the  
30 City.

31 S Bankhead said that Gateway Drive shouldn't be dismissed. That road should carry traffic just like Hwy 165. It is  
32 projected to be a traffic moving road.

33 S Kjar said right now the traffic counts won't support retail.

34 D Briel said the City doesn't want to see a lot of entryways into this development.

35 W Wimmer asked why they are rushing this development.

36 S Kjar said that they need to set up commercial lots so when a tenant comes in they can do what they want.

37 You can't negotiate a lease with a tenant without a separate legal description.

38 R Sneddon said that all the developers would like is preliminary plat approval. He doesn't see an integrated idea for this  
39 property.

40 D McFarland said this is tenant driven. Sky Properties could master plan this whole thing but if they can't sell it, it  
41 doesn't make any sense.

42 S Kjar said they just design the lots. They want maximum access for these lots.

43 D Briel said he would like the accesses to be cut in half. He feels there are too many.

44 S Bankhead said maybe the Commission shouldn't make them show the accesses. Our ordinances do have a restriction  
45 on accesses. This needs to be looked at as strictly a preliminary plat, not a site plan.

46 W Wimmer asked about the access for lot 2.

47 D McFarland said all of the accesses are connected.

48 S Kjar said the CC&R's would set this up.

49 They discussed the sizes of the lots. S Bankhead said the only thing you are approving is the lots.

50 C Call said that not showing the accesses at this time would be a good idea. There is a document of law that every lot is  
51 allowed access. If the plat complies with the code you need to approve it. The only things that can change now are  
52 designs. He said that he does have a conflict of interest because he has worked with Sky Properties before.

53 S Kjar reminded the Commission again about the different developments they have worked on. They would like to have  
54 the accesses shown and then work with the tenants when they come in.

55 D McFarland said the way it is shown is more of a benefit to the City.

56 **Motion to close the public hearing: D Briel, G Busch second**

57 **Vote: Yea: W Wimmer, D Briel, G Busch, R Gustaveson, R Sneddon**

58 **Nay: None**

1           **Absent: None**  
2           **Excused: H Ames, S Flammer**

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4           **ACTION ITEM CONT:**

5           **Item No. 2.** The Providence City Planning Commission will consider a request from Sky Properties for Preliminary  
6 Plat approval for the Providence Crossroads Subdivision located generally at the northwest corner of Gateway Drive  
7 and Golf Course Road.

8           **Motion to approve: R Sneddon, G Busch second**

9 S Bankhead said DRC decided that this needs to be a preliminary plat not a site plan.

10 W Wimmer asked if the plat could be amended.

11 G Busch said he agreed with D McFarland on the access points.

12 C Call said this is preliminary approval not final. This needs to be outlined in the ordinances. We need to have the  
13 ordinances in place.

14 The Commission talked to Sky Properties about their concerns on the accesses and the parking.

15           **Motion to consider for approval the preliminary plat with the following recommendations: That the Commission**  
16 **has the right to approve the access points with the final plat and that they comply with the ordinances. The**  
17 **Commission also makes a recommendation that the access points be minimized.**

18           **W Wimmer, D Briel second**

19           **Vote: Yea: W Wimmer, D Briel, G Busch, R Gustaveson**

20           **Nay: R Sneddon**

21           **Abstain: None**

22           **Excused: H Ames, S Flammer**

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24           **STUDY ITEM:**

25           **Item No. 1.** Craig Call will present to the Providence City Planning Commission information on zoning regulations in  
26 regards to Title 10 Zoning, Chapters 1, 4, 6 and 8.

27 Craig Call and John Call are here.

28 S Bankhead asked what impact it has to apply conditions.

29 C Call said some uses don't fit a particular site. Conditional use allows you to double check the situation. Fewer details  
30 are usually better when dealing with detailed uses. We use the business licensing to look at this yearly. You can tweak  
31 the language in the conditional use ordinance.

32 D Briel said we can't possibly put everything in the use regulations.

33 C Call said you need to try to limit a lot of things in the code. You use broader titles and then you set the conditions.

34 C Call talked about mixed use zoning and how he came up with the new language. He showed some pictures of  
35 different developments in the valley. He talked about the parking and landscaping. He showed pictures of downtown  
36 Ogden. The new development is completely walkable. This is the kind of mixed use that the Commission has been  
37 talking about.

38 D Briel said he is concerned about the retail/living space. The residential part becomes rundown.

39 C Call said a different sort of folk lives in these areas. One of the principals is the idea of rentals in general are not as  
40 well maintained. You can't prohibit rentals outright. You can vertically and horizontally mix your uses. Density means  
41 residential. You don't have much undeveloped multi family zones. He showed Providence as Google Earth sees it. He  
42 talked about the room left around Macey's. Providence is in the center of a large geographic area. You can use natural  
43 assets to draw people here. If an ordinance were proposed would the developer have the incentive to do it?

44 D Briel asked about the area on the west side of the highway.

45 C Call said it would work but it's not as natural as the other side.

46 C Call talked to the Commission about the proposed ordinance that he worked up for the City. He explained that the  
47 Commission can't be arbitrary. He explained that certain businesses you wouldn't want to allow.

48 He talked about setbacks and open space. He talked about form based zoning. He talked about design issues that would  
49 fit in Providence. He talked about parking areas, outside lighting, etc. At a minimum this could apply to the area around  
50 Macey's. What would you like to do to move this to the next level?

51 D Briel asked about vertical zoning. Do you need to specify where uses are allowed?

52 C Call said yes you can specify uses. The question is if you impose this will they come?

53 S Bankhead said we don't have anything to stop professional office space. Can we stop them?

54 C Call said this ordinance has no location attached to it. You need to apply it to certain zones. You can change the use  
55 in this area. You can change it to a residential zone. The zoning uses can be tweaked. The Planning Commission can  
56 request the City Council change the zone. A pending ordinance is one that is formally considered. You have six months  
57 from right now.

58 W Wimmer worries about putting a percentage on something and then it sitting vacant for years.

1 C Call said he would work on the language for that. You want to eliminate the barriers.  
2 **Motion to formally consider this a pending ordinance in the CDG and CDP zones.**

3 **W Wimmer, D Briel second**

4 **Vote: Yea: W Wimmer, D Briel, G Busch, R Sneddon, R Gustaveson**

5 **Nay: None**

6 **Abstain: None**

7 **Excused: H Ames, S Flammer**

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9 **Item No. 2.** The Providence City Planning Commission will discuss Use Regulations in regards to Title 10-6-1 and  
10 10-6-2.

11 W Wimmer talked to Allan Wolford about the information that he sent to the Commission about small engine repair.

12 S Bankhead said the City does have one business that is similar to this one. It is hard to cover every use that comes up.

13 There need to be general terms that we need to look at. Once this is approved by the Council we can be site specific  
14 instead of use specific for the uses.

15 A Wolford talked about the engines that he would be working on. He discussed 3 phase power.

16 S Bankhead asked if the Commission was amenable to small engine repair as a conditional use.

17 The Commission told A Wolford that they would look at this use.

18 S Bankhead asked G Busch about conditional uses. He would like to look at multi-family housing. He would like to

19 increase development in residential areas and leave more green space.

20 W Wimmer asked G Busch about Big Houses.

21 G Busch feels like you shouldn't segregate higher density. He asked the Staff if he could get some help looking into  
22 this.

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24 **STAFF REPORTS:**

25 S Bankhead said the Council approved the 2010 budget and acted on the request from Brian Marble.

26 Staff is working on the Subdivision Ordinance. She told the Commission that George Hill created a plaque for the 150  
27 year birthday and presented it to the Council. The Providence Canyon trail should be started in the next week.

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29 **COMMISSION REPORTS:**

30 None

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32 **Motion to adjourn: G Busch, D Briel second**

33 **Vote: Yea: G Busch, W Wimmer, D Briel, R Gustaveson, R Sneddon**

34 **Nay: None**

35 **Abstain: None**

36 **Excused: H Ames, S Flammer**

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38 Meeting adjourned at 8:10pm

39 Minutes taken and prepared by Terri Lewis

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Wendy Wimmer, Chairman

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Terri Lewis, Secretary