

1 **Providence City Planning Commission Minutes**
2 **Providence City Office Building, 164 North Gateway Drive, Providence UT 84332**
3 **April 10, 2019 6:00 p.m.**

4
5 **Call to Order:** Gary Sonntag, Chair
6 Attendance: Rowan Cecil, Bob Perry, Gary Sonntag, John Parker, Ruthann Holloway, Laura Banda,
7 Josh Paulsen
8 Excused:
9 Voting Alternate: L Banda, J Paulsen
10 Excused Alternate:
11

12 **Approval of the Minutes:**

13 **Item No. 1.** The Planning Commission will consider approval of the minutes for March 27, 2019.

14 **Motion to approve the minutes from March 27, 2019 – R Cecil, second – J Parker**

15 **Vote:**

16 **Yea: R Cecil, B Perry, G Sonntag, J Parker, R Holloway**

17 **Nay:**

18 **Abstained:**

19 **Excused:**

20 **Excused Alternate:**

21 Corrections: None

- 22
23
 - Josh Paulsen was sworn in as a Planning Commission Alternate.

24
25 **Public Comments:** Citizens may appear before the Planning Commission to express their views on issues within
26 the City's jurisdiction. Comments will be addressed to the Commission. Remarks are limited to 3 minutes per
27 person. The total time allotted to public comment is 15 minutes.

- 28
 - None

29
30 **Public Hearing(s):** None

31
32 **Action Item(s):**

33 **Item No. 1.** The Providence Planning Commission will consider for approval a preliminary plat for Vineyard
34 Subdivision, a multi-family residential subdivision consisting of single family homes, townhomes and
35 condominiums with approximately 149 units located in the general area of 200 E Spring Creek Parkway,
36 Providence, UT; (Discussion time approximately 10 minutes)

37 **Motion to approve the preliminary plat for Vineyard Subdivision with Conclusions of Law, Findings and Fact and**
38 **conditions as stated – R Cecil, second – R Holloway**

39 **Vote:**

40 **Yea: R Cecil, B Perry, G Sonntag, J Parker, R Holloway**

41 **Nay: None**

42 **Abstained:**

43 **Excused:**

44 **Excused Alternate: L Banda (excused early)**
45

46 **FINDINGS OF FACT:**

47 **Residential Development – General Plan Principles**

- 48 1. New residential development should be developed based on density and include mixed residential uses.
49 2. Open space shall be included as part of the overall density of new residential development.
50 3. Sensitive areas (faults, slope, wetlands, flood plains, storm water and other areas) should be identified and
51 residential development should be limited within these areas.
52 4. New residential development should increase mobility and connectivity of the City's overall transportation
53 system.
54 5. New residential development should provide design for pedestrian-friendly development.
55 6. New residential development should include all necessary public and private utilities.

- 56 7. Residential development should not be encouraged within the major utilities easement on the east bench
57 of the City.

58 **Transportation Corridors – General Plan Principles:**

- 59 • As development plans are reviewed, those involved in the review and approval processes rely on the Utah
60 Code, the Public Works Standards and Specifications Manual, and any other applicable codes and/or
61 standards
- 62 • The City Code requires connectivity of new streets with existing streets and that the arrangement of streets
63 in new developments provide for the continuation of streets to adjoining undeveloped areas. Because
64 connectivity throughout the City is important, the use of cul-de-sacs should be limited.
- 65 • Provide safe, flexible, and accessible transportation corridors throughout the City. Integrate alternative means
66 of transportation, including public transportation pedestrian travel, and bicycle friendly routes.
- 67 • Future Needs – Northeast Area:
- 68 ○ Connecting the area of 500 North to Spring Creek Parkway will help with east/west traffic flow
69 concerns.
 - 70 ○ Upgrade and build Spring Creek Parkway from Gateway Drive

71 **City Code – Zoning Regulations:**

- 72 • 10-4-6: LIFE CYCLE RESIDENTIAL:
- 73 ○ Intent:
74 It is the intent of this zone to guide development in accordance with the following goals: (1)
75 Provide attractively landscaped neighborhoods with a mix of single-family, two-family, and multi-
76 family residential lots, structures, and associated uses. (2) Provide an integrated design for the
77 development of residential uses to allow flexibility and initiative in site and building design and
78 location in accordance with an approved plan and imposed general requirements. (3) Maintain a
79 residential character compatible with surrounding traditional single-family neighborhoods.
80 (4) The intent of this ordinance is to provide an alternative to traditional subdivision design by
81 encouraging innovation and offering flexibility in the design of residential developments, which
82 will result in the enjoyment and benefit of the citizens of Providence, both current and future.
 - 83 ○ Lot Regulations:
84 SF Detached: minimum lot size – 5,000 sq ft; minimum lot width – 60 feet; maximum structure
85 height – 35 ft; front yard (street garage) 20 ft minimum/35 ft maximum front yard (alley garage)
86 10 ft minimum, rear yard – 10 ft minimum, side yard – 7.5 ft minimum, corner lot – 15 ft
87 minimum on side adjacent to street; parking – 4 per dwelling unit.
88 SF Attached: minimum dwelling size – 800 sq ft/dwelling unit; lot width – 16 ft minimum/20 ft
89 average. No front or rear building setback is in the place for single-family attached and
90 apartment housing, provided that the development’s open space is integrated throughout the
91 project so that each group of single-family attached dwelling units and each building of
92 apartments has a minimum of 10’ of landscaped open space on all sides, said landscaping being
93 calculated from the front/rear plane of the dwelling unit or exterior wall of the apartment
94 building, with the exception of one side of single-family attached which may be needed for alley
95 garage access. Buildings whose front plane faces the front plane of another building shall have a
96 minimum of 20’ separation between the buildings’ front planes.
 - 97 • 10-5: SENSITIVE AREAS:
98 All requests for permits involving a lot, parcel or site located wholly or partially within an area subject to
99 the Hazard Flood (HF), Hazard Slope (HS), Hazard Water Table (HW) or Hazard Earthquake Primary Fault
100 (HE), Hazard Wildfire (WF) regulations, shall be dealt with as a request for a conditional use permit under
101 the provisions of Section 10-3-5 of this Title.
 - 102 • 10-8-9: Design Standards for Attached and Multi-Family Residential Development:
103 D.1. Submittals: Each phase of application and approval of projects shall require certain submittals. The
104 various phases of approval that phase’s required submittals, and the details contained in each submittal
105 are as follows:
106 a. Concept Plan: Concept plan submittals shall consist of a general site plan showing approximate
107 building locations, proposed road layouts, proposed open space, and general parking layouts,
108 anticipated public & private amenities and their locations.

109 b. Preliminary Plat: Preliminary plat submittals shall consist of preliminarily engineered items required
110 in the concept plan submittal, as well as preliminary architectural plans, a preliminary landscaping
111 plan and a preliminary site plan for the overall development of the project.

112 i. The preliminary landscaping plan shall consist of the general location and type of plants to be
113 used, as well as the preliminary calculations demonstrating that landscaping requirements have
114 been met.

115 • 11-3-2: Preliminary Plat:

116 The preliminary plat shall be prepared in accordance with all requirements of the City and shall include all
117 propose phases.

118 The preliminary plat includes existing conditions, proposed conditions, and phasing.

- 119 • 11-5-11: EXTENSION OF PUBLIC WORKS FACILITIES: The extension of any City public works facilities,
120 including but not limited to, roads, bridges, storm drains, water mains, sewer lines, and secondary water
121 systems, shall be installed by the developer of any development. Layout must provide for future
122 extension to adjacent development and be compatible with the contour of the ground for proper
123 drainage. All public improvements shall be installed to the boundary lines of the development. There
124 shall be no consideration or return to the developer within the area. The City, however, will consider cost
125 sharing on any water line that is in excess of an eight inch (8") diameter or any sewer line that is in excess
126 of a ten inch (10") diameter, in the event the City desires to participate for future planning purposes.
127

128 **CONCLUSIONS OF LAW:**

129 Residential Development – General Plan Principles

- 130 • The proposed preliminary plat includes mixed residential uses (single-family detached, single-family
131 attached townhomes and condominiums) with a density of 7.9 units/acre that is within the range allowed
132 by the LCR zone.
- 133 • The proposed preliminary plat identifies sensitive areas within the development.
- 134 • The proposed preliminary plat increases transportation mobility or connectivity. The streets are designed
135 to allow traffic circulation through the development and provide for emergency equipment mobility as
136 well.
- 137 • The proposed preliminary plat includes pedestrian connectivity throughout the entire development. The
138 plan shows sidewalk and or trail along the west, south, and east perimeter of development.
- 139 • The proposed preliminary plat includes the public and private utilities.

140 Transportation Corridors – General Plan Principles

- 141 • This review relies on Utah Code, the Public Works Standards and Specifications Manual, and any other
142 applicable codes and/or standards.
- 143 • The street layout on the proposed preliminary plat provides for connectivity with Spring Creek Parkway
144 (500 North) and 300 East. As part of the annexation agreement, the Developer will construct the crossing
145 over Spring Creek to connect with the existing Spring Creek Parkway; and construct Spring Creek Parkway
146 adjacent to the south side of the development in accordance with the City's partial road cross-section.
147 The majority of the interior streets are private and will be maintained by a HOA. The Developer will
148 dedicate 170 East as a public street; it will be constructed to a 66' cross-section with 30' of asphalt, with a
149 temporary turnaround on the north end, allowing connectivity when property to the north develops. The
150 Developer will also install a temporary emergency access on the north side of the development from 220
151 East to 300 East.

152 City Code 10-4-6 Life Cycle Residential:

- 153 • The proposed preliminary plat contains landscaped areas, includes a variety of housing types, and
154 provides open space and sidewalk/trail for public use.
- 155 • The setback regulations stated in city code are listed on the proposed preliminary plat.

156 City Code 10-5 Sensitive Areas:

- 157 • The Developer included a site feasibility study with the annexation application. The feasibility study
158 discusses sensitive areas. The report concluded/recommended the following:
- 159 ○ *The site is located over 3,000' from the nearest fault line and has low potential for liquefaction.*
 - 160 ○ *While there has been high ground water recorded in the area, at the time of the soil study the*
161 *ground water was found to be at 11 feet. The study does clarify that the season ground water is*
162 *estimated to much higher and recommends that no basements be allowed in the area without*

- 163 *efforts to mitigate the potential high level, ie field drains.*
- 164 ○ *There is limited potential impact from wetlands or flooding. The wetlands and floodplain only*
- 165 *impacts the extension of the Spring Creek Parkway and not any future lots.*
- 166 ● The southwest corner of the property is in a Flood Zone A and is shown on the proposed preliminary plat.
- 167 ● The entire project is located within a high water sensitive area as described in PCC 10-5-5. The notes on
- 168 the proposed preliminary plat indicate the area covered by buildings, parking spaces, and paved surfaces
- 169 does not exceed 40% of the site.
- 170 ○ Buildings – 134,166 sq ft. 17.63%, parking – 46,544 sq ft. 6.12%, and asphalt road 123,211 sq ft.
- 171 16.19%

172 City Code 10-8-9: Design Standards for Attached and Multi-Family Residential Development:

- 173 ● The Developer provided the general site plan required with the concept plan, and preliminary
- 174 architectural plans, a preliminary landscaping plan (includes the general location and type of plants to be
- 175 used, and preliminary calculations demonstrating that the landscaping requirements have been met), and
- 176 a preliminary site plan for the overall development of the property.

177 City Code 11-3-2: Preliminary Plat:

- 178 ● The proposed preliminary plat meets the requirements of PCC 11-3-2 with the conditions listed below.

179 City Code 11-5-11: Extension of Public Works Facilities

- 180 ● Utilities extend to the boundary line of the development.

181 **CONDITIONS:**

- 182 1. Submit letter(s) from irrigation company (ies).
- 183 2. Submit quit claim documentation from property owners on the south side of the proposed extension of
- 184 Spring Creek Parkway.
- 185 3. Submit easement documentation from John Hubbard for storm water and maintenance agreement.
- 186 4. The dumpster locations will need to be approved by Logan City.
- 187 5. The following will be addressed in the development agreement:
- 188 a. Water dedication
- 189 b. Water line maintenance agreement
- 190 c. Sidewalk deviation
- 191 d. Island maintenance by the HOA
- 192 e. Where the water is coming from on 300 North and its quality
- 193 f. Submit water requirement calculations
- 194 g. Approval by the City of any application submitted or paperwork does not alleviate the owners
- 195 and/or their agents from their responsibility to understand and conform to local, state, and
- 196 federal laws. Providence City's approval is not intended to and cannot be construed to allow any
- 197 laws to be violated.
- 198 h. HOA be registered with the State before the sale of lots
- 199 ● B Perry asked for clarification on the easement that is located on J Hubbard's property. J Jackson
- 200 provided background information and explained the agreement he has with Mr. Hubbard. He explained
- 201 that the agreement with Mr. Hubbard is to help him clean up the water and install a flood drain pipe that
- 202 starts at the intersection and runs all the way to spring creek.
- 203 ● J Parker asked if the detention ponds will pick water up that comes from the east. J Jackson explained
- 204 that there is a 30" pipe that dumps water straight into Spring Creek. The detention pond on J Hubbard's
- 205 property will pick up the storm water that is generated on Spring Creek Parkway. J Jackson explained that
- 206 all of the interior storm drain from his project will be picked up by the pond inside.
- 207 ● G Sonntag asked J Jackson if the common areas will be private and part of the subdivision. J Jackson
- 208 explained that there will be a master HOA and 3 sub HOA's. He explained that the sub HOA's will be laid
- 209 out for the single family homes, townhomes and condominiums with fees being different for each type of
- 210 home. Each sub HOA will be governed by the master HOA.
- 211 ● G Sonntag asked if there is a concern with the public using the walkway. J Jackson explained that there is
- 212 a concern with liability and vandalism. He explained that these concerns will be addressed in the
- 213 development agreement.

217 **Study Items(s):**

218 **Item No. 1. Ordinance and Design Standards for Life Cycle Residential Zone, LCR**

219 The Commission will review and discuss the proposed changes to Title 10 Chapter 4, LCR Zone.

- 220 • The Commission discussed housing types within the LCR zone.
- 221 • S Bankhead explained that HOA's would be in a much better position to monitor rentals of townhomes or
- 222 homeowner occupancy. J Jackson explained that a condominium project cannot exceed 30% rentals. He
- 223 stated that it does differ from townhomes.
- 224 • R Cecil suggested having a percentage for how many apartments should be allowed.
- 225 • A-1 broad demographic **range and diversity types, that appeal to multiple generations**
- 226 • S Bankhead explained that too much focus has been on housing types instead of multiple generations.
- 227 • A-4 – Provide functional **community open space for public use development**
- 228 • G Sonntag explained that he felt consolidating parks with creative ideas would help with the burden of
- 229 landscaping, water and maintenance. He explained from his experience parks create a hard draw on
- 230 budgets for personnel and equipment that goes along with keeping parks maintained.
- 231 • J Paulsen explained that he felt that it is important to take inventory of the parks and make sure there is
- 232 appropriate dispersion throughout the city. He explained there is a cost that is born by the homeowners
- 233 directly via HOA fees or by the homeowners broadly via property tax. He felt it would be important to see
- 234 how people feel about public parks and the ability to use the services provided.
- 235 • J Paulsen felt that if the words "public use" are used it appears to be an endorsement by the city. G
- 236 Sonntag explained using and posting signs that say use at your own risk.
- 237 • J Paulsen asked what the intent is with green space. He explained is it the intent to create public parks or
- 238 the intent to create enough green space that it offsets the density. He stated he feels it is to offset
- 239 density.
- 240 • Page 3 - Diversity of Housing Types – 1a – G Sonntag suggested leaving this open enough for the
- 241 developer to address the market and what is sellable
- 242 • S Bankhead felt that if the spectrum of choices was broadened it would allow the developer to create
- 243 great neighborhoods.
- 244 • Phasing - **As part of the application for a rezone to an LCR, developers shall be required to submit a**
- 245 **proposed concept/phasing plan for the project.**

246

247 **Item No. 2. General Plan Map of Future Re-Zone of Existing Districts and Annexation Areas**

248 The Commission will review and discuss the proposed changes to the map.

- 249 • G Sonntag explained to Corey Tweet and Mayor Hair at the last planning meeting there was some concern
- 250 from a citizen that is in the process of selling a 10 acre parcel (02-117-0022). He expressed that the sale
- 251 may fall through because the proposed zone is different than the current zone.
- 252 • Corey Tweet and Mayor Hair explained their opinions of the parcel (02-117-0022) and its potential to be
- 253 zoned commercial. They explained that they felt that if it was zoned commercial it would create
- 254 difficulties for the residents in the area.
- 255 • G Sonntag asked Mayor Hair, of Millville if Millville has any inclination to connect to Garden Drive. Mayor
- 256 Hair stated that he believed it was the intention of Providence City to connect to Garden Drive.
- 257 • G Sonntag provided a handout that had an outline of the different types of uses. He explained that the
- 258 majority of the city is single family residential. He felt that it was important for the commission to see this
- 259 map to visualize the direction the city is headed.
- 260 • J Paulsen stated that he felt that it was a worthwhile endeavor to speak with the university about the
- 261 farm. He stated that he would research and report back.
- 262 • Single Family Large in highlands – consider changing the zone. Some suggested SFT.
- 263 • S Bankhead explained that SFT does allow flexibility for developers with different size lots.
- 264 • General area for discussion at the next meeting - 165 E to 100 W from 400 S down to Millville city line
- 265

266 **Item No. 3. Providence Planning Commission Bylaws**

267 The Commission will review and discuss the Bylaws and consider potential updates.

- 268 • G Sonntag explained the color coding on the bylaws that were provided to the commission. He explained
- 269 that he would like the bylaws to be used as a guideline for the Planning Commission.
- 270 • J Parker felt it would be a good idea to use Robert's Rules of Order.

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- R Holloway would like a statement that is easily found by the public to provide information and details of what to do/what to bring if they would like to attend and address the Planning Commission at meetings.
 - B Perry felt that there needs to be professionalism at the meetings and that the bylaws are a work in progress.

276 **Reports:**

277 **Staff Reports:** Any items presented by Providence City Staff will be presented as informational only.

- 278
- 279
- S Bankhead explained she would like to schedule a training and invite the City Council, Executive Staff and the Planning Commission to learn about the challenges with geo technical and sensitive hazard areas.

280

281 **Commission Reports:** Items presented by the Commission Members will be presented as informational only; no formal action will be taken.

- 282
- 283
- None

284

285 **Motion to adjourn – R Cecil, second – J Parker**

286 **Vote:**

287 **Yea:** R Cecil, J Parker, B Perry, G Sonntag, R Holloway

288 **Nay:** None

289 **Abstained:** None

290 **Excused:**

291 **Excused Alternate:**

292

293 The next meeting is Wednesday, April 24, 2019

294

295 Meeting adjourned approximately 9:07 PM

296 Minutes prepared by Mindi Petersen

297

298

299 Robert James, Chair

300

Skarlet Bankhead, City Recorder