

1 **PROVIDENCE CITY PLANNING COMMISSION MEETING**  
2 **February 14, 2007, 6:00 p.m.**  
3 **Providence City Office Building**  
4 **15 South Main, Providence, UT 84332**

5  
6 **Attendance:** Chair: Jim Beazer  
7 Commissioners: Stephen Allan, Harry Ames, Bill Bagley, Lance  
8 Campbell, Jon Mock  
9

10 **ACTION ITEMS:**

11 **Approval of the Minutes from January 24, 2007.**

- 12 • Page 2 of 7, line 5; page 5 of 7, line 27; and page 7 of 7, lines 32 and 28, should say L Campbell  
13 was excused and H Ames voted.  
14 • Page 5 of 7, line 46, and page 6 of 7, line 24 should be spelled Allan.

15 Motion to approve the minutes of January 24, 2007 meeting with the corrections as noted – J Mock,  
16 Second, B Bagley.

17 Vote: Yea: S Allan, B Bagley, J Beazer, L Campbell, J Mock

18 Nay: None

19 Abstained: None

20 Excused: None  
21

22 **Disclosure of any conflict of interest on any of the agenda items:**

- 23 • J Beazer sells hardware to the contractors who build homes.  
24

25 **Disclosure of any ex parte communication on any of the agenda items.**

- 26 • Everyone on the Planning Commission members received a letter from JoAnn Thompson, and J  
27 Mock would like to have it added in the minutes.  
28 • J Beazer discussed performance zoning with Jason Christensen.  
29 • B Bagley received a call from Laura Fisher regarding the agenda. The Herald Journal only  
30 printed two of the public hearings to be held. L Fisher felt there may not have been enough  
31 notification to conduct tonight's hearings.  
32

33 **STUDY ITEMS:**

34 **Item No. 1. The Providence City Planning Commission will discuss with Mark Teuscher proposed**  
35 **changes to Providence City Codes.**

- 36 • Mark Teuscher will bring two ordinances, one on the P district and one on the SOB (sexual  
37 orientation business) district, to the next Planning Commission meeting. He will give a sample to  
38 S Bankhead.  
39

40 J Beazer read a letter from JoAnn Thompson concerning the rezone request. She requested that it be  
41 included in the minutes.  
42

43 *February 11, 2007*

44  
45 *Dear Planning Commission Member:*

46  
47 *The rezone request on the agenda for Wednesday, February 14, 2007, Planning Commission meeting is of*  
48 *grave concern to me; also the additional 149 acres (totaling 276.72 acres) currently in the wings for*  
49 *rezone.*

50  
51 *As our city officials, you control the destiny of our community with your vote. New development should*  
52 *not be eagerly approved by officials without much research and thought as to the impact on the character*

1 of our city and the well-being of its' residents. Our resources and our quality-of-life are at risk of  
2 becoming bankrupt.

3  
4 My concerns:

5  
6 **1. Adequate Water**

7 Water is the most valuable substance on earth. I am a current user and shareholder of  
8 Spring Creek Water, and do not desire my water to be taken away at some later date to  
9 sustain homes that were approved without water availability. Also, water cannot be  
10 squeezed from a paper that says "underground water has been transferred from another  
11 location."

12  
13 **2. Roads**

14 It is not in the public's best interest for thousands of additional vehicles to be routed  
15 through older, residential areas of Providence.

16  
17 **3. Negative Impacts**

18 Overburdening schools, churches, parks, and open areas, etc...or being taxed to build  
19 new ones.

20  
21 **4. Earthquake Faults**

22 Many of the proposed rezones are on or near earthquake faults.

23  
24 **5. Natural Flood Protection**

25 Moving earth with large equipment easily destroys the natural lay-of-the-land  
26 protection from flooding. Example: Cliffside out of Dry Canyon.

27  
28 **6. Safety and Welfare of Citizens**

29 This should be a public official's utmost priority in making responsible decisions.

30  
31 **7. Expense**

32 Developers must pay for all of their impact on the community—not the current  
33 residents.

34  
35 I implore you to thoughtfully represent the citizens of Providence, as you work with developers,  
36 and seriously consider the above mentioned concerns, and those of other citizens who have a  
37 desire to maintain the character and safety of our community.

38  
39 Please allow only justifiable, well-planned growth. In all fairness, take adequate time to  
40 research before making the decisions that will change us forever!

41  
42 The most responsible decision regarding an expansive development might just be "enough is  
43 enough."

44  
45 Yours truly,

46  
47 JoAnn Thompson

48  
49 **PUBLIC HEARINGS:**

50 **Item No. 1. 6:15 p.m. The Providence City Planning Commission will continue holding a public**  
51 **hearing on Wednesday, February 14, 2007 to receive comment on proposed changes to Providence**  
52 **City General Plan Residential Development.**

1 Motion to open again a public hearing to receive comment on proposed changes to Providence City  
2 General Plan Residential Development on the hearing held January 10, 2007, proposed changes to the  
3 General Plan– J Mock, Second –L Campbell.

4 Vote: Yea: S Allan, B Bagley, L Campbell, J Mock  
5 Nay: None  
6 Abstained: None  
7 Excused: None

- 8 • J Mock revisited the previous meeting discussion on the general plan residential development. He  
9 explained that the discussion was continued in order to receive more input.
- 10 • Sharell Eames said she pleaded with the City Council last night to begin the update of the entire  
11 Master Plan because there are so many things in the works which are guided by it. The City Council  
12 felt it was up to the Planning Commission to get it going. She urged the Planning Commission to  
13 look at the whole Master Plan.
- 14 • Linda Goetze revealed that she is unclear with the P zone concept, and wondered where the Planning  
15 Commission is headed with the concerns she brought to them. She feels that her neighborhood is  
16 deteriorating because of the impact of growth on the downtown area. The only change she has seen  
17 in the past twenty years is one 25-mph sign on her road. The Heritage Committee felt livability  
18 standards should be set for downtown Providence before anything new is presented. She feels the  
19 Planning Commission must do a lot of homework before coming to the meetings, and they must  
20 attend the meetings to address the issues. She also feels her concerns haven't been addressed. She  
21 believes the Sheriff's study shows more cars travel on the roads. The Master Plan must address a  
22 transportation plan and a parks plan, and keep in mind property rights of existing residents. She feels  
23 the livability standards are a quality of life issue. She knows more than 1800 cars go on 100 North.  
24 She questioned if the Planning Commission is going to use the Heritage Committee's  
25 recommendation before the developers take away her quality of life and force her to move. She  
26 doesn't want to be driven out. She asked the Commission to take their job seriously and give a  
27 specific answer soon.
- 28 • Jack Nixon felt he started this problem 40 years ago and apologized if he created a mess for the City  
29 and its residents. He felt the community has grown a great deal and feels that growth has been a good  
30 thing. Overall, Providence is a much better community than in 1967. He feels most of Providence  
31 citizens are pleased with the progress the City has made. He encouraged the Planning Commission to  
32 go forward with their plans. People have always complained. New residents have increased the  
33 quality of life here. He believes others ought to be able to come and enjoy the same benefits.
- 34 • Laura Fisher expressed that she has the impression no one is in charge of decisions and few people  
35 have integrity. Few do their homework, and those who look into citizen's concerns seem to be the  
36 exception rather than the rule. She was told at the City Council meeting that land use issues go to the  
37 Planning Commission. She perceives lack of leadership and citizen frustration in expressing their  
38 concerns. She commented that Mr. Nixon did not stay to hear concerns such as water availability.  
39 She believes the City has been using three times the amount of water than it has rights to use. She felt  
40 it would take a long time to pump a well on a peak level day to see how much water the City has. She  
41 also feels there are road access problems. Many roads cannot be widened. She hasn't seen any  
42 notable response to water, sewer, and road issues on new development. She expressed her opinion  
43 that those who have homes have no rights. She said it isn't very courteous or professional or smart to  
44 have our needs expressed so often and have them dismissed or ignored. She is looking forward to  
45 better leadership and a more organized approach to the Master Plan in the ordinances so that  
46 development can proceed in a legal and orderly fashion. She gets the impression that this board, as  
47 well as the last board, will let everything get out of control and have someone else clean up the mess.  
48 She said that anyone making an application for a new water appropriation is expected, by State Code,  
49 to show if their impact has a negative impact on water users. She acknowledged that she called B  
50 Bagley regarding the incorrect agenda in the Herald Journal and felt it should be noted in the record  
51 whose mistake it is. She said she spent several hours at the Development Review Committee meeting  
52 held last week and felt a rhythmic feeling to the unimportance of viewpoints of some people. She

1 feels that people should not be ignored. She can't see the wisdom to approving land use development  
2 when everyone acknowledges the City is out of compliance in all of the major land use issues.

- 3 • Ralph Daniels also believes that homework must to be done. Water capacity and sewer capacity must  
4 be known for rezoning. He questioned if consideration has been given to park areas.
- 5 • Douglas Smith informed the Commission that his mother, Barbara Rinderknecht, received a letter  
6 with misinformation that her land is being included in the proposed development. He and his mother  
7 are concerned with water, roads, and land used for cattle and deer. He feels like someone is trying to  
8 make Providence look like Utah County. He feels those who have money to buy the land want to  
9 develop and then leave, and it affects everyone for ages. Many are concerned. He admonished the  
10 Commission to make wise decisions and to make sure Providence citizens have an input.

11 Motion to close discussion on the public hearing for proposed changes to the Providence City General  
12 Plan Residential Development Area – J Mock, Second – B Bagley.

13 Vote: Yea: S Allan, B Bagley, L Campbell, J Mock

14 Nay: None

15 Abstained: None

16 Excused: None

17  
18 **Item No. 2. 6:30 p.m. The Providence City Planning Commission will hold a public hearing on**  
19 **Wednesday, February 14, 2007 at 6:30 p.m. to receive public comment on a request by Redstone**  
20 **Development LLC for rezone approval of approximately 44 acres of property, Parcel ID #s 02-114-**  
21 **0005, 02-114-0030, and 02-114-0037, located generally north and east of 755 Canyon Road, from**  
22 **Agricultural (AG) to Single-family Traditional (SFT).**

23 Motion to open public hearing to receive comment on a request by Redstone Development LLC for  
24 approval of approximately 44 acres of property, Parcel ID #s 02-114-0005, 02-114-0030, and 02-114-  
25 0037, located generally north and east of 755 Canyon Road, from Agricultural (AG) to Single-family  
26 Traditional (SFT) – L Campbell, Second – B Bagley.

- 27 • H Ames requested that a time limit be set because comment becomes redundant. J Mock and J  
28 Beazer also voiced their concern. S Bankhead felt it would be okay if three minute parameters were  
29 set.
- 30 • Ken Allsop gave the Commission a handout. He reminded the Commission that the Court granted a  
31 temporary order stopping decision making tonight. He also acknowledged that a public hearing can  
32 be held.
- 33 • L Goetze researched similar developments Jamie Gull has been involved with and found that Grand  
34 County expressed the same concerns as the citizens of Providence, and his request was turned down.  
35 She encouraged the Planning Commission to be responsible as well. She voiced her concern with  
36 traffic and livability standards. She asked the Commission to discuss how to decrease traffic.
- 37 • J Beazer didn't remember receiving livability standards from the Heritage Committee. K Baker  
38 acknowledged that she gave him a copy last week.
- 39 • L Goetze doesn't want to see new development grandfathered under the old plan. She believes  
40 developers should pay for the impact of traffic on existing residents. She presented figures of how  
41 many cars she believes will be driving on the roads.
- 42 • L Campbell asked for a copy of the livability standards.
- 43 • Jamie Gull explained that this property was for sale on the open market. He pursued negotiations  
44 with the owners and contracted to buy it. He applied for annexation, and it was adopted. It now is  
45 being challenged. He said he understands the City is struggling with issues and is involved in a legal  
46 case. Even though he is not a party to it, it does affect him. His next step is to apply for a rezone as is  
47 City policy. The Master Plan includes this land, and it is in the zoning and the annexation declaration  
48 map filed with the State of Utah. He is not trying to shove something on the City the City hasn't  
49 anticipated. The annexation also states the City can support the land. He believes the City will  
50 accommodate annexation and development of these sections. The City intended for the land to be  
51 developed in SFT. He reported that every city in the State is facing growth issues. The same  
52 concerns are voiced in many cities. His company is trying to accommodate growth in the best way

1 possible. He stressed that he is open to having a public process with open dialog. He felt that his  
2 company is making what has been planned in the City for over a decade. Impact fees are the vehicles  
3 that pay for development. Development must come to pay for the roads, water, sewer, storm water  
4 drainage, and so on.

- 5 • L Fisher, in behalf of those who signed the referendum on whether to reject the annexation or not,  
6 asked that no decision be made until those persons get their vote. Her attorney analyzed water logs  
7 obtained from the City and found that the City is using three times the amount of water they should.  
8 She concluded that this development does not address the water issue. She believes Mr. Gull's plan is  
9 to use Canyon Road and stub out in a northern direction which has no water. She felt he had not  
10 discussed sewer issues. She also stated that impact fees are over ten years old and do not pay what  
11 they should.
- 12 • Art Checketts has been a resident of Providence for many years. He remembered "Old Providence,"  
13 and felt it has changed, and will still change. He believes that the Planning Commission is doing a  
14 good job. He also believes that stopping people will make Cache Valley isolated. He believes the  
15 City must plan growth. He acknowledged that Redstone Development wants a single family  
16 development, and that single-family developments are not found in many places throughout the  
17 country. Growth cannot be stopped, but the Planning Commission can plan. He feels half of the  
18 water goes to waste. He suggested picking up on what Senator Holmgren did to build a reservoir. He  
19 believes Redstone Development will be a good thing to have.
- 20 • Ellen Klomps informed the Commission that her house predates Canyon Road. She has heard rumors  
21 that the road will be expanded. She is concerned that her home is too close to the road for the road to  
22 be widened and she does not want to go into debt so someone can make a profit.
- 23 • J Beazer said she would not be made to leave her home.
- 24 • Denise Strong felt that growth is inevitable, but should be done right. She appreciated the thought  
25 that has been going into planning and for Mr. Checketts' viewpoint that residents want their kids to  
26 live near. She felt that others who are for development agrees that no more should be done until the  
27 fundamental issues of health, safety, and welfare are addressed. She wondered what the point would  
28 be to have families close if there is no water, or if kids were mowed down on the road. Until  
29 Providence ordinances reflect proper planning, the Commission should stop and listen to the citizens  
30 who signed the petition. She advised the Commission take a step back and wait so that planning can  
31 be done properly.
- 32 • S Eames pointed out that no one has suggested that gates be put up to stop growth. She feels there is  
33 a fine line between individual property rights and the best interest of the community. Everyone  
34 would be foolish to think Jamie Gull and Mr. Checketts are not in it for money. Other things can be  
35 done with the property, such as an agricultural protection program, to receive money.
- 36 • Dan Hogan, representing the Joe Baer property, felt that lots don't end up to be quarter-acre lots  
37 because of zoning. Considerations such as roads and open space, parks, and lay of the land must be  
38 made. Not all cars go on Canyon Road. He feels the Master Plan could state which development  
39 comes in and specify timeframes. He has donated around 20 acres of park land. His (D Hogan's)  
40 project has donated Spring Creek water to the City and feels the shares benefit the whole city. He  
41 believes that others have donated their water shares as well. Developers have paid for roads and  
42 given park land, yet they must wait for more infrastructure. He feels that somewhere this must be put  
43 together.
- 44 • Katherine Zuniga, daughter of Art Checketts, expressed that it has taken time to find someone to  
45 develop their property. They are not making money by farming. Her family interviewed many  
46 people when looking for a buyer. Jamie Gull's company showed integrity. The Art Checketts'  
47 family feels he would do the best job for Providence City. She understands that there are issues, and  
48 hopes that the City will work with her family. She felt they have a vested interest and have spent time  
49 have worked with the City on this development.

50 Motion to close public hearing to receive comment on a request by Redstone Development LLC for  
51 approval of approximately 44 acres of property, Parcel ID #s 02-114-0005, 02-114-0030, and 02-114-

1 0037, located generally north and east of 755 Canyon Road, from Agricultural (AG) to Single-family  
2 Traditional (SFT) – J Mock, Second –L Campbell.

3 Vote: Yea: S Allan, B Bagley, L Campbell, J Mock

4 Nay: None

5 Abstained: None

6 Excused: None

7  
8 **Item No. 3. 6:45 p.m. The Providence City Planning Commission will hold a public hearing on**  
9 **Wednesday, February 14, 2007 at 6:45 p.m. to receive public comment on a request from Anderson**  
10 **Development (Anderson Providence LLC) for rezone approval of approximately 127.67 (+/-) acres**  
11 **of property, Parcel ID #02-101-0001, located generally northeast of Eagleview Drive, from**  
12 **Agricultural (AG) to Single-family Traditional (SFT).**

13 Motion to open public hearing on the request from Anderson development for rezone approval of  
14 approximately 127.67 (+/-) acres of property, Parcel ID #02-101-0001, located generally northeast of  
15 Eagleview Drive, from Agricultural (AG) to Single-family Traditional (SFT) – J Mock, Second – L  
16 Campbell.

17 Vote: Yea: S Allan, B Bagley, L Campbell, J Mock

18 Nay: None

19 Abstained: None

20 Excused: None

- 21 • Gary Meunier believes there is no entitlement or vesting to a zone change. A zone change this size to  
22 SFT could result in over 400 new homes with a population increase of 20 to 30 percent of Providence.  
23 It might be too much to bite off at one time. He questioned traffic access and if eminent domain will  
24 be required. He felt this should be addressed up front. Livability index should be applied to  
25 neighbors on 300 North, 400 East, 200 North, and 300 East. Issues such as water supply, storm water  
26 management, and slope should be considered. An SFE zone should be considered for this area as  
27 well as property features of undisturbed natural habitat used by deer. Something such as a  
28 conservation easement could be considered as part of a cluster development plan.
- 29 • L Fisher reminded everyone that the Herald Journal published a different agenda for this meeting.  
30 This public hearing did not appear in the Herald Journal in any form. She understands it to be the  
31 newspaper's mistake. Many people do not look at the agenda in the display case; they look in the  
32 Herald Journal. She doesn't believe it was an appropriate legal notice. The purpose of the law is to  
33 make sure citizens know what is going to be discussed. She felt it would be better to not talk about  
34 topics not publicized, and that the rezone approval isn't so urgent that appropriate notice should be  
35 ignored.
- 36 • J Mock noted that it was published in the legal notices.
- 37 • S Bankhead explained that legal requirements were met. Letters were sent out to the adjacent  
38 landowners.
- 39 • Kathy Davis believes developers have an agenda and want to see their money. The Planning  
40 Commission should listen to the citizens and look at water, traffic, sewer, drainage, and schools  
41 because they impact the community. The citizens are concerned about long term effects and desire  
42 this to be thought out and addressed before decisions take place. She hopes the Planning Commission  
43 will take into consideration the letter from JoAnn Thompson.
- 44 • Warren Burton asked what issues would keep a development like this from being approved. J Beazer  
45 answered the lack of providing services. He then asked if anything has changed with the water issue.  
46 J Beazer answered that the State said there is enough water. He next asked if there is a plan for an  
47 access road on the north side of the development. J Beazer answered yes. B Bagley stated that the  
48 general plan allows for three northern accesses. He also questioned the safety of the Cache Valley  
49 fault that runs under this area. S Bankhead answered that the fault must be noted on staff reports and  
50 plans. J Beazer acknowledged that major and minor faults run along the bench, and that half the town  
51 is on some kind of fault line, which runs along 400 East.

- 1 • Jim Bradshaw with Anderson Development felt that as far as traffic, water, safety, schools,  
2 geotechnical, earthquakes, and all other issues, the Planning Commission should and must consider  
3 these issues before approving any kind of development, but they have no relationship as to whether a  
4 rezone should be approved or not. A Master Plan determines what areas should be developed. He  
5 quoted State law as saying an applicant should receive approval of a land use application if it  
6 conforms to the requirements of the city's use map, ordinances, and fees paid unless the Land Use  
7 Authority finds that a compelling public countervailing interest would be jeopardized. He felt that  
8 nothing exists to stop the application and asked that this rezone be approved because it is consistent  
9 with the City's Master Plan. This first-class development will have all issues addressed when a plan  
10 is approved. He will answer any questions anyone has.
- 11 • D Strong asked J Bradshaw when health, safety, and welfare take a back seat. Those compelling  
12 issues are important to her.
- 13 • J Bradshaw said they are critical, and the Planning Commission and the City Council would never  
14 approve a development until they are addressed, but it cannot be addressed until it is rezoned and a  
15 plan set forth. He said until someone sees a plan, it cannot be said that it creates a safety problem or  
16 takes too much water.
- 17 • D Strong felt the Planning Commission is compelled under the law to rezone the property. She  
18 believes the petitions compel to not rezone. She asked the Commission to address the compelling  
19 reasons first.
- 20 • L Goetze asked if the Master Plan is under revision and if these issues fall under it. She reminded the  
21 Commission that they agreed to go forward with the public hearing, but not approve the request until  
22 after the Master Plan is completed.
- 23 • S Bankhead explained that the Commission cannot discuss any type of a decision tonight because of a  
24 court order.
- 25 • B Bagley said Utah does not mandate that the Commission stick to the Master Plan. It is only a guide  
26 and recommendation.
- 27 • Ned Miller lives in the vicinity of Anderson Development. He feels that many citizens are  
28 disinterested in the development and are uninformed. He asked the Commission to give proper  
29 notification for citizen input.

30 Motion to close public hearing on the request from Anderson development for rezone approval of  
31 approximately 127.67 (+/-) acres of property, Parcel ID #02-101-0001, located generally northeast of  
32 Eagleview Drive, from Agricultural (AG) to Single-family Traditional (SFT) – J Mock, Second – B  
33 Bagley.

34 Vote: Yea: S Allan, B Bagley, L Campbell, J Mock  
35 Nay: None  
36 Abstained: None  
37 Excused: None  
38

39 **Item No. 4. 7:00 p.m. The Providence City Planning Commission will hold a public hearing on**  
40 **Wednesday, February 14, 2007 at 7:00 p.m. to receive public comment on a proposed ordinance**  
41 **amending Providence City Code Title 10 Zoning Regulations Chapter 4 Establishment of Districts**  
42 **and Chapter 8 Area Regulations and Parking Requirements by adding a Single-Family Large**  
43 **Zoning District which would have a minimum lot size of 21,800 square feet; and amending certain**  
44 **provisions to provide consistency of items.**

45 Motion to open Item No. 4 to receive public comment on Providence City Code Title 10 Zoning  
46 Regulations Chapter 4 Establishment of Districts and Chapter 8 Area Regulations and Parking  
47 Requirements by adding a Single-Family Large Zoning District which would have a minimum lot size of  
48 21,900 square feet; and amending certain provisions to provide consistency of items, and to include item  
49 No. 5 to receive public comment on a proposed ordinance amending Providence City Code Title 10  
50 Zoning Regulations Chapter 6 Use Regulations by adding a Single-Family Large Zoning District and  
51 amending certain provisions to provide consistency of terms – L Campbell, Second – J Mock.

52 Vote: Yea: S Allan, B Bagley, L Campbell, J Mock

1        Nay:            None  
2        Abstained:       None  
3        Excused:        None

- 4        • S Bankhead explained that members of the Planning Commission and the City Council have asked  
5        for a zone between SFT and SFE. She feels people think of an SFT zone as quarter-acre lots. The  
6        current zoning allows for people to build on larger lots, but the City hasn't seen it happening very  
7        often. Some developers were interested in exploring half-acre lots. With approval from J Beazer,  
8        she and K Baker worked new wording in the current ordinance, creating a zone which focuses on  
9        larger lots. Some people want one-acre lots, but later decide they want to split them, destroying what  
10       the City desired in the first place. The City felt this to be a good starting point. It allows the  
11       developer to provide open space used by the general public. If the developer provides open space for  
12       the public, the City will reduce the required percentage of lot sizing. It must be a viable property  
13       allowing connectivity and an access. If the developer has 100 acres and provides ten acres of  
14       property in open space the public has access to, they would get ten percent of the maximum  
15       requirement of half-acre lots. It seems to be a workable plan in its infancy. It has not been taken to  
16       the DRC, and no formal staff meetings have been held on this topic; but the City Engineer and the  
17       Public Works Director feel it is something the City can work with.
- 18       • H Ames felt that this defines a new class of property and homes.
- 19       • S Bankhead felt this was a way for the City to work with the developer on open space.
- 20       • H Ames wondered if there was a downside.
- 21       • S Bankhead felt that private space open to the public will give the City less to manage.
- 22       • H Ames questioned what would happen if the Land Use Authority doesn't agree with the land set  
23       aside for open space.
- 24       • J Beazer acknowledged that this gives the City a half-acre zone between the existing quarter-acre and  
25       the acre zone. He would like to see the minimum lot size be 10,000 feet larger.
- 26       • B Bagley questioned the wording of lot size averaging. S Bankhead explained that the old concept is  
27       a workable concept if lot size flexibility is used. Averaging creates small lots. She would like to see  
28       the terminology changed to say lot size flexibility.
- 29       • D Hogan asked who takes care of the open space. S Bankhead explained that it will depend on the  
30       setup worked out through the development agreements.
- 31       • L Fisher expressed that she is unsure how the 50 percent lot size requirement works and is skeptical  
32       that open space will be provided. She doesn't see an upside to this change of the Code. She also  
33       doesn't see how she will benefit from open space; she would rather see half-acre lots.
- 34       • L Goetze asked whether the Planning Commission has the power to tell the developer no, or if the  
35       developers have the decision-making authority. She would like to see the City maintain control. She  
36       believes L Fisher's recommendation of making half-acre lots makes sense. She felt developers would  
37       take undesirable sections of land that cannot be developed to donate for public use. She also  
38       questioned how impact fees will be determined. She felt parks will only benefit those who live by  
39       them.
- 40       • H Ames asked if the new zone and public space is applicable to all other zones.
- 41       • S Bankhead said it is applicable to two, SFL and SFT. Chapter 4 of the Code indicates that it is  
42       allowed in SFT and SFR. The option has been taken out of SFR.
- 43       • J Beazer felt this is a negotiation process.
- 44       • S Bankhead explained how the 50 percent and 30 percent negotiations were pushed around. Fifty  
45       percent would be half-acre lots and 50 lots could be smaller. The developer must maintain 30 percent  
46       at the zone. A SFL would require half-acre lots.
- 47       • L Fisher observed that it really isn't a half-acre zone.
- 48       • S Bankhead said there can be some averaging. The zone is taking away averaging and applying  
49       flexibility.
- 50       • Gary Meunier felt it was good that developers have flexibility.
- 51       • S Bankhead explained that dedication of roads and necessary right-of-ways do not count towards the  
52       public dedication.



- 1 • L Fisher felt the ordinance draft could use more work.
- 2 • H Ames suggested having a page saying, “This is how it was done, and this is the way it will be
- 3 done.”

4 Motion to continue this public hearing on Items 4 and 5 receiving public comment on Providence City  
 5 Code title 10 Zoning Regulations Chapter 4 Establishment of Districts and Chapter 8 Area Regulations  
 6 and Parking Requirements by adding a Single-Family Large Zoning District which would have a  
 7 minimum lot size of 21,900 square feet; and amending certain provisions to provide consistency of items,  
 8 and to receive public comment on a proposed ordinance amending Providence City Code Title 10 Zoning  
 9 Regulations Chapter 6 Use Regulations by adding a Single-Family Large Zoning District and amending  
 10 certain provisions to provide consistency of terms – J Mock, Second S Allan.

11 Vote: Yea: S Allan, B Bagley, L Campbell, J Mock

12 Nay: None

13 Abstained: None

14 Excused: None

- 15
- 16 • M Bell expressed her discomfort with M Teuscher and asked how and why he is working for
- 17 Providence.
- 18 • S Bankhead explained that a joint workshop was held over a year ago where options were discussed
- 19 as to how to update the Master Plan. The Planning Commission felt comfortable with design ideas
- 20 Mark Teuscher had presented, and encouraged the City Council to work with him. His contract is
- 21 open ended and can be terminated at any time.
- 22 • Marilyn Bell observed that he has the tendency to give legal advice and she feels the City is taking his
- 23 advice.
- 24 • L Fisher feels that if someone is going to cite a legal opinion other than an attorney, if it is in writing,
- 25 it is their recommendation. If it is not in writing, it never happened as far as anyone knows. If he has
- 26 a recommendation, he should write it on a piece of paper for everyone to see.
- 27 • S Eames prefers the new zone discussions over the P zone.
- 28 • M Bell felt she could get the same information M Teuscher pulled from the internet. She doesn't feel
- 29 the City is getting their money's worth.
- 30 • B Bissland feels one thing that can be done with all of the development is to do open space studies.
- 31 When he asked M Teuscher about that, he indicated that he was hired for residential planning only. B
- 32 Bissland felt that M Teuscher must be a development facilitator rather than a planner. Open space
- 33 studies are as important as development. They can raise everyone's property values.
- 34 • G Meunier felt that the newer proposals are for bigger parcels having a broader approach. A more
- 35 flexible approach with open space and habitat should be brought in and integrated into the plan. Big
- 36 parcels are good opportunities for good development.
- 37 • J Beazer will discuss open space with M Teuscher. He would like to see more tools for development
- 38 rather than create a box development.
- 39 • B Bagley felt transportation, water, storm water, etc., should be addressed when approving or not
- 40 approving subdivisions. He feels the Commission would like to address the residential development
- 41 first so there will be something to work with.
- 42 • B Bissland feels that open space is as important as development plans. The City will be prepared
- 43 when a subdivision comes in to have their open space in place. It would also play into trail systems.
- 44 It is part of City planning. Providence still has the space whereas a lot of towns do not.
- 45 • H Ames felt that growth must be controlled. He believes this Commission is looking for tools and
- 46 legal opinions to back up the decisions and to make it the kind of City residents' desire.
- 47 • J Beazer felt that M Teuscher has been valuable, but could do be more.
- 48 • B Bagley felt that M Teuscher is helping get things right that are trying to be pushed through. J
- 49 Beazer felt there is a problem with developers. Everything Mr. Bradshaw said concerning the law
- 50 was correct. A moratorium has already been put on his land.
- 51 • L Goetze does not believe there is a time limit as to how long the developers must wait.

- 1 • Ned Miller believes that public issues are potentially compromised in referring to Mr. Bradshaw's  
2 reference to State Code.  
3 • B Bagley stated that the State Code is application, not approval.  
4 • L Fisher felt that attorneys should state which development they are representing.  
5 • S Bankhead clarified that Jim Bradshaw is affiliated with Anderson Development.

6 Motion to adjourn – B Bagley, Second – S Allan.

7 Vote: Yea: S Allan, H Ames, B Bagley, J Beazer, L Campbell, J Mock

8 Nay: None

9 Abstained: None

10 Excused: None

11

12 Meeting ended at 8:35 p.m.

13 Minutes taken and prepared by Becky Turley.

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Jim Beazer, Commissioner

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Becky Turley, Office Specialist

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