

1 **PROVIDENCE CITY**  
2 **PLANNING COMMISSION MEETING**  
3 **August 15, 2006**

4 **Providence City Office Building**  
5 **15 South Main, Providence UT**

6 **Attendance:** Chair: Blaine Sorensen

7 Commissioners: Bill Bagley, Jim Beazer, Lance Campbell, Jon Mock,

8 Becky Turley – Staff Support, Skarlet Bankhead – City Administrator

9 **The Providence City Planning Commission will hold a meeting on August 15, 2006 at 5:30 p.m. in**  
10 **the Council Chambers of the Providence City offices, located at 15 South Main Street, Providence,**  
11 **Utah. The item(s) listed below will be discussed, and anyone interested is invited to attend.**

12  
13 **Study Items:** No public comment will be heard and no action will be taken on the study items.

- 14 • Item No. 1. Blaine Sorensen and Bill Bagley will report on a meeting with Mark Teuscher.

15  
16 **Action Items:**

17 **Minutes.**

18 Corrections: Page 3 line 30 should be “contracts” instead of contacts.

19 Motion to approve the minutes of the Planning Commission meeting held on August 1, 2006 with the  
20 above stated correction – J Mock, second – B Bagley

21 Vote: Yea: B Bagley, J. Beazer, L. Campbell, J Mock

22 Nay: None

23 Abstained: None

24 Excused: None

25 **Disclosure of any conflict of interest on any of the agenda items.**

- 26 • None

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

- 28 • None

29 **Public Hearings:**

30 **5:40 p.m. The Providence City Planning Commission will hold a public hearing to consider a**  
31 **proposed preliminary plat for The Cove; a residential subdivision containing 26 lots,**  
32 **located generally at 691 Grandview Drive.**

- 33 • B Sorensen opened the public hearing. He explained that Scott Wyatt is here because there is an  
34 issue of changing agricultural ground to single family residential. This is NOT what this meeting  
35 is for tonight. The Commission is simply looking at this preliminary plat and trying to decide what  
36 to do with it.
- 37 • Scott Wyatt explained that if the outcome of the lawsuit is to over turn the council decision to  
38 rezone from agricultural to single family, the discussion tonight is voided. The city could, if it  
39 chose, start over on the rezone process.
- 40 • J Beazer asked if the legal decision would take months, weeks, or years.
- 41 • Scott Wyatt said years, maybe. It could be any amount of time.
- 42 • Denise Strong said the issues on the petition are being denied because they are administrative.  
43 The city of Providence is applying two standards. She wishes this discussion would be postponed  
44 until the resolution of all court issues is announced. Also, she said that she is not against growth.  
45 She wants to see it done in a smart way that accesses water and traffic, and other issues more  
46 concretely, including schools. She thinks some things have been done hastily, and the citizens  
47 have done all they can to say “stop.”
- 48 • B Sorensen said that when we deal with people who come to file applications with the city, they

1 are to meet the existing code at the time of the application. Things can be postponed and change  
2 the code, but it does not change the criteria because they applied under what was the existing code  
3 at that time.

- 4 • Rand Henderson, representing Bob Bissland and Laura Fisher, said he propagated a public records  
5 request yesterday when he found out about this meeting, asking for a copy of the backup materials.  
6 He said that council was unavailable yesterday. He would like to look at the materials at this time.  
7 S Bankhead gave him a copy. He asked whether this is a new application or if it is the same  
8 application previously denied by the Board of Adjustments. He was told by J Beazer that it is a  
9 new application.
- 10 • Rand Henderson stated that this is an issue on the City's slowness on complying with a new law  
11 that became in effect in 2005. He said that previously the Mayor said the City is out of compliance  
12 in 78 ways. It is in public record which will be admitted in court. Failure to provide for an appeal  
13 authority is a big issue. There is nothing in the ordinance that says a person has a right to appeal.  
14 The law requires that there be a land use appeal authority. That transcends the issue of vested  
15 rights of what law is in effect at the time that things happen. He stated that his clients would like  
16 to ask, and the 700 plus people who signed the referendum which was certified by the county as  
17 insufficient for the referendum at first, to postpone a decision on this matter for several reasons.  
18 First, after monitoring Design Review Committee meetings on June 6, 2006 the Cove Subdivision  
19 came up for discussion. A number of problems were discussed concerning the plat. It did not  
20 meet requirements for approval. At that time, it was tabled. He stated that it never came up again  
21 in the DRC meetings. Providence citizens need 10 days to review so they can make intelligent  
22 comments when another meeting is scheduled. A second reason to postpone this matter is because  
23 of the pending litigation. There is a law called stopple which applies in subdivisions where a  
24 zoning change has taken place. He said it is where the government puts a stop to this kind of  
25 subdivision because of legalities. An amended complaint has been filed recently. He stated that  
26 everything has been done that has been asked to do. Providence City ordinances have to come in  
27 compliance with the law. He also asked for more time. Scott Wyatt will say that the law right now  
28 reads that the law will remain in force while the referendum is pending. There is a constitutional  
29 provision that says the law is suspended while the referendum is pending. The law does not say  
30 how fast it has to be done. He asked that subdivisions be made on the correct law. He also stated  
31 that Providence City does not have affordable housing plans.
- 32 • Dennis Carlsen said that he is not against development. He is concerned about ingress and egress.  
33 One access will cause deaths when making left-hand turns. He stated that if you cannot make  
34 double accesses, make a special exit (20 ft right-of-way) so cars can leave. A third choice would  
35 be to retain enough money in a development stage right now to correct the problem at a later date.
- 36 • J Beazer asked about 20 foot access and where the access road came out at. The answer is  
37 Knowles' retaining wall.
- 38 • Everet Barney explained he has come to the City Council and Planning Commission with the same  
39 concern. He feels Providence City will have gridlock on their roads because the growth is faster  
40 than what has been planned. He feels the roads are substandard, and traffic will be so congested  
41 that the city would not be able to handle it. He also said that high density development will cause  
42 other problems to arise. He thinks the Commission needs to be much more regulatory in how they  
43 plan the development of Providence City.
- 44 • Jared Christensen stated that he is tired of hearing, "let's wait." He thinks the residents  
45 complaining about the subdivision want an elitist community on the hill. He says lets end it and  
46 get it over now.
- 47 • Shelly Hamilton said that her home backs up on the development. She is concerned that smaller  
48 than ½ acre lots will devalue her home. She says she is concerned about water and traffic. She

1 stated that nothing has been done to ensure that there is enough water or that traffic will not  
2 congest the area. She said the roads should be widened, safety problems taken care of, study the  
3 issues, look at water and sewer concerns, and address other necessary issues before this  
4 subdivision comes. She also said, "We knew there would be development, but do not devalue my  
5 home." She also thought it only logical to have half the people live in the development.

- 6 • Harry Ames said that he thinks it is bogus that poor people in Cache Valley have no place to live.  
7 He thinks that Larry Tanaka is the only person who is going to suffer. He said that poor people  
8 cannot pay \$80,000+ for a lot plus their house, so let us get off of trying to be noble. He stated  
9 that he is happy to see it developed, but wonders what kind of residential area he would like to see.  
10 He states that a few years ago the water and sewer had been upgraded, but he still does not have  
11 any water pressure. He stated that he thinks the existing residents' needs have not been met, and  
12 that if increased traffic causes an accident, he will have a lawsuit.
- 13 • B Sorensen stated that speed from neighbors causes accidents, not someone looking at property.
- 14 • Harry Ames commented that many more people will cause accidents.
- 15 • Linda Goetze is concerned about what the impact of another subdivision will be on the old part of  
16 the City. She states that 1<sup>st</sup> East has become a defacto area or a collector road for the citizens  
17 living in the bench area. She feels that this kind of development is contrary to what she and other  
18 members of the Heritage Committee are trying to achieve. The timing is poor because of the  
19 changes being made. She feels that 1<sup>st</sup> East and Canyon Road are dangerous and that the City isn't  
20 able to widen the road. She is concerned about the speed of big trucks working on developments  
21 on the Bench. Traffic is not being dispersed equally. Also, she agrees with a grid system. Canyon  
22 Road and 1<sup>st</sup> East are not wide enough to handle more traffic. She asked that the council reject  
23 putting in a subdivision with only one access.
- 24 • Brian Cox says he is mixed on the issues. He said that cities have less impact on the earth as a  
25 whole. It is more economically feasible to consolidate our homes. Different size lots appeal to  
26 different people. He admonishes everyone to think of our environment as a whole.
- 27 • Terri Guy said that when she drove over Sardine Canyon, she fell in love with the valley. She said  
28 her two surprises are that the City Council does not listen to the community, and that it does not  
29 maintain what we all ready have. She stated that the roads are really torn up. Her wish is that the  
30 city would take care of her like she would like to take care of the city.
- 31 • Susan Ames said she wants the city to take a LONG second look at the subdivision. It is not about  
32 noise, children, neighbors, or big lots with expensive homes that bother her. She insists that the  
33 road is not safe now, and that the subdivision will quadruple that problem fast. She said that  
34 safety is the issue first and foremost.
- 35 • Jason Christensen said that he is pro development. He would also like to see proper planning done  
36 and roads sufficient to meet the needs of the new development and traffic. He stated that the city  
37 needs to create programs, policies, and ordinances to widen roads, make parks, and create  
38 sidewalks. He said that he wishes everyone in the valley could afford expensive homes, but it is  
39 not that way. He said we need to figure out a way for people to move into our community and to  
40 be able to provide to their needs. In order to help the community, we need more open space;  
41 denser development would allow us to do that. The general population would rather have less than  
42 ½-acre lots because of financial needs. The majority of homes are on over 1/4 -acre lots. There  
43 are 43,560 square feet in one acre. He said that we want people to be able to enjoy what we enjoy.
- 44 • B Sorensen asked Jason Christensen that as a builder and having a choice of building on different  
45 size lots, is it easier and/or more profitable for him to have smaller lots because of profits, or if it is  
46 because that is what the market is interested in.
- 47 • Jason Christensen answered that the market is after smaller lots because of upkeep. The market is

1 for 1/3 acre lots, depending upon the area and price. He also stated that larger homes take about as  
2 much time to build as three smaller ones. He also stated that we need to plan for all people. He  
3 makes more money on large homes.

- 4 • B Sorensen asked to hear from Larry Tanaka.
- 5 • Larry Tanaka said he would like to clarify the definition of right-of-way. He stated that the title  
6 deed said egress, not right-of- way access. Egress means his property can be crossed to get into the  
7 field behind him. Utilities cannot be put on his property, and his property cannot be used as an  
8 access road. He also is concerned about emergency access.
- 9 • B Bagley asked if there is a trail or something for kids on his road, deer trails, or anything going up  
10 into the area.
- 11 • Larry Tanaka answered that there are no trails going onto Canyon Road.
- 12 • B Sorensen asked if his property connects with Arden Draneys.
- 13 • Larry Tanaka said yes. He also stated that he has never granted any access for a subdivision.
- 14 • B Bagley asked Larry Tanaka if he has a separate lawsuit against the city.
- 15 • Larry Tanaka answered no.
- 16 • Jared Jensen, who lives in Eagle Nest Circle, said he should be allowed to feel a certain way or  
17 believe a certain thing, and that he tries to understand all the different points of view without being  
18 criticized. He said the way people buy real estate has changed. The demand for lot sizes has  
19 changed, and that it has nothing to do with wealth, but that lifestyles have changed. Lot size does  
20 not determine the desire to live in a certain community. He also stated that Graystone in Hyde  
21 Park has ½ acre and bigger lot sizes, and that it is not an attractive community because of the  
22 unattended weeds and unattended junk in back of the homes. A huge majority of new home  
23 owners do not want a big lot, but they still build nice homes. He stated that lot size will not  
24 change property value. There is a huge desire to live in this community, and that will retain  
25 property value. He thinks the subdivision will be a nice addition to the community. It will be  
26 designed and outlined and built a certain way that will contribute to the value.
- 27 • Sharrell Eames stated that we need careful planning, and that infrastructure needs to be taken care  
28 of prior to the development of more subdivisions.
- 29 • Rand Henderson again for Laura Fisher wanted to reiterate the request that we postpone  
30 application. He asked if we know the exact date of application. There is only 60 days to approve  
31 it, and his group needs to know. Section 11-3-2-C of the ordinance gives the commission the  
32 authority to postpone it. He is asking that it be postponed until the next regularly scheduled  
33 meeting. On the 6<sup>th</sup> of June, there was a Design Review Committee meeting where there was no  
34 conditional approval of this subdivision plat. He asked if there was another meeting that he was  
35 not aware of.
- 36 • S Bankhead stated that she would have to go downstairs and check her notes. She stated that she  
37 has an agenda that states on July 18, 2006, the Cove preliminary plat was given as a handout. On  
38 another agenda dated July 25, 2006, the preliminary plat was on the discussion. She also said that  
39 July 25, 2006, was the day after the holiday, that she did not think Matt was here, and that she  
40 thought it was strange that he was not here when they were talking about the Cove.
- 41 • Rand Henderson said that he will check the public notices that were on the board and submit a  
42 GRMA request of that meeting. His next item was that the code requires a city engineer to submit  
43 a written recommendation. All he has is a recommendation from the staff review committee.
- 44 • S Bankhead said that the City Engineer is on the committee, but has not submitted a separate  
45 statement.
- 46 • Rand Henderson said that on that basis alone the subdivision should be denied because the  
47 ordinance says the City Engineer and the Staff Review Committee shall submit a recommendation.

1 He also asked if the ordinance specifically refers to the County Board of Health for sufficient  
2 culinary water. He then asked Skarlet Bankhead if she knew what those requirements are.

- 3 • S Bankhead said no, but there are people on staff who could answer that question.
- 4 • Rand Henderson said that is why he would like a written recommendation from the City Engineer  
5 on the water issue. That is the kind of close scrutiny he wants to give to the subdivision to  
6 adequately prepare for the hearing. He commented that by approving the plat today, his ability is  
7 being cut off to give information to the committee to make an informed decision. That does not  
8 mean that he (the sub divider) cannot apply again. He said that builders like bigger lots and sub  
9 dividers like smaller lots
- 10 • J Beazer commented that Jared Jensen said he could make more money if people built \$600,000  
11 homes.
- 12 • Rand Henderson said that one way we could solve this problem is if the developers and the land  
13 owners got together. He stated that the real way is for the city to amend its ordinance to comply  
14 with the law. Affordable housing is the law, and there should be a master plan that allows for  
15 everything the law requires. He also stated that the commission has the ability tonight to make the  
16 decision to deny the preliminary plat based on the insufficiency of the engineering report. He said  
17 to give the city time to get it right. Let the developer keep submitting it until both sides agree. He  
18 said the city has an agenda which is trying to get as much done as possible before the law changes.
- 19 • Scott Wyatt stated that the city does have a Moderate Income Housing Plan.
- 20 • Rand Henderson said it was only one sentence.
- 21 • Rand Henderson said he made a GRMA request, and we could not give it to him.
- 22 • Dan Hogan pointed out that some people like bigger lots, and some do not. He pointed out that  
23 developments like Grandview should have curb and gutter and a storm water retention plan, and  
24 those things should be addressed. Older areas clash with the subdivisions that have curb and  
25 gutter, storm retention drains, and sidewalks. Safety concerns should be in the older subdivisions,  
26 and the owners should have to pay for the improvements since they bought their land very cheap.  
27 Developers are required to make those improvements. He says they do have Spring Creek water  
28 and plenty of pressure and has been verified by the city.
- 29 • It was stated that we have major problems that need to be straightened out before we move too far  
30 in any direction.
- 31 • Dan Hogan said that he thinks he understands the market fairly well. He said that we should look  
32 at the cross section of the different kinds of people. Everyone should have the same privilege to  
33 choose what size of lots they want. He reminded everyone that the price of gas has increased the  
34 price of building as well as personal spending money. He challenged everyone to come in and see  
35 why land and money donated has not been used to beautify land around Von's Park. His closing  
36 comment was that when someone tries to micromanage development, it drives the cost up for  
37 everyone.
- 38 • Darcy McEvoy agreed that since costs have gone up so much, that in her opinion, small lots being  
39 built on should be close to highways. She stated that fewer people will go longer distances. She  
40 thinks it has to do with people's desires instead of wealth. She also said that water has not been  
41 dealt with satisfactorily.
- 42 • Brian Cannel, in the interest of Ralph Call, said that in the ordinance 11-3-2-5 requires that  
43 subdivision plat reflect all properties within 200 feet. Mr. Call's property is not reflected on this  
44 plat. He said we discussed with Mayor Simmons at length the inappropriateness of the policy of  
45 allowing subdivision approval to go before the zoning channel. Pending lawsuits have the ability  
46 to unwind on subdivision approval. Staff notes reference two lawsuits that would significantly  
47 affect the outcome. He said that to submit approval of the subdivision at this point would be to put

1 the cart before the horse until we rezone.

- 2 • Jordan Christiansen said that everyone has an agenda. Everyone has reasons and opinions that are  
3 valid. Poor people could not afford to live in that area, but it is more affordable than what a ½ acre  
4 lot would be. When you want someone to move by you in the same “class,” then you are  
5 separating people. There should be an intermix to create more stability. He said that at each  
6 meeting there are more attorneys. Pretty soon the citizens will be cut out of the loop altogether,  
7 and the attorneys will decide what happens to our community. He said that it is important for  
8 people to be tolerant of everyone. It would be nice if everyone could just work it out. He also  
9 stated that safety is a concern to everyone.
- 10 • B Sorensen closed the public hearing. The commission took a short recess.

11 Reconvened at 7:40

12 **Items for Recommendation:**

13 **Item No. 1 The Providence City Planning Commission will consider for recommendation a**  
14 **request by Dan Hogan for approval of a preliminary plat for The Cove; a residential**  
15 **subdivision containing 26 lots, located generally at 691 Grandview Drive.**

- 16 • Dan Turner presented preliminary plat. The facts are that County records show that Canyon View  
17 Estates lots averaged up are .404, or 4/10ths of an acre, except for two or three at the end.  
18 However, some lots are .27 and .33 acres. Edgewood Hall C’s lot size average at .32 acres.  
19 Edgewood Hall Ds’ lot size average is .32. Edgewood Hall A’s average size is .43 acres; however,  
20 other lots average .21 acres. It is all zoned as Family Traditional. Density is 3.24. S Bankhead  
21 said single family traditional zone is 3.75 net densities. He mentioned that originally the city  
22 asked if they could get another road, but they hit snags. The resubmittal was made the first part of  
23 June. Throughout that time the developer received numerous changes to it. Randy checked the  
24 pressure at the fire hydrant 74 psi static, 66 dynamic. Water pressure lower was 98 lbs static, 94  
25 dynamic. Another residence 75 psi. There is a 12-inch line that has pressure of 68 psi. The lower  
26 pressure could be attributed to less of a drop. Engineering sites distances were discussed and said  
27 to meet the requirements. Everything has been done that was required to do.
- 28 • J Beazer asked about the site distances.
- 29 • Dan Turner replied that per national 3.5 off the ground for stationary objects. Draw a high pier  
30 point 3.5 feet off the ground draw change. Stopping distance speed is based on speed based on  
31 traffic.
- 32 • J Beazer asked what he found for the number of feet from the .5 of the intersection to the 3.5 of the  
33 ridge.
- 34 • Dan Turner replied that they found the 3.5 difference has reduced visibility at the intersection  
35 going over the crest of the hill.
- 36 • J Beazer asked how far the crest of the hill is from the intersection.
- 37 • Dan Turner replied that it is 400 feet. There is a blind intersection from Grandview to Foothill.  
38 The grade starts out at 4 percent the first 100 feet which is code and goes to 15 percent for possible  
39 130 feet. Center Street is 14 percent until it gets to Sherwood. The rest is 8 percent. The state  
40 allows 18 percent for short distances. Eck Hill is 24 percent.
- 41 • B Bagley asked if fill was going to be brought in.
- 42 • Dan Turner said yes because it is way too steep right now. He understands the concern about  
43 traffic, but asked how much responsibility should go to the people who live there. It passes all the  
44 required ordinances.
- 45 • J Mock stated that the steepness ends on the curve.
- 46 • J Beazer suggested that getting up and around the corner would be a 15 percent grade. The  
47 entrance and exit has to be where it is because of the surrounding land.

- 1 • B Sorensen voiced his concern about snow because of the cul-de-sac. He compared it to the
- 2 Sherwood development and stated that The Cove would be one of the last plowed.
- 3 • B Bagley asked if this was a school bus zone and if kids will be standing on the road while waiting
- 4 for the bus.
- 5 • It was noted that the children do get bussed to school from that area.
- 6 • J Beazer asked Larry Tanaka if he would allow kids to walk through his property to catch the bus,
- 7 or if the old trail will still be there.
- 8 • Larry Tanaka replied that the title deed says the owner of that property has a right to cross Larry
- 9 Tanaka's to get to his. That was based on agricultural, not subdivisions.
- 10 • J Beazer asked if Larry would put up a no trespassing sign.
- 11 • Larry Tanaka replied that it is private property.
- 12 • B Bagley asked again if there were going to be kids standing at the top of the road waiting to
- 13 catch the bus.
- 14 • S Bankhead stated that it was up to the county school district. The City has not addressed it
- 15 because it is not in their ordinance that they have to review where bus stops are going to be.
- 16 • B Sorensen stated that it was a school district issue that needed to be resolved, but the city should
- 17 help resolve it.
- 18 • Dan Hogan stated that most people slow down when they know there is a bus stop, and that most
- 19 parents who are concerned take their children to school. Maybe there should be signs indicating a
- 20 bus stop is near.
- 21 • B Sorensen stated most people are going to slow down when they see a bus. Their chances of
- 22 stopping are going to be enhanced. An accident could happen, but it isn't a big issue because most
- 23 people are careful around busses and bus stops.
- 24 • It was stated that most people who live on that hill go down the other way, and that traffic isn't
- 25 nearly as bad as other places.
- 26 • J Beazer stated that a bus would not stop at the top of the road to the subdivision.
- 27 • B Bagley found the Master Plan for Providence City and read from it. He touched on how
- 28 transportation is one of the main things addressed. He said he studied this subject and found that
- 29 this topic is one of the main things municipalities fail to plan for. He gave a classic example as the
- 30 north bench. He said that we are in a gridlock now. He also stated that one of the current
- 31 concerns when the plan was written was Canyon Road. He read that roads were narrow with little
- 32 improvement. He stated that Canyon Road should again be considered for improvement, and
- 33 creative planning is needed to anticipate transportation needs in advance for new developed areas.
- 34 • Dan Hogan said that Canyon Road is a city road. Developers have to put sidewalk and curb and
- 35 gutter in, but individual builders do not have to. He said that the city should follow through. He
- 36 said it is the same with Larry Tanaka's property. He said that for two years they tried to work out
- 37 this problem and got one little triangle in the gravel in the road that goes across Larry's property,
- 38 but there is right-of-way that they can actually drive down Larry's driveway. The right of way was
- 39 on the deed three people before Larry. He said that when a development comes in, we have to stop
- 40 it because the road is inferior, but when somebody builds on three acres, that is okay. He asked if
- 41 anyone looked at those issues when the church came in. He stated that Brent Speth sent a letter,
- 42 which is in the file, concerning these issues and were never addressed.
- 43 • B Bagley agreed and stated that the roads are in terrible condition.
- 44 • Dan Hogan stated that most of the roads are seal coated that the government paid for 50 years ago.
- 45 • B Bagley said that it was good-old-boy planning, and that nobody knew what was going to happen
- 46 to a road. The fact remains, though, that this development is going to impact Canyon Road.
- 47 • Dan Hogan said he protested that this year. He said he spent \$100 and turned it into the variance

1 committee, and it was passed off. In fact, it is an illegal subdivision. He said that all the scrutiny  
2 in the world is put on this development, but it is okay for someone who buys land from grandpa to  
3 build.

- 4 • B Bagley said that two wrongs do not make a right.
- 5 • Dan Hogan asked who was going to pay for it.
- 6 • B Bagley stated that he wondered about the City and staff and who enforces the laws. He asked if  
7 the City used our impact fees.
- 8 • S Bankhead said the city does use the impact fees. There have been planning commissions who  
9 have worked diligently to put master plans together, and we do have a transportation plan. She  
10 stated that the city works diligently. The city works with a private consultant, and that it is a  
11 revolving document and that we improve on it. She stated that she has seen previous commissions  
12 put their heart and souls into planning, have and put hours and hours in planning it, and that  
13 planning is still being done. She said that not everyone will agree with the way it was planned.  
14 She said that, "I think that you are selling the city a little bit short, and yes I'm being defensive. I  
15 take it to heart because I've lived here a long time, and I have seen people put a lot of blood,  
16 sweat, and tears what has developed into this community." We have an excellent water system.  
17 We have an excellent sewer system. We're working to improve the roads. It takes time and it  
18 takes money."
- 19 • B Bagley said he meant it started out as a quarry road and that was what it was used for. He  
20 explained the logic that existed before. He also asked what's going to be here in 25 years.
- 21 • Dan Hogan said he thinks all the new moneys and fees will come from new development, and that  
22 he pays more than what they will get back. He thinks it will be nice to have 200,000 of retail  
23 space, and that the city will have more tax base to spend where it is needed.
- 24 • B Bagley asked S Bankhead what the impact fees are used for.
- 25 • S Bankhead replied that it is used for growth related capital projects, not operation and  
26 maintenance. A proportionate share can be to improve existing areas, but not the entire project  
27 because some should come out of monies put aside for upkeep. She said the monies are utilized as  
28 quickly as possible as soon as there is enough to complete a project.
- 29 • B Bagley asked if impact fees can be used to improve Canyon Road.
- 30 • S Bankhead replied that some of it could.
- 31 • J Beazer stated that impact fees will not support the City, but it will help, and that impact fees do  
32 not fund entire cities. Sales tax will help, but other than that, we will see business as usual.
- 33 • B Sorensen asked Dan Turner if he finished what he wanted to say.
- 34 • Dan Turner said that from an engineering standpoint, he thinks that they have met all the  
35 requirements. He said that other issues are involved with this request, but it is not part of the equal  
36 process.
- 37 • J Beazer agreed and stated that there is a gray area in the master plan, and that we should be able  
38 to handle this subdivision.
- 39 • Dan Turner stated that he believes that if the City had a good master plan in place to improve  
40 Grandview and Canyon Road, someone will find another reason to not want it.
- 41 • B Bagley stated that no person stated they were against growth.
- 42 • Dan Turner asked how he knew that just because they say it, that they do not mean something else.
- 43 • J Mock stated that if the concerns are whittled down to where these conditions are met, just a few  
44 will hold out, and the resistance will be less. He said that if the city would meet with the citizens  
45 of the neighborhood beforehand, things would be easier at this stage.
- 46 • Dan Hogan stated that they tried everything with Larry Tanaka.
- 47 • J Mock stated that it is unfortunate that the one place Dan really needed it didn't come through.



- 1 He stated that it is unfortunate that cul-de-sacs were not left open.
- 2 • J Beazer stated that the subdivision to the west is the same, only a little safer access. Lot sizes are
- 3 the same averages. He said he agreed with Dan that some people would not be happy no matter
- 4 what. He said his concern is the safety of the access. He stated that he is not a proponent, but
- 5 because of living where he does, it concerns him. Intersections at the bottom of Grandview make
- 6 it impossible to see up the canyon. He has issues with safety. He thinks the intersection at Ralph
- 7 Call's house needs to be addressed, and that he said he doesn't believe in sprawl.
- 8 • B Bagley asked S Bankhead about 10-9-8-208 to vacate, alter, or vacate plat. He asked if it was a
- 9 published notice each week. He also asked if the street was altered by putting a road there.
- 10 • Scott Wyatt said that the statute does not apply.
- 11 • B Sorensen asked if there was more to be said. He stated that this is a hard decision to make. He
- 12 talked about some of the conditions. He asked if everyone was ready to make a recommendation
- 13 • Dan Turner explained where the water was going to be put in.
- 14 • J Beazer stated another concern addressed to Scott Wyatt, showing all buildings, and structures
- 15 within 200 feet of the property.
- 16 • S Wyatt says the Planning Commission can decide on what they want to do.
- 17 • B Bagley asked if Millville, the phone companies, Questar, and Utah Power been notified about
- 18 this hearing. He also asked if the city has a letter that verifies that all taxes have been paid on this
- 19 property.
- 20 • J Beazer asked if the council requires that from everybody.
- 21 • Dan Hogan stated that the city has a preliminary title report from him, and that it has been
- 22 surveyed.
- 23 • Dan Turner stated that the city has four different copies of the plat and showed the committee.
- 24 • B Sorensen stated that Scott Wyatt has recommended that 200 feet be put on the plot plan and
- 25 turned in. In the meantime, some of the things that concern Bill can be put on there so that we can
- 26 proceed and take a vote.
- 27 • J Beazer recommended that the vote be postponed at this time until all the things discussed were
- 28 added to the plans and met all the city requirements. He stated that Canyon Road needs to be
- 29 developed, but that is not part of the process here. He stated that there was not any concern voiced
- 30 during the development of the Wilkes subdivision or Grandview, but he wants to wait to make
- 31 sure everything is finalized.
- 32 • D Hogan said he was prepared to be here on August 1<sup>st</sup>, but that no meeting was held. He also
- 33 asked Bill for a list of whatever the council has for him to do. He stated that he has done
- 34 everything the staff and the ordinance required, and each time he comes to this meeting, he gets
- 35 told to do more.
- 36 • B Bagley stated that he wanted to see a signed plat with people within 200 feet identified and
- 37 signatures filled out as required.
- 38 • D Turner stated that he has a surveyor's signature.
- 39 • B Bagley stated that he doesn't know if this surveyor is licensed. All he has is the date received,
- 40 July 24<sup>th</sup>. He has 22 days after that time for the next meeting. Within that time he wants any tax
- 41 liens, he knows the developer and wants to know who the real owners are. He asked if anyone
- 42 knew where the utility lines are to go.
- 43 • Dan Turner said it was only fair for them if the commission made a decision next time.
- 44 • S Bankhead said that this plat has conditions on it. The staff missed the 200 feet and it has been
- 45 fixed. The City Engineer is not going to sign this plat until the conditions are met. She stated that
- 46 if the commission wanted to impose conditions, fine, but the engineer shouldn't sign this until
- 47 ALL conditions are met.

- 1 • D Turner asked if everyone has to meet these conditions.
- 2 • B Bagley said that the utilities, surveyor's signature, and the letter of tax lien, has not been given
- 3 to the commission.
- 4 • S Bankhead stated that if the commission wants all that information, the city will start giving it to
- 5 them. She said that in the past, we have not been asked for this information.
- 6 • Scott Wyatt asked where it said the city engineer needs to sign the plat.
- 7 • D Turner said that he has talked to the city about this numerous times, and that Providence City is
- 8 the only city who does not require a signature from the engineer on the preliminary plat. It is only
- 9 required on the final plat plan. He said he did it just because it is safe.
- 10 • D Hogan stated that he hand carried a signed surveyed copy to Skarlet Bankhead.
- 11 • B Sorensen stated that it will be addressed on the September 5, 2006 meeting for a motion.
- 12 • Dan Turner asked if there can be a vote in the next meeting.
- 13 • J Beazer replied "sure," and B Sorensen said there could. J. Beazer also stated that the I's need to
- 14 be dotted or fuel could be provided for a future lawsuit.
- 15 • B Sorensen added that it will not be postponed again.
- 16 • B Bagley brought ordinance 10-9-a-207 to the attention of the commission.
- 17 • Scott Wyatt pointed out that this is not a multi-unit.

18 Motion to grant a request by Dan Hogan for the approval of a preliminary plat for The Cove; a  
 19 residential subdivision containing 26 lots, located generally at 691 Grandview Drive, to be postponed  
 20 until the next meeting to be held September 5<sup>th</sup>2006. J Beazer, second J Mock, all in favor.

21 **Item No. 2 The Providence City Planning Commission will consider a request by Cameron**  
 22 **Curtis for Concept Plan approval for a two lot subdivision, which includes inner block**  
 23 **development, in the Lot Downsize Overlay zone for the 155 South Main Lot Split located**  
 24 **generally at 155 South Main.**

- 25 • B Sorensen presented the request. He said we do not have to like it, but we have to deal with it.
- 26 He stated that page 2 of 13 has general criteria and conditions which deal directly with this.
- 27 • J Beazer stated that he hated inner block developments, but is glad to have opportunities to make
- 28 suggestions. He expressed that the building setbacks be decided upon. He also proposed that
- 29 homes be single level, not be given the same setbacks, and should be further away from neighbors.
- 30 • Stacie Gomm said the Planning Commission dropped the ball on this.
- 31 • J Mock asked if we were sure of the existing setbacks.
- 32 • J Beazer stated that the shed in the corner is off by 10 feet and will need to be torn down or
- 33 moved.
- 34 • The lot grade and boundaries were discussed.
- 35 • J Beazer stated that a two-story house will ruin the surrounding homes' view.
- 36 • It was discussed that the council has some leeway, but can't destroy the overlay zone. There is a
- 37 20-foot frontage.
- 38 • S Wyatt stated that with anything you require, you need to show what is unique about this
- 39 development that requires a change. It may be hard to enforce.
- 40 • J Beazer stated that the council can adjust building mass and location.
- 41 • Scott Wyatt said make sure decisions are justified.
- 42 • J Beazer stated that item G stated they could change mass and location.
- 43 • An emergency driveway was discussed. A turnaround was provided for earlier.
- 44 • B Sorensen suggested that a circular driveway be provided for.
- 45 • J Beazer that a 30-foot driveway should be a minimum.
- 46 • Dimensions were discussed.

- 1 • It was decided that the house be centrally located with a circular driveway.
- 2 • B Bagley said they were bound to approve it, but asked Scott Wyatt's opinion.
- 3 • Scott Wyatt said it needs to be approved unless there is a major reason, such as entering at an
- 4 intersection.
- 5 • The council discussed using unobtrusive outdoor lighting.
- 6 • J Mock asked about the sewer
- 7 • S Bankhead said the sewer went to Main Street.
- 8 • B Bagley suggested that the home be compatible to land use or physical features of the area.
- 9 • J Beazer brought up concerns about the grade and about diminishing neighbor's privacy.
- 10 • J Mock suggested that the house be "tweaked" to fit the lot.
- 11 • S Bankhead suggested that the fire chief sign the requirements for a turnaround lane before
- 12 anything is signed off.
- 13 • The commission discussed how inner block development ordinance may be changed.

14 The commission decided that the request for conditions should be as follows:

- 15 • Some type of turn-around or circular drive must be put in that expedites vehicle access for an
- 16 emergency lane as approved by the Fire Marshall.
- 17 • The home must match the demeanor of the homes in that area and must be single level
- 18 (reference to Providence City Code 10-1).
- 19 • Homes should have 1800 square feet main floor living space.
- 20 • Building location must be central to lot and tweaked if necessary.
- 21 • No fence will be installed without the neighbor's written permission.
- 22 • Parking will not be allowed on the lane to be used as an emergency exit.
- 23 • Provide that any runoff will not affect neighbors.
- 24 • Outside light source must not project into neighbor's windows. No lights such as spots,
- 25 floods, or security lights will be permitted.
- 26 • A minimum of 20 foot side setbacks with a 30/20 split front and back minimum are required.
- 27 • Sheds have a 5 foot setback from the property line and should be no bigger than 25 percent of
- 28 the yard.
- 29 • B Sorensen said that this was a request for conditions and that no vote was necessary.
- 30 The planning commissioners and Stacie Gomm discussed placing a moratorium on
- 31 inner block development.
- 32 • Scott Wyatt said there were two ways to stop inner block development. They are: 1. A
- 33 moratorium, 2. A pending ordinance removal. If there is a public proposal on the agenda
- 34 for the city council and published to the world that we are considering doing away with
- 35 inner block development. Anybody, so long as we continue through that proposal, cannot
- 36 file for inner block development. This can be used on any type of zoning. If the pending
- 37 ordinance is being modified for a requirement for a particular kind of development, or just
- 38 modifying part of it, applications can be put on hold until a decision is made.
- 39 • Stacie Gomm said that on August 1<sup>st</sup> the planning commission voted to recommend that
- 40 inner block development be eliminated. The article appeared in the Herald Journal.
- 41 • Scott Wyatt recommended that the City Council should sanction it.
- 42 • Stacie Gomm asked if S. Bankhead should notify Cameron Curtis that the concept plan
- 43 may not be considered because of a pending ordinance change.
- 44 • S Wyatt said no, and that it will not affect this request since it was applied for in April.
- 45 • J Mock stated that he has filled out a form and turned it in, and submitted it as a member of
- 46 the Planning Commission for removal. He asked if the discussion during the public hearing

1 was part of the process. He asked if it will go into the record as a form of this pending change.  
2 • Scott Wyatt said yes.  
3 • S Bankhead stated that Mark Teuscher is supposed to be putting something together.  
4 • The Heritage Committee had recommended a 95 percent vote. The planning commission had  
5 two items for the City Council to look at; the overlay and the downsizing, and no City Council  
6 meeting was held last week so it will be on the upcoming meeting.  
7  
8

9 **Item No. 3 The Providence City Planning Commission will consider for recommendation an**  
10 **amendment adding Pad 110 to the Alder Square Commercial Subdivision – Phase 1 requested by**  
11 **Amsource Providence, LLC - Carl H. Pitt, located generally at 50 North Highway 165.**

12 Sorensen presented the item and said he didn't see any reason to object to it.  
13 Motion to approve the recommendation for an amendment adding Pad 110 to the Alder Square  
14 Commercial Subdivision – Phase I, having been requested by Amsource Providence, LLC, located  
15 generally at 50 North Highway 165 be approved- B Bagley, second -L Campbell, all in favor.  
16

17 Skarlet Bankhead  
18 City Administrator/Recorder  
19 Minutes taken and prepared by Skarlet Bankhead.  
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21  
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23 \_\_\_\_\_  
24 Blaine Sorensen, Chair  
25  
26

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Skarlet Bankhead  
City Administrator/Recorder