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PROVIDENCE CITY PLANNING COMMISSION MINUTES
September 24, 2008, 6:00 p.m.
Providence City Office Building
15 South Main, Providence, UT 84332

ATTENDANCE: **Chairman:** **L Campbell**
 Commissioners: **D Briel, G Busch, H Ames**
 Excused: **W Wimmer**
 Alternates:
 Staff: **Skarlet Bankhead, City Administrator/Recorder**
 Terri Lewis, Secretary

ACTION ITEMS:

Item No. 1. The Providence City Planning Commission will consider for approval the minutes of August 27, 2008.

Motion to approve: H Ames, G Busch second

Pg 1 – Line 35 - W Wimmer asked about a sexually oriented business.

Line 53 - change—ordinances help them manage that problem.

Motion to approve with corrections:

Vote: Yea: D Briel, H Ames, L Campbell, G Busch

Nay: None

Abstained: None

Excused: W Wimmer

PUBLIC HEARING: The Providence City Planning Commission will hold a public hearing to receive public comment on an ordinance amending Providence City Code 10-1-4 Definitions, by adding a definition for Adult Oriented Business; 10-3-5 Conditional Use Permits by adding standards.

Motion to open for discussion: D Briel, G Busch second

H Ames said we are adding definitions and standards. These two things we have discussed over and over again.

Motion to close public hearing: H Ames, D Briel second

Vote: Yea: D Briel, G Busch, H Ames, L Campbell

Nay: None

Abstained: None

Excused: W Wimmer

ACTION ITEMS CONTINUED:

Item No. 2. The Providence City Planning Commission will consider a recommendation to the Providence City Council to approve an ordinance amending Providence City Code 10-1-4 Definitions, by adding a definition for Adult Oriented Business; 10-3-5 Conditional Use Permits, by adding standards.

Motion to recommend to the City Council to approve the Ordinance amending Providence City Code 10-1-4

Definitions, by adding a definition for Adult Oriented Business; 10-3-5 Conditional Use Permits, by adding standards.

H Ames, G Busch second

Vote: Yea: D Briel, G Busch, H Ames, L Campbell

Nay:

Abstained:

Excused: W Wimmer

Item No. 3. The Providence City Planning Commission will consider for approval the Final Plat for the 1st Amended Nelson Minor Subdivision located generally at 1145 South 400 East.

Motion to approve the final plat: G Busch, H Ames second

L Campbell asked why there were 2 lot #1's.

S Bankhead said one of the 1's is the 1st amended final plat.

G Busch asked when the Engineer and Public Works Director sign the plat.

S Bankhead said after they approve the construction drawings. They have to be signed before it can be recorded.

Vote: Yea: D Briel, G Busch, H Ames, L Campbell

Nay:

Abstained:

Excused: W Wimmer

1 **STUDY ITEM:**
2 **Item No. 1.** The Providence City Planning Commission will discuss a request from Jack Nixon for Preliminary Plat
3 approval for the Eagle View Estates Phase II Subdivision located generally at Eagle View Drive and Sherwood Drive.
4 J Nixon said this is the second phase of Eagle View Estates which consist of 7 lots. Three years ago we thought this was
5 approved. There was a road that was listed on the subdivision as a public road. The grade was to steep. We changed it to
6 a private lane. He asked Skarlet to finish.
7 S Bankhead said Mr. Nixon removed 1 lot making it 7. The grade was to steep for 8 lots. They have a private lane that
8 has 2 homes on it. A private driveway does not have to have the same grade as a street.
9 H Ames asked if the hammer head only served 2 lots.
10 S Bankhead said yes lots 5 and 6.
11 H Ames said 4 and 7 come off of Eagle View Drive.
12 S Bankhead said there will be restrictions on the final plat. When they come in for building permits we will make sure
13 they have no access on to those streets. The owners of 5 & 6 will probably not allow access to their private driveway.
14 H Ames asked if it sloped up or down looking south.
15 S Bankhead said Eagle View drive has a relatively steep slope from east to west. The problem is making Eagle View
16 drive level out for a road to come in.
17 H Ames asked if Eagle view drive extends to the right hand border at the turnaround.
18 S Bankhead said yes, we could do a driveway but not a road.
19 H Ames asked if the hammer head is less sloping. Lengthwise it is reasonable. We assume that is worked out by the
20 engineer.
21 S Bankhead said those problems will be worked out on the construction drawings.
22 H Ames asked if the temporary turnaround is a fire issue.
23 S Bankhead said fire, garbage; all of those are an issue.
24 H Ames asked who will take care of the turnaround.
25 S Bankhead said the asphalt portion will be the same as a City street.
26 D Briel asked if we had a picture that shows where the road will eventually go.
27 S Bankhead said that we hope to have a road somewhere in the neighborhood of Canyon road and Grandview. It will go
28 to Eagle view Drive. When the 2nd phase of Sage Crest is done Sherwood drive will be connected.
29 L Campbell said the retention pond isn't shown in the developed area. Is that part of the parcel?
30 S Bankhead said no. That detention pond was designed as part of phase 1. When those 7 lots come on the water will go
31 into that pond. We do call it out in this phase to show it.
32 G Busch asked who would be responsible for Sherwood drive.
33 S Bankhead said Eagle View will be responsible for their subdivision. Then Sage Crest will finish it.
34 H Ames asked if Eagle View drive would be a dead end.
35 S Bankhead said what is not shown is the temporary turn-around.
36 G Busch asked how the power lines will be dealt with.
37 D Turner said they have been working with Rocky Mountain power for the easements and set backs. The trail will go to
38 the far east of the power lines. East of lots 3, 4 and 5.
39 D Briel asked if anyone would build their houses between 2 sets of power lines.
40 D Turner said yes they do.
41 H Ames asked if they were the big double power poles. All you have is power lines hanging over your property.
42 G Busch asked if the City had any ordinances on power lines.
43 S Bankhead said the City lets the power company deal with that.
44 G Busch asked about the trail.
45 L Campbell asked about a homeowners association. The trail going in is just for this development.
46 S Bankhead said Dan Hogan and Jamie Gull intend it to connect and the Highlands also has a trail that we would like to
47 connect to.
48 D Turner said we showed it as far east as we could but it could wiggle around before it is done.
49 S Bankhead said it will continue as development occurs.
50 G Busch asked if it was a different trail than the deer fence trail.
51 S Bankhead said yes.
52 H Ames asked about lots 5 & 6 fire access. What happens if they don't keep the access open in the winter?
53 S Bankhead said the same thing that happens when you don't clean your driveway.
54 S Bankhead asked if J Nixon would add on the plat that 5 & 6 would be responsible for their private lane.
55 J Nixon said that would not be a problem. We have done this before on 650 East off of Center Street. We haven't had a
56 single problem with it. We notify the buyer at point of sell that they are required to take care of it.
57 H Ames said as long as the owners know that the City will not be plowing the lane.
58 H Ames asked about the slopes.

1 D Turner said the road will be level.
2 H Ames said there are no conditions listed on the DRC report.
3 S Bankhead said before it is approved we will have the letter of water, etc. They have done their part. Now you need to
4 schedule it for public hearing.
5 L Campbell asked about secondary water requirements.
6 S Bankhead said that the City has talked to Mr. Nixon and he is not apposed to that.
7 J Nixon said that he actually has secondary water in his other subdivisions. He believes that it is a great thing. People
8 love it. He would have liked for the City to do it years ago.
9 S Bankhead said you have to see if there is a water company that will be able to take care of them. The problem is being
10 able to deliver the water.
11 H Ames asked if we needed a new ordinance to require developers to use secondary water.
12 S Bankhead said Craig Call is working on that.
13 G Busch asked about the utility companies providing a time line or fee schedule.
14 D Turner said the utility companies won't do that.
15 S Bankhead said they do recognize the subdivision.
16 Motion to approve the preliminary plat be scheduled for a public hearing on October 8, 2008. H Ames, G Busch
17 second.

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19 **STAFF AND COMMISSION REPORTS:**

20 L Campbell asked if the City had heard anything from Sage Crest.
21 S Bankhead said Craig Carlston sent them a letter that states the 3 conditions that the Planning Commission asked them
22 to address.
23 L Campbell asked if those who attended the ULCT Conference had any thing to report.
24 G Busch said that he enjoyed the conference very much.
25 D Briel said he went to a class on impact fees.
26 S Bankhead said we would work on the impact fee analysis.
27 H Ames asked if we got past the Macey's problems on their sign.
28 S Bankhead said Council did make them tone down their brightness. They changed the lights under the gas pumps.
29 They did try to tone it down as much as they could.
30 H Ames said he is still concerned about the ugly corner with the concrete blocks and the weeds.
31 L Campbell asked if we could require them to do something with those kinds of problems.
32 S Bankhead said we do not have a landscaping requirement if they haven't finished the subdivision.
33 L Campbell said we need to come up with some requirements to make them deal with those issues.
34 S Bankhead said we do have an outstanding construction bond with them. We are talking to them about fixing the
35 access where the telephone boxes are. We are asking them to put back the curb and gutter.
36 L Campbell said they put the curb and gutter in for the bank, what happened to it.
37 H Ames said he is willing to give someone 3 or 4 years but after that they need to have some kind of landscaping
38 requirements.
39 L Campbell asked what the ordinance is for homes being landscaped.
40 S Bankhead said we don't have an ordinance on that.
41 H Ames feels like Macey's doesn't give a hoot on the way the property looks.
42 S Bankhead said the City Council approved the vacation of the Mike Rutledge property. Their surveyor made a mistake
43 so the Council fixed that. They also approved an ordinance to approve OHV use on the city streets. All City streets
44 except State road 238 and Hwy. 165. All other roads they can drive on for general OHV use. They have to be a licensed
45 driver or be with an adult over the age of 18.
46 L Campbell asked why the City Council approve this.
47 S Bankhead said there was no one at the meeting that was against it. We have had a lot of request over the past several
48 years. With the price of gas going up we have had even more request. The state law requires them to be registered. We
49 also require them to have insurance.
50 H Ames said he feels like this will be a real problem down the road.
51 L Campbell said it really surprises him that the Council approved this. It really surprises him that there was no
52 opposition.
53 H Ames said he is frustrated that the State has different rules for motorcycles and OHV's.
54 S Bankhead said if you are on a dirt bike it has to be street legal and you have to have a license.
55 L Campbell asked if we would be notifying the sheriff's office on this change.
56 S Bankhead said that we have notified the sheriff's office and they will be watching for it.
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1 Motion to adjourn: D Briel, H Ames second
2 Vote: Yea: G Busch, L Campbell, H Ames, D Briel
3 Nay: None.
4 Abstained: None.
5 Excused: W Wimmer
6

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8 _____
9 Lance Campbell, Chairman
10 Meeting adjourned at 7:10 p.m.
Minutes taken and prepared by Terri Lewis

_____ Terri Lewis, Secretary