

1 **Providence City Planning Commission Minutes**
2 **Providence City Office Building,**
3 **164 North Gateway Drive,**
4 **Providence UT 84332**
5 **October 23, 2019 6:00 p.m.**

6
7
8 **Call to Order:** Gary Sonntag, Chair

9 **Roll Call of Commission Members:** Gary Sonntag, Chair

10 **Attendance:** Kathleen Alder (voting alternate), Rowan Cecil, Ruth Ann Holloway, Bob Perry, Gary Sonntag

11 **Pledge of Allegiance:** Bob Perry

12
13 **Approval of the Minutes:**

14 **Item No. 1.** The Planning Commission will consider approval of the minutes for October 9, 2019.

15 **Motion to approve the minutes of October 9: — R Cecil, second — B Perry**

16 **Vote:**

17 **Yea:** K Alder, R Cecil, R Holloway, B Perry, G Sonntag

18 **Nay:**

19 **Abstained:**

20 **Excused:** L Banda

21 **Comments:**

- 22 • R Holloway approves the part that she was here for.

23
24 **Public Comments:** Citizens may appear before the Planning Commission to express their views on issues within
25 the City's jurisdiction. Comments will be addressed to the Commission. Remarks are limited to 3 minutes per
26 person. The total time allotted to public comment is 21 minutes. Persons wishing to address the Commission
27 during Public Comments should sign on the public comment sign-in sheet located at the entry to the meeting
28 room.

- 29 • Heather Hansen of Providence came to say thank you for the subdivision that has been approved on the
30 corner of 100 North and 200 West. She represents many of her neighbors as well. They are grateful for
31 how it turned out.

32
33 **Public Hearing(s):** Remarks during the hearing are limited to 5 minutes per person. The total time allotted to
34 hearing comment is 50 minutes. Persons wishing to address the Commission during public hearing should sign on
35 the sign-in sheet for the public hearing located at the entry to the meeting room. You may also email comments to
36 the City Recorder, sbankhead@providence.utah.gov by 2:00 PM the day of the meeting. By law, email comments
37 are considered public record and will be shared with all parties involved, including the Planning Commission and
38 the applicant.

39
40 **Public Hearing(s):** None

41
42 **Action Item(s):**

43 **Action Item Note:** Should the Planning Commission not be able to make a decision or take exception to an Action
44 Item(s), then that item will be tabled and revert back to a study category. The applicant will have 15 minutes to
45 introduce and make a brief presentation.

46
47 **Item No 1. Final Plat – Jensen Farm Subdivision:** The Providence Planning Commission will consider for approval a
48 final plat for the Jensen Farm Subdivision, a 5-lot residential subdivision in a single-family traditional district,
49 located in the general area of 196 W 100 N, Providence UT.

50 **Motion to approve the final plat of the Jensen Farm Subdivision based on the findings of fact, conclusions of law,**
51 **and conditions in the staff report: — K Alder, second — R Cecil**

52 **Vote:**

53 **Yea:** K Alder, R Cecil, R Holloway, B Perry, G Sonntag

54 **Nay:**

55 **Abstained:**

56 **Excused: L Banda**

57 Discussion:

- 58 • D Macfarlane explained that there was an issue with access on the county road. It has been worked out.
59 In their last meeting, the county voted 4-3 to allow access. He thanked the Mayor and S Bankhead for
60 pushing the county towards this outcome.
- 61 • D Macfarlane asked G Sonntag if the layout of a roundabout he sent him was what he was looking for. G
62 Sonntag said that it was.
- 63 • S Bankhead said that staff has discussed the proposed roundabout [at 100 North and 200 West]. It is on
64 the transportation plan. However, we feel that it is premature to look at property acquisition at this time.
65 We are looking at other strategies to relieve congestion at that intersection. We are currently having a
66 traffic analysis and plan put together. We would like to wait for that. Also, the intersection, although it
67 does get busy at times, is still a very functional intersection. M Pierce, the city engineer, felt that it is
68 premature to decide about a roundabout at this time.
- 69 • S Bankhead read from the staff report.
- 70 • S Bankhead explained the note on the final plat about Lot 2. The lot has some outbuildings on it. Our code
71 does not allow for outbuildings to be alone on a lot. The owner must commence construction of a home
72 that incorporates the structures within 18 months of the recording of the plat, or the structures must be
73 demolished.
- 74 • S Bankhead explained that the owners of lots 2, 3, 4 and 5 will be required to install the quantity of storm
75 water storage listed in the storm water storage table.
- 76 • R Cecil asked about the potential roundabout and how it would impact Lot 1. D Macfarlane said that even
77 if it went in, it would not impact any structure. There is a house on that lot already that is about 50 ft
78 back. It would take a small corner of the property.
- 79 • Mayor Drew said that our county representative and county CEO Craig Butters said that they would
80 recommend to the County Council that this be approved. The county was trying to use this development
81 as a wedge to force all cities in Cache Valley to take ownership of county roads. Mayor Drew said that
82 County Council meetings are on the same day as our City Council meetings. This is why there is a
83 recommendation that Planning Commission switch its meeting days with City Council so that someone on
84 the City Council can attend County Council and participate in discussion on issues like this.

85

86 **Action Item No. 2. Proposed Code Amendment:** The Providence Planning Commission will consider for
87 recommendation to the City Council proposed code amendments to Providence City Code Title 10 Zoning
88 Regulations–Chapter 3–Section 6, by adding the information required with an annexation petition.

89 **Motion to recommend to the City Council to make code amendments to Providence City Code Title 10 Chapter 3**
90 **Section 6, by adding the information required with an annexation petition: — R Cecil, second — R Holloway**

91 **Yea: K Alder, R Cecil, R Holloway, B Perry, G Sonntag**

92 **Nay:**

93 **Abstained:**

94 **Excused: L Banda**

95 Discussion:

- 96 • S Bankhead said that she reviewed the language with the city attorney about requiring information about
97 the development plan. He was fine with it.

98

99 **Action Item No. 3. Proposed Meeting Day Change:** The Providence Planning Commission will consider changing
100 the regular meeting day to the second or fourth Tuesday of the month.

101 **Motion to table the item until the next meeting: — R Cecil, second — B Perry**

102 **Vote:**

103 **Yea: K Alder, R Cecil, R Holloway, B Perry, G Sonntag**

104 **Nay:**

105 **Abstained:**

106 **Excused: L Banda**

107 **Comments:**

- 108 • R Cecil said that he likes the idea because we could pass something on Tuesday and have the City Council
- 109 approve it the next day.
- 110 • K Alder agreed. She felt that it was unfortunate to have people wait two weeks between the Planning
- 111 Commission and City Council for action to be taken.
- 112 • G Sonntag said that he understand why this is being suggested. However, Wednesdays has worked well
- 113 for the Commission. G Sonntag asked if there are always issues that are relevant to Providence on the
- 114 County Council Agenda.
- 115 • Mayor Drew said that there are not always issues directly relevant to Providence. But there are often
- 116 general county policies that affect the whole county that we would like to have a voice on. Mayor Drew
- 117 said he will probably be the City's representative. Sometimes when an issue like the Jensen Farm
- 118 subdivision comes up, we only find out after the fact. We don't want to be in that position.
- 119 • G Sonntag asked if the Jensen Farm issue was on the County Council agenda so that we could know about
- 120 it beforehand. Mayor Drew said that it was, but we have never had the county turn down access to a
- 121 county road in the past. It didn't raise any alarm bells when we saw it on the agenda.
- 122 • Mayor Drew said that we have sometimes had other issues with the county, such as lack of vision, lack of
- 123 forward thinking, and lack of communication. Our County Council representative whom we elected only
- 124 talked to us once in 6 years.
- 125 • G Sonntag said that we could also switch the weeks that we meet so that they are different from the
- 126 weeks the County Council meets.
- 127 • B Perry asked if changing the day of the week of the meeting would be a hardship for any member of the
- 128 commission who is not here tonight. G Sonntag said that it would be hard for J Paulsen.
- 129 • R Holloway said that she works Tuesday and Thursday nights. She could change her work schedule by
- 130 January.
- 131 • S Bankhead explained that the City Council voted to continue this item until January so that those who are
- 132 elected could weigh in. She said that there are some complications with having the Commission
- 133 recommend an item and then have the City Council vote on something the next day. The City Council
- 134 agenda will have to go out prior to the Planning Commission meeting, so on the City Council agenda, it
- 135 will look like the Planning Commission already made their decision. However, if the Commission chooses
- 136 to continue an item, we can always pass that information on to the City Council and request that they not
- 137 consider the item that day.
- 138 • G Sonntag felt that we shouldn't use the ability to vote on something the next day as a reason to make
- 139 this change. It won't always work. He felt that the decision comes down to having representation on the
- 140 County Council. He felt that there is an advantage to waiting to make this change until the first of the
- 141 year.
- 142 • R Holloway said that she schedules clients three months in advance. If she knew early enough about the
- 143 change, she could make the change work.
- 144 • G Sonntag said that we could make the change soon, but make it effective January 1st. That way R
- 145 Holloway could be prepared. We could table this until the next meeting so that other commission
- 146 members can be present, and then make a decision that will go into effect on January 1st.

147
148 **Study Items(s):**

149 **Item No. 1. Proposed Rezone:** Danny Macfarlane, agent for DLMAC LLC, is requesting a zone change for Parcel No.

150 02-162-0015; a 1.47-acre parcel located at 220 N Spring Creek Parkway, Providence UT. The property is currently

151 zoned Commercial General District (CGD). The applicant is requesting Multi-Family High (MFH).

- 152 • Danny Macfarlane explained that the parcel in question is just south of the townhomes that are already
- 153 being built [north of the city office buildings]. These townhomes would look similar to those. They hope to
- 154 keep as many trees as possible.
- 155 • D Macfarlane explained that the current owners of the miniature golf course want to retire, and they
- 156 don't want to run the miniature golf course anymore.
- 157 • S Bankhead read from the staff report. The General Plan does not call for a zone change in this area.
- 158 However, the General Plan calls for developing retail facilities. In order to have retail facilities, you
- 159 sometimes need to have more people living there.
- 160 • S Bankhead said that the property tax that we receive from the townhomes would probably exceed the
- 161 property tax money from office space, which is likely what would go there [if it remains commercial].

- 162 • S Bankhead explained that the executive staff is neutral on this request. It would fit in either zone
163 [commercial or multi family].
- 164 • G Sonntag said that when the area to the north came up, the Planning Commission recommended that
165 the City Council deny the request for Multi Family High. However, the City Council overturned that
166 recommendation. G Sonntag said that at the time, he didn't understand why. Now that he sees that the
167 area is focused on offices, and multi family would make more tax revenue, he sees the logic. More
168 housing might be an irreversible trend in that area.
- 169 • G Sonntag said that the General Plan forecasted that this would be a commercial area. However, he
170 remembers Steve Roberts, the owner of this parcel and the one to the north, saying that he had trouble
171 selling the land as commercial.
- 172 • G Sonntag said that for commercial to work, there needs to be an environment that draws people to that
173 location. He said that there needs to be an effort made to draw in commercial development, such as
174 making a shopping village with attractive features. It is sad to see the miniature golf course go, but it
175 might make sense.
- 176 • K Alder said that retail is changing. The inline shops at [Macey's] have been vacant for 12 years. If people
177 don't feel like they can make a living, they won't buy/rent retail space. She said that mixed use is good to
178 think about, but maybe not practical now.
- 179 • R Cecil said that by allowing this, we also increase our sales tax by increasing the number of people going
180 to Macey's. He felt that we should have a public hearing on this item at the next meeting.
- 181 • G Sonntag said that R Cecil has a good point. Mixed use isn't always vertical. It can be horizontal as well.
182 This rezone would bring residents in close proximity to services.
- 183 • R Holloway said that with the parcel to the north, the commission had concerns about traffic, parking,
184 safety for children, places for children to play, etc. Also, we only have a limited area for commercial. R
185 Holloway asked the developer to consider designing a section of the development for seniors or couples
186 without children. This would cut down on the traffic impact.
- 187 • D Macfarlane said that there is a city park to the east. R Holloway said that we should make sure that
188 there is access to that.
- 189 • D Macfarlane said that he might not want to separate the ages. So far, everybody who has approached
190 them about the units on the property on the north are over 45 years old. They haven't been the younger
191 families.
- 192 • D Macfarlane said that he did an inventory of the occupants of townhomes in Providence. About 30%
193 were retired couples, 25% were single, and the rest were small families. The median income of those
194 living in the townhomes was actually higher than the median income of Providence.
- 195 • R Holloway asked if these are two-level townhomes. D Macfarlane said that they are. R Holloway said that
196 there is a great need for single level townhome units for seniors and for the disabled. They are hard to
197 find.
- 198 • K Alder asked what the rent would be. D Macfarlane said that the rent will be around \$1400 a month.
- 199 • G Sonntag said that this should go to public hearing at the next meeting.

200
201
202 **Item No. 2. PCC 10-14-1 & 2 Special Developments:** Proposed amendments make changes in Section 1 Cluster and
203 Inner Block Development by clarifying hearing notice requirements and expanding the area where inner block
204 development can occur. Proposed amendments make changes in Section 2 Planned Unit Development by adding
205 requirements for a storm water system, allowing home businesses, clarifying public and private right-of-ways.

- 206 • S Bankhead explained that Providence City decided a few years ago that all streets should be built to the
207 standards and specifications profile. We used to have several widths of streets available. Now we only
208 have the 66 ft right of way. A lot of this is taken up in park strips. We are running into issues with Active
209 Adult communities where people have a different idea of how a street should behave. The wide right-of-
210 ways are not optimal for them. Staff decided that if it is a traditional subdivisions with public streets, they
211 should be built to public standards. If it is a private subdivision with a narrower right-of-way, we want
212 them to have the HOA and the other things that a PUD requires, such as open space, etc. We want them
213 to have a plan for handling pedestrian traffic.
- 214 • S Bankhead spoke about the proposed changes to allow inner block development in the downtown area.
215 She said that we have gotten requests to subdivide large lots within subdivisions. However, we made it

- 216 illegal to have inner block development (flag lots) within the downtown area of the city due to requests
217 from residents at the time. They are legal in the rest of the city.
- 218 • S Bankhead said that fewer people want to take care of large lots nowadays. Some people want to see if
219 they can sell a portion of their back yard. We had someone who submitted a formal plan about a parcel in
220 the downtown area. They cannot currently put a residential structure on it because it does not have
221 frontage on any city street. Instead, it has an access easement.
 - 222 • S Bankhead said that there is no maximum front yard setback. There is nothing that would stop someone
223 in the downtown area from putting their home quite far back.
 - 224 • S Bankhead read from the 10-14-1(C)1 & 2 about the proposed requirements for an inner block
225 development and the types of conditions that the city can impose.
 - 226 • S Bankhead explained that an inner block development would not affect the density of the zone. A lot in a
227 single family traditional neighborhood would still only be able to have 3.75 units per acre, for example.
 - 228 • S Bankhead said that this will not make large changes to the look and feel of the city. It will help those
229 who no longer want the large lots. It will help us solve some economic and weed problems.
 - 230 • S Bankhead said that Nick Porter in the audience is in charge of a Planned Unit Development. They want
231 to do non-standard roads.
 - 232 • S Bankhead read from the proposed requirements for a private right of way in a PUD in 10-14-2(L)2. S
233 Bankhead said that a PUD can have higher density, but they need to provide more open space.
 - 234 • S Bankhead said that staff discussed the minimum right-of-way at length. Eventually, we decided that
235 safety standards should dictate.
 - 236 • S Bankhead said that inner block development is a good way to use existing services to provide more
237 housing. It also uses space that currently has no usable value to the public.
 - 238 • Nick Porter of Champlin Development said that when they began to put their project together, they
239 realized that Providence requires a 66 ft right of way. This is very large for their type of development. He
240 likes what the staff has come up with. It provides a lot of flexibility.
 - 241 • N Porter said that what they would propose for their development is a 2.5 ft curb and gutter on both sides
242 of the road, a 20 ft road, and a park strip on one side and a sidewalk on one side. They also want to have a
243 walking trail. N Porter explained that because it is a private development, they will not allow parking on
244 the street side. There is enough parking in the driveways and garages.
 - 245 • B Perry asked about boats, campers, etc. N Porter said that there are restrictions, but the restrictions vary
246 by community.
 - 247 • B Perry asked about locations for snow storage. N Porter said that they will plan for snow to be pushed to
248 certain areas.
 - 249 • K Alder asked how many units will be there. N Porter said that there will be about 48.
 - 250 • B Perry asked about the distance from the sidewalk to the dwelling. N Porter said that it is at least 10 ft.
 - 251 • K Alder asked if they don't need to meet setback requirements. S Bankhead said that we will work with
252 them on the setbacks. We will probably require more than 10 ft.
 - 253 • K Alder asked if a trail system will count as part of their open space requirement. S Bankhead said that if it
254 is done as a trail that gives a park feel, then it would probably meet the requirements. N Porter said that
255 they are looking into building something like that.
 - 256 • R Cecil asked if the streets will be all concrete. N Porter said that they will.
 - 257 • G Sonntag said that this should be a public hearing at the next meeting.

258
259 **Reports:**

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

261 Skarlet Bankhead, Administrative Services Director

- 262 • The city council approved the Development Agreement for the Jensen Farm subdivision.
- 263 • The Bear River Heritage Area made a presentation to the council. They left some fliers with us.
- 264 • The City Council voted to recertify the Justice Court.
- 265 • The City Council changed the zone of the portion of the parcel near the Old Rock Church to Multi Family
266 Medium.
- 267 • The City Council voted to make some changes to our sidewalk and park strip ordinance. We had a
268 gentleman who uses a wheelchair who was having trouble with sidewalks that had vegetation
269 encroaching on them. This ordinance also changed a previous requirement that didn't allow rocks in park

- 270 strips that were wider than 6 ft. A resident applied to have this code amended. She wanted to do a
271 program called “flip the strip” that is about doing zeroscaping in the park strip in order to save water.
272 • S Bankhead explained that we have decided that for trees in park strips and rocks in steep park strips, we
273 will be requiring a permit. Generally, we are trying to reduce the number of permits required, but this was
274 an exception.
275 • The City Council approved the changes that the Commission recommended on the rezone application.
276 • The City Council went over the use chart. They approved adding accessory apartment unit and adding the
277 “P” mark in the correct zones for accessory dwelling unit. They discussed the bed and breakfast change,
278 but then they continued it for further discussion. They were concerned about owner occupancy.
279 • K Alder asked if this will affect what Ralph Call wants to do. S Bankhead said that it could.
280 • The Council approved accessory apartments and allowed them in all single family zones.
281 • The Council appointed Ryan Snow as City Manager.
282 • The Council continued the item on changing the meeting day. This will be decided in January.
283 • The City Council discussed chapters 1,2 and 3 in the General Plan. They incorporated the Planning
284 Commission’s comments.
285 • The Vineyard Subdivision is bringing in Phase 2 and Phase 3 final plats and construction drawings for
286 approval.
287 • The executive staff is working on the setback ordinance [as requested by the Planning Commission].
288

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

- 291 • B Perry said that there is a land use class at USU on November 2. November 7 is the Cache Summit.
292 • R Cecil asked to be added to the group going to the Cache Summit.
293 • B Perry asked if we will have one or two meetings in November. S Bankhead said that we don’t have too
294 much on our plate, so it should probably be one.
295 • S Bankhead thanked G Sonntag for his service on the commission.
296 • G Sonntag thanked the commission for their time serving together.
297 • B Perry presented G Sonntag with a letter of appreciation.
298

299 **Motion to adjourn:** — R Cecil

300 **Yea:** K Alder, R Cecil, R Holloway, B Perry, G Sonntag

301 **Nay:**

302 **Abstained:**

303 **Excused:**

304
305
306
307 _____
Gary Sonntag, Chair

Skarlet Bankhead, City Recorder