

1 **Providence City**
2 **Administrative Land Use Authority**
3 **Minutes – February 6, 2020 3:00 pm**
4 Providence City Office Building
5 164 North Gateway Drive, Providence UT 84332
6

7 Members present: Skarlet Bankhead, Administrative Services Director; Max Pierce, City Engineer; Rob Stapley,
8 Public Works Director.

9 Others present: Diane Campbell, Zoning Staff; Chris Williams, Ascentive Homes; Brent Skinner, Eforce.
10

11 **Item No. 1 – Conditional Use Site Plan:** The Providence City Administrative Land Use Authority will consider for
12 approval a request by Western Trades Construction (Ascentive Homes – Chris Williams) for a conditional use site
13 plan for a single-family residence located at 537 N Sarah St, Providence UT.
14

15 **Background Information:**

16 Complete Application was received January 2, 2020; application contained:

- 17 1. Providence City Conditional Use application and Residential Site Plan application
- 18 2. Payment of \$100 fee, January 2, 2020.
- 19 3. Rob Stapley, Providence City Public Works Director, inspected the current infrastructure on January 13,
20 2020
- 21 4. Diane Campbell, Office Specialist, reviewed and signed the Zoning Permit.
22

23 **FINDINGS OF FACT:**

- 24 1. UCA 10-9a-507. Conditional Uses allow a municipality to adopt a land use ordinance that includes
25 conditional uses and provisions for conditional uses that require compliance with standards set for in an
26 applicable ordinance.
- 27 2. The Cache County GIS Parcel Summary shows sensitive areas that may require further analysis.
- 28 3. Providence City Code (PCC) 10-5 Sensitive Areas, Section 1 Conditional use permit required states, all
29 requests for permits involving a lot, parcel or site located wholly or partially within an area subject to the
30 Hazard Flood (HF), Hazard Slope (HS), Hazard Water Table (HW) or Hazard Earthquake Primary Fault (HE),
31 Hazard Wildfire (WF) regulations, shall be dealt with as a request for a conditional use permit under the
32 provisions of Section 10-3-5 of this Title. All applications shall comply with the following regulations before
33 any permit shall be issued.
- 34 4. PCC 10-3-5 Conditional Use Permits allows the City to impose reasonable conditions: to mitigate the
35 reasonably anticipated detrimental effects of the proposed use on the health, safety, or general welfare
36 of persons residing, working, or conducting business in the vicinity; to mitigate injury to property in the
37 vicinity; to mitigate any risk to safety of persons or property because of vehicular traffic or parking, large
38 gatherings of people, or other causes.
39

40 **CONCLUSIONS OF LAW:**

- 41 1. Providence City has adopted land use ordinances that include conditional uses and provisions for
42 conditional uses.
- 43 2. The Cache County GIS Parcel Summary indicates this parcel is in a Hazard Wildfire area.
- 44 3. Providence City has the authority to impose reasonable conditions to mitigate the reasonably anticipated
45 detrimental effects of the proposed use.
- 46 4. The request meets the requirements of the Codes listed in the Findings of Fact with the following
47 conditions:
48

49 **CONDITIONS:**

- 50 1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws,
51 codes, ordinances.
- 52 2. The applicant will mitigate Hazard Wildfire area by:
53 a. See Aaron Walker inspection letter dated January 14, 2020.

3. This conditional use is for the residence only as shown on the site plan date stamped February 5, 2020.
4. Payment of fees listed on the Providence City Zoning Permit.
5. Approval by the City of any application submitted or paperwork does not alleviate the owners and/or their agents from their responsibility to understand and conform to local, state, and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.

Comments:

- S Bankhead noted that this item has been continued twice. [This is the third time we are discussing it].
- S Bankhead noted that our concern had been the attached deck. There was confusion about the uncovered vs covered deck and whether it was considered part of the primary structure. She spoke with Paul Berntsen, Cache County Building Official, and our City Attorney Chad Wooley about the situation. Because the deck is attached to the house and is on the side, our code does not allow it to protrude. Our code allows decks to protrude into the rear yard, but not the side yard. This particular side yard is on a street side, so the setback is 20 ft.
- S Bankhead said that the applicant has redrawn the deck so that the southwest corner meets the setback.

Motion to approve based on the findings of fact and conclusions discussed in the previous meetings and the conditions discussed in this meeting: — M Pierce, second — R Stapley

Vote:

Yea: S Bankhead, M Pierce, R Stapley

Nay:

Abstained:

Excused:

Item No. 2 – Commercial Site Plan: The Providence City Administrative Land Use Authority will consider for approval a request by 500 North, LLC for a Commercial Site Plan for Eforce Corporate Office located at 168 N Gateway Dr. Providence, UT

Background Information:

A complete application was received January 21, 2020; application contained:

1. Commercial Site Plan Application.
2. Payment of \$100 fee.
3. Rob Stapley, Public Works director, inspected the current infrastructure on January 27, 2020.
4. Diane Campbell, Office Specialist, reviewed and signed the Zoning Permit.

FINDINGS OF FACT:

The following Providence City Code (PCC) list regulations and requirements to be considered.

1. 10-8-5 Commercial Zoned Districts; Site Development
2. Official Zoning Map Revised Jan. 2019

CONCLUSIONS OF LAW:

1. The property is located in a CGD zone.
2. The applicant meets the requirements of 10-8-5 with the following conditions.

CONDITIONS:

1. The applicant will continue to meet all relevant federal, state, county, and Providence City rules, laws, codes, ordinances.
2. The applicant has met the parking requirements. Once the construction drawings are reviewed and approved, if any changes to the construction drawings are made, the parking will need to be reviewed to make sure it still meets Providence City standards.
3. Approval by the City of any application submitted or paperwork does not alleviate the owners and/or their agents from their responsibility to understand and conform to local, state, and federal laws. Providence

106 City's approval is not intended to and cannot be construed to allow any laws to be violated.
107 Comments:

- 108 • S Bankhead noted that the applicant is making a change to the lot. They are incorporating parking on
109 the west side of the lot, and adding additional parking to the north side of the lot.
- 110 • R Stapley said that they are adding [5] extra stalls.
- 111 • S Bankhead asked the applicant if the planting strip that goes around the building is a 10 ft planting
112 strip.
- 113 • B Skinner said that the north and the west planting strip are 5 ft, and the back and east planting strip
114 are about 10-11 ft.
- 115 • S Bankhead asked if the exterior of the building is brick and stucco. B Skinner said that it is.
- 116 • S Bankhead asked if there are different colors of brick. B Skinner said that it only appears that way
117 because of the shading on the drawing.
- 118 • R Stapley asked if this building will be split into different units.
- 119 • B Skinner said that currently, Eforce has contracted for the whole building, but they are only finishing
120 6,000 of the 8,000 square feet.
- 121 • R Stapley said that there is some structural damage [to infrastructure] in the area that will be
122 demolished for this project. He did not note it on the site inspection.
- 123 • R Stapley asked what would happen if we approve this plan, but the HOA does not.
- 124 • S Bankhead said that if this is the case, the applicant would need to come back and show us an amended
125 site plan. Today we are not looking at it based on the HOA rules even though Providence City is a part
126 of the HOA.
- 127 • S Bankhead said that once the building permit is issued by the county, we will hold a preconstruction
128 meeting before construction can begin.
- 129

130 **Motion to approve the request of 500 North LLC for a commercial site plan for Eforce corporate office located at**
131 **168 N Gateway Drive: — R Stapley, second — M Pierce**

132 **Vote:**

133 **Yea: S Bankhead, M Pierce, R Stapley**

134 **Nay:**

135 **Abstained:**

136 **Excused:**

137
138 **Motion to adjourn: — M Pierce, second — R Stapley**

139 **Vote:**

140 **Yea: S Bankhead, M Pierce, R Stapley**

141 **Nay:**

142 **Abstained:**

143 **Excused:**

144 Meeting adjourned at approximately 3:20 PM

145 Minutes prepared by Jesse Bardsley

146
147
148 
149 _____
150 Skarlet Bankhead, Chair