

1 **PROVIDENCE CITY PLANNING COMMISSION MINUTES**

2 Wednesday, June 9th 6:00 pm

3 Providence City Office Building, 164 North Gateway Dr., Providence Ut

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5 This was an in-person meeting; however, some members of the Planning Commission may have attended this meeting  
6 electronically. This meeting was live streamed on Providence City's YouTube Channel..

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8 **Call to Order:** Kathleen Alder

9 **Chair Roll Call of Commission Members:** Kathleen Alder

10 **Attendance:** Kathleen Alder, Rowan Cecil, Joe Chambers (non-voting alternate), Michael Fortune, Brian Marble, Robert Perry

11 **Pledge of Allegiance:** Robert Perry

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13 **Approval of Minutes:** No minutes to approve.

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15 **Public Comments:** Citizens may express their views on issues within the Planning Commission's jurisdiction. The  
16 Commission accepts comments: in-person, by email [providencacityutah@gmail.com](mailto:providencacityutah@gmail.com) , and by text 435-752-9441. By law,  
17 email comments are considered public record and will be shared with all parties involved, including the Planning  
18 Commission and the applicant.

- 19 ○ No public comments

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21 **Public Hearing(s):**

- 22  
23 ➤ **Item No. 1 Rezone:** The Planning Commissioner will take comments and questions regarding the application to rezone  
24 parcel 02-092-0020 located in the general area of 300 N 100 E Providence UT. Currently zoned as AGR with application  
25 requesting it be rezoned to a SFH. (Exhibit w. Item No. 4)
  - 26 ○ Jody Robins, applicant, explained that he would like to make the zoning match the zoning that is on the east and  
27 north. They are considering whether to make a standard development or a 55+ community.
  - 28 ○ S Bankhead explained what is allowed in the single family high zone.
  - 29 ○ Neil Varner of Providence expressed concern about the wetland on the property. He expressed concern about  
30 putting sewer in the area. He asked about school and church needs due to the increase in residents.
  - 31 ○ Dave Wallis of Providence expressed concerns about ground water. He asked if there is a protection for existing  
32 residents in the area should the ground water situation be altered by the development and cause basement  
33 flooding.
  - 34 ○ Earl Leonhardt of Providence spoke about the irrigation canal lateral. It ends in the property in question. The tail  
35 water has to be dealt with. It currently runs into the property in question. Storm water from rain also flows down  
36 the lateral and into the property. He asked whether there has been a hydrology study done. Water also flows from  
37 the irrigation of the retirement community area into the property. The property will need a drainage system for  
38 development.
  - 39 ○ Sherry Daniels of Providence asked why zoning does not require trees to be put in [along park strips]. She would  
40 like for trees to be planted at the beginning of the development process. We are willing to welcome new people,  
41 but we want to maintain the aesthetics of our community.
  - 42 ○ Todd Hammond of Providence lives across the street from the proposed rezone. He does flood irrigation and has  
43 seen a basement get flooded because of it. He is concerned that the same thing could happen on this property  
44 because of existing ground water. He also said that the creek can change its course and wash into that property at  
45 times.
  - 46 ○ Jody Robins of the developer spoke about his plans for the development. He is working with the HOA to the  
47 west [to coordinate]. The plan is for detached single family houses that will look similar to what is on Andrew's  
48 Lane. There are wetlands designated in the property, and they are aware of them. A wetlands delineation study  
49 was done using ground work. They do not plan on disturbing the wetland area. With regards to the sewer, they  
50 have done measurements. They can gravity flow the east 2/3 of the property towards 100 East. The plan is to not  
51 allow basements. Most of the construction will be above ground level. Regarding water flowing into the  
52 property, they will create the proper retention or detention areas according to the city's requirements. Most of the

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- water flows into the wetland, which will not be disturbed. J Robins spoke about CC&R's that will require landscaping in the neighborhood. The wetland will also provide open space.
- Thomas Daniels of Providence asked if the Army Corps of Engineers will drill down to test the soil to see if it is fit for building. K Alder said that a geotechnical firm does that kind of testing.
  - Dave Wallis of Providence spoke about the groundwater that will be diverted. It may go into a ditch that enters his property. Can the wetlands hold the extra water?
  - Hal Hansen of Providence asked how many units will be built on the property.
  - Jody Robins said that they will leave the wetlands untouched. The zoning would allow about 41 units, but their plan is for about 30 units. As for the storm water, they are required by the city to engineer it so that it stays on the property or so that it flows out at a rate that the storm water system can accommodate.
  - M Fortune asked about the wetlands that show in the south west corner of the property. J Robins explained that the current tests have not designated that area as wetland.
  - BJ Smith of Providence lives on Hammond Lane. He is concerned that the developer is not required to show a plan. He feels that promises of open space and amenities have not been kept by developers in the past. He feels that we need diversity in the zoning in this area of the city. The homes in the area are step up homes where people don't stay as long. We don't need more of those in the area. He felt that undesirable development is directed towards this area of the city. In order to create a vibrant community in this area, we need to create desirable areas where people will reinvest. Many neighbors move away because the yards are too small.
  - Dianne Siegfried of Providence also felt that the Vineyard Subdivision did not deliver what she expected. She is concerned about infrastructure and traffic issues with this rezone. We do not want to change the neighborhood so dramatically that the long-term residents no longer feel comfortable. She also requested that the height of buildings in future developments be limited so that views are not obstructed.
  - S Bankhead explained that 35 ft is the maximum height allowed for single family homes. It is measured from the average ground level.
  - Cathy Parker of Providence said that the property in question was wet when her father was a child. She lives on Andrew's Lane and is the only one who has not moved in the past 16 years. She explained how the water retention system works in her neighborhood. She recommended that senior housing be single story. She is not opposed to development, but would prefer something where people would stay longer.
  - Jody Robins said that he is also a Providence resident and does not want to harm the unique aspects of Providence.
  - S Bankhead summarized a comment sent in by Kristie Israelsen. She felt like the rezone is serving the few rather than the many. She brought up many points previously discussed, and also asked that if this gets rezoned that it be rezoned to a standard single family zone.

- **Item No. 2 Mixed-Use District:** The Planning Commission will take comments and questions regarding the proposed amendments to the City Code Title 10 Chapter 4 Section 4 Mixed-Use District (Exhibit w. Item No. 5)
  - S Bankhead explained the reasons for the changes and the purposes and characteristics of the Mixed Use zone.
  - BJ Smith of Providence felt that Providence's codes in commercial zones are quite restrictive. He would like to see more business development in Providence.
- **Item No. 3 Design Standards for Attached and Multi-Family Residential Development:** The Planning Commission will take comments and questions regarding the proposed amendments to the City Code Title 10 Chapter 8 Section 9 Design standards for attached and multi-family residential development. (Exhibit w. Item No. 6)
  - S Bankhead explained the background of this ordinance and the proposed changes.
  - S Bankhead noted that she will need to add the words "the first" on page 7 line 6 before "10 units."
  - Kent Dunkley of Providence spoke about parking. He questioned whether a garage should be counted completely for its parking area. Some people use it for storage.
  - BJ Smith spoke about holding developers accountable. Many developers will not do something unless it is spelled out.

**Legislative – Action Item(s):**

- 105 ➤ **Item No. 4 Rezone Application:** Providence City Planning Commission will consider and may recommend to the  
106 Providence City Council the application to rezone parcel 02-092-0020 from an AGR zone to a SFH zone. [\(EXHIBIT\)](#)  
107 ○ Wetlands were discussed. K Alder clarified that the Commission’s job is not to determine anything about  
108 drainage or wetlands. The Commission is considering recommending a zone change. Even if this zone change is  
109 approved, the developer will still have to come up with mitigation strategies that are approved by the City’s  
110 engineer. He will have to prove that those things are taken care of. This zone change would not give him  
111 permission to do whatever he wants to do.  
112 ○ B Marble felt that considering the zone of surrounding properties, it would be a good idea to recommend to the  
113 City Council to make this zone change.  
114 ○ J Chambers felt that our zoning in the area is inconsistent.

115 **Motion to recommend to the city council to approve the application to rezone parcel 02-092-0020 from AGR to SFH: R Cecil,**  
116 **second —**

117 Motion died for lack of a second

- 118 ○ M Fortune felt that he could support SFH if it were going to be a senior community, but he does not want to have  
119 it be that dense if it will be a standard development.  
120 ○ K Alder asked Kent Dunkley, a realtor from Providence, whether young people are looking for big yards or small  
121 yards. K Dunkley said that they are looking for both. Townhomes are becoming popular. However, he believes  
122 that most people will eventually want to move out of the townhome into something bigger so that kids can play.  
123 He felt that this area of Providence is popular and has a lot of movement. He thinks that people move out because  
124 of space.  
125 ○ R Cecil noted that out of his nine grandchildren who have families, only two of them want a single family home.

126 **Motion to propose that the City Council reject the rezoning on 02-092-0020 that has been proposed to rezone it from**  
127 **Agricultural to Single Family High Density: — B Marble, second — M Fortune**

128 **Vote:**

129 **Yea: K Alder, M Fortune, B Marble, R Perry**

130 **Nay: R Cecil**

131 **Abstained:**

132 **Excused:**

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- 134 ➤ **Item No. 5 Mixed-Use District:** Providence City Planning Commission will consider and may recommend to the  
135 Providence City Council the proposed amendments to the City Code Title 10 Chapter 4 Section 4 Mixed-Use District  
136 [\(EXHIBIT\)](#)

137 **Motion to recommend to the Providence City Council the proposed amendments to the City Code Title 10 Chapter 4 Section 4**  
138 **Mixed Use District: — R Cecil, second — B Marble**

139 **Vote:**

140 **Yea: K Alder, R Cecil, M Fortune, B Marble, R Perry**

141 **Nay:**

142 **Abstained:**

143 **Excused:**

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- 145 ➤ **Item No. 6 Design Standards for Attached and Multi-Family Residential Development:** Providence City Planning  
146 Commission will consider and may recommend to the Providence City Council the proposed amendments to the City  
147 Code Title 10 Chapter 8 Section 9 Design standards for attached and multi-family residential development. [\(EXHIBIT\)](#)

148 **Motion to recommend to the Providence City Council to accept the proposed amendments to the City Code Title 10 Chapter 8**  
149 **Section 9 Design Standards for Attached and Multi-Family Residential Development: — M Fortune, second — R Cecil**

150 **Vote:**

151 **Yea: K Alder, R Cecil, M Fortune, B Marble, R Perry**

152 **Nay:**

153 **Abstained:**

154 **Excused:**

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156 **Administrative Action Item(s):**

- 157       ➤ **Item No. 7 Final Plat for Fickas Commercial Subdivision:** The Planning Commission will consider and may vote on a  
158 request to approve a final plat for Fickas Commercial Subdivision; a 4-lot subdivision with three commercial lots and one  
159 remainder residential parcel located in the general area of 750 West 300 South. [\(EXHIBIT\)](#)  
160       ○ S Bankhead explained the background of this proposal. S Bankhead noted that she will need to change the  
161 acreage per zone that is on the staff report due to a typo.

162 *Motion to approve the final plat for the Fickas commercial subdivision; a 4-lot subdivision with three commercial lots and one*  
163 *remainder residential parcel located in the general area of 750 West 300 South subject to the findings of fact, conclusions of*  
164 *law and conditions as stated in the [staff report]: — R Cecil, second — B Marble*

165 *Vote:*

166 *Yea: K Alder, R Cecil, M Fortune, B Marble, R Perry*

167 *Nay:*

168 *Abstained:*

169 *Excused:*

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171 **Study/Training Item(s):**

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173       ➤ **Item No. 7 Powers and Duties of Planning Commission:** Providence City Planning Commission will take time to  
174 discuss and review their powers and duties; and potential future training opportunities.

- 175       ○ [EXHIBIT](#) (Powers and Duties)

176 *Motion to table it for another meeting: — B Marble, second — M Fortune*

177 *Vote:*

178 *Yea: K Alder, R Cecil, M Fortune, B Marble, R Perry*

179 *Nay:*

180 *Abstained:*

181 *Excused*

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183       ○ [EXHIBIT](#) (Ombudsman Training Information)

- 184       ▪ Ty Cameron, City Recorder, spoke about what he learned from talking with the Ombudsman’s Office.  
185       They are willing to do a training.  
186       ▪ The Commission discussed setting up a Land Use 101 training for the Commission.

187 *Motion to close the meeting: — R Cecil, second — B Marble*

188 *Vote:*

189 *Yea: K Alder, R Cecil, M Fortune, B Marble, R Perry*

190 *Nay:*

191 *Abstained:*

192 *Excused:*

193 Meeting adjourned at approximately 8:45 PM

194 Minutes prepared by Jesse Bardsley

195 Minutes approved by vote of the Commission on July 14, 2021

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Kathleen Alder, Chair

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Tyler Cameron, City Recorder