

1 **PLANNING COMMISSION MINUTES**

2 Wednesday, September 22nd, 2021, 6:00 pm

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

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5 For a more complete and accurate account of the Planning Commission Meeting please view our
6 YouTube video of the meeting that can be found on Providence City's YouTube channel: [Planning](#)
7 [Commission Minutes 9/22/2021 – YouTube](#) (Ctrl + Click to follow link)

8
9 **Hr. Min Sec.** in **GREEN** above agenda items are time stamps for the YouTube Video of the meeting.

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11 **Attendance:** Kathleen Alder, Tyler Riggs, Michael Fortune, Bob Perry, Brian Marble, Rowen Cecil. City Staff:
12 Ryan Snow (City Manager), Skarlet Bankhead (Community Development Director), Ty Cameron (City
13 Recorder)

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15 **Excused:** Joe Chambers

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17 **1 Min. 40 Sec.**

18 **Call to Order:** Kathleen Alder

19 **Chair Roll Call of Commission Members:**

20 **Pledge of Allegiance:**

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

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24 **4 Min. 30 Sec.**

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

- Kathleen Alder opens the floor for public comment.
- Skarlet Bankhead indicates that no comments have come in via email or text.
- There are no comments from the public. Kathleen Alder closes the public comment section of tonight's meeting.

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34 **Public Hearing(s):**

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36 **5 Min. 45 Sec.**

- **Item No. 1 PCC 2-5 Appeal Authority Code Amendment:** Planning Commission to take
37 comments and questions regarding the request to amend Providence City Code Chapter 2-5: Appeal
38 Authority. (Exhibit w. item #3)

- Kathleen Alder calls item number 1 and opens the floor for comment and questions.
 - Skarlet Bankhead indicates that no comments or questions have come in via email or text.
 - There are no public comments or questions, Kathleen Alder closes public hearing for item 1.
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48 **7 Min. 10 Sec.**

- 49 ➤ **Item No. 2 PCC 10-5 Sensitive Areas Code Amendment:** Planning Commission to take
50 comments and questions regarding the request to amend Providence City Code Chapter 10-5: Sensitive
51 Areas (Exhibit w. item #4)
- 52
 - 53 • Kathleen Alder calls item number 2 and opens the floor for comments and questions.
 - 54 • Skarlet Bankhead indicates that no comments or questions have come in via email or text.
 - 55 • There are no public comments or questions, Kathleen Alder closes public hearing for item 2.

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57 **Legislative – Action Item(s):**

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59 **8 Min. 30 Sec**

- 60 ➤ **Item No. 3 PCC 2-5 Appeal Authority Code Amendment:** Planning Commission to consider
61 and may recommend to the City Council PCC 2-5 amendment; changing from a 3 member, with 2
62 alternate members appeal board, to an administrative appeal hearing officer. **(EXHIBIT)**
- 63
 - 64 • Kathleen Alder calls item number 3 and gives brief introduction.
 - 65 • Commission and Staff discuss the changes that have been requested, clarification of changes and
66 the process.
 - 67 • **Michal Fortune motions before the Commission to recommend PCC 2-5 Appeal Authority**
68 **Code Amendment to the City Council. Motion seconded by Tyler Riggs. Vote- Yea: Brian**
69 **Marble, Kathleen Alder, Bob Perry, Tyler Riggs and Michael Fortune. Ney: Abstained:**
70 **Excused: Rowen Cecil, Joe Chambers.**
 - 71 • Motion passes.

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73 **11 Min. 25 Sec.**

- 74 ➤ **Item No. 4 PCC 10-5 Sensitive Areas Code Amendment:** Planning Commission to consider
75 and may recommend to the City Council PCC 10-5 amendment; changing from a conditional use to
76 reviews through the subdivision, development process, the building permit process, and engineering
77 reviews. **(EXHIBIT)**
- 78
 - 79 • Kathleen Alder calls item number 4 and gives brief introduction.
 - 80 • Commission comments that the changes look good and contain what has been previously
81 discussed in prior meetings.
 - 82 • No further questions or concerns.
 - 83 • **Bob Perry motions before the Commission to recommend PCC 10-5 Sensitive Areas Code**
84 **Amendment to the City Council. Motion seconded by Brian Marble. Vote- Yea: Brian**
85 **Marble, Kathleen Alder, Bob Perry, Tyler Riggs and Michael Fortune. Ney: Abstained:**
86 **Excused: Rowen Cecil, Joe Chambers**
 - 87 • Motion passes

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89 **14 Min. 05 Sec.**

- 90 ➤ **Item No. 5 Design Standards for Attached and Multi-Family Residential Development:**
91 Providence City Planning Commission will consider and may recommend to the Providence City
92 Council the proposed amendments to the City Code Title 10 Chapter 8 Section 9: Design standards for

93 attached and multi-family residential development. *This was brought before City Council on 7/21 and
94 sent back to Planning Commission with recommendations. **Tabled last PC Mtg 9/8/21 for further
95 discussion & revision. [\(EXHIBIT\)](#)
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- 97 • Kathleen Alder calls item number 5 and gives brief introduction.
- 98 • Skarlet Bankhead indicates that the additional changes that have been made per the previous
99 meeting are in blue.
- 100 • Commission comment and question page 5 of the revision dealing with driveways and/or garage
101 entrances and the definition of streets and alleys, and if it needs to be clearer.
- 102 • Staff replies and gives discussion on section informing Commission of the meaning and purpose
103 of the change and is willing to change if Commission requests.
- 104 • Parties discuss the amenities and exterior finishes being required to be above grade.
- 105 • Commission agree that it all looks good.
- 106 • **Michael Fortune motions to the Commission to recommend PCC 10-8-9 Amendments to**
107 **City Council. Seconded by Brian Marble. Vote- Yea: Brian Marble, Kathleen Alder, Bob**
108 **Perry, Tyler Riggs and Michael Fortune. Ney: Abstained: Excused: Rowen Cecil. Joe**
109 **Chambers**
- 110 • Motion passes
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112 **21 Min. 00 Sec.**

113 ➤ **Item No. 6 PCC 11-1-3 Exception:** The Planning Commission will consider and may make a
114 recommendation to the city council; a request by Paul Gibbons, representing Shoreline Estates 2021
115 LLC, for an exception to Providence City Code 11-1-3 which limits a cul-de-sac to a maximum length
116 of 600-feet. The applicant is requesting an 819-foot cul-de-sac in the Shoreline Estates Phase 2 & 3
117 development. [\(EXHIBIT\)](#)
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- 119 • Kathleen Alder calls item number 6 and gives brief introduction. Indicates that representatives of
120 Shoreline Estates are present and will be given the chance to speak on their request for
121 exception.
- 122 • Commission inquires if the Fire Marshall has reviewed the plan and asks about future snowplow
123 issues for the cul-de-sac.
- 124 • Representatives of the Shoreline Estates development give an overview of their request for
125 exception, plans for the area and why they are requesting the exception.
- 126 • Parties discuss the issue of snow removal for that area and how it can be accomplished and what
127 issues they would see.
- 128 • Parties discuss the option of putting in a hammer head turn around.
- 129 • Staff comments on making sure the Commission looks to future plans or possibilities when
130 making these decisions.
- 131 • Staff and Commission discuss the city's master plans.
- 132 • Parties again bring up and discuss the issue of removing snow in this area.
- 133 • Parties discuss if there are any plans for connectivity: connecting roads, subdivisions, and
134 adjacent cities with through roadways.
- 135 • **Rowen Cecil (Planning Commission Member) arrives to meeting.**
- 136 • Parties continue discussion of connectivity and any future plans or possibilities of connecting
137 Sarah Street with Gibbons Street.

- Staff and Commission discuss the current limits of the Providence City Code and the exception process.
- Parties discuss the preliminary plat and future plans.
- Staff indicate that should the Commission request it, staff can reach out to public works and ask them to put together a memo about any snow removal issues that they would possibly come across in the future with the current plan and request for exception.
- Parties discuss the size of the park strips, and that they are larger than normal and could possibly hold the snow.
- **Rowen Cecil motions to the Commission to table this item for further review and discussion. Seconded by Bob Perry. Vote – Yea: Rowen Cecil, Kathleen Alder, Bob Perry, Michael Fortune. Nay: Brian Marble. Abstained: Excused: Joe Chambers.**
- Motion passes.

Administrative Action Item(s):

1 Hr. 8 Min. 5 Sec.

- **Item No. 7 Bouwes Subdivision Preliminary Plat:** The Planning Commission will consider and may take action on a preliminary plat for Bouwes Subdivision; a 3-lot residential subdivision located in the general area of 407 S 100 W. [\(EXHIBIT\)](#) [\(COMMENTS \(City Engineer\)\)](#)

- Kathleen Alder calls item number 7 and gives brief introduction and asks Skarlet Bankhead to give staff report.
- Skarlet Bankhead gives overview of application, concerns and conditions with sidewalk placement and overall findings.
- Ms. Bouwes comments and questions the need or requirement for sidewalks in that area.
- Staff responds to sidewalk requirement and its needs and benefits.
- Ms. Bouwes continues with her comment on sidewalks and the subdivision plan.
- Parties discuss the sidewalk requirements, development and the city’s plans and code.
- Staff indicates that the water calculations are not included and are required before moving forward.
- **Brian Marble motions to the Commission to approve the Bouwes Subdivision Preliminary Plat based on the staff report that includes the findings of fact and conclusions of law and all conditions required, which will include the sidewalk requirement and water calculations. Seconded by Rowen Cecil. Vote – Yea: Brian Marble, Bob Perry, Michael Fortune, Kathleen Alder, Rowen Cecil. Nay: Abstained: Excused: Joe Chambers.**
- Motion passes.

1 Hr. 47 Min 00 Sec.

- **Item No. 8 Bentley Estates Preliminary Plat:** The Planning Commission will consider and may take action on a preliminary plat for Bentley Estates; an 8-lot residential subdivision located in the general area of 1040 S 400 E. [\(EXHIBIT\)](#) [\(COMMENTS \(City Engineer\)\)](#)

- Kathleen Alder calls item number 8 and gives brief introduction and asks Skarlet Bankhead to give staff report. Indicates that applicant Andy Bentley is present via zoom

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- Skarlet Bankhead gives overview of report’s findings of fact, conclusions of law and conditions of report which include the possible need of an additional fire hydrant.
 - Andy Bentley, representative of Bentley Estates, informs the Commission of his preliminary plat and plans for the area. Indicates that he has talked with his engineers and changes have been made per the discussions he has had with city staff and the city engineer.
 - **Michael Fortune motions to the Commission to approve the preliminary plat based on the staff report with the additional recommendations as previously discussed. Seconded by Brian Marble. Vote – Yea: Brian Marble, Bob Perry, Michael Fortune, Kathleen Alder, Rowen Cecil. Ney: Abstained: Excused: Joe Chambers.**
 - Motion passes.

193 **1 Hr. 56 Min. 05 Sec.**

194 ➤ **Item No. 9 Fox Hollow Preliminary Plan:** The Planning Commission will consider and may
195 take action on a preliminary plan for the Fox Hollow Townhomes; a 60-unit townhome development
196 located in the general area of 590 W 300 S. **(EXHIBIT)**

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- Kathleen Alder calls item number 9 and gives brief introduction and asks Skarlet Bankhead to give overview of staff report.
 - Skarlet Bankhead gives overview of report’s findings of fact, conclusions of law and conditions. Indicates to staff that this was filed prior to the current on-going amendments to PCC 10-8-9 and that they will not be subject to those changes. S. Bankhead reports that the preliminary plan is incomplete and that there still are a few things that they will need to provide.
 - Mr. Ustias, a representative of the Fox Hollow development, comments that him and his team are working on the issues previously mentioned by S. Bankhead.
 - Parties discuss development plans and roadways.
 - Kathleen Alder indicates to council her involvement with the development outside of her Planning Commission duties.
 - Parties discuss water issues and access.
 - Parties discuss the development design plans and aesthetics.
 - **Rowen Cecil motions to the Commission to approve the preliminary plan along with the stated findings, conclusions, and conditions. Seconded by Michael Fortune. Vote – Yea: Brian Marble, Bob Perry, Michal Fortune, Kathleen Alder, Rowen Cecil. Ney: Abstained: Excused: Joe Chambers.**
 - Motion passes.

217 **2 Hr. 16 Min 45 Sec.**

218 ➤ **Item No. 10 Spring Creek Preliminary Plan:** The Planning Commission will consider and may
219 take action on preliminary plans for the Spring Creek Townhomes; a mixed-use development containing
220 82-townhome units and a commercial building located in the general area of 265 Gateway Dr.
221 **(EXHIBIT)**

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- Kathleen Alder calls item number 10.
 - No representative for the Spring Creek Townhomes is present.

- **Brian Marble motions to Commission to table this matter for another time so that a representative can be present. Seconded by Rowen Cecil. Vote – Yea: Brian Marble, Bob Perry, Michal Fortune, Kathleen Alder, Rowen Cecil.**
- Motion passes. Item 10 is tabled until next meeting.

Study Items(s):

2 Hr. 18 Min. 11 Sec.

➤ **Item No. 11 Rezone Application of Ballard Springs:** The Planning Commission will review a request to change the zone for parcels 02-090-0013 and 03-002-0007 from Commercial Highway District (CHD) to Mixed-Use (MXD) located in the general area of 300 S - 500 S SR165 **(EXHIBIT)**

- Kathleen Alder calls item number 11. Indicates that applicants are not present.
- Skarlet Bankhead informs commission that this is a study item, and it will eventually need to go to a public hearing and can if they wish, approve it for a public hearing or table it.
- Skarlet Bankhead gives brief overview of application and review.
- Commission discuss application and how to move forward.
- Staff comments and advises Commission to try and be consistent with their actions per the agenda items. Indicates that commission tabled previous matter as applicants were not present.
- Commission discuss tabling item until next meeting.
- No motion is necessary as item is a study item. Item will be tabled until next meeting.

- Kathleen Alder advises Planning Commission to be thinking about who next chair will be as she will be stepping down from her position as Planning Commission Chair.

- **Brian Marble motions to Commission to adjourn the meeting. Seconded by Michael Fortune. Vote – Yea: Brian Marble, Bob Perry, Michael Fortune, Kathleen Alder, Rowen Cecil. Nay: Abstained: Excused: Joe Chambers.**

- Motion passes. Meeting adjourned.

Minutes prepared by Ty Cameron.

Kathleen Alder, Chair

Ty Cameron, City Recorder