

1 **PLANNING COMMISSION MINUTES**

2 Wednesday, October 13, 2021, 6:00 pm

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

4  
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:  
7 [Planning Commission Minutes 10/13/2021 – 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.

10  
11 **Attendance:** Kathleen Alder, Joe Chambers, Tyler Riggs, Michael Fortune, Robert Perry, Brian Marble, Rowen  
12 Cecil.

13 **City Staff:** Ryan Snow (City Manager), Skarlet Bankhead (Community Development Director), Ty Cameron  
14 (City Recorder), Rob Stapley (Public Works Director)

15  
16 **Excused:** None

17  
18 **Call to Order:** Kathleen Alder

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

20 **Pledge of Allegiance:** Joe Chambers

21  
22 **1 Min. 20 Sec.**

23 **Approval of Minutes:** The Planning Commission will consider approval of the minutes for August 25th, 2021.  
24 **(EXHIBIT)**

25  
26 ***Motion to approve the Minutes of August 25<sup>th</sup>: Motioned: ---- R Cecil, Seconded: ----- R Perry***

27 ***Vote:***

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

29 ***Nay:***

30 ***Abstained:***

31  
32 **2 Min. 30 Sec.**

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

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

41  
42 **Public Hearing(s):** No Public Hearings

45 **Legislative – Action Item(s):**

46  
47 **3 Min. 17 Sec.**

- 48 • **Item No. 1 PCC 11-1-3 Exception:** The Planning Commission will consider and may make a  
49 recommendation to the city council; a request by Paul Gibbons, representing Shoreline Estates 2021  
50 LLC, for an exception to Providence City Code 11-1-3 which limits a cul-de-sac to a maximum length  
51 of 600-feet. The applicant is requesting an 819-foot cul-de-sac in the Shoreline Estates Phase 2 & 3  
52 development. \*Tabled last PC Mtg. 9/22/21 [\(EXHIBIT\)](#)  
53
- 54 • Kathleen Alder calls item number 1 and opens the floor for comment and questions.
  - 55 • S Bankhead read from the staff report and explained the project. It wouldn't add any street  
56 issues and there would not be any extra snow removal. It would be like a regular cul-de-sac.
  - 57 • Nick Watterson suggested the top cul-de-sac have a thru-street and a dead end at this new cul-de-  
58 sac. There was a discussion about more streets coming in.
  - 59 • Justin Palmer acknowledged N Watterson's opinion about future development. He described his  
60 point of view of the cul-de-sac at the end of the hammerhead of the property where cars would  
61 be turning around and how he understood they didn't want that but putting the thru street at the  
62 top would also affect the houses around there.
  - 63 • K Alder brought up the issue of the hammer head and why N Watterson wouldn't want that in  
64 his area. A discussion followed.
  - 65 • Justin B explained that there was a dispute between Stan Checketts and N Watterson about the  
66 boundary line adjustment. After the agreement on the north boundary line, there was room for 8  
67 lots because the cul-de-sacs were shorter.
  - 68 • J Chambers said he thought this seemed more like a variance that should go in front of the board  
69 of appeals. S Bankhead read some of the codes going into more depth on the issue. A  
70 discussion followed.
  - 71 • J Chambers said he is an alternate because there are five other board members but if he were to  
72 vote it would be a no. He says the city has an ordinance of 600 feet and wants to know why we  
73 are accepting this without a very good reason, and he hasn't seen the findings for the two people  
74 who were arguing.
  - 75 • S Bankhead said there was an exception in title 11 and that legal counsel was involved in that  
76 decision. She answered K Alder's question saying yes it was appropriate for this situation as far  
77 as the ordinance was concerned but she herself was not able to decide on it.
  - 78 • There was a debate about the ordinance and why the City Council had made the decision for that  
79 ordinance.
  - 80 • There was a discussion about the hammerhead, an access street, and fire safety with construction  
81 and all of the change that could be made to this development.
  - 82 • R Snow brought up what would be beneficial for now and in the future with water and sewer  
83 lines. He asked if the plan would be consistent with the general plans and fit the ordinances with  
84 safety, utilities, or usability of property.
  - 85 • Streets side by side with utilities was brought up again and how a thru street would be something  
86 they would like as a property owner.
  - 87 • N Watterson said they have always had a concern about having the thru street, but it sounds like  
88 it would solve a lot of problems. If it is a thru street instead of the 600-foot cul-de-sac or

89 exception, then the variance can just be disregarded because it is now a thru street. The only  
90 problem would be the top homeowner and whether they wanted a turnaround or the thru street.

- 91 • T Riggs said he was not voting but was influenced by J Chambers and that they should follow  
92 the city codes with cul-de-sac over 600 feet and not override the planning commissions  
93 decisions.
- 94 • B Marble wanted to recuse himself because he is friends with Paul Gibbons. It was a hard  
95 decision because they want to make the right decision for Providence and the community.

96  
97 ***Motion to recommend and deny the request by Paul Gibbons' request for the Shoreline Estates to have a cul-***  
98 ***de-sac extension greater than 600 feet: ----- R Cecil, second: ----- M Fortune***

99 ***Vote:***

100 ***Yea: K Alder, M Fortune, R Perry, R Cecil,***

101 ***Nay:***

102 ***Abstained: B Marble***

103  
104 **Administrative Action Item(s):**

105  
106 **1 Hr. 00 Sec.**

- 107 • **Item No. 2 Spring Creek Preliminary Plan:** The Planning Commission will consider and may  
108 take action on preliminary plans for the Spring Creek Townhomes; a mixed-use development containing  
109 82-townhome units and a commercial building located in the general area of 265 Gateway Dr. \*Tabled  
110 last PC Mtg. 9/22/21. **(EXHIBIT)**
  - 111 • S Bankhead explained the background of this request and read from the staff report. She said  
112 they are meeting their minimum requirements and in some areas more.
  - 113 • Adam Paul comments on his application and his plans. He said that the space between the walls  
114 is the area that is saleable not the ground beneath.
  - 115 • K Alder asked about the children's play areas and barbeque areas that were not on the plan  
116 anymore. A Paul said that it is still part of the plan; it is called an amenity package. A dog  
117 corner will be part of that. Since this is the preliminary part of the project those things will be  
118 drawn up on the next submittal. He said as far as he understood there were going to be 3  
119 planning commission meetings.
  - 120 • K Alder brought up connectivity. There is a connection to property owned by Le Grand  
121 Johnson. It was also brought up about having access through the lot by the theaters. A  
122 discussion followed.
  - 123 • There was another discussion about parking and the access road, along with traffic flow. Traffic  
124 signals for traffic control in different scenarios were considered.
  - 125 • S Bankhead stated if they are doing condominiums then they are going to need more information  
126 on the final plat.
  - 127 • B Marble asked if it was one property or what the actual property consisted of, and S Bankhead  
128 said there are three parcels but one zone. It doesn't matter who owns it, it matters how it is used.  
129 S Bankhead also reminded them that this wasn't a mixed use because that hadn't passed yet so  
130 even though it is encouraged, they don't need to have car charging stations and bike racks etc.  
131 whereas in the future other places will be required to have them.

133 *Motion to approve the preliminary plans of Spring Creek town home mixed-use development containing*  
134 *82 townhome units and a commercial building located in the general area of 265 Gateway Drive: ----- R*  
135 *Cecil, second: ----- R Perry*

136 *Vote:*

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

138 *Nay:*

139 *Abstained:*

140  
141 **1 Hr. 42 Min. 22 Sec.**

- 142 • **Item No. 3 Bentley Estates Final Plat:** The Planning Commission will consider and may take  
143 action on a final plat for Bentley Estates; an 8-lot residential subdivision located in the general area of  
144 1040 S 400 E.

145 **(EXHIBIT)**

- 146 • S Bankhead read the background and from the project staff report.  
147 • Andy Bentley said the plan was identical to the preliminary plat except some supportive changes  
148 from the engineer.

149 *Motion to approve the final plat for the Bentley Estates, also number 02-115-0027 located in the general*  
150 *area of 1070 south 400 east to include the Findings of Fact, Conclusions of Law, and the Conditions: ----*  
151 *- R Perry, second: ----- R Cecil*

152 *Vote:*

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

154 *Nay:*

155 *Abstained:*

156  
157 **Study Items(s):**

158  
159 **1 Hr. 50 Min. 03 Sec.**

- 160 • **Item No. 4 Rezone Application of Ballard Springs:** The Planning Commission will review a  
161 request to change the zone for parcels 02-090-0013 and 03-002-0007 from Commercial Highway  
162 District (CHD) to Mixed-Use (MXD) located in the general area of 300 S - 500 S SR165. \*Tabled last  
163 PC Mtg. 9/22/21 **(EXHIBIT)**

- 164 • S Bankhead read from the staff report.  
165 • S Bankhead read the email from Jason Holmes that was emailed to the Providence City website  
166 concerning this matter.  
167 • Justin Campbell the architect, clarified that they were looking for a recommendation for a re-  
168 zoning. He explained why this project was a mixed use. A discussion followed about the  
169 difference between mixed use and commercial and the benefits of mixed use.  
170 • J Campbell said there is a restaurant, paint store, car wash, dentist office, and convenience store  
171 that all want part of the development.

172  
173 ***Item tabled until next meeting. No Motion necessary as item is a study item.***

176 **2 Hr. 31 Min. 46 Sec.**

- 177 • **Item No. 5 Land Use Code Amendment Application:** Planning Commission to review and  
178 may take action on an application by Dave Beckett for a code amendment to change the setback for  
179 accessory dwelling units. \*This item was discussed and tabled for further review from the PC Mtg of  
180 8/25/21 ([EXHIBIT](#)) ([REVIEW](#))

181  
182 *R Snow suggested to drop the item and have the applicant re-apply due to continued absence.*

183  
184 *K Alder suggested to have the selection for the new chair on the next Agenda.*

185  
186 *K Alder motions the Commission to adjourn the meeting. Seconded by B Marble.*

- 187 • *Vote –*  
188 • *Yea: K Alder, M Fortune, R Perry, R Cecil, B Marble*  
189 • *Nay:*  
190 • *Abstained:*  
191 • *Excused:*  
192 • *Motion passes. Meeting adjourned.*

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196 Minutes prepared by Kris Hobbs Clemente

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200  
201 \_\_\_\_\_  
202 Kathleen Alder, Chair

201 \_\_\_\_\_  
202 Ty Cameron, City Recorder