

1 **PLANNING COMMISSION MINUTES**

2 Wednesday, December 1st, 2021, 6:00 pm

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

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5 To view the video recording 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 Commission](#)
7 [Meeting 12/1/2021 - YouTube](#) (Ctrl + Click to follow link)

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9 **Hr. Min Sec.** in **GREEN** above agenda items are time stamp references 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, Joe
12 Chambers. **City Staff:** Ryan Snow (City Manager), Skarlet Bankhead (Community Development Director), Ty
13 Cameron (City Recorder)

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15 **(4 Min 0 Sec.)**

16 **Call to Order:** Kathleen Alder

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

18 **Pledge of Allegiance:** Bob Perry lead the Planning Commission and audience in pledge of allegiance.

19
20 **Approval of Minutes:** The Planning Commission will consider approval of the minutes for September 8th,

21 September 22nd, and October 13th of 2021. **(SEPT. 8th MINUTES)**

22 **(SEPT. 22nd MINUTES)**

23 **(OCT. 13th MINUTES)**

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- Kathleen Alder informed the Planning Commission that the minutes will be approved at the Planning Commissions next meeting as a few corrections need to be made.

26 **(5 Min 45 Sec.)**

27 **Public Comments:** Citizens may express their views on issues within the Planning Commission’s jurisdiction.

28 The Commission accepts comments: in-person, by email providencacityutah@gmail.com , and
29 by text 435-752-9441. By law, email comments are considered public record and will be shared
30 with all parties involved, including the Planning Commission and the applicant.

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- Kathleen Alder opened the floor for any public comments for the audience and asked Skarlet Bankhead if any comments came in via email or text.
 - Ashley Nance, Providence City resident, commented on the development that will be happening around Grandview Dr and the increased traffic impact on the roads due to the potential rezone.
 - Skarlet Bankhead informed Planning Commission that no comments had come in via email or text.
 - No further comments were made. Kathleen Alder closed the public comment portion of the meeting.

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41 **Public Hearing(s):**

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43 **(9 Min. 45 Sec.)**

- 44 ➤ **Item No. 1 PCC 10-8-3 No. 8 Retaining Walls Code Amendment Request:** The Planning
45 Commission will take comments and questions regarding the application filed by Brett & Idena Ward to

46 amend PCC 10-8-3 No. 8 Retaining Walls, which is a request to allow additional height if adjacent
47 property owners agree in writing to allow such.
48

- 49 • Kathleen Alder called item number 1 and gave a brief introduction and opened the floor
50 for public comments or questions.
- 51 • Audience asked where the information could be found. Kathleen Alder responded and
52 instructed that the information could be found on the agenda which can be accessed via
53 the City’s website.
- 54 • No further comments or questions were posed. Kathleen Alder closed the public
55 comment portion of the public hearing for item number 1.

56 **(13 Min. 10 Sec)**

57 ➤ **Item No. 2 Rezone of Parcels 02-116-0004 & 03-036-0027:** The Planning Commission will
58 take comments and questions regarding the request from Terrex Engineering & Construction to rezone
59 parcels 02-116-004 & 03-036-0027 from Single Family Large (SFL) to Single Family Traditional (SFT)
60

- 61 • Kathleen Alder called item number 2 and gave a brief introduction and opened the floor
62 for public comments or questions.
- 63 • Chris Bassett, Providence City resident, asked about the difference between the two
64 zones and their density.
- 65 • Andrea Diamond, Providence City resident, commented on the request to rezone and
66 cautioned the Planning Commission to consider all the effects the rezone would have on
67 the area.
- 68 • Ashly Nance, Providence City resident, commented on the road development, traffic and
69 potential parks for the area.
- 70 • Scott Findley, Providence City resident, asked the Planning Commission to address the
71 transportation load and plans for the area.
- 72 • The Planning Commission informed the audience that their comments and questions
73 would be addressed in the upcoming items where the Planning Commission will discuss
74 the staff report and allow the developer or applicant to respond.
- 75 • No further comments or questions were posed. Kathleen Alder closed the public
76 comment portion of the public hearing for item number 2.
77

78 **Legislative – Action Item(s):**

79
80 **(20 Min. 50 Sec.)**

81 ➤ **Item No. 3 PCC 10-8-3 No. 8 Retaining Walls Code Amendment Recommendation:** The
82 Planning Commission will review, discuss, and may make a recommendation to City Council regarding
83 the request to amend PCC 10-8-3 No. 8 Retaining walls. **(CODE REVIEW)**
84

- 85 • Kathleen Alder called item number 3 and gave a brief introduction; asked Skarlet
86 Bankhead to give an overview of the application and staff report.
- 87 • Skarlet Bankhead gave an overview of the findings of fact, conclusions of law and
88 conditions that were provided in the staff report regarding the application. Discussed with
89 Planning Commission the current code regarding retaining walls and staff concerns of
90 allowing the code amendment.

- Planning Commission discussed retaining wall requirements including height and setbacks.
- Skarlet Bankhead informed the Planning Commission that neither the builder nor the owners were present.
- Kathleen Alder informed Planning Commission and audience that it has been their practice to table an agenda item if the applicant or developer isn't present.
- Staff and Commission discussed setback, easements, and the current code requirements regarding retaining walls.

Motion to table item number 3 until next meeting: — R Cecil, second — B Marble

Vote:

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

Nay:

Abstained:

Excused:

(40 Min. 30 Sec.)

➤ **Item No. 4 Rezone of Parcels 02-116-0004 & 03-036-0027 Recommendation:** The Planning Commission will review, discuss, and may make a recommendation to City Council regarding the request to rezone parcels 02-116-004 & 03-036-0027 from Single Family Large (SFL) to Single Family Traditional (SFT). **(REZONE ANALYSIS)**

- Kathleen Alder called item number 4 and gave a brief introduction; asked Skarlet Bankhead to give an overview of the application and staff report.
- Skarlet Bankhead gave an overview of the findings of fact, conclusions of law and conditions that were provided in the staff report regarding the application. Informed Planning Commission and audience of the differences between the two zones and their density. Informed the Planning Commission and audience of the past & current zoning of the parcels and their history.
- Staff and Planning Commission discussed and viewed the sidewalks in the rezone area. Parties discussed zone uses, housing density and setbacks of both zones.
- Parties discussed the potential and plans for parks in the area. Parties discussed access points and access requirements.
- Jeremy Jensen, developer, commented on their plans for the area and their request to rezone the parcels. Discussed with Planning Commission and staff future plans for access points and how they might be achieved.
- Robert Montgomery, Providence City resident, asked about access point connecting to Grandview Drive and their plans for traffic mitigation.
- Emily Thatcher, Providence City resident, asked if access point into Millville is not approved what is developers plan B.
- Jeremy Jensen, developer, responded to residents and went over developers plans for traffic and access points.
- Scott Jones, Providence City resident, asked about the zoning of the middle section of the parcels.
- Sandy Barrett, Providence City resident, asked about zoning change for both parcels with a section staying the same due to it being already developed.

- Planning Commission and staff discuss with developer and audience the zone history of the parcels and the City’s master plan. Parties discussed the density requirements of the zones and what was and wasn’t allowed.
- Alison Hawkins, Providence City resident asked about transportation plans and traffic.
- Jeremy Jensen, developer, responded and informed parties that a traffic study was done and showed roads being able to handle additional traffic or stress.
- The Planning Commission discussed the rezone and plans for the area.

Motion to recommend to City Council that the request to rezone parcels 02-116-0004 & 03-036-0027 from SFL to SFT be approved : — R Cecil, second — B Perry

Vote:-

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

Nay:

Abstained:

Excused:

(1 Hr. 38 Min. 35 Sec.)

➤ **Item No. 5 Parcel 02-101-0001 Rezone Recommendation:** Providence City Planning Commission will consider and may recommend to the Providence City Council the rezoning of property in the general area of Sarah Street and 300 N, Parcel 02-101-0001, currently zoned as Single-Family Large (SFL) with the request that it be rezoned too Single-Family Traditional (SFT). *Public hearing was held on July 28th 2021.* **(PETITION)** & **(REZONE ANALYSIS)**

- Kathleen Alder called item number 5 and gave a brief introduction; asked Skarlet Bankhead to give an overview of the application and staff report.
- Skarlet Bankhead gave an overview of the findings of fact, conclusions of law and conditions that were provided in the staff report regarding the application. Reminded Planning Commission why this application was postponed for so long as the parties were waiting on the Culinary Water Master Plan report from Sunrise Engineering. Skarlet Bankhead gave an overview of the difference between the two zones and the history of the area.
- Steven Wood, representative from Sunrise Engineering, gave an update on the City’s Culinary Water Master Plan that is currently being put together and how it affects the area being requested for rezone and the impact it would have on the city’s water if rezone was approved.
- Danny MacFarland, developer, informed Planning Commission of their plans for the area and why they requested a rezone.
- Parties discussed access points and city’s plans for future roads in the area.

Motion to recommend to City Council that the request to rezone parcels 02-101-0001 from SFL to SFT be approved: — M Fortune , second — R Cecil.

Vote:-

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

Nay:

Abstained:

Excused:

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

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187 **(2 Hr. 4 Min. 35 Sec.)**

- 188 ➤ **Item No. 6 Preliminary Plat for Park View Heights Subdivision:** The Planning Commission
189 will consider and may take action on a request for approval of a preliminary plat for Park View Heights
190 Subdivision; a proposed 5-lot residential subdivision located in the general area of 400 E 200 S.

191 **(ANALYSIS)**

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 - Kathleen Alder called item number 6 and gave a brief introduction; asked Skarlet Bankhead to give an overview of the application and staff report.
 - Skarlet Bankhead gave an overview of the findings of fact, conclusions of law and conditions that were provided in the staff report regarding the Preliminary Plat.
 - Kory Crompton, applicant, gave an overview of their plans for the subdivision.
 - Parties discussed access and trails.

199
200 **Motion to approve the preliminary plat request with the findings of facts, conclusions of law and**
201 **conditions as outlined in the City’s Staff report: — B Marble , second — M Fortune**

202 **Vote:-**

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

204 **Nay:**

205 **Abstained:**

206 **Excused:**

207
208 **(2 Hr. 15 Min 50 Sec.)**

- 209 ➤ **Item No. 7 Special Review & Preliminary Plat for Hillside Meadows Subdivision:** The
210 Planning Commission will consider and may take action on a request for approval of a special review
211 and preliminary plat for Hillside Meadows Subdivision, a proposed 2-lot residential subdivision located
212 in the general area of 59 S 300 E. **(ANALYSIS)**

- 213
214
 - Kathleen Alder called item number 7 and gave a brief introduction; asked Skarlet Bankhead to give an overview of the application and staff report.
 - Skarlet Bankhead gave an overview of the findings of fact, conclusions of law and conditions that were provided in the staff report regarding the Special Review and Preliminary Plat.
 - Cody Bland, owner, informed Planning Commission of their plans for the subdivision.
 - Parties discussed plans and intentions of owners.

222 **Motion to approve the special review and preliminary plat request with the findings of facts, conclusions**
223 **of law and conditions as outlined in the City’s Staff report: — B Perry , second — R Cecil**

224 **Vote:-**

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

226 **Nay: B Marble**

227 **Abstained:**

228 **Excused:**

229
230 **(2 Hr. 24 Min. 30 Sec)**

231 ➤ **Item No. 8 Final Plat approval for Fox Hollow Townhomes Phase 1:** The Planning
232 Commission will consider and may take action on a request for approval of a final plat for Fox Hollow
233 Townhomes Phase 1, a proposed 33-unit residential townhome development located in the general area
234 of 590 W 300 S. **(ANALYSIS)** **(REVISED PLAT)**

- 235
- 236 • Kathleen Alder called item number 8 and gave a brief introduction; asked Skarlet
237 Bankhead to give an overview of the application and staff report.
- 238 • Skarlet Bankhead gave an overview of the findings of fact, conclusions of law and
239 conditions that were provided in the staff report regarding the Final Plat.
- 240 • Planning Commission asked if there was a need to get the Army Core of Engineers
241 involved due to the area being in a potential wetland.
- 242 • Dan Arnell, developer, informed the Planning Commission that the Army Core was
243 consulted, and everything is good. Discussed with Planning Commission the reason for
244 the slight road change.
- 245 • Parties discussed parking options for visitor parking.
- 246

247 **Motion to approve the final plat request with the findings of facts, conclusions of law and conditions as**
248 **outlined in the City’s Staff report: — B Marble , second — R Cecil**

249 **Vote:-**

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

251 **Nay:**

252 **Abstained:**

253 **Excused:**

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255 **(2 Hr. 36 Min. 30 Sec.)**

256 ➤ **Item No. 9 Preliminary Plat for South Bench Estates Subdivision:** The Planning Commission
257 will consider and may take action on a request for approval of a preliminary plat for South Bench
258 Estates Subdivision, a proposed 2-lot residential subdivision located at 1039 S 400 E. **(ANALYSIS)**

- 259
- 260 • Kathleen Alder called item number 9 and gave a brief introduction; asked Ryan Snow to
261 give an overview of the application and staff report.
- 262 • Ryan Snow gave an overview of the findings of fact, conclusions of law and conditions
263 that were provided in the staff report regarding the Preliminary Plat.
- 264 • Skarlet Bankhead, applicant, informed the Planning Commission that the report was not
265 prepared by her as she is the applicant requesting approval of the plat and that it was
266 prepared by Diane Campbell, another staff member. Skarlet Bankhead discussed with the
267 Planning Commission her plans for the lots.

268 **Motion to approve the final plat request with the findings of facts, conclusions of law and conditions as**
269 **outlined in the City’s Staff report: — M Fortune, second — R Cecil**

270 **Vote:-**

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

272 **Nay:**

273 **Abstained:**

274 **Excused:**

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(2 Hr. 43 Min. 30 Sec.)

➤ **Item No. 10 Preliminary Plat for Providence Springs 55+ Cluster Development:** The Planning Commission will consider and may take action on a request for approval of a preliminary plat for the Providence Springs 55+ Cluster Development; a 31 lot residential development located in the general area of 300 N 100 E **(ANALYSIS)**

- Kathleen Alder called item number 10 and gave a brief introduction; asked Skarlet Bankhead to give an overview of the application and staff report.
- Skarlet Bankhead gave an overview of the findings of fact, conclusions of law and conditions that were provided in the staff report regarding the Preliminary Plat.
- Jody Robbins, developer, discussed with the Planning Commission their development plans.
- Parties discussed HOA, lot sizes and possible issues of certain bylaws regarding the reselling of houses to those under 55.

Motion to approve the preliminary plat request with the findings of facts, conclusions of law and conditions as outlined in the City’s Staff report: — B Marble, second — R Cecil

Vote:-

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

Nay:

Abstained:

Excused:

(2 Hr. 58 Min. 20 Sec.)

➤ **Item No. 11 Final Plat for the Bouwes Subdivision:** The Planning Commission will consider and may take action on a request for approval of a final plat for the Bouwes Subdivision; a 3-lot residential subdivision located in the general area of 407 S 100 W. **(ANALYSIS)**

- Kathleen Alder called item number 11 and gave a brief introduction; asked Skarlet Bankhead to give an overview of the application and staff report.
- Skarlet Bankhead gave an overview of the findings of fact, conclusions of law and conditions that were provided in the staff report regarding the Final Plat.
- Parties discussed the tree and sidewalk issue that was brought up last time.
- Nick Bouwes, applicant, informed the Planning Commission that the tree will be removed and discussed with the Planning Commission the storm water report and issue.
- Parties discussed the report and possible solutions including basins. Planning Commission informed applicant that they are here to only approve his final plat and the other issues discussed would need to be addressed with the engineers.

Motion to approve the preliminary plat request with the findings of facts, conclusions of law and conditions as outlined in the City’s Staff report: — B Perry, second — R Cecil

Vote:-

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

Nay:

318 **Abstained:**

319 **Excused:**

320

321 **Motion to continue meeting past 9:00 pm: — B Perry, second — R Cecil**

322 **Vote:-**

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

324 **Nay:**

325 **Abstained:**

326 **Excused:**

327 **(3 Hr. 15 Min. 10 Sec.)**

328 ➤ **Item No. 12 New Planning Commission Chair:** The Planning Commission will begin the
329 process and may take action on assigning a new Planning Commission Chair.

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- 331 • Kathleen Alder called item number 12 and informed the Planning Commission that she is
332 resigning as chair of the Planning Commission.

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334 **Motion to appoint Michal Fortune as the new Planning Commission Chair: — R Cecil, second — B**

335 **Perry**

336 **Vote:-**

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

338 **Nay:**

339 **Abstained:**

340 **Excused:**

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342 **Motion to appoint Brian Marble as Vice Chair of the Planning Commission— M Fortune, second — R**

343 **Cecil**

344 **Vote:-**

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

346 **Nay:**

347 **Abstained:**

348 **Excused:**

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350 **Motion to adjourn meeting: — R Cecil, second — M Fortune**

351 **Vote:-**

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

353 **Nay:**

354 **Abstained:**

355 **Excused:**

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- 357 • Meeting adjourned

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360 Minutes prepared by Ty Cameron

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Kathleen Alder, Chair

Tyler Cameron, City Recorder