

1 **PLANNING COMMISSION MINUTES**

2 Wednesday, October 13, 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:  
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.

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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

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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)**

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26 **Motion to approve the Minutes of August 25<sup>th</sup>: ---- 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  
38
  - Kathleen Alder opened the floor for public comment.
  - Skarlet Bankhead indicated that no comments have come in via email or text.
  - There were no comments from the public. Kathleen Alder closed the public comment section of the meeting.

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43 **Public Hearing(s):** No Public Hearings

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46 **Legislative – Action Item(s):**  
47

48 **3 Min. 17 Sec.**

- 49 • **Item No. 1 PCC 11-1-3 Exception:** The Planning Commission will consider and may make a  
50 recommendation to the city council; a request by Paul Gibbons, representing Shoreline Estates 2021  
51 LLC, for an exception to Providence City Code 11-1-3 which limits a cul-de-sac to a maximum length  
52 of 600-feet. The applicant is requesting an 819-foot cul-de-sac in the Shoreline Estates Phase 2 & 3  
53 development. \*Tabled last PC Mtg. 9/22/21 [\(EXHIBIT\)](#)  
54
- 55 • Kathleen Alder called item number 1 and asked S. Bankhead to give an overview of the staff  
56 report.
  - 57 • S Bankhead reviewed with the Planning Commission the findings of fact, conclusions of law and  
58 conditions as were found in the staff report. S. Bankhead commented that the exception  
59 wouldn't add any street issues and there would not be any extra snow removal.
  - 60 • Nick Watterson, developer, suggested that the top cul-de-sac have a thru-street that would  
61 connect into Logan. Parties discussed streets and accesses in the area.
  - 62 • Justin Palmer, developer, acknowledged N Watterson's opinion about future development. He  
63 discussed with the Planning Commission their alternate solutions and how the changes are not  
64 that different from the original design or request.
  - 65 • K Alder brought up the issue of the hammer head and why N Watterson wouldn't want that in  
66 his area. A discussion followed.
  - 67 • Justin B explained that there was a dispute between Stan Checketts and N Watterson about the  
68 boundary line adjustment explaining that after the agreement on the north boundary line, there  
69 was room for 8 lots because the cul-de-sacs were shorter.
  - 70 • J Chambers, commission member, stated he thought this seemed more like a variance that should  
71 go in front of the board of appeals. S Bankhead responded commenting on the current code and  
72 the differences between variances and exceptions.
  - 73 • J Chambers stated he is an alternate and he doesn't get to vote but if he were to vote it would be  
74 a no.
  - 75 • S Bankhead commented that there was an exception in title 11 and that legal counsel was  
76 involved in that decision in the past.
  - 77 • Parties discussed a previous ordinance involving something similar and why the City Council  
78 had made the decision for that ordinance.
  - 79 • Parties discussed the potential for a temporary hammerhead, an access street, and fire safety with  
80 construction and all of the change that could be made to this development.
  - 81 • R Snow, city manager, any kind of through access would be beneficial for now and in the future  
82 with water and sewer lines. He asked if the plan would be consistent with the general plans and  
83 fit the ordinances with safety, utilities, or usability of property.
  - 84 • N Watterson stated they have always had a concern about having the thru street, but it sounds  
85 like it would solve a lot of problems. If it is a thru street instead of the 600-foot cul-de-sac or  
86 then the exception can just be disregarded because it is now a thru street. The only problem  
87 would be the top homeowner and whether they wanted a turnaround or the thru street.

- T Riggs, commission member, stated he was not voting but was influenced by J Chambers and that they should follow the city codes with cul-de-sac over 600 feet and not override the city code.
- B Marble, commission member, recused himself from voting as he is friends with Paul Gibbons.

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

**Vote:**

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

**Nay:**

**Abstained: B Marble**

**Administrative Action Item(s):**

**1 Hr. 00 Sec.**

- **Item No. 2 Spring Creek Preliminary Plan:** The Planning Commission will consider and may take action on preliminary plans for the Spring Creek Townhomes; a mixed-use development containing 82-townhome units and a commercial building located in the general area of 265 Gateway Dr. \*Tabled last PC Mtg. 9/22/21. ([EXHIBIT](#))
  - K Alder called item number 2 and gave a brief introduction and asked S Bankhead to give an overview of the staff report.
  - S Bankhead reviewed with the Planning Commission the findings of fact, conclusions of law and conditions as found in the staff report. She stated that they are meeting their minimum requirements and, in some areas, more so.
  - Adam Paul, applicant, commented on his application and his plans. He stated that the space between the walls is the area that is owned not the ground or land beneath.
  - K Alder asked about the children's play areas and barbeque areas that were not on the plan anymore. A Paul responded that it is still part of the plan; it is called an amenity package and that a dog corner will also be part of that. Since this is the preliminary part of the project those things will be drawn up on the next submittal.
  - K Alder brought up connectivity. There is a connection to the property owned by Le Grand Johnson. Parties discussed having access through the lot by the theaters.
  - Parties discussed parking and the access roads, along with traffic flow. Traffic signals for traffic control in different scenarios were considered.
  - S Bankhead stated if they are doing condominiums then they are going to need more information on the final plat.
  - B Marble asked about the property structure and lay out. S Bankhead responded there are three parcels but one zone. S Bankhead also reminded them that this wasn't part of the new mixed use code because they hadn't passed the new ordinance yet, even though it is encouraged, they don't need to have car charging stations and bike racks etc. whereas in the future other places will be required to have them.

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

134 **Vote:**

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

136 **Nay:**

137 **Abstained:**

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139 **1 Hr. 42 Min. 22 Sec.**

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

- 144 • K Alder called item number 3 and asked S. Bankhead to give overview of report.
- 145 • S Bankhead reported on the findings of fact, conclusions of law and conditions as found in the
- 146 staff report.
- 147 • Andy Bentley, applicant, stated the plan was identical to the preliminary plat except some
- 148 supportive changes from the engineer.

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

152 **Vote:**

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

154 **Nay:**

155 **Abstained:**

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157 **Study Items(s):**

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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 • K Alder called item number 4 and gave a brief introduction and asked S. Bankhead to give
- 165 report.
- 166 • S Bankhead reported on the findings of fact, conclusions of law and conditions as found in the
- 167 staff report.
- 168 • S Bankhead read an email submitted by Jason Holmes that was emailed to the Providence City
- 169 website concerning this matter.
- 170 • Justin Campbell, the architect, clarified that they were looking for a recommendation for a re-
- 171 zoning. He explained why this project was a mixed use. A discussion followed about the
- 172 difference between mixed use and commercial and the benefits of mixed use.
- 173

- 174 • J Campbell said there is a restaurant, paint store, car wash, dentist office, and convenience store  
175 that all want part of the development.  
176

177 **Item tabled until next meeting. No Motion necessary as item is a study item.**  
178

179  
180 **2 Hr. 31 Min. 46 Sec.**

- 181 • **Item No. 5 Land Use Code Amendment Application:** Planning Commission to review and  
182 may take action on an application by Dave Beckett for a code amendment to change the setback for  
183 accessory dwelling units. \*This item was discussed and tabled for further review from the PC Mtg of  
184 8/25/21 (EXHIBIT) (REVIEW)  
185

186 **R Snow suggested to drop the item and have the applicant re-apply due to continued absence.**  
187

188 **K Alder suggested to have the selection for the new chair on the next Agenda.**  
189

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

191 **Vote –**

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

193 **Nay:**

194 **Abstained:**

195 **Excused:**  
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197 Motion passes. Meeting adjourned.  
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200

201 Minutes prepared by Kris Hobbs Clemente  
202

  
\_\_\_\_\_  
Michael Fortune, Chair

  
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Ty Cameron, City Recorder