

1 **PLANNING COMMISSION MINUTES**

2 Wednesday, May 25th, 2022, 6:00 pm

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

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5 To view the video recording account of the Planning Commission meeting please view our YouTube video of  
6 the meeting that can be found on Providence’s YouTube channel: [Planning Commission 5/25/2022 - YouTube](#)

7  
8 **HR. MIN. SEC.** in **GREEN** above items are time stamps for YouTube Video of the Planning Commission meeting

9  
10 **Call to Order:** Michael Fortune

11 **Chair Roll Call of Commission Members:** Robert Perry, Michael Fortune, Tyler Riggs, Joe Chambers &  
12 Brian Marble (appeared via Zoom.)

13 **Staff Members in attendance:** Ryan Snow, City Manager, Skarlet Bankhead, Community Development  
14 Director and Ty Cameron, City Recorder.

15 **Pledge of Allegiance:** Michael Fortune

16  
17 **( 1 MIN. 05 SEC.)**

18 **Approval of Minutes:** The Planning Commission will consider approval of the corrected minutes for April  
19 27th, and the minutes of May 11<sup>th</sup> of 2022. **(CORRECTED MINUTES 4/27)**  
20 **(MINUTES 5/11)**

- 21  
22 • Michael Fortune called for the approval of both minutes. Commission found no corrections were  
23 needed.

24  
25 **Motion to approve the Planning Commission minutes of April 27<sup>th</sup> and May 11<sup>th</sup> of 2022 – Tyler**  
26 **Riggs. 2<sup>nd</sup> Robert Perry.**

27 **Vote:**

28 **Yea- Robert Perry, Brian Marble, Michael Fortune, Tyler Riggs & Joe Chambers.**

29 **Ney-**

30 **Absent-**

31 **Abstained-**

32  
33 **Motion passes.**

34  
35 **Public Comments:** Citizens may express their views on issues within the Planning Commission’s jurisdiction.

36 The Commission accepts comments: in-person, by email [providencecityutah@gmail.com](mailto:providencecityutah@gmail.com) , and  
37 by text 435-752-9441. By law, email comments are considered public record and will be shared  
38 with all parties involved, including the Planning Commission and the applicant.

- 39  
40 • Michael Fortune opened the floor for public comments and indicated to all present that this was  
41 the time to make comments regarding issues or items that were not on the agenda tonight.  
42 • No comments were made. Staff verified that no comments came in via email or text, other than  
43 the comments that were emailed in regarding the public hearing set for tonight.  
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48 **Public Hearings:**

49  
50 **(3 MIN. 55 SEC.)**

- 51 ➤ **Item No. 1 Partial Rezone of Parcel 03-002-0007:** Providence City Planning Commission  
52 will take comments and questions regarding an application to rezone a section of parcel 03-002-0007  
53 generally located at 420 S SR 165. Applicants seek to rezone a section of the parcel from Commercial  
54 Highway to Multi-Family High.  
55
- 56 • Michael Fortune called item 1, gave a brief introduction, and opened the floor for public comment.  
57 Indicated to all present that they would go down the public comment signup sheet; and that when he  
58 called their name, they were welcome to come up and make their comments.
  - 59 • Matthew Hedelius, Providence City Resident, commented on the rezone request and expressed his  
60 concern with the city allowing more high-density housing. Commented to the Commission that with  
61 high density housing comes safety issues for kids, increase crime and voyeurism.
  - 62 • Michael Fortune noted that the general rule for all commenting tonight is to try and keep your  
63 comments to 3-5 minutes.
  - 64 • Mike Semaden commented that he was strongly opposed to the rezone and referenced the peoples  
65 vote on Prop 1.
  - 66 • Commission commented on their responsibilities here tonight and that they are not the approving  
67 body but will make a recommendation that will be given to City Council who will have the final say.  
68 Commission commented on Prop 1 and its relation to the Vineyard property and high-density  
69 housing overall.
  - 70 • Kendall Pace commented on high density housing and stated that he is opposed to high density  
71 housing. Parties discussed previous plans for the area and mixed-use district zoning. Mr. Pace  
72 indicated that most in that area are against multifamily housing and asked who benefits from high  
73 density. Parties discussed commercial building view versus housing view for residents whose houses  
74 boarder this property.
  - 75 • Nelson Palmer asked about current site plans and what this rezone is really trying to achieve,  
76 commented on increased traffic and issues that general high-density housing brings to areas.
  - 77 • Jason Homes commented on the density of the housing for this rezone and asked what that means.
  - 78 • Skarlet Bankhead, Community Development Director, reviewed with everyone the different zones  
79 and what could and couldn't be built in them, commented on this specific request, and indicated  
80 what could be built in Multifamily High. Commented on building height for this zone, setbacks, and  
81 the new design standards that the developers would have to follow which includes bigger driveways.
  - 82 • Holly Lewis asked about acreage and what is the area that these buildings or apartments would be  
83 built on. Skarlet Bankhead responded that what can be built is based on net acreage.
  - 84 • Nelson Palmer commented on the acreage that will be used for commercial versus what will be used  
85 for residential and asked what benefits the city would see, asked about the city survey, and  
86 commented on finding a balance.
  - 87 • Collin Dan commented on current housing developments in the city and this development being so  
88 close to schools and how that is going to affect traffic flow, especially on garden drive.
  - 89 • Nate Leishman commented on the development and the rezone.

- 90 • Delwin Willden commented on the growth he has seen in Providence and stated that he is against  
91 high density housing.
- 92 • Holly Lewis commented on housing availability and increased crime rate with high density housing.  
93 Asked what studies have been done with this rezone. Skarlet Bankhead responded that the city does  
94 not at this time require any studies to be done.
- 95 • Mike Lillywhite commented on the new development and high-density housing. Discussed with the  
96 Commission a high-density housing development in Smithfield that was done and what they did,  
97 commented on building height and view for the surrounding neighborhood.
- 98 • Jessica Jacobs commented on affordable housing and the Bridgeland Meadows Apartment layout  
99 and how that looks and feels. Commented on the current developments in the area and the lack of  
100 space for the residents and all the safety concerns that come with high density housing.
- 101 • Nataly Mortenson commented on how housing is done in other states with comparison to the  
102 Gateway development and is disappointed in how it looks and how many apartments are crammed  
103 into that area. Stated that she is against high density housing.
- 104 • Rebecca Ettedelius commented on high density housing and referenced what has been stated by  
105 others regarding the increase in criminal activity due to high density housing.
- 106 • Dan Mezeris commented on the aesthetics and view the neighbors of the area would have.
- 107 • Commission discussed the emailed comments that came in, indicated that they all had read them and  
108 stated that the emailed comments would be attached to the minutes.
- 109 • Michael Fortune closed the public hearing.

110  
111 \*Comments that came in via email regarding this public hearing have been attached to these minutes  
112 as Exhibit A.

113  
114 **Legislative – Action Item(s):**

115  
116 **(1 HR. 27 MIN 30 SEC)**

- 117 ➤ **Item No. 2 Partial Rezone of Parcel 03-002-0007 Recommendation:** The Providence City  
118 Planning Commission may take action on making a recommendation to City Council regarding a request  
119 to rezone a section of parcel 03-002-0007 generally located at 420 S SR 165. Applicants are requesting  
120 that it be rezoned from Commercial Highway to Multi-Family High. **(REZONE ANALYSIS)**

- 121 • Michael Fortune called item 2 and asked Skarlet Bankhead to give an overview of the request.
- 122 • Skarlet Bankhead reviewed with the Commission zoning codes, process and procedures and  
123 confirmed that she was unable to find any required reports or study's regarding rezone requests  
124 in the Utah Code as was commented on by a resident earlier.
- 125 • Skarlet Bankhead reviewed with the Commission our city codes regarding rezones and gave an  
126 overview of the staff report which included the findings of fact, conclusions of law and  
127 conditions. Discussed with the Commission the city's general and master plans regarding the  
128 area and talked about traffic plans, the parcel summary, access roads and sensitive areas.
- 129 • Michael Fortune called for a brief break. Mr. Fortune called meeting back to order and indicated,  
130 per a conversation he had with a resident during the break, and reiterated that the emails that  
131 were submitted for comment regarding the public hearing and this issue will not be read on the  
132

record but will be attached to the minutes. Reassured the public that each member of the Commission has read the emailed comments.

- Craig Champlin, applicant, took the stand and commented on his request to rezone the property. Mr. Champlin discussed his potential plans for the area should the rezone be approved. Mr. Champlin commented on the housing market and the need for more housing. Indicated that this development would be high quality. Parties discussed the access points, traffic flow and units per acre that can be developed.
- Craig Champlin commented on what was commented on early by the public and understands their concerns with safety, voyeurism, traffic etc. but assured everyone he was following all the requests, code requirements and would be meeting all the city standards and requirements. Parties discussed medium density housing and mixed use.
- Residents expressed concern and asked about road and highway access by the high school and what roads would connect where. Parties discussed what the plans were for the city and what possible plans UDOT had which would be out of the cities control.
- Michael Fortune commented on a news article from the County regarding population growth and creating affordable housing. Indicated that the County has created housing task forces or committees to help with the housing issue that we are seeing. Asked the public to do their research, to look at the numbers and facts, to look at the townhomes in the area and how they feel about those.
- The Planning Commission discussed the city survey results, Prop 1 and their rights and responsibilities.
- Brian Marble commented on the housing issues in the area and stated that it is not an excuse to approve high density housing.
- Tyler Riggs commented on the high-density housing and keeping with the city’s general plan and stated the value of keeping commercial zones for commercial use.
- Joe Chambers agreed with what Tyler Riggs has stated, referenced the survey results and what the public has stated here tonight which shows that the majority are against high density housing.
- Commission discussed if things could be changed at this point in time. Skarlet Bankhead indicated that nothing was locked in, and things could change. Commission discussed their oath and responsibilities to the public and to the city’s future.

**Motion to recommend to City Council that they deny the request to rezone a part of parcel 03-002-0007– Tyler Riggs. 2<sup>nd</sup> - Joe Chambers.**

**Vote:**

**Yea- Robert Perry, Brian Marble, Michael Fortune, Tyler Riggs & Joe Chambers.**

**Ney-**

**Absent-**

**Abstained-**

**Motion passes.**

**Administrative Action Item(s):**

**(2 HR. 23 MIN. 50 SEC.)**

➤ **Item No. 3 Providence City Center Amended Site Plan:** The Providence City Planning Commission will review, discuss, and may take action on an amended site plan for Lot 1 & 2 of the Providence City-Center Mixed-Use Development. **(ANALYSIS)**

- Michael Fortune called item 3, gave a brief introduction and asked Skarlet Bankhead to give an overview of the amended site plan.
- Skarlet Bankhead reviewed with the Commission what the amended site plan was for and discussed with them the staff report, which included the findings of fact, conclusions of law and conditions. Indicated that the Planning Commission would have to find good cause in order to approve the amendment. Ms. Bankhead discussed a public utility easement versus a municipal utility easement and that this request was the later.
- Parties discussed how much of the property was being moved or adjusted.
- David Knight, applicant. indicated that maybe 2 tenths of an acre was what they were looking to adjust. Parties discussed the easement and the overall site plan. Commission asked what this would affect with the outside and inside of the building. Mr. Knight indicated that they only difference they'll really see is parking, which they would see an increase of. This would also slightly subtract from the total number of units that would be built.
- Parties discussed the need and benefits of this adjustment and what good cause is being shown. Skarlet Bankhead indicates that the good cause request is required by State Code regarding lot line adjustments. Parties indicate that this amended site plan would allow more parking for commercial use and that all parties involved would benefit.

**Motion to approve the Providence City Center Amended Site Plan for lot 1 & 2 with its accompanying staff report which includes the findings of fact, conclusions of law, conditions; and with good cause having been shown, discussed, and approved during the Planning Commission meeting of May 25<sup>th</sup>, 2022 – Tyler Riggs. -2<sup>nd</sup> – Robert Perry**

**Vote:**

**Yea- Robert Perry, Brian Marble, Michael Fortune, Tyler Riggs & Joe Chambers.**

**Ney-**

**Absent-**

**Abstained-**

**Motion passes.**

**(2 HR. 37 MIN. 55 SEC.)**

➤ **Item No. 4 Preliminary Site Plan Amendment for Providence City Center:** The Planning Commission will review, discuss, and may take action on a request to amend the preliminary site plan for Lot 4 of Providence City-Center, located at 73 S Gateway Drive. The applicant is asking for a modification to the front facade architectural features and the 5-ft landscaping buffer. **(ANALYSIS)**

- 220 • Michael Fortune called item 4, gave a brief introduction and asked Skarlet Bankhead to give an  
221 overview of the amended site plan request.
- 222 • Skarlet Bankhead reviewed with the Planning Commission what the applicant was requesting  
223 and why. Discussed with the Commission the landscaping area, building envelope and the need  
224 for the adjustment to allow for the building to be designed as it currently is. Reviewed with the  
225 Commission the process of amending site plans, the current design standards, and commercial  
226 landscaping requirements.
- 227 • Christian Wilson, building's architect, commented to the Commission why they are requesting  
228 an amendment and indicated that allowing the amendment to pass would, in his mind, make the  
229 building more aesthetically pleasing and that in reality it wouldn't be changing much, both in  
230 terms of outside and inside the building.
- 231 • Planning Commission discussed the process of making exceptions like these and what it would  
232 mean going forward with other requests. Commission asked if the building could be made  
233 smaller. Mr. Wilson responded that it could but that they wanted to maximize the space.
- 234 • Matt Clyde, building and business owner, discussed with Commission his plans for the building  
235 and what their company does. Indicated to the Commission that they also own the property next  
236 to it so doing this amendment wouldn't cause any problems or issues with the neighboring  
237 property.
- 238 • Planning Commission asked what the difference really was or looked like. Mr. Wilson indicated  
239 that the building would look more like a box with straight walls, but with this amendment it  
240 would allow for a concave or indent wall to give it more character and look a lot better overall.
- 241 • Tyler Riggs commented that Mr. Clyde was his neighbor but that he knew nothing of his  
242 business until tonight. Indicated that he would support the amendment as it looks to satisfy all  
243 the requirements.

244  
245 **Motion to extend the Planning Commission meetings past 9:00 PM – Robert Perry. 2<sup>nd</sup>- Tyler**  
246 **Riggs**

247 **Vote:**

248 **Yea- Robert Perry, Brian Marble, Michael Fortune, Tyler Riggs & Joe Chambers.**

249 **Ney-**

250 **Absent-**

251 **Abstained-**

252  
253 **Motion passes.**

- 254  
255 • Parties discussed the amended site plan and the good cause that has been shown to approve it.

256  
257 **Motion to approve the Providence City Center Amended Site Plan for lot 4 with its accompanying**  
258 **staff report which includes the findings of fact, conclusions of law, conditions; and with good cause**  
259 **having been shown, discussed, and approved during the Planning Commission meeting of May**  
260 **25<sup>th</sup>, 2022 – Tyler Riggs. -2<sup>nd</sup> – Robert Perry**

261 **Vote:**

262 **Yea- Robert Perry, Brian Marble, Michael Fortune, Tyler Riggs & Joe Chambers.**

263 **Ney-**

264 **Absent-**  
 265 **Abstained-**

266  
 267 **Motion passes.**

268  
 269 **Motion to adjourn meeting – Robert Perry. 2<sup>nd</sup> – Joe Chambers**

270 **Vote:**

271 **Yea- Robert Perry, Brian Marble, Michael Fortune, Tyler Riggs & Joe Chambers.**

272 **Ney-**

273 **Absent-**

274 **Abstained-**

275  
 276 **Motion passes meeting adjourned.**

277  
 278 Minutes prepared by Ty Cameron, City Recorder

279 Minutes approved by the Planning Commission on the \_\_\_\_\_ day of \_\_\_\_\_ 2022

280  
 281  
 282  
 283 \_\_\_\_\_  
 284 Michael Fortune, Chair

\_\_\_\_\_  
 Ty Cameron, City Recorder

### **Exhibit A** **(Emailed Public Hearing Comments)**

#### **Calley Thompson**

To Providence City Planning Commission or to whom it may concern, I am writing this letter in regards to the rezoning request of section 03-002-0007 (East Portion) generally located at 420 S SR 165 Providence UT. The petition is seeking to rezone a section of the parcel from Commercial Highway (CHD) to Multi-Family High (MFH). The majority of Providence City residents and community (81% were against Prop 1) have been very vocal in the past about the amount of zone changes to MFH. This was a big deal during the 2021 election. Many residents are concerned about the density and height allowed within the MFH zoning. Just in a one mile radius of the proposed change mentioned above there are other developments that we have not fully felt the effects of. For example the number of units from the Champlin Development 55+ community Ballard Springs (39 single family high density homes) and the Fox Meadows Townhomes (Phase 1: 33 units, Phase 2: 27 units, total: 60 units). I will only mention a few of the complications and problems that come from adding more MFH units in such close proximity to other MFH units: • Our schools are really feeling the effects of the overload of children. There is simply not enough space in school for all the children. • Road and traffic structures not adequate. • These units are not being sold at a price for families. Investors are buying them and then renting them out at an unfair price. • Lack of green space • Providence city residents don't feel like they are being heard by their city council • Where will the commercial business go if it is zoned for MFH I urge you to reevaluate and vote what is in the best interest of our community and what its residents WANT. Lastly, I ask you why we are deviating from the original master plan. What is the goal for this change? I understand there is a lack of affordable housing in the valley.

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However, Providence City Council needs to follow what their residents want as well as slowing the growth within the city so we can adjust to all the challenging that come from such rapid growth within such a small area. Thank you for your time – Calley Thompson

**Chalyce Carlsen**

Dear planning committee please consider the following regarding the application for partial rezone of property 03-002-007. The current zoning of the parcel as Commercial Highway is an appropriate zone for the land and has the potential to positively benefit our community. Commercial zones, in appropriate areas, bring access to lifestyle convenience and amenities for Providence citizens. The location of the land has wonderful access to public transportation. Keeping the commercial zoning helps increase safety and security in the surrounding area. This is due to the fact that shops and services have a lot at stake. The area will be covered by cameras and will be better lit, which makes the area lot safer when compared to the dark streets and sidewalks of Multi-Family High. Providence only has so much land that is appropriate for commercial use; let's not take away the opportunity to welcome additional businesses and services into our town. Proposed rezoning for multi-family high, right next to the highway, is poor placement. Doing so will increase traffic on an already busy street and intersection. Multi-Family High zones are not accommodating for families with young children and the elderly. Often MFH complexes are often still too expensive and not a positive long-term solution for first time home buyers. MFH will bring more noise, increase crime, and reduce green space. Overall commercial zoning could bring in tax revenue and increase property values MFH will surely reduce the property value and ambiance of our community. I have been a resident of Providence for over twenty years. I have noticed a polarization between the citizens of Providence and its elected officials over the last few years. I see the efforts being made to remedy this and am grateful for them. I appreciate the recent survey sent out to gain a better understanding of citizens' thoughts and opinions. I took time to complete this and hope many others did as well. When making such decisions I ask that you listen to those who elected you; giving less of an ear to developers who have little interest in the community and high interest in their investment. I oppose the rezoning of section 03-02-0007 and ask that you keep the land for Commercial use. Thank you for your time and service in our community. You are surely put in difficult positions and receive little thanks. Respectfully, Chalyce Carlsen

**Donna & Reggie Oliver**

To Providence Planning Commission, We are very concerned about the possible rezoning on SR 165 at 420 S. Not to mention the effect on the aesthetics it will have on our city, but what will it do to the overcrowding of our schools, emergency systems, our taxes, water shortages, pollution issues, our traffic, should you allow more MFH? It is very concerning that the city is allowing for three-story, crowded-in MFH as seen with the Providence gateway projects. These types of developments are too tightly packed in with very little common ground around them. It seems to me that the only ones benefiting from these are the developers, and very little attention is being paid to the interest of the people who want to continue living in a more pleasing singlefamily environment. More thought needs to be put into what properties are allowed to be developed in our city. It does seem that we have a need for more commercial property here, however those decisions need to be carefully looked at as well. For example, how many car washes does a city of this size need? Please reconsider this change as we feel that it would have a negative impact on our beautiful city! Donna and Reggie Oliver

**Megan Jones**

Dear Providence City Planning Commission, This letter is in regards to the rezone request of 03-002-0007 (East Portion) generally located at 420 S SR 165 Providence UT from Commercial Highway (CHD) to Multi-Family High (MFH). Residents have been quite vocal in the past about the amount of zone changes to MFH that have been made within Providence



City in recent years. This was a very hot topic during the 2021 election. As a reminder, the results of the vote against Prop #1 was 2,265 residents or 81.04% of the total votes. Many residents are concerned about the density, lack of parking, lack of green space and height of buildings allowed within the MFH zoning. I will not go over those concerns again in detail. My concern is that this specific area is experiencing massive growth. We have not fully felt the effects yet from the Champlin Development 55+ community Ballard Springs (39 single-family high-density homes) and the Fox Hollows Townhomes (Phase 1: 33 units, Phase 2: 27 units, with a total of 60 units). It is unwise to add more MFH when current projects are already underway. I have many questions about this zone change request and the purpose behind it. I hope that my questions as well as other resident's concerns will be fully discussed and brought into consideration. By reducing the zoning of Commercial Highway to almost half is this also limiting the options of future businesses that could be located within Providence city boundaries? If limited in lot size, will businesses choose to build in a neighboring city instead? Once a zone is changed and building has started will the city regret that it made changes to its master plan? There is a limited section of Providence located next to SR 165 and eligible for Commercial Highway zoning, why would that option be reduced to allow for zoning of something that residents are so opposed to? Please also evaluate the need for continued sales tax generation to support the needs of the city. Please vote in a way that is best for current residents of Providence not what is most convenient or profitable for the developer. Thank you for hearing my concerns as a Providence citizen living in this area that will ultimately be affected by the decision. Megan Jones

### **Shari & Kendall Pace**

May 23, 2022, Greetings all, Please read the following in the upcoming public hearing on Wednesday, May 25, 2022 regarding the zone change request for 420 S SR 165 Providence UT. We are opposed to this change from CHD to MFH for the reasons stated below. Issues with proposed Zone Change at 420 S SR 165, Providence, Utah I've lived in California for over 50 years. I've witness new developments and have watched what increases property values and what destroyed them. Placing 3 or 4 story condos/apartments intermixed among a housing development deflates the homes values. While our home was being built, my husband and I lived in an upscale, gated condo property in Folsom, CA. We have observed the following: One of the most disturbing was a child on a bike being hit by a car. There is too much traffic for a play area and it is too dangerous for children to ride their bikes. Condos/apartments are so dense that they are hazardous and not family friendly. Let's make Providence family friendly by eliminating hazards. To build a family safe development, I feel the area would better fit duplexes and/or triplexes with ample green space for at least a small yard and a small park for children to play. The housing could have a garage between the units for aesthetics, sound proofing and privacy. Also, a green space with walking trails between the 55 plus housing and the duplexes. The Down Sides of Condo/Apartments and Zone Multi Family High (MFH) Increase of traffic in an area that has inadequate road conditions Increase of crime in an area with no law enforcement Overcrowding schools Inadequate number of emergency responders (e.g. fire department, police) to compensate for the increase population that now is existing issue. Stairs too steep for elderly and disabled Too noisy in the lower tiers No place for children to play Dangerous for children by highway Lowers surrounding property values Blocks views of the mountains, lowering property values Unsightly to look at Void of green space Not a family friendly environment Still too expensive for first time buyers They begin as rentals for investors or fall into investors hands and become rentals Noisy! You can hear other tenants' TV, music, talking, parties, walking, and slamming doors. Odors from nearby tenants cooking, particularly when using unusual spices that emanate unpleasant smells. Cheaply made increasing the cost of living. Low quality and unsafe appliances that create safety hazards. Lures first-time home buyers into a purchase without clear understanding of their "investment" and problematic issues listed above. Water shortage/cost issues need to be resolved before adding to the our existing water shortage that will occur by increasing the population. Upside of Condos/Apartments A great investment for the developers who have no interest in the community. Investment for a few that have no real interest in the community as a whole. Summary We are strongly opposed to this change. The change will only benefit the developer/investors, and deteriorate the safety, value, and the desirable "rural feel" of the community. Respectfully, Shari and Kendall Pace