

1 **PLANNING COMMISSION MINTUES**

2 Wednesday, September 28th, 2022, 6:00 pm

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

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5 To view the audio recording account of the Planning Commission meeting please view the Planning
6 Commission webpage or click on the following link: [https://providencecity.com/wp-](https://providencecity.com/wp-content/uploads/2022/09/PC-Sept.-28th-2022.mp3)
7 [content/uploads/2022/09/PC-Sept.-28th-2022.mp3](https://providencecity.com/wp-content/uploads/2022/09/PC-Sept.-28th-2022.mp3)
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10 **Call to Order:** Michael Fortune

11 **Chair Roll Call of Commission Members:** Michael Fortune, Shelly Nazer, Tyler Riggs, Bob
12 Washburn, Joe Chambers and Brian Marble (appeared virtually)

13 **City Staff Present:** Ryan Snow (City Manager), Skarlet Bankhead (Community Development
14 Director) & Ty Cameron (City Recorder)

15 **Pledge of Allegiance:** Bob Washburn
16
17

18 **Approval of Minutes:** The Planning Commission will consider approval of the minutes for September
19 14th, 2022. (**MINUTES**)
20

- 21 • Michael Fortune called for the approval of the minutes of September 14th, 2022.
- 22 • Tyler Riggs indicated that on line 62 that Wilkenson is spelled with an i not an e.
- 23 • Parties discussed adding the statement Mr. Wilkinson made regarding the intent of filing
24 another referendum if the citizens were unable to agree with Vineyard regarding the Vineyard
25 development. Also commented that by the end of the meeting Mr. Wilkinson seemed pleased
26 with the development plans Vineyard had proposed.
- 27 • Commission stated that Ms. Pace, who made a comment during the public hearing, is a county
28 resident and not a River Heights resident. Parties also discussed including a statement she made
29 regarding the fencing issue she brought up and it being resolved with the trail being taken
30 down.
- 31 • Staff will make those changes before final signature.

32
33 **Motion to approve the minutes of September 14th with the suggested additions and corrections –**
34 **Shelly Nazer. 2nd Tyler Riggs.**

35 **Vote:**

36 **Yea- Michael Fortune, Shelly Nazer, Tyler Riggs, Joe Chambers and Brian Marble**

37 **Ney-**

38 **Abstained-**

39 **Absent-**
40

41 **Motion passes, minutes approved.**
42

43 **Public Comments:** Citizens may express their views on issues within the Planning Commission’s
44 jurisdiction. The Commission accepts comments: in-person, by email

45 providencecityutah@gmail.com , and by text 435-752-9441. By law, email comments
 46 are considered public record and will be shared with all parties involved, including the
 47 Planning Commission and the applicant.
 48

- 49 • Michael Fortune opened the floor for public comment. Staff indicated that no comments
 50 had come in via text or email.
- 51 • With no comments being made, Michael Fortune closed the public comment portion of the
 52 meeting.
 53

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

- 56 ➤ **Item No. 1 Providence City Center Subdivision Preliminary Plat:** The Providence
 57 City Planning Commission will review, discuss, and may take action to approve a preliminary
 58 plat for Providence City Center Subdivision 2nd Amended, subdividing Lot 5 into 2
 59 commercial lots, located in Alder Square in the general area of 40 S HWY 165. **(STAFF**
 60 **REPORT)**
 61
 - 62 • Michael Fortune called item 1, gave a brief introduction and asked Skarlet Bankhead to
 63 give an overview of the application.
 - 64 • Skarlet Bankhead discussed with the Planning Commission the location of the parcels
 65 and their initial confusion. Indicated that this is the applicants second amended
 66 preliminary plat and reviewed with the Commission the previous plat and outcome.
 - 67 • Ms. Bankhead reviewed with the Planning Commission the staff report which included
 68 the findings of facts, compliance with State code and the cities general and master
 69 plans.
 - 70 • She referenced 3 things currently missing in the preliminary plat and indicated that
 71 those can be addressed or should be corrected by the time the Commission sees the final
 72 plat.
 - 73 • Parties discussed the site plans, fire marshals review of the amendment, and the
 74 conditions the applicants will have to meet. Conditions were to address the comments in
 75 red, as well as the fire marshals comments; and continue to comply with federal, state,
 76 county and city rules, laws, and codes.
 - 77 • Parties discussed where lot 5 used to be. They discussed the lot lines and access to lot 6.
 78 Parties discussed the CCRs and easements related to the properties.
 - 79 • Parties clarified the other lots in the area and their numbering in relation to the plat map.
 - 80 • Melanie Childs from Am Source discussed with the Commission the plans for the lot
 81 but could not at the moment go into more details until the lease was signed. Parties
 82 discussed lot 7 and its typography.
 - 83 • Parties discussed access to the lots and if this plat approval would create any ‘islands’.
 84 It was indicated that no islands would be created and both lots would have access.
 85 Parties discussed the wetlands in the area.
 - 86 • Brian Marble asked if Mayor Alder had any interest in these lots. Ms. Childs responded
 87 that yes Kathleen Alder is an investor.

- Parties continued discussion of wetlands in the area and access to the highway.
- No other concerns or questions were posed.

Motion to approve the Providence City Center Subdivision Preliminary Plat subdividing lot 5 into lot 6 and 7 with the accompanying staff report which includes the findings of fact, conclusions of law and conditions – Tyler Riggs. 2nd – Joe Chambers.

Vote:

Yea- Michael Fortune, Shelly Nazer, Tyler Riggs, Joe Chambers and Brian Marble

Ney-

Abstained-

Absent-

Motion passes, preliminary plat approved to divide lot 5 into two lots.

- **Item No. 2 Parry Subdivision Preliminary Plat:** The Providence City Planning Commission will review, discuss, and may take action to approve a preliminary plat for Parry Subdivision, a 2-lot residential subdivision located in the general area of 150 West 200 North. **(STAFF REPORT)**

- Michael Fortune called item 2, gave a brief introduction and asked Skarlet Bankhead to give an overview of the application.
- Ms. Bankhead gave an overview of the application and discussed with the Commission the history of the property and the applicants previous attempts to rezone and develop it.
- Ms. Bankhead reviewed with the Planning Commission the staff report which included the findings of facts, compliance with State code and the cities general and master plans and water availability for the area.
- Indicated that the title of the plat has gone by two names, Jersey Lane and Parry Subdivision. She mentioned that the preliminary plat was not stamped but that the final one would have to be.
- Ms. Bankhead discussed possible storage water issue on lot 3 and the plans they have for a berm to mitigate any water issues. She addressed the street cross section as shown on the plat and the minimum requirements. She commented that it will be a private driveway and comply with emergency access requirements.
- Discussed with the Commission the conditions of meeting the comments in red as well as any comments from the fire marshal.
- Parties discussed the lot lines and the issue of the twin home showing with the incorrect lot lines. Applicants commented that will be corrected moving forward.
- Parties confirm that the Jeppson property is not part of this application. Parties discussed the wetlands and indicated that is has been mitigated and is no longer designated as wetlands.
- Brian Marble asked about the lot lines regarding the Kresie property and if there are any issues there with the access point. Parties reviewed the County Parcel Map of the area

- 130 for clearer picture of property lines, parties agreed that there looks to be no issues with
 131 any of the lines.
- 132 • Parties discussed the current easements in the area and for the two properties in
 133 question. Parties reviewed the sewer and water lines. Staff indicated that their plans
 134 look to comply with city standards.
 - 135 • Parties discussed the issue of the Jeppson property becoming an island, staff indicated
 136 that is not an issue. Parties asked about future plans for the lot and access.
 - 137 • Nisha Perry and Michael Taylor discussed with the Commission their plans for these
 138 two lots, which will hopefully be for two houses. Michael discussed the easements and
 139 commented that the driveway will be 30 feet wide with 24 feet of pavement, and it
 140 stated that the only public improvements needed will be the curb and gutter.
 - 141 • Parties discussed potential issues with storm water and their plans for mitigation.
 142 Michael commented on the berm and that they don't see any issues.
 - 143 • Parties discussed the entry way slope and if it will cause any concerns. Applicants
 144 commented that they plan to build that up and that there should be a nice flat piece on
 145 top for cars to sit before they enter 200 N.
 - 146 • Parties discussed flooding in the area and asked about the flood that occurred years back
 147 and if Ms. Parry saw any issues back than as many houses in the area took on water.
 148 Nisha commented on the flooding but believed that it would not be an issue.
 - 149 • Parties discussed flood concerns, slab on grade housing and flood management for the
 150 area.
 - 151 • Parties discussed putting restrictions on the plat regarding flooding. Nisha commented
 152 on putting restrictions and would be ok with it but preferred if they didn't.
 - 153 • Parties continued their discussions of flooding and water management for the area.
 154 Parties commented that the army core of engineers have deemed the area not to be
 155 wetlands anymore.
 - 156 • Parties discussed possible restrictions for the plat regarding flood management.

157
 158 **Motion to approve the Parry Subdivision Preliminary Plat with the accompanying staff**
 159 **report which includes the findings of fact, conclusions of law and conditions, with the**
 160 **additional condition that the applicants come prepared to discuss any potential flooding**
 161 **issues and solutions for the area come final plat approval – Joe Chambers, 2nd Brian**
 162 **Marble.**

163 **Vote:**

164 **Yea- Michael Fortune, Shelly Nazer, Tyler Riggs, Joe Chambers and Brian Marble**

165 **Ney-**

166 **Abstained-**

167 **Absent-**

168
 169 **Motion passes.**

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 171
 172 **Study Items(s):**

173

174 ➤ **Item No. 3 Moderate Income Housing Strategies amendment:** The Providence City
 175 Planning Commission will review and discuss a proposal to amend the wording of strategies
 176 listed in 6.3 of the moderate-income housing elements of the Providence City General Plan
 177 2020 to be consistent with the requirements of UCA 10-9a-403(2)(b)(iii) and UCA 10-9a-
 178 403(2)(c). **(PROPOSAL)**

- 180 • Michael Fortune called item 3, gave a brief explanation and asked Skarlet Bankhead to
 181 give an overview of the proposal.
- 182 • Ms. Bankhead reviewed with the Commission the recent state changes being made to
 183 the requirements of supporting moderate income housing. She discussed with the
 184 Commission the new reporting requirements and the city's plans to submit the report
 185 even though it may come back as incomplete; but that they should be given time to
 186 make the necessary changes to comply with the requirements if it first fails.
- 187 • Ms. Bankhead discussed the purpose of the report and this current proposal. Parties
 188 discussed benchmarks and time frames. Parties discussed the existing strategies and
 189 objectives to comply with the state code and how best to implement it.
- 190 • She informed the Commission that the State requires 3 strategies but that having 5
 191 approved strategies gives the city priority status. Currently the city has 6 proposed.
- 192 • Parties discussed the process for this general plan amendment.
- 193 • Parties review the strategy options as listed in the code or by the State. Parties review
 194 strategy option A as an example on how it could be defined and discussed what defines
 195 moderate income housing.
- 196 • Parties discussed exterior and interior ADUs and reporting those to help with the Cities
 197 data.
- 198 • Parties discussed the State restrictions for not complying with the requirements and
 199 reporting. Parties discussed supporting cities that can support high density housing, like
 200 Logan.
- 201 • Parties reviewed the 6 strategies that have been picked from the list and that are
 202 currently included in the proposal. Parties discussed the State report and its
 203 requirements. Parties reviewed the current developments and zones in the city that
 204 would comply with the requirements.
- 205 • Parties discussed the polls and surveys used to gather information regarding support for
 206 moderate income housing.
- 207 • Commission continued review of the 6 strategies that have been picked and how best to
 208 move forward with the proposal.
- 209 • Commission discussed continuing this item until their next meeting to better understand
 210 the proposal and review all the strategies listed by the State to see if better ones or
 211 additional ones could be used in the report.

212
 213 **Motion to adjourn meeting – Tyler Riggs. 2nd – Shelly Nazer.**

214 **Vote:**

215 **Yea- Michael Fortune, Shelly Nazer, Tyler Riggs, Joe Chambers and Brian Marble**

216 **Ney-**

217 **Abstained-**
218 **Absent-**
219
220 **Meeting adjourned.**

221
222
223 Minutes approve by Planning Commission on _____ of _____ 2022.

224
225
226
227
228
229 _____
230 Michael Fortune, Chair

Ty Cameron, Recorder.

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