

1 **PLANNING COMMISSION MEETING MINUTES**

2 Wednesday, February 8th, 2023, 6:00 pm

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

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5 To view the video recoding account of the Planning Commission meeting please view the Planning
6 Commission webpage or click on the following YouTube Link: [Planning Commission 2/8/2023 - YouTube](#)

7
8 **HR. MIN. SEC.** in **GREEN** above agenda item are time stamps of the YouTube meeting.

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11 **Call to Order:** Michael Fortune (Chair)

12 **Chair Roll Call of Commission Members:** Shelly Nazer, Robert Henke, Brian Marble (Via Zoom), Michael
13 Fortune, Tyler Riggs, Bob Washburn & Joe Chambers (arrived during item 1)

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

16 **Pledge of Allegiance:** Shelly Nazer

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18 **1 MIN. 10 SEC.**

19 **Approval of Minutes:** The Planning Commission will consider approval of the minutes for January 25th, 2023.

20 **(MINUTES)**

- 21
22
 - Michael Fortune called for the approve of the minutes of January 25th, 2023.
 - Tyler Riggs indicated that on line 58 that he word ‘cities’ should be spelled ‘city’s’.
 - Shelly Nazer indicated that on line 95 the ‘s’ on ‘Mondays’ should be removed.
 - Bob Washburn indicated that on line 70 there should be an apostrophe before the ‘s’ on ‘Walkers’.
 - Staff will make those changes before final signature.

27
28 **Motion to approve the minutes of January 25th, 2023, with the corrected changes – Shelly Nazer. 2nd –**
29 **Tyler Riggs.**

30 **Vote:**

31 **Yea- Shelly Nazer, Michal Fortune, Tyler Riggs, Bob Washburn.**

32 **Ney-**

33 **Absent- Joe Chambers.**

34 **Abstained- Brian Marble.**

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36 **Motion passes, minutes approved.**

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38 **4 MIN. 15 SEC.**

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

40 The Commission accepts comments: in-person, by email providencacityutah@gmail.com , and
41 by text 435-752-9441. By law, email comments are considered public record and will be shared
42 with all parties involved, including the Planning Commission and the applicant.
43

- 44 • Michael Fortune opened the floor for public comment indicating to the audience that this was the time to
- 45 make any general comments. If the audience had a comment regarding an item on tonight’s agenda, they
- 46 can wait until the item is called to make their comment.
- 47 • Michael Fortune asked staff if any comments had come in via email or text. Staff responded that no
- 48 comments had come in.
- 49 • No comments were made.
- 50 • Michael Fortune closed the public comment portion of the nights meeting.

51 Public Hearings:

52 **5 MIN 10 SEC.**

- 53 ➤ **Item No. 1 Rezone of Parcel 02-092-0018:** The Providence City Planning Commission will
- 54 take comments and questions from the public regarding a request from DLMAC LLC to rezone parcel
- 55 02-092-0018 from R-1-12 to R-1-6. Parcel generally located at 291 N 100 E Providence UT.
- 56
- 57
- 58
- 59 • Michael Fortune called item 1, gave a brief introduction, and opened the floor for public comment.
- 60 • Rocky Taylor, resident, commented on the history of the neighborhood and voiced his concern regarding
- 61 the area and the potential developments water usage and water management. Discussed with the
- 62 Commission the flooding and excess water that comes through the area.
- 63 • Hal Hansen, resident, asked for an overview of the development plans from the developer. Commented
- 64 on water shares.
- 65 • Caroline Mayo, resident, voiced her concern regarding increased parking that this development would
- 66 bring to the area, especially during the holidays. Recommend, if it were possible, that the development
- 67 include parking in back of the houses near the back fence for additional parking. Commented on
- 68 flooding that occurs in the area and the flooding issues that the Brookside development has had that is
- 69 just west of this parcel.
- 70 • Parties discussed flooding issues in the area and the new 55+ development that is going in North of this
- 71 parcel. Parties discussed emergency vehicle access, building codes and overall development process and
- 72 approval.
- 73 • Sue Varner, resident, commented on the previous owners issues with flooding and conflict they had with
- 74 the 55+ development that is being built North of the parcel. Commented on the plans the developer has
- 75 and possible issues with emergency access to the back houses that would be built if rezoned and
- 76 approved. Expressed concern on possible parking issues that would arise due to more residents in the
- 77 neighborhood.
- 78 • Ryan Snow, City Manager, commented on the road width and on street parking issues.
- 79 • Diane Sigfried, resident, expressed her concern with the increased development in the area and having
- 80 an established neighborhood constantly in change. Discussed what she has seen since she has lived in
- 81 the area, indicating that they live in the historic part of town that has been around for a long time.
- 82 Commented on buying into an established neighborhood hoping that it stays the way it is.
- 83 • Neil Varner, resident, reiterated the comments that have been stated regarding flooding and the water
- 84 table for the area. Indicated that they receive a lot of water that comes through the neighborhood
- 85 especially in the springtime.

- Michael Fortune acknowledged their comments regarding the 55+ community that was being developed North of this property, and the flooding that has been discussed with that area and asked that they focus on this parcel and its request for a rezone.
- Danny McFarlane, applicant, commented on the rendering of the development that has been shown tonight and indicated that they are aware of the irrigation tail water and have plans to mitigate that by tying into a pipe that the 55+ development will be putting in. Commented on the layout of the property, possible additional parking that was suggested, and indicated that these houses would be slab on grade. Indicated that the driveway width was standard and would be able to hold two cars. There would be adequate emergency access clearance for all the homes.
- Parties discussed if the development included a curb and gutter. Mr. McFarlane responded that they did have plans to put in a curb and gutter.
- Parties discussed lot size and home layout.
- Diane Sigfried, resident, clarified her recent comment regarding established neighborhoods and trying to keep things the way they are, as that is what is best for the neighborhood and community.
- Parties discussed all the changes and developments that are happening throughout the valley and the need for affordable housing.
- Caroline Mayo asked about animal rights and making sure that if the rezone got approved the owners would still have those rights, just as the previous owner did. Ryan Snow responded that animal rights are tied to zones and density so their could be changes.
- Joe Chambers commented on the public hearing process and the recommendation that they would be making to the City Council who would have final say.
- Michael Fortune thanked everyone who had commented.

Motion to close public hearing – Joe Chambers. 2nd Tyler Riggs.

Vote:

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

Ney-

Absent-

Abstained-

Motion passes, public hearing closed.

Legislative – Action Item(s):

46 MIN 40 SEC.

- **Item No. 2 Rezone of Parcel 02-092-0018:** The Providence City Planning Commission will discuss and make a recommendation to City Council regarding a request from DLMAC LLC to rezone parcel 02-092-0018 from R-1-12 to R-1-6. Parcel generally located at 291 N 100 E Providence UT. **(APPLICATION) & (ANALYSIS)**

- 127 • Michael Fortune called item 2, gave a brief introduction and asked Skarlet Bankhead to give an
128 overview of the application.
- 129 • Skarlet Bankhead reviewed with the Planning Commission and those present the steps and process of
130 rezone requests and making sure everything is kept in order. Indicated that the process involves
131 reviewing the application with regards to the city code, state code and the city's general plans among
132 other things.
- 133 • Ms. Bankhead discussed with the Planning Commission sensitive area regulations, zone uses and the use
134 chart as it pertains to animals . Commented on the city's general plan and its use as a guideline for
135 rezones like this one and trying to keep within the framework of the plan.
- 136 • Reviewed with the Planning Commission the conclusions as reported in the staff analysis regarding the
137 general plan framework map, the parks located in and around the area, sensitive areas as it relates to
138 non-developable versus potentially developable land, use regulations and area regulations. Reported that
139 Aaron Walker has submitted his letter on behalf of the Logan City Fire Department indicating adequate
140 access for emergency vehicles and Fire Hydrant locations.
- 141 • Parties discussed net acre, dedications and right of ways. Parties discussed administrative actions versus
142 legislative actions.
- 143 • Shelly Nazer thanked everyone who came tonight and made statements regarding this request. She
144 commented on the purpose of the general plan and following what has been laid out. Discussed the
145 density of the area and questioned whether approving this rezone would go against the initiative of
146 preserving a sense of place for the residents.
- 147 • Michael Fortune commented on the general plan, its purpose and the idea of it being flexible for matters
148 such as these. Commented on trying to find balance with all that has been presented and future plans and
149 developments.
- 150 • Tyler Riggs commented on the zoning request and empathized with the neighbors who want to try and
151 keep their neighborhood as is. He stated that he would recommend that they deny this request.
- 152 • Parties discussed the road width and how many house could be placed on the road as is versus with the
153 rezone. Parties discussed frontage requirements between the two zones.
- 154 • Robert Henke commented on the rezone request and inner block developments.
- 155 • Skarlet Bankhead clarified frontage versus width per their recent discussion regarding the roads and
156 driveways.
- 157 • Brian Marble commented on the rezone and the work Mr. McFarlane has done on other projects in the
158 area and complimented him on making sure developments like these look nice and follow code.
159 Commented on the increase in housing needs and stated that this rendering of what it could potentially
160 look like looked nice.
- 161 • Joe Chambers commented on the purpose of the general plan, spot zoning and the property staying
162 single family per the general plan. Indicated that he will abstain from voting due to his friendship with
163 the applicant.
- 164 • Parties discussed future zoning in the area and for the city. Brian Marble gave the example of the city of
165 Sacramento getting rid of single-family housing in their downtown area.

167 **Motion to recommend to the Providence City Council that they deny the request to rezone parcel 02-092-**
168 **0018 located at 291 N 100 E from R-1-12 to R-1-6 – Tyler Riggs. 2nd – Shelly Nazer**

169 **Vote:**

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170 **Yea- Tyler Riggs, Shelly Nazer, Michael Fortune.**
171 **Ney – Brian Marble.**
172 **Absent –**
173 **Abstained – Joe Chambers.**

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175 **Motion passes, Planning Commission recommend to City Council that they deny the rezone request.**

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

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179 **1 HR. 37 MIN. 35 SEC.**

- 180 ➤ **Item No. 3 Vineyard North Subdivision Preliminary Plat:** The Providence City Planning
181 Commission will review, consider, and may take action on a request to approve the preliminary plat for
182 the Vineyard North Subdivision, a 74-lot single-family residential subdivision located in the general area
183 of 600 N 300 E. **(ANALYSIS)**
- 184
- 185 • Michael Fortune called item 3, gave a brief introduction and asked Skarlet Bankhead to give an
186 overview of the preliminary plat.
- 187 • Skarlet Bankhead indicated to the Planning Commission that this was an administrative item and that
188 they could approve the preliminary plat themselves. Ms. Bankhead reviewed with the Commission the
189 staff analysis indicating that even though there were some boxes that were not checked off they could
190 still approve the preliminary plat.
- 191 • She discussed with the Commission the water availability requirements, water dedications and
192 compliance with city code, state code and the city’s general plans. Highlighted the conditions that were
193 in red that still needed to be completed by the applicants. Commented on the phasing of this preliminary
194 plat, development and the overall conclusions regarding the annexation agreement which included the
195 additional conditions.
- 196 • Ms. Bankhead reviewed with the Commission the conditions which included the applicants
197 requirements to address the findings in red, provide the water availability requirement and continue to
198 meet all federal, state, county and city rules, laws, codes, and ordinances. She referenced the comments
199 in Aaron Walker’s Fire Department letter regarding access, fire hydrant locations and additional
200 comments.
- 201 • Bob Washburn asked about the culinary water improvements which was marked as not completed. Ms.
202 Bankhead responded that it should have been marked and thanked him for catching that.
- 203 • Parties discussed water dedication or availability requirements and how those are calculated. Parties
204 discussed water shares versus fee in lieu and water rights in general.
- 205 • Michael Fortune asked the applicants if they had plans to upgrade the fence behind the pool or
206 clubhouse that bordered the property line.
- 207 • Jon Harrop, applicant, responded that they did not have plans to upgrade the fence. Mr. Harrop indicated
208 that they would apply or be participating in a fee in lieu for water.
- 209 • Parties discussed the road and access point on 600 S. Applicants indicated they are working with River
210 Heights city to get that worked out and that if it gets approved, they would be widening and finishing
211 that road. Indicated that it will de done all at once and not with phase 5 or 6 as shown.

- Parties discussed the clubhouse and amenities and if there is anything in place that requires the developers to have that developed first. Applicants and staff indicated that the clubhouse and amenities are in phase 4 which is the first phase of this development. Applicants indicated that it is their intention to develop those with phase 4 but do not guarantee that it will be complete before working on phase 5 & 6. Applicants commented that their plans are to hopefully start on the club house this fall and have residents enjoying the pool in the summer of 2024.
- Parties discussed the phasing of the development and staff and applicants indicate that they will need to come back before the Planning Commission to get final plat approval for each phase.
- Parties discussed minimum improvement requirements and bonding. Skarlet Bankhead commented on infrastructure plans being done all at once versus in chunks.
- Parties discussed water rights and water availability for this development. Ryan Snow commented on the city’s Water Master Plan which can be found on the city’s website and covers future developments and water resources for those developments.
- Shelly Nazer asked about the conditions that needed to be completed. Ms. Bankhead responded that it is required that they all be addressed by the applicants before the final plats get signed.

Motion to approve the preliminary plat for the Vineyard North Phase subdivision subject to the Findings of Fact, Conclusions of Law and Conditions as set forth in the staff analysis – Shelly Nazer. 2nd – Joe Chambers.

Vote:

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

Ney-

Absent-

Abstained-

Motion passes, Vineyard North Phase Preliminary Plat approved.

Motion to adjourn – Tyler Riggs. 2nd Brian Marble.

Vote:

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

Ney-

Absent-

Abstained-

Motion passes, meeting adjourned.

Minutes approved by the Planning Commission on _____ day of _____ 2023.

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Michael Fortune, Chair

Ty Cameron, City Recorder.