

1 **Providence City**
 2 **Administrative Land Use Authority (ALUA)**
 3 **Minutes – March 9th 2023 – 9:00 AM**
 4 Providence City Office Building
 5 164 North Gateway Drive, Providence UT 84332
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8 **Call to Order:** Skarlet Bankhead, Chair
 9 **ALUA members in attendance:** Skarlet Bankhead, Rob Stapley and Max Pierce.
 10 **Staff in attendance:** Diane Campbell, Ty Cameron, and Colton Love.

- 12 • Skarlet Bankhead called meeting to order and took attendance of all those present for today's
 13 meeting.

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 16 **Item No. 1 - Conditional Use – In-Home Preschool:** The Providence City Administrative Land Use
 17 Authority will consider for approval a request by Erika Lundberg for a preschool located at 124 E. 520
 18 N., Providence, UT. [EXHIBIT](#)

- 19
 20 • Skarlet Bankhead called item 1, gave a brief background of the request and asked applicant to
 21 come to the front to discuss her application. Ms. Bankhead asked Diane Campbell to give an
 22 overview of the application.
- 23 • Diane Campbell reviewed with the ALUA the findings of facts of the staff report indicating
 24 that Providence City Codes 3-4-5, 10-6-1 and 10-3-5 were used to make sure the applicant met
 25 all the requirements.
- 26 • Ms. Campbell discussed with the parties the conditions the applicant would need to follow if
 27 this conditional use was approved, which included applying for a business license, meeting all
 28 the requirements for a home business, comply with the Deputy Fire Marshals conditions as laid
 29 out in his letter, operate the business as described and approved for, and conform to all local,
 30 state, and federal laws.
- 31 • Erika Lundberg, applicant, discussed with the ALUA her business model and plans for her pre-
 32 school. Indicated that there would be a separate entrance and exit.
- 33 • Skarlet Bankhead asked about the statement in her application that 100% of the basement
 34 would be used. Ms. Lundberg indicated that there was a room or two in the basement that
 35 would not be utilized by the pre-school so it wouldn't be 100%. Staff confirmed it still
 36 complied with code.
- 37 • Ms. Bankhead commented on Aaron Walker's (Deputy Fire Marshal) letter and his biggest
 38 concern which was that it had to remain as a pre-school and that if it was ever to be converted
 39 to a day care that additional reviews and requirements would have to be met.
- 40 • Max Pierce asked about the hours of the pre-school. Ms. Lundberg responded that it would not
 41 be more than 3 hours and that it would be seasonally or fall and spring semesters.
- 42 • Rob Stapley commented that the HOA has signed off on this plan and advised that since the
 43 house was by Spring Creek that if any activities happened outside to watch the water levels of
 44 that creek, especially this year with all the snow that we have received.
- 45 • Skarlet Bankhead commented that one of the biggest complaints that the city receive from
 46 neighbors with pre-schools is traffic congestion, particularly around pick up times and advised
 47 Ms. Lundberg to watch for that.

- No other comments or questions were posed. Ms. Bankhead called for a motion.

Motion to approve the conditional use application by Erika Lundberg for a preschool located at 124 E. 520 N., Providence, UT. Based on the findings of fact, conclusions of law, conditions and with Deputy Fire Marshalls conditions as stated in his letter – Max Pierce. 2nd – Rob Stapley.

Vote:

Yea- Rob Stapley, Skarlet Bankhead and Max Pierce.

Ney-

Abstained-

Absent-

Motion passes.

Item No. 2 - Conditional Use – In-Home Salon: The Providence City Administrative Land Use Authority will consider for approval a request by Michael and Thavy Thorp for an in-home salon located at 349 S 100 W., Providence, UT. [EXHIBIT](#)

- Skarlet Bankhead called item 2 and indicated that the applicants have not appeared. Called for a motion to continue.

Motion to continue item no 2. – Max Peirce. 2nd – Rob Stapley

Vote:

Yea- Rob Stapley, Skarlet Bankhead and Max Pierce.

Ney-

Abstained-

Absent-

Motion passes item continued.

Item No. 3 - Conditional Use – Outdoor Preschool: The Providence City Administrative Land Use Authority will consider for approval a request by Rachel Cox for a preschool located at various parks with office at 97 N. Main St., Providence, UT. [EXHIBIT](#)

- Skarlet Bankhead called item 3, gave a brief background, and asked applicant to come to the front to discuss her application. Ms. Bankhead asked Diane Campbell to give an overview of the application.
- Diane Campbell indicated that this application was like the one they previously approved and reviewed with the ALUA the findings of facts of the staff report indicating that Providence City Codes 3-4-5, 10-6-1 and 10-3-5 were used to make sure the applicant met all the requirements.
- Ms. Campbell discussed with the parties the conditions the applicant would need to follow if this conditional use was approved which included: applying for a business license, meeting all the requirements for a home business, complying with the Deputy Fire Marshals conditions as laid out in his letter, operating the business as described and approved for, and conform to all local, state, and federal laws.
- Skarlet Bankhead indicated that this conditional use would also include a conditional use for the use of city parks for private lessons.

- 95 • Rachel Cox, applicant, discussed with the ALUA her business model indicating that the
 96 business part of the pre-school, the lesson plans, registration, payments etc. would be taking
 97 place at her home but that the actual lessons would be outdoor in parks and places throughout
 98 the city. She discussed her hours of operation and student to teacher ratio. Commented that they
 99 will not be transporting students, the parents would drop off the students at the park or place
 100 where they could be conducting the lesson.
- 101 • Ms. Bankhead advised applicant to be aware of the dates and places of the cities Fun in the Sun
 102 program as they often meet at Zollinger Park; reported that the park would of course be open
 103 but worried students could get confused with the two activities that were happening at the same
 104 time and place. Also advised to be aware of park and pavilion reservations.
- 105 • Max Peirce had no comments or concerns.
- 106 • Rob Stapley advised applicant to make sure they are aware of water levels if they have any
 107 programs or lessons by any creeks or water ways as they will be very full this year.

109 **Motion to approve the conditional use application by Rachel Cox for an outdoor preschool**
 110 **located at various parks with office at 97 N. Main St., Providence, UT. Based on the findings of**
 111 **fact, conclusions of law, conditions and with Deputy Fire Marshalls conditions as stated in his**
 112 **letter and with the inclusion of a conditional use for parks and private lessons – Rob Stapley. 2nd**
 113 **– Max Pierce.**

114 **Vote:**

115 **Yea- Rob Stapley, Skarlet Bankhead and Max Pierce.**

116 **Ney-**

117 **Abstained-**

118 **Absent-**

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120 **Motion passes.**

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122 **Motion to adjourn – Rob Stapley. 2nd Max Pierce.**

123 **Vote:**

124 **Yea- Rob Stapley, Skarlet Bankhead and Max Pierce.**

125 **Ney-**

126 **Abstained-**

127 **Absent-**

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129 **Motion passes meeting adjourned.**

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131 **Minutes approved via email by ALUA on this _____ day _____ 2023**

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Skarlet Bankhead, Chair.

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