

1 **Providence City Planning Commission Minutes**
2 **Providence City Office Building**
3 **15 South Main, Providence UT 84332**
4 **March 9, 2016 6:00 pm**

5
6 Chairman: Larry Raymond
7 Attendance: Heather Hansen, Robert James
8 Excused: B Nielsen, W Simmons
9

10 **Approval of the Minutes:**

11 **Item No. 1.** The Providence City Planning Commission will consider for approval the minutes of February 24, 2016.
12 Minutes will be approved at next meeting.

- 13 • Change Jeff Jensen to Jeff Jackson throughout.
- 14 • Include counter top shop with H.1, 2. 3 and 6.

15 **Public Hearing (6:00 pm):** The Providence City Planning Commission will hold a public hearing to receive public
16 comment on a proposed code amendment, amending Providence City Code Title 11 Subdivision Regulations by
17 adding Chapter 6 Condominium Approval.

- 18 • There were no public comments.

19 **Motion to close public hearing: R James, second – H Hansen**

20 **Vote: Yea: H Hansen, R James, L Raymond**
21 **Nay: None**
22 **Abstained: None**
23 **Excused: B Nielsen, W Simmons**

24 **Action Item:**

25 **Item No. 1. Code Amendment.** The Providence City Planning Commission will consider for recommendation to the
26 City Council a proposed code amendment, amending Providence City Code Title 11 Subdivision Regulations by
27 adding Chapter 6 Condominium Approval.

28 **Motion to recommend to City Council the proposed code amendment for Condominium Approval as stated in**
29 **Title 11 Chapter 6: H Hansen, second – R James**

30 **Vote: Yea: H Hansen, R James, L Raymond**
31 **Nay: None**
32 **Abstained: None**
33 **Excused: B Nielsen, W Simmons**

34 **Item No. 2. Rezone Request.** The Providence City Planning Commission will consider for recommendation to the
35 City Council a request by Ironwood Development Group, LC, to rezone Parcels No. 02-0096-0001 and 02-096-0049,
36 generally located at 485 West 100 South and 450 West 100 South, from Agricultural (AGR) to Multi Family High
37 Density (MFH).

- 38 • Rob Stapley, Public Works Director, discussed the water capacity at 100 South and Gateway Drive. He
39 stated there are already two mains located at 100 South and Gateway and when that street gets
40 developed there will be three mains. A fourth will be there when further development comes. The sewer
41 is capable of taking the waste from increased development.
- 42 • H Hansen asked if Logan's system could take additional waste that Providence will pump into it.
- 43 • R Stapley said at this time it is capable of taking the additional waste.
- 44 • H Hansen asked if there was a concern that eventually our water levels will die down.
- 45 • R Stapley said zone 1 is in better shape than zones 2 and 3. All wells are downtown and will feed into Eck
46 Reservoir. Zone 1 is in excellent shape. Zones 2 and 3 will require upgrades as development comes.
- 47 • Rob Stapley and Max Pierce, City Engineer, do not have any concerns regarding available water and sewer
48 for the development. The City has been preparing for development in this area.
- 49 • H Hansen expressed concerns about rezoning property with only a potential plan from the developer. If
50 the market study is not feasible, she has concerns that Ironwood will sell the property and then some
51 other developer could come in with a project of lesser quality.
- 52 • Craig Winder, Ironwood Development, felt this was a hypothetical question. Ironwood Development has a
53 very nice apartment complex planned for these parcels and they do not intend to sell the property.
- 54 • L Raymond explained to the audience why this is a concern for the Planning Commission. They do not
55 want to grant a rezone and then have the developer pull out.

- 1 • R James asked if the Planning Commission would be more or less concerned if this were a single family
- 2 rezone.
- 3 • H Hansen said her concern is the density.
- 4 • R James asked if the concern is then about the current residential impact, infrastructure, the school or the
- 5 type of rezone and what development will come in?
- 6 • H Hansen said her main concern is the effect on the neighborhood. She feels if the market study is not
- 7 feasible, Ironwood will pull out of the deal after it is rezoned. She would like the rezone to be conditional
- 8 to the market study and Ironwood's response to the market study.
- 9 • S Bankhead clarified that the Planning Commission is willing to recommend the rezone, but the rezone
- 10 would depend upon whether or not Ironwood decides to move forward after the market study is done.
- 11 • C Winder asked if there would be a deadline on that decision.
- 12 • H Hansen didn't feel there needed to be a deadline, but she wants assurances that Ironwood will not pull
- 13 out of the deal. That is why she wants the rezone dependent upon the outcome of the market study.
- 14 • C Winder said he has a concern about time restrictions. They need to keep the project moving forward.
- 15 Sewer and water were the concerns in the last public hearing. The City engineer and the public works
- 16 director have said in this meeting that water and sewer are not an issue. We are just asking for Planning
- 17 Commission to make a recommendation to the City Council.
- 18 • R James said restrictions on unknowns could be a big concern. He feels like the job of Planning
- 19 Commission is to decide how the City develops.
- 20 • C Winder said this is only the first step. The City Council has to approve the rezone, and then we still have
- 21 to go through the entire plat process.
- 22 • R James said spot rezoning can change the intent of the City plan. The City's needs have to be considered.
- 23 • C Winder reminded the Planning Commission that City staff and the mayor have recommended this
- 24 rezone be approved.
- 25 • S Bankhead said City staff would like to see mixed use, but the developer does not feel mixed use would
- 26 be a profitable venture and the City does not want a project that will not be successful. City staff prefers
- 27 mixed use or MFH.
- 28 • R James said if the City plan was for mixed use and then one developer has a plan to change that, is that in
- 29 the best interest of the City?
- 30 • C Winder said if they felt mixed use was the best option for the City, they would fully support that, but
- 31 they feel roof tops are the most beneficial. There is a vibrant commercial and professional zone just north
- 32 of this development. Roof tops will feed those businesses. That is why they are pushing for multi-family.
- 33 • David Brand said the other concern brought up at the last meeting was the tax base that comes from
- 34 commercial business and educational facilities for the growth. Commercial businesses can help support
- 35 the educational needs.
- 36 • L Raymond said the tax base from commercial is not part of the concern tonight. That will have to be
- 37 addressed differently. Ironwood is not interested in commercial/mixed use.
- 38 • C Winder said their hope was to support commercial business with roof tops.
- 39 • R James asked why the Planning Commission was planning on using this area as mixed use.
- 40 • H Hansen said this was intended as a transition zone from commercial to residential.
- 41 • R James commented that this complex could serve as a transition zone between commercial and
- 42 residential. If the intent is to grow the City and increase population, he does not see a problem with high
- 43 density housing on this property.

44 **Motion to recommend the proposed rezone to City Council: R James, second – H Hansen**

45 **Vote: Yea: H Hansen, R James, L Raymond**

46 **Nay: None**

47 **Abstained: None**

48 **Excused: B Nielsen, W Simmons**

- 49 • H Hansen commented to the developer that she felt the questions asked by the Planning Commission
- 50 were answered in a manner that reflected some defensiveness. As members of the Planning Commission,
- 51 they are trying to do their job. In the future, perhaps the developer could be more approachable.

52 **Study Items:**

53 **Item No. 1. Rezone Request.** The Providence City Planning Commission will discuss a request by Sierra Homes, LLC

54 agent for Benstock LLC to rezone parcel no. 02-115-0022, generally located at 400 East 1100 South, from

55 Agricultural (AGR) to Single-Family Medium (SFM).

- 1 • Matt Hansen, representative for Sierra Homes addressed the Planning Commission. He commented that
- 2 Sierra Homes feels for the market, medium density would be a good option for this area. The concept is
- 3 based on SFT, but SFM makes the homes more affordable.
- 4 • S Bankhead asked M Hansen if Sierra Homes is building some of the homes in Sunrise. He said they are.
- 5 • H Hansen asked for an average of the size of homes they build.
- 6 • M Hansen said between 1,400 and 1,700 sq ft. Client base is directed more toward moderate income
- 7 families.
- 8 • L Raymond asked if there was a marketing plan.
- 9 • M Hansen said there is no marketing plan at this time, but he has been asked by the owner to develop
- 10 one.
- 11 • H Hansen asked Rob Stapley if he could address water and sewer capacity for this area.
- 12 • R Stapley said this is zone 2 and has the most significant draw that affects storage capacity.
- 13 • M Pierce said the east end of it is in the lower part of zone 3, but most of it is in zone 2.
- 14 • R Stapley said the City needs to start planning for more storage for zone 2. Zone 3 is immediately affected
- 15 from zone 2. During high demand periods the City takes out of zone 3 for zone 2.
- 16 • R James asked if additional storage tanks would be brought in or how would the storage issue be
- 17 resolved.
- 18 • R Stapley said the North bench has the most potential for growth. The tank would need to be built to plan
- 19 for the future and it would make the most sense to put the tank where the future well would be most
- 20 convenient. Positioning it to fix zone 2 would be the ideal option. Sewer would not be an issue.
- 21 • H Hansen asked how big this development would be.
- 22 • M Hansen said 19 acres. About 30 homes would go into this development.
- 23 • S Bankhead said you would have to account for infrastructure being taken out. City staff will have a
- 24 recommendation for Planning Commission before the public hearing; then a recommendation can be
- 25 made to the City Council.
- 26 • R James what percent of a 19 acre parcel would be infrastructure.
- 27 • M Hansen said about 25%.
- 28 • R James felt it could easily be more than 30 homes. Nobody will know for sure until plans are presented to
- 29 the City.
- 30 • H Hansen asked why the developer is asking for SFR rather than SFM.
- 31 • M Hansen said that was what the developer wanted.
- 32 • R James said SFE is booming. He feels there would be no issue selling SFT in this area.
- 33 • L Raymond read the email from the City asking why the developer wants SFM rather than SFT.
- 34 • M Hansen said SFT would be a nice project, but the developer feels SFM would be more appropriate.
- 35 • R James said there is plenty of space to build, the original concept was SFT plan; you can always build
- 36 bigger. He felt SFM does not really match the area that is purely SFT and SFE zones.
- 37 • H Hansen said she likes the idea of a subdivision with smaller homes; it gives people the opportunity for
- 38 upward mobility. She could do SFR, but SFM seems too dense.
- 39 • M Hansen said there are a lot of smaller lots in the area and SFM just gives more flexibility to the
- 40 developer.
- 41 • H Hansen asked if the City has SFM.
- 42 • S Bankhead said there is a little bit. The Highlands are SFT, but they were able to do lot size averaging, so
- 43 there are a few home in the highlands that are on smaller lots, not below 10,000, but some that are close
- 44 to 11,000.
- 45 • Public hearing will be scheduled for next meeting.

46 Item No. 2. Proposed General Plan Amendments and Use Chart Uses: The Providence City Planning Commission

47 will discuss possible amendments for the zoning element of the Providence City general plan; including the

48 definitions for zoning districts.

49 SFM, SFH, SMH

- 50 • L Raymond asked why inner-block development is not allowed in SFR, SFM, SFH or SMH, but is allowed by
- 51 condition in for SFE, SFL and SFT.
- 52 • S Bankhead said that in the downtown area inner block development is not allowed because the
- 53 downtown requires 95 feet of frontage on a City street that existed prior to 2008. Residents were
- 54 opposed to inner-block development in the downtown area, but in the newer subdivisions it makes sense

1 to allow flag lots and have a driveway that services double lots. Residents get concerned that people are
2 building in their back yard. The City needs to consider emergency vehicle access, etc. That's why it is
3 conditional. Inner block development needs to be studied; but should not hold up the amendments to the
4 use chart for now.

- 5 • R James said they are allowed on those larger lots because there is room to allow for the emergency
6 vehicles.
- 7 • H Hansen asked if planned unit development could go in SFM, SFJ and SMH.
- 8 • S Bankhead said it could. She asked the Commission to discuss conditional use for auto repair and general
9 contractor yard and to define what they think general contractor yard implies. She feels it implies large
10 equipment such as dump trucks, trailers, etc.
- 11 • H Hansen said landscaping or lawn mowing/maintenance type of business.
- 12 • R James felt general contractor referred to builder/construction types of businesses.
- 13 • S Bankhead suggested adding landscape/lawn maintenance to the use chart. She thinks general
14 contractor could refer to big trucks, heavy equipment. Landscape maintenance will be allowed in all
15 zones. Take general contractor yard out of SFT and SFR.
- 16 • R James said this needs to be permitted for home based businesses conditionally.
- 17 • There was discussion about the types of business that were being allowed in residential areas. Laura
18 Fisher, Bob Bissland and Sharell Eames are not in favor of manufacture type businesses being allowed in
19 residential neighborhoods. They all felt that even with conditional uses, it is difficult to enforce the CUP's
20 once a business has outgrown a home business. They expressed concerns about noise, dust, light
21 pollution, traffic, odors, etc., and encouraged the Planning Commission to use extreme care in what
22 businesses can be allowed in residential neighborhoods.
- 23 • H Hansen asked how many home businesses are in Providence and how many cause problems each year.
- 24 • S Bankhead said there are about 175 businesses, and about two or three issues or concerns with them a
25 year. Most of the complaints get resolved. However, if nobody complains and there are violations, the
26 City really has no way of knowing.
- 27 • H Hansen said she feels property owners should be allowed to operate businesses in their own homes as
28 long as the businesses do not create a nuisance to the neighborhood.
- 29 • S Bankhead will add a category for landscape/lawn maintenance business. She asked the Planning
30 Commission if they wanted to create an SFT zone in the downtown area as an overlay (SFTDT).
- 31 • L Raymond said if we are going to add a landscape category, the Planning Commission needs to define it
32 differently than that of a general contractor and decide which zones either can be allowed in.
- 33 • R James asked if allowing home based businesses are the norm or if the City is doing something outside
34 the norm.
- 35 • S Bankhead said that can be researched for North Logan, Smithfield, etc. Home based businesses are a big
36 deal in Providence. Cottage industry was here long before there was zoning. This could be the way
37 Providence has developed.
- 38 • Multi-family zones and landscaping/lawn maintenance will be discussed at next meeting.

39 Item No. 3. Pending ordinance – Code Amendments to Providence City Code 10-6-1: The Providence City Planning
40 Commission will consider code amendments to the Use Chart including but not limited to adding the words
41 “counter top or” before the words “cabinet shop” in Item H. Industry and Manufacturing, Use 3.

42 Staff Reports: Any items presented by Providence City Staff will be presented as informational only.

43 Commission Reports: Items presented by the Commission Members will be presented as informational only; no
44 formal action will be taken.

45 **Motion to adjourn: H Hansen, second – R James**

46 **Vote: Yea: H Hansen, R James, L Raymond**

47 **Nay: None**

48 **Abstained: None**

49 **Excused: B Nielsen, W Simmons**

50 Meeting adjourned at 8:10 pm.

51 Minutes recorded and prepared by C Craven.

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Larry Raymond, Chairman

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Caroline Craven, Secretary

