Providence City Planning Commission Agenda
Providence City Office Building, 164 North Gateway Drive, Providence UT 84332
April 22, 2020 6:00 p.m.

Members of the Planning Commission may be attending this meeting electronically.
This meeting will live stream on Providence City's YouTube Channel.
Persons wishing to comment on agenda items may email their comments to providencecityutah@gmail.com or text comments to 435-752-9441.

Call to Order: Bob Perry, Chair
Roll Call of Commission Members:
Pledge of Allegiance:

Approval of the Minutes:
Item No. 1. The Planning Commission will consider approval of the minutes for March 11, 2020.

Public Comments: Persons wishing to express their views on issues within the Commission's jurisdiction may email their comments to providencecityutah@gmail.com or text comments to 435-752-9441. By law, email comments are considered public record and will be shared with all parties involved, including the Planning Commission and the applicant.

Public Hearing(s): None

Action Item Note: Should the Planning Commission not be able to make a decision or take exception to an Action Item(s), then that item will be tabled and revert back to a study category. The applicant will have 15 minutes to introduce and make a brief presentation.

Administrative Action Item(s):
Item No. 1. Amended Final Plat: The Providence Planning Commission will consider for approval an amended final plat for Country Garden Estates II, combining Lots 25 and 26 located in the general area of 335 Garden Dr.
Item No. 2. Commercial Condominium Plat: The Providence Planning Commission will consider for approval a condominium plat for South Cache Commercial Condominiums Building 6, located in the general area of 550 W. 465 N., Providence UT.
Item No. 3. Preliminary Plat: The Providence Planning Commission will consider for approval a preliminary plat for Ballard Springs Subdivision, a 39-lot residential subdivision located in the general area of 515 West 500 South, Providence UT.

Legislative – Action Item(s): None

Study Items(s):
Item No. 1. Rezone Request: The Providence Planning Commission will review a request by Kent Dunkley to change a portion of Parcel No. 02-090-0011 (approximately 2.82 acres adjacent to the east boundary of Parcel No. 02-090-0018), located in the general area of 750 West 300 South, from Commercial Highway District (CHD) to Multi-Family High Density (MFH).

Reports:
Staff Reports: Any items presented by Providence City Staff will be presented as informational only.
Commission Reports: Items presented by the Commission Members will be presented as informational only; no formal action will be taken.

Chair & Vice Chair: Special Election: Chairman Bob Perry is remaining on the Planning Commission, but stepping down as Chair. Pursuant to 3.3 of the Planning Commission Bylaws, the Planning Commission will elect a Chair and Vice Chair for recommendation to the Mayor and City Council.

Agenda posted by S Bankhead on April 20, 2020

Skarlet Bankhead
City Recorder

If you have a disability and/or need special assistance while attending the Providence City Planning Commission meeting, please call 435-752-9441 before 5:00 p.m. on the day of the meeting.

Pursuant to Utah Code 52-4-207 Electronic Meetings – Authorization – Requirements the following notice is hereby given:

- Providence City Ordinance Modification 016-2006, adopted 11/14/2006, allows Planning Commission Member(s) to attend by teleconference.
- The anchor location for this meeting is: Providence City Office Building, 164 North Gateway Drive, Providence, UT.
- Member(s) may be connected to the electronic meeting by teleconference.

Providence City Council Members may be in attendance at this meeting; however, no Council action will be taken even if a Quorum exists.

Providence City Planning Commission Minutes
Providence City Office Building,
164 North Gateway Drive,
Providence UT 84332
March 11, 2020 6:00 p.m.

Call to Order: Bob Perry, Chair
Roll Call of Commission Members: Kathleen Alder, Laura Banda, Rowan Cecil, Michael Fortune (non-voting alternate), Ruth Ann Holloway, Bob Perry
Absent: Alex Bearnson
Pledge of Allegiance: Kathleen Alder

Approval of the Minutes:
Item No. 1. The Planning Commission will consider approval of the minutes for February 12, 2020.
Motion to approve the minutes of February 12, 2020: **— R Cecil, second — K Alder**
Vote:
Yea: K Alder, R Cecil, R Holloway, B Perry
Nay:
Abstained: L Banda
Excused:

- K Alder thanked J Bardsley for preparing the minutes accurately.

Public Comments: Citizens may appear before the Planning Commission to express their views on issues within the City's jurisdiction. Comments will be addressed to the Commission. Remarks are limited to 3 minutes per person. The total time allotted to public comment is 21 minutes. Persons wishing to address the Commission during Public Comments should sign on the public comment sign-in sheet located at the entry to the meeting room.

- No public comments

Public Hearing(s): Remarks during the hearing are limited to 5 minutes per person. The total time allotted to hearing comment is 50 minutes. Persons wishing to address the Commission during public hearing should sign on the sign-in sheet for the public hearing located at the entry to the meeting room. You may also email comments to the City Recorder, sbankhead@providence.utah.gov by 2:00 PM the day of the meeting. By law, email comments are considered public record and will be shared with all parties involved, including the Planning Commission and the applicant.

Public Hearing(s): None

Action Item Note: Should the Planning Commission not be able to make a decision or take exception to an Action Item(s), then that item will be tabled and revert back to a study category. The applicant will have 15 minutes to introduce and make a brief presentation.

Administrative Action Item(s):
Item No. 1. Amended Final Plat: The Providence Planning Commission will consider for approval an amended final plat adjusting the lot lines for Lots 22, 23, and 24 Brookside Village Phase 1, in the general area of 320 North 200 East.
Motion to approve the amended final plat for adjusting the lot lines for lots 22, 23, and 24 of Brookside Village Phase 1: **— R Cecil, second — R Holloway**
Vote:
Yea: K Alder, L Banda, R Cecil, R Holloway, B Perry
Nay:
Abstained:
Excused:

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- Correction: S Bankhead said that one of the conditions should be changed. The owner decided that he does not want to vacate the public utility easement. We should strike the first sentence of condition #1.
- S Bankhead explained that the applicant had made some boundary line adjustments without knowing that he needed an amended plat in order to do so. This amended plat combines two of the lots and makes some other adjustments. The staff recommends that the boundary line adjustment be approved.
- S Bankhead explained that there is a public utility easement on the lot. The applicant will leave it on the lot. In the future, a public utility could put something in there. If the applicant wants to expand his house in the direction of the easement, he would need to have it vacated.
- K Alder asked if the owner could vacate a utility easement once utilities were in place.
- S Bankhead said that they would have to pay to relocate the utilities [as part of vacating the easement]. The decision to vacate the easement would be made by the City Council. K Alder asked about the cost. S Bankhead said that if there is no utility in the ground, there is still an application fee from Providence City. If there are utilities in the ground, the utility companies usually allow them to be moved if the applicant will pay for it.

Legislative – Action Item(s): None

Study Items(s):

Item No. 1. Development discussion: Kent Dunkley will discuss development options for property located in the general area of 700 West 300 South, including but not limited to property access and uses.

- K Dunkley spoke about the property, which is on the corner of Highway 165 and 1700 South. Currently, it has a big pile of dirt, which is an eyesore. However, there are parties that are interested in improving the parcel. K Dunkley is here to get some guidance from the Commission on how we can improve that corner.
- K Dunkley said that Civil Solutions Group suggested dividing the parcel into three smaller parcels. Lot #3 would be for a corner commercial lot, and lots #1 and #2 could be combined to form a three acre lot. This is what we would do based on current offers on the property.
- K Dunkley said that we have two offers for the 3 acre parcel (lots #1 and #2). One of the potential buyers is interested in doing high density housing. This is the same owner as the Ridgeview Townhomes, and he would do a similar product at this property. The other potential buyer wants to build commercial storage, warehouse, and office space, and would also like to build a community center. K Dunkley has also been approached by another buyer who would like to put a C-store (convenience store) on the corner.
- K Dunkley said that in the past, they have been told that all of this land would need to be sales tax generating since it is currently zoned Highway Commercial. K Dunkley asked if the Commission would entertain non-sales tax generating land use on the west part of this parcel.
- R Cecil asked about the water running through the parcel.
- K Dunkley said that there is 0.25 acre of wetland that would need to be mitigated. The Army Corps of Engineers will not move forward until we know who the buyer is.
- R Cecil asked if there is a [pipe] allowing the water to drain onto the Alder property. K Dunkley said that there is. The water on the property would probably have to be piped and covered before the corner could be developed.
- K Dunkley said that UDOT would grant an access off of Highway 165, 500 ft from the intersection. They would require Jerry Fickas to share the access. K Dunkley said that they would also like a couple of accesses on 1700 South. The critical access for the C-store or whoever is on the corner would be an access located as close to the corner as possible on 1700 S. The access would need to avoid interfering with the turn lanes located there.
- K Alder asked about the current access off of 1700 South. K Dunkley said that they do not know why it was put where it is. They would like to push it as close to the corner as they can.
- S Bankhead said that the City has no problem with the access on Hwy 165. However, with 300 [1700] South, we will need to have them do a traffic study. We need to be careful that we don't impact the right or left hand turn lanes. We also need to make sure that people turning west off of Highway 165 don't create a stacking problem. We are amenable to moving the access, but we are not sure where the best place is yet. We need a study to be done based on what the owner is building.
- K Dunkley said that they would prefer two accesses, but they understand that they might have to have a joint access.

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- K Dunkley said that the sewer is the other issue. There is currently no sewer in that area.
- K Alder asked about sewer that was offered to [Seth Alder] in the past.
- S Bankhead said that the option wasn't exercised. Sewer in that area would involve lift stations because that area is lower than our mainline. When we talked to property owners last year, they were amenable and interested. We have looked at different options to fund it. We would like it to be a joint project between the city and the property owners.
- S Bankhead said that we thought about putting in the sewer when we did the project with 300 South. We thought that the lift station from Logan City would be available to us, but it wasn't. We are looking at the option of a new lift station.
- R Holloway asked about the acreages and frontages of the proposed lots. S Dunkley said that #1 and #2 are about 1.5 acres each. Lot 3 is about 2.75 acres.
- R Holloway suggested a frontage road/section so that there would be more maneuverability for cars and so they would not interfere with the current turn lanes.
- K Dunkley said that having two separate accesses on 1700 South would also alleviate some of the problems.
- K Dunkley said that the frontage of Lot 3 on 1700 S is about 210 ft from the intersection.
- K Alder said that there is a lot of traffic coming on 1700 South and then turning south onto the highway. Sometimes it gets backed up all the way to the pest control business.
- R Snow said that UDOT has a traffic count that we can access for that location. A traffic study would not be difficult in that location.
- K Dunkley said that mitigation of wetlands should be easy on this property. There is property behind Jerry Fickas' house that he would allow the new owner to use for mitigation.
- K Dunkley asked for the Commission's thoughts on high density housing.
- B Perry would like to see what the high density housing would look like.
- R Holloway said that she wants to protect our business sector. We can't grow land. We need the tax revenue from businesses to maintain our infrastructure, etc.
- L Banda asked about the price point of the high density housing. K Dunkley said that they may be priced similar to the Ridgeview townhomes at $218,000-225,000.
- M Fortune asked if we have a concept for the sports complex [community center]. K Dunkley said that he does not. It would probably be a metal building. Then there would be separate commercial buildings at the front of the lot.
- M Fortune said that you can get a good idea of what not to do [with traffic] by going to the [two] Mavericks on 300 South in Logan. When someone turns to go west, there is an immediate entrance in [to the gas station]. It disrupts the traffic. On the other hand, the Maverick on the east side has an entrance that is 150-200 ft away from the intersection and seems to work very well.
- K Dunkley asked whether the Commission is favorable to a C Store and whether they are favorable to high density housing. The Commission did not give a definite answer on the housing units, but R Cecil and R Holloway indicated that they are favorable to a C Store in that location.

Reports:

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

Ryan Snow, City Manager

- R Snow said that the general plan is on our website. The Council has transferred it to a subcommittee. It will probably not come back to the Planning Commission. The Council may pass it in April.
- R Snow said all the setback changes except the ADU setbacks were approved by the City Council. The ADU setbacks were tabled for a future meeting.
- R Snow said that the partial road cross section was passed on to the City Council. Because the Planning Commission didn't take any action, the Council was not required to act. They did not take any action.
- S Bankhead said that we updated our personnel policies, including making a few changes to the holidays and the ability to use paid time off. We also put some information in [that will be required by] the state auditor's office. The Council approved it, but would like to revisit this in six months.

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- The Council approved a recreation philosophy and cost recovery plan. This plan covers how we charge outside people that come in and use our athletic fields. The Council made a subcommittee to work on the methodology behind the plan [so that they can revisit it at a future meeting].
- The Council approved an impact fee enactment for wastewater treatment facilities. The fee will be established by resolution. It is on the agenda for the next Council meeting. We will collect the fees and remit them to Logan City. This new fee is due to Logan's new wastewater treatment center.
- R Snow said that we have been working on GIS maps. It is a staff resource at this point. It is used for tracking water, sewer, storm drains, etc. This will be useful for showing developers where there is water and sewer available. It will also be a useful internal resource for us.

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

- B Perry asked about the sexual harassment training that is on March 17. S Bankhead said that if someone cannot make it, the Utah Local Governments Trust has an online version that they can do.
- B Perry asked when the next meeting will be. Will the Champlin project come up before then?
- S Bankhead said that they have not made a submission for a preliminary plat yet. The next meeting will probably be April 8th.
- R Holloway asked about the schedule for May. S Bankhead said that the second Wednesday in May would be the 13th. We are trying to focus the Planning Commission meetings on the second Wednesday of the month, one week before City Council. The second meeting is optional.
- L Banda asked about the Champlin parcel. B Perry said that it is north of Ballard Springs in the area of 500 South.

Motion to close the meeting: — R Cecil, second — K Alder
Vote:
Yea: K Alder, L Banda, R Cecil, R Holloway, B Perry
Nay:
Abstained:
Excused:
Meeting adjourned at approximately 6:50 PM
Minutes prepared by Jesse Bardsley

_____ _____
Bob Perry, Chair Skarlet Bankhead, City Recorder

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PROVIDENCE CITY
Staff Report
Planning Commission
Meeting Date: 04/22/2020

Request: The application is requesting an amendment to the Country Garden Estates II final plat by consolidating Lots 25 & 26 which are located in the general area of 335 Garden Drive, Providence UT

Item Type: Amended Final Plat/ Lot Line Adjustment	**Property Owner:** Ben & Melanie Barlow	**Agent**: VHD LLC (Jessica Williamson)
Prepared by: S Bankhead	**General Plan**: SFR	**Zone**: SFR
Parcel ID #: 02-183-0025 **Parcel ID #:** 02-183-0026	**Address:** 335 E Garden Drive **Address:** 325 E Garden Drive	

Staff Report Summary of Key Issues:

1. The application also requests the existing public utility easement (PUE) between Lots 25 & 26 be vacated.
2. The City Council will consider vacating the PUE during their May 6, 2020 meeting.

Background Information:

1. The application was received March 13, 2020
2. The staff reviewed the Utah Code, Providence City Code, and the Providence City General Plan.
3. Aaron Walker, Logan City Fire Inspector, submitted his letter of review on March 18, 2020.

Providence City General Plan 2020

- **Vision**:

Guide and manage growth in a way that preserves natural scenery while also providing more opportunities to live, work, shop, and recreate in Providence.

FINDINGS OF FACT:

1. UCA 10-9a-103(36)(a) "Lot line adjustment" means a relocation of a lot line boundary line between two adjoining lots or parcels, whether or not the lots are located in the same subdivision, in accordance with Section 10-9a-608, with the consent of the owners of record.
   (b) "Lot line adjustment" does not mean a new boundary line that: (i) creates an additional lot; or (ii) constitutes a subdivision.
2. UCA 10-9a-103(45)(a) "Parcel boundary adjustment" means a recorded agreement between owners of adjoining parcels adjusting the mutual boundary, either by deed or by a boundary line agreement in accordance with Section 57-a-45, if no additional parcel is created and: (i) none of the property identified in the agreement is subdivided land; or (ii) the adjustment is to the boundaries of a single person's parcels. (b) "Parcel boundary adjustment" does not mean an adjustment of a parcel boundary line that: (i) creates and additional parcel; or (ii) constitutes a subdivision.
3. UCA 10-9a-103(64)(c) "Subdivision" does not include: (iv) an agreement between owners of adjoining subdivided properties adjusting the mutual lot line boundary in accordance with Section 10-9a-603 if: (A) no new dwelling lot or housing unit will result from the adjustment; and (B) the adjustment will not violate any applicable land use ordinance**.**
4. **UCA 10-9a-608. Vacating, altering, or amending a subdivision plat.**

(1) (a) A fee owner of land, as shown on the last county assessment roll, in a subdivision that has been laid out an platted as provided in this part may file a written petition with the land use authority to have some or all of the plat vacated or amended.

(b) If a petition is filed under Subsection (1)(a), the land use authority shall provide notice of the petition by mail, email, or other effective means to each affected entity that provides a service to an owner of record of the portion of the plat that is being vacated or amended at least 10 calendar days before the land use authority may approve the vacation or amendment of the plat.

(c) If a petition is filed under Subsection (1)(a), the land use authority shall hold a public hearing within 45 days after the day on which the petition is filed if:

(i) any owner within the plat notifies the municipality of the owner's objection in writing within 10 days of

mailed notification; or

(ii) a public hearing is required because all of the owners in the subdivision have not signed the revised plat.

(2) Unless a local ordinance provides otherwise, the public hearing requirement of Subsection (1)(c) does not apply and a land use authority may consider at a public meeting an owner's petition to vacate or amend a subdivision plat if:

(a) the petition seeks to:

(i) join two or more of the petitioner fee owner's contiguous lots;

(ii) subdivide one or more of the petitioning fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition;

(iii) adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lots or parcels join in the petition, regardless of whether the lots or parcels are located in the same subdivision;

(iv) on a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the local political subdivision; or

(v) alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not:

(A) owned by the petitioner; or

(B) designated as a common area; and

(b) notice has been given to adjacent property owners in accordance with any applicable local ordinance.

5. PCC 11-3-8: **LOT CONSOLIDATION/LOT LINE ADJUSMENT IN A RECORDED SUBDIVISION**: Lot consolidation/lot line adjustment in a recorded subdivision plat is considered a minor revision of the subdivision.
   A. A petition to have a plat amended shall be submitted to the city executive staff for review and compliance with the Providence City General Plan, and Title 10 and 11 of the Providence City Code.
      1. Petition Requirements: In addition to the petition requirements listed in Utah State Code, a petition for lot consolidation must contain a concept plan, drawn to a scale of not less than one inch equaling one hundred feet (1"=100'), showing all existing structures and their distance from the property lines on all lots involved in the consolidation.
   B. The Planning Commission is the land use authority for altering or amending a subdivision plat.
   C. The Planning Commission, if required by state code, shall hold a public hearing within 45 days after the day on which the petition is filed.
   D. General Requirements:
      1. All conditions applicable to the original subdivision remain in full force and effect.
      2. Any dedicated street, sidewalk, drainage feature, utility easement, or other characteristic found in the original subdivision remains in full force.

CONCLUSIONS OF LAW:

1. ES reviewed Utah Code and determined the request is not a parcel boundary adjustment.
2. The applicant's request meets the definition of a lot line adjustment.
3. The Planning Commission is the appropriate land use authority to consider and act on a lot line adjustment.
4. A public hearing is not required for this amendment because the applicant owns both Lots.
5. Combining Lots 25 & 26 will result in one lot, Lot 25. It will meet the requirements for the SFR zone; and will retain the existing Lot 25 address, 335 East Garden Dr.
6. The City Council will consider the PUE vacation.

CONDITIONS:

1. Prepare a final plat for recording.
2. Approval by the City of any application submitter or paperwork does not alleviate the owners and/or their agents from their responsibility to understand and conform to local, state, and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.

RECOMMENDATION: That the Planning Commission approve the Lot Line Adjustment for the Country Garden Estates II consolidating Lots 25 & 26 according to the Findings of Fact, Conditions of Law, and Conclusions listed above.

FOR OFFICE USE ONLY
Date _____
Payment Form _____
Amount _____
Receipt # _____
Clerk _____

PROVIDENCE CITY
APPLICATION FOR APPROVAL OF A FINAL/AMENDED SUBDIVISION PLAT

Please Note: City Staff will NOT accept the application and fee payment if they are incomplete. Incomplete applications will NOT be processed or scheduled for review by the City. Name_____Initial JW

Date 3/10/20 Jessica Williamson/VHD LLC

SUBMITTAL REQUIREMENTS **Staff Check**

- Petition for Final Plat Amendment _____
- $600 application fee _____
- Cache County recorder's parcel map(s) of areas on the final plat _____
- Four (4) copies of the 24"x36" plat and one (1) copy of the 11"x17" plat _____
- Construction drawings (2-24"x36" copies and 1-11"x17" copy) NA _____
- Cost estimates for improvements NA _____
- Notice of intent (filed w/State of Utah) _____
- Storm Water Pollution Prevention Plan (SWPPP) _____
- An electronic copy of **ALL** submittals (flash drive or emailed is acceptable) _____

Applicant (all information **must** be provided)
Name VHD LLC
Address 50 E 2500 N Ste 101 North Logan, UT 84341
Phone 435-752-1480 Email jessica@visionaryhomes.com

Party Responsible for Payment (if different than applicant)- the individual/firm to whom any and all professional services invoices (attorney/engineer/etc.) will be sent and who will be responsible for payment of such invoices.
Name _____
Address _____
Phone _____ Email _____

Property (if owner of record is different than applicant, the application **must** include a written statement from the owner of record consenting to the applicant's pursuit of a final plat approval or amendment)
Owner of record Ben & Melanie Barlow
Address 50 E 2500 N Ste 101 North Logan, UT 84341 50 E 2500 N Ste 101 North Logan, UT 84341
Phone 435-752-1480 Email jessica@visionaryhomes.com

Project (all information **must** be provided)
Project name Barlow Residence
Project location 335 E Garden Dr Parcel Tax ID 02-183-0025
Phase _____ Acreage of phase _____ Total phases in project _____
Zone _____ Height 29' 9" Initial JW Name Jessica Williamson/VHD LLC
Setbacks (front yard) 20 (side yard) 10 (rear yard) 30 Initial JW

Architect/Engineer/Surveyor (all information **must** be provided)
Name VHD LLC
Address 50 E 2500 N Ste 101 North Logan, UT 84341

164 N. Gateway Dr * Providence UT 84332
435-752-9441 * Fax: 435-753-1586 * email: sbankhead@providence.utah.gov

Phone 435-752-1480 Email jessica@visionaryhomes.com

Property owner and contractor shall have responsibility to determine grades, and final placement and elevations of footings/foundations. Property owner and contractor shall be responsible for compliance with all state, national and local building codes and ordinances. Initial JW **Name** Jessica Williamson/VHD LLC

Approval by the city of any application submittal or paperwork does not alleviate the owners from their responsibility to understand and conform to local, state and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated. Initial JW

By signing this document, you agree that Providence City will bill you for any and all professional firm fees as they arise throughout the approval process. This is in addition to application fees. All subdivisions require engineering review throughout the approval process, such as but not limited to reviews of development agreements, construction drawings, preliminary and final plats, and inspections. These services are billed by our city engineer at an hourly rate. Some subdivision applications may also require legal review. Other applications, such as but not limited to conditional uses, may also require engineering and/or legal review at the City's discretion. You agree to reimburse the City for all such costs, whether or not you were forewarned about such costs, and that the City cannot predict all situations in which professional services may be required in order to process your application. Initial JW

I declare under penalty of perjury that I am making this application of my own free will and choice and that the statements, answers, and documents submitted in connection with this application are true and correct to the best of my knowledge.

Jessica Williamson — Jessica Williamson/VHD LLC — 3/10/20

Signature of Applicant — Printed Name — Date

The following is a general summary of which body reviews each land use application in Providence City. Public hearings may be required by the Planning Commission and City Council, as shown below. This matrix does not include zoning clearance/permits for new single-home construction or for business licenses, both of which are reviewed and approved by City Staff.

Application	Executive Staff	Land Use Authority	Planning Commission	Public Hearing	City Council	Public Hearing	Appeal Authority	Filing Fee[1]
Code Amendment	✓	----	✓	✓[2]	✓	----	----	$100
Annexation	✓	----		----	✓	✓	----	$150
Rezone	✓	----	✓	✓	✓	----	----	$100
Conditional Use	✓	✓		----	----	----	----	$100
Subdivision Concept Plan	✓	----	----	----	----	----	----	$300
Preliminary Subdivision Plat	✓	----	✓	----	----	----	----	$400
Final/Amended Subdivision Plat[3]	✓	----	✓	----	✓[4]	----	----	**$600**
Site Plan	✓	✓	----	----	----	----	----	$50
Lot Consolidation[5]	✓	----	✓	----	----	----	----	$50
Exception to Title[6]	✓	----	✓	----	✓	----	----	$100
General Plan Amendment	✓	----	✓	✓	✓	----	----	$100
Right-of-Way Vacation	✓	----	✓	----	✓	✓	----	$100
Variance/ Appeal	----	----	----	----	----	----	✓	$100

[1] Filing Fees do **not** include professional firm review fees. Those will be billed to the applicant separately.

[2] Public Hearing required at Planning Commission only when the proposed code amendment is related to land use

[3] Construction drawings are reviewed/approved by the City Engineer and Public Works Director.

[4] The City Council does not review the final plat itself, but rather reviews and approves the development agreement associated with the final plat.

[5] Lot consolidations are only required to have City approval when they are in a platted/recorded subdivision.

[6] Developers may ask for an exception from the requirements of the Providence City Subdivision Code (Title 11) through this process. All other variance/exception requests shall be handled by the Appeal Authority.

164 N. Gateway Dr * Providence UT 84332
435-752-9441 * Fax: 435-753-1586 * email: sbankhead@providence.utah.gov

March 18, 2020

Providence City
164 North, Gateway Dr.
Providence, Ut 84332

RE: Barlow lot consolidation, 335 Garden Dr. Providence Ut. (02-183-0025)

The above-named site plans have been submitted to the Logan Fire Department for a fire and life safety review. This review was made in the interest of the fire safety provisions and regulations as adopted by the State of Utah and in accordance with the International Fire Code. This review is not considered comprehensive nor regarded as sanctioning any code deficiencies not identified. The ultimate responsibility for compliance with the applicable codes, standards and ordinances rests with the owner.

This project site was reviewed using 2018 IFC.

This project is being recommended to Providence City for approval.

The following comments document the review process:

Access
(IFC 503.1.1) Fire Apparatus Access shall extend to within 150 feet of all portions of the facility as measured by an approved route around the exterior of the building.

- **Access is adequate from Garden Drive.**

Fire Hydrant Locations and number of Hydrants
(IFC 507.5.1) Fire Hydrants shall be located within 400 feet of the building as measured by an approved route around the exterior of the building. Exception allows for the distance to be increased to 600 feet for R-3 occupancies.

- **Fire hydrants #260 and #265 are both within 600 feet of the all buildable areas.**

Fire Water Flow

(IFC 507.1) An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, building or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (IFC 507.3) Fire flow requirements for buildings or portions of building and facilities shall be determine by an approved method.

- **Available fire flows will need to be determined prior to approval for construction.**

If you have any questions, please call me.

Respectfully,

Aaron Walker
Deputy Fire Marshal/Fire Inspector
Logan Fire Department
435-716-9516

Providence City, UTAH

PETITION TO VACATE, ALTER, OR AMEND A SUBDIVISION PLAT and/or VACATE A PUBLIC STREET AND/OR MUNICIPAL UTILITY EASEMENT

The undersigned petitioner(s) are hereby petitioning to (please check all that apply):

[ ] Vacate or Amend a Public Street
[X] Vacate or Amend a Municipal Utility Easement
[ ] Vacate a subdivision plat
[ ] Alter a subdivision plat
[X] Amend a subdivision plat.

Each petition to vacate or amend an entire plat or a portion of a plat shall include:

[X] the name and address of each owner of record of the land contained in the entire plat or on that portion of the plat described in the petition.
[X] the signature of each owner described above who consents to the petition.
[X] A plat showing the amendment.

This petition seeks the following (please check all that apply):

[X] join two or more of the petitioner fee owner's contiguous lots
[ ] subdivide one or more of the petition fee owner's lots, if the subdivision will not result in a violation of a land use ordinance.
[ ] adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lot or parcels join in the petition, regardless of whether the lots or parcels are located in the same subdivision
[ ] on a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the local political subdivision
[ ] alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not: (A) owned by the petitioner; or (B) designated as a common area
[ ] vacate or amend a public street, right-of-way, or easement. **If the petition seeks to vacate some or all of a public street or municipal utility easement please include the following**:
    - [ ] the name and address of each owner of record of land that is: adjacent to the public street or municipal utility easement between the two nearest public street intersections; or accessed exclusively by or within 300 feet of the public street or municipal utility easement.
    - [ ] proof of written notice to operators of utilities located within the bounds of the public street or municipal utility easement sought to be vacated; and
    - [ ] the signature of each owner who consents to the vacation.
    - [ ] A plat showing the amendment.

By the signature(s) below I (we) certify the following:

1. I have personally signed this Petition; and
2. I am aware of the Petition to Vacate a Public Street and/or Municipal Utility Easement, and/or Vacate, Alter, or Amend a Subdivision Plan and understand the terms and conditions of this Petition.
3. I consent to the vacation of a public street and/or municipal utility easement, and/or the alteration, vacation, or amendment to a subdivision plat as shown on the attached map.

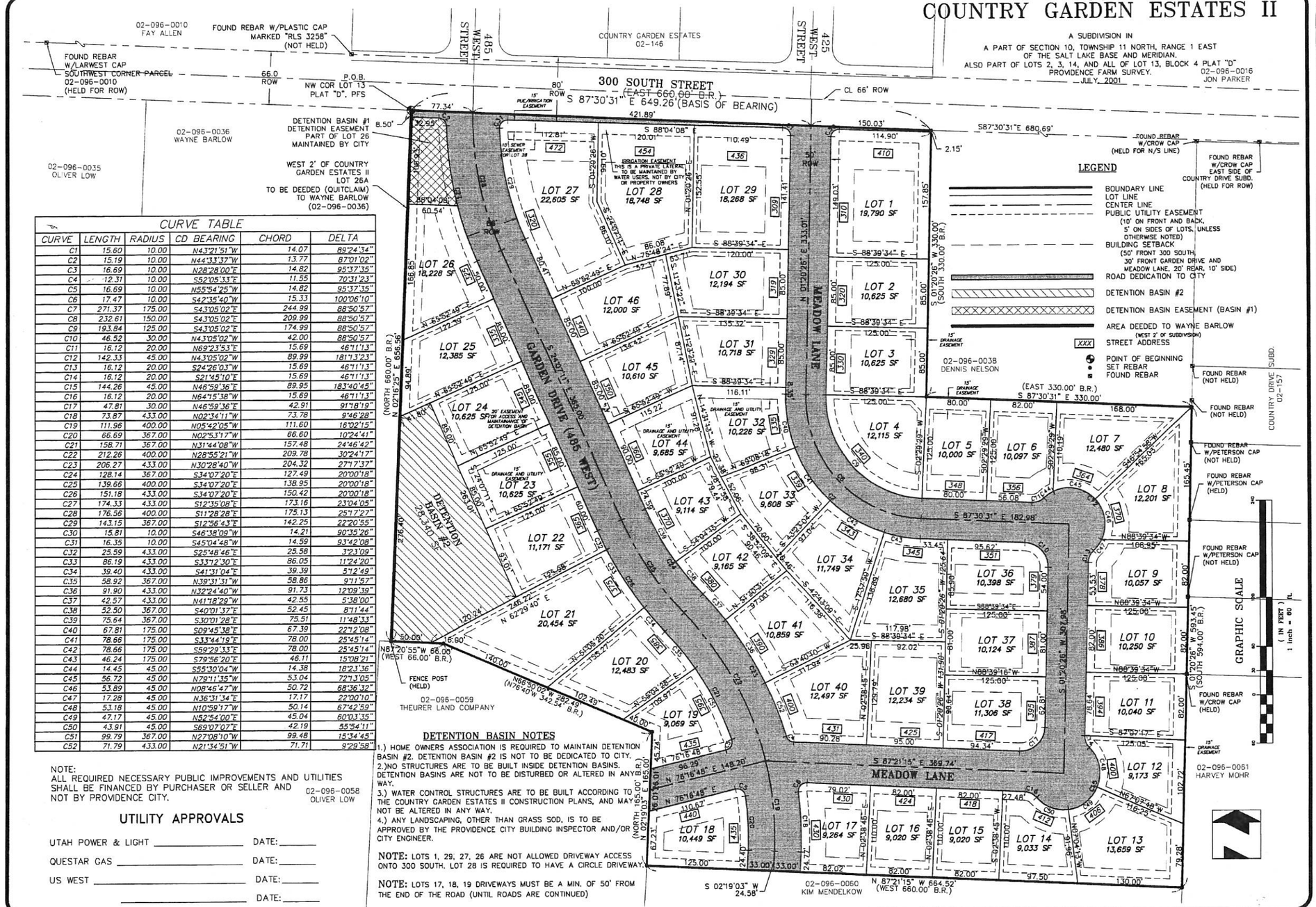
Petitioner	Name: VHD on behalf of Barlows	Parcel No. 02-183-0025
Yes	Address: 50 E 2500 N Ste 101 North Logan, UT 84341	
No	Email: jessica@visionaryhomes.com	Signature: Jessica Williamson

Petitioner	Name:	Parcel No.
Yes	Address:	
No	Email:	Signature:

Attach additional sheets as necessary

FINAL PLAT OF
COUNTRY GARDEN ESTATES II

A SUBDIVISION IN
A PART OF SECTION 10, TOWNSHIP 11 NORTH, RANGE 1 EAST
OF THE SALT LAKE BASE AND MERIDIAN.
ALSO PART OF LOTS 2, 3, 14, AND ALL OF LOT 13, BLOCK 4 PLAT "D"
PROVIDENCE FARM SURVEY.
JULY 2001



LEGEND

- BOUNDARY LINE
- LOT LINE
- CENTER LINE
- PUBLIC UTILITY EASEMENT (10' ON FRONT AND BACK, 5' ON SIDES OF LOTS, UNLESS OTHERWISE NOTED)
- BUILDING SETBACK (50' FRONT 300 SOUTH, 30' FRONT GARDEN DRIVE AND MEADOW LANE, 20' REAR, 10' SIDE)
- ROAD DEDICATION TO CITY
- DETENTION BASIN #2
- DETENTION BASIN EASEMENT (BASIN #1)
- AREA DEEDED TO WAYNE BARLOW (WEST 2' OF SUBDIVISION)
- XXX STREET ADDRESS
- POINT OF BEGINNING
- SET REBAR
- FOUND REBAR

CURVE TABLE

CURVE	LENGTH	RADIUS	CD BEARING	CHORD	DELTA
C1	15.60	10.00	N43°21'51"W	14.07	89°24'34"
C2	15.19	10.00	N44°33'37"W	13.77	87°01'02"
C3	16.69	10.00	N28°28'00"E	14.82	95°37'35"
C4	12.31	10.00	S52°05'33"E	11.55	70°31'23"
C5	16.69	10.00	N55°54'25"W	14.82	95°37'35"
C6	17.47	10.00	S42°35'40"W	15.33	100°06'10"
C7	271.37	175.00	S43°05'02"E	244.99	88°50'57"
C8	232.61	150.00	S43°05'02"E	209.99	88°50'57"
C9	193.84	125.00	S43°05'02"E	174.99	88°50'57"
C10	46.52	30.00	N43°05'02"W	42.00	88°50'57"
C11	16.12	20.00	N69°23'53"E	15.69	46°11'13"
C12	142.33	45.00	N43°05'02"W	89.99	181°13'23"
C13	16.12	20.00	S24°26'03"W	15.69	46°11'13"
C14	16.12	20.00	S21°45'10"E	15.69	46°11'13"
C15	144.26	45.00	N46°59'36"E	89.95	183°40'45"
C16	16.12	20.00	N64°15'38"W	15.69	46°11'13"
C17	47.81	30.00	N46°59'36"E	42.91	91°18'19"
C18	73.87	433.00	N02°34'11"W	73.78	9°46'28"
C19	111.96	400.00	N05°42'05"W	111.60	16°02'15"
C20	66.69	367.00	N02°53'17"W	66.60	10°24'41"
C21	158.71	367.00	N31°44'08"W	157.48	24°46'42"
C22	212.26	400.00	N28°55'21"W	209.78	30°24'17"
C23	206.27	433.00	N30°28'40"W	204.32	27°17'37"
C24	128.14	367.00	S34°07'20"E	127.49	20°00'18"
C25	139.66	400.00	S34°07'20"E	138.95	20°00'18"
C26	151.18	433.00	S34°07'20"E	150.42	20°00'18"
C27	174.33	433.00	S12°35'08"E	173.16	23°04'05"
C28	176.56	400.00	S11°28'28"E	175.13	25°17'27"
C29	143.15	367.00	S12°56'43"E	142.25	22°20'55"
C30	15.81	10.00	S46°38'09"W	14.21	90°35'26"
C31	16.35	10.00	S45°04'48"W	14.59	93°42'08"
C32	25.59	433.00	S25°48'46"E	25.58	3°23'09"
C33	86.19	433.00	S33°12'30"E	86.05	11°24'20"
C34	39.40	433.00	S41°31'04"E	39.39	5°12'49"
C35	58.92	367.00	N39°31'31"W	58.86	9°11'57"
C36	91.90	433.00	N32°24'40"W	91.73	12°09'39"
C37	42.57	433.00	N41°18'29"W	42.55	5°38'00"
C38	52.50	367.00	S40°01'37"E	52.45	8°11'44"
C39	75.64	367.00	S30°01'28"E	75.51	11°48'33"
C40	67.81	175.00	S09°45'38"E	67.39	22°12'08"
C41	78.66	175.00	S33°44'19"E	78.00	25°45'14"
C42	78.66	175.00	S59°29'33"E	78.00	25°45'14"
C43	46.24	175.00	S79°56'20"E	46.11	15°08'21"
C44	14.45	45.00	S55°30'04"W	14.38	18°23'36"
C45	56.72	45.00	N79°11'35"W	53.04	72°13'05"
C46	53.89	45.00	N08°46'47"W	50.72	68°36'32"
C47	17.28	45.00	N36°31'34"E	17.17	22°00'10"
C48	53.18	45.00	N10°59'17"W	50.14	67°42'59"
C49	47.17	45.00	N52°54'00"E	45.04	60°03'35"
C50	43.91	45.00	S69°07'07"E	42.19	55°54'11"
C51	99.79	367.00	N27°08'10"W	99.48	15°34'45"
C52	71.79	433.00	N21°34'51"W	71.71	9°29'58"

NOTE:
ALL REQUIRED NECESSARY PUBLIC IMPROVEMENTS AND UTILITIES SHALL BE FINANCED BY PURCHASER OR SELLER AND NOT BY PROVIDENCE CITY.

02-096-0058
OLIVER LOW

UTILITY APPROVALS

UTAH POWER & LIGHT _____ DATE: _____

QUESTAR GAS _____ DATE: _____

US WEST _____ DATE: _____

_____ DATE: _____

DETENTION BASIN NOTES

1.) HOME OWNERS ASSOCIATION IS REQUIRED TO MAINTAIN DETENTION BASIN #2. DETENTION BASIN #2 IS NOT TO BE DEDICATED TO CITY.
2.)NO STRUCTURES ARE TO BE BUILT INSIDE DETENTION BASINS. DETENTION BASINS ARE NOT TO BE DISTURBED OR ALTERED IN ANY WAY.
3.) WATER CONTROL STRUCTURES ARE TO BE BUILT ACCORDING TO THE COUNTRY GARDEN ESTATES II CONSTRUCTION PLANS, AND MAY NOT BE ALTERED IN ANY WAY.
4.) ANY LANDSCAPING, OTHER THAN GRASS SOD, IS TO BE APPROVED BY THE PROVIDENCE CITY BUILDING INSPECTOR AND/OR CITY ENGINEER.

NOTE: LOTS 1, 29, 27, 26 ARE NOT ALLOWED DRIVEWAY ACCESS ONTO 300 SOUTH. LOT 28 IS REQUIRED TO HAVE A CIRCLE DRIVEWAY.

NOTE: LOTS 17, 18, 19 DRIVEWAYS MUST BE A MIN. OF 50' FROM THE END OF THE ROAD (UNTIL ROADS ARE CONTINUED)

SURVEY CERTIFICATE

I, TIM V. GIBBONS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 156967 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS I HAVE MADE AND/OR SUPERVISED THE SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND HAVE SUBDIVIDED SAID TRACT INTO LOTS AND STREETS, HEREINAFTER TO BE KNOWN AS:
"COUNTRY GARDEN ESTATES II".
AND THE SAME HAS BEEN CORRECTLY SURVEYED AND ALL STREETS ARE THE DIMENSIONS SHOWN.

TIM V. GIBBONS — REGISTERED LAND SURVEYOR — R.L.S. NO. 156967 — 8/14/01 DATE

REGISTERED LAND SURVEYOR NO. 156967 STATE OF UTAH TIM V. GIBBONS

BOUNDARY DESCRIPTION

A PART OF THE SOUTH HALF OF SECTION 10, TOWNSHIP 11 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN. ALSO PART OF LOTS 2, 3, 14, AND ALL OF LOT 13 OF BLOCK 4, PLAT "D" PROVIDENCE FARM SURVEY.

BEGINNING AT THE NORTHWEST CORNER OF LOT 13, SAID POINT BEING IN THE SOUTH RIGHT OF WAY LINE OF ORIGINAL 300 SOUTH STREET, THENCE S87°30'31"E 649.26 FEET ALONG SAID RIGHT OF WAY, TO THE NORTHWEST CORNER OF PARCEL 02-096-0038; THENCE LEAVING SAID RIGHT OF WAY S01°20'26"W 330.00 FEET TO THE SOUTHWEST CORNER OF PARCEL 02-096-0038; THENCE S87°30'31"E 330.00 FEET TO THE SOUTHEAST CORNER OF PARCEL 02-096-0038; THENCE S01°20'26"W 593.45 FEET ALONG WEST LINE OF COUNTRY DRIVE SUBDIVISION AND PARCEL 02-096-0061 TO THE NORTHEAST CORNER OF PARCEL 02-096-0060; THENCE N87°21'15"W 664.52 FEET TO THE NORTHWEST CORNER OF PARCEL 02-096-0060; THENCE N02°19'03"E 165.00 FEET TO THE NORTHEAST CORNER OF PARCEL 02-096-0059; THENCE N66°50'02"W 282.49 FEET TO AN ANGLE POINT; THENCE N87°20'55"W 66.00 FEET TO THE SOUTHEAST CORNER OF PARCEL 02-096-0036; THENCE N02°16'25"E 656.56 FEET TO THE NORTH EAST CORNER OF PARCEL 02-096-0036 AND ALSO THE POINT OF BEGINNING.
CONTAINING 16.69 ACRES, MORE OR LESS.

NARRATIVE

THIS SURVEY WAS COMMISSIONED BY BILL BERTOLIO FOR THE PURPOSE OF ESTABLISHING THE BOUNDARY OF PARCEL 02-096-0037 AND SUBDIVIDING THIS PARCEL INTO A SUBDIVISION NAMED "COUNTRY GARDEN ESTATES II".
THE BOUNDARY WAS ESTABLISHED USING EXISTING MONUMENTS, FENCES, AND DITCHES.
THE BASIS OF BEARING FOR THIS PLAT IS THE SOUTH RIGHT OF WAY LINE OF 300 SOUTH STREET. THE RIGHT OF WAY (66') OF 300 SOUTH STREET WAS ESTABLISHED USING TWO FOUND REBAR MONUMENTS AND EXISTING FENCE LOCATIONS. THE RIGHT OF WAY WIDTH OF 300 SOUTH STREET WAS ADJUSTED TO 80' FROM THE ORIGINAL 66'. THE AREA OF THIS PARCEL THAT IS IN THE 80' RIGHT OF WAY IS TO BE DEDICATED TO THE CITY AS A PUBLIC RIGHT OF WAY, AS WELL AS BOTH STREETS IN THE SUBDIVISION.

(CONTINUED BELOW)

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREINAFTER KNOWN AS:
"COUNTRY GARDEN ESTATES II SUBDIVISION"
DO HEREBY DEDICATE, GRANT AND CONVEY TO PROVIDENCE CITY, UTAH ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS. THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO DEDICATE TO PROVIDENCE CITY THOSE CERTAIN STRIPS AS EASEMENTS FOR PUBLIC UTILITY AND DRAINAGE PURPOSES AS SHOWN HEREON. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE AS INTENDED FOR PUBLIC USE.

IN WITNESS WE HAVE HEREUNTO SET OUR SIGNATURES THIS _____ DAY OF _____ A.D. 2001.

_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF CACHE

ON THIS _____ DAY OF _____, 2001, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR THE SAID COUNTY OF CACHE IN THE SAID STATE OF UTAH, THE SIGNERS OF THE ABOVE OWNER'S DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

COUNTY SURVEYOR'S CERTIFICATE

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.

_____ DATE _____ COUNTY SURVEYOR

PLANNING COMMISSION APPROVAL

APPROVED THIS 21ST DAY OF AUGUST, A.D. 2001 BY THE PROVIDENCE CITY PLANNING COMMISSION.

R.S. Lou — CHAIRPERSON

MAYOR APPROVAL AND ACCEPTANCE

PRESENTED TO THE PROVIDENCE CITY COUNCIL THIS 21st DAY OF August A.D. 2001. AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

Alma A. Lindsay — MAYOR
B. N. Backland — ATTEST

(NARRATIVE CONTINUED)
THE WEST 2 FEET OF THIS SUBDIVISION (LOT 26A) IS TO BE QUIT CLAIMED TO WAYNE BARLOW AND IS TO BECOME PART OF PARCEL 02-096-0036.
THE DETENTION BASINS ARE TO REMAIN INTACT, AND NO STRUCTURES TO BE BUILT THEREON. THE MAINTENANCE OF DETENTION BASIN #2 IS TO BE THE RESPONSIBILITY OF THE HOME OWNERS ASSOCIATION. THE MAINTENANCE OF DETENTION BASIN #1 IS TO BE THE RESPONSIBILITY OF PROVIDENCE CITY.
ALL REAR LOT CORNERS WERE MARKED WITH A #5 REBAR WITH A PLASTIC CAP STAMPED "TIM V. GIBBONS RLS #156967". ALL FRONT CORNERS ARE TO BE CONCRETE EXPANSION NAILS SET IN THE BACK OF THE CURB AT THE PROPERTY LINE EXTENSION.

COUNTY RECORDER'S NO. 768544

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST OF PROVIDENCE
DATE 28 AUG 2001 TIME 3:07 p.m. FEE 106.00
ABSTRACTED _____
INDEX 2001-1473
FILED IN: FILE OF PLATS
Michael L Gleed — COUNTY RECORDER

CITY ATTORNEY

APPROVED AS TO FORM THIS 27th DAY OF August A.D. 2001.

Bruce Jensen — ATTORNEY

ENGINEER'S CERTIFICATE

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.

Max Lucas — DATE 8-23-01 — ENGINEER

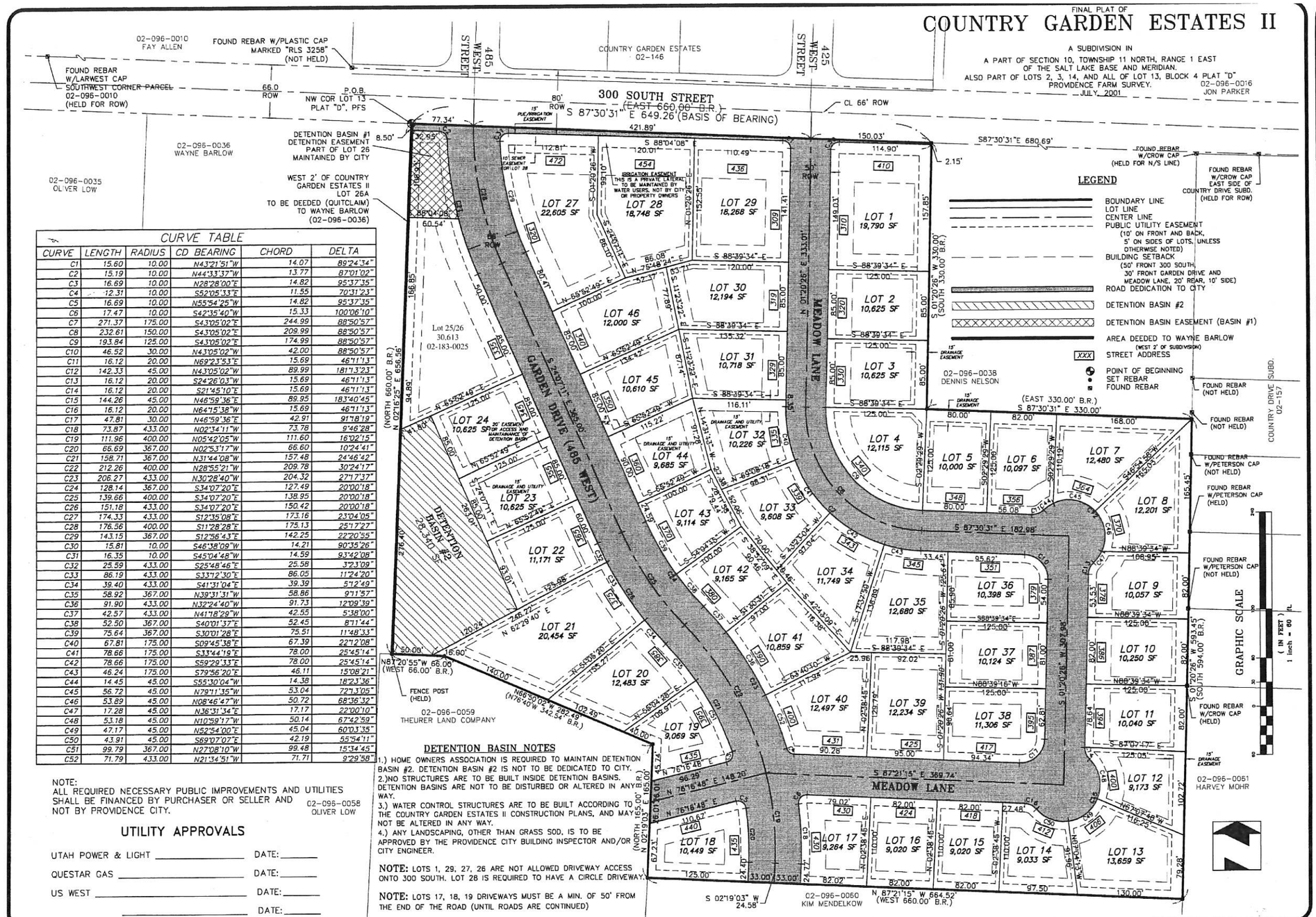
CACHE • LANDMARK ENGINEERING
666 NORTH MAIN SUITE 303 LOGAN, UTAH 84321
PHONE: (435) 755-7600 FAX: (435) 755-2882

DATE:	08/13/01
CALCULATED BY:	SCE
CHECKED BY:	CNF
APPROVED BY:	TVG
JOB#:	00004BRT
LOCATION:	PROVIDENCE, UTAH

FINAL PLAT OF

COUNTRY GARDEN ESTATES II

A SUBDIVISION IN
A PART OF SECTION 10, TOWNSHIP 11 NORTH, RANGE 1 EAST
OF THE SALT LAKE BASE AND MERIDIAN.
ALSO PART OF LOTS 2, 3, 14, AND ALL OF LOT 13, BLOCK 4 PLAT "D"
PROVIDENCE FARM SURVEY.
JULY 2001



LEGEND

- BOUNDARY LINE
- LOT LINE
- CENTER LINE
- PUBLIC UTILITY EASEMENT (10' ON FRONT AND BACK, 5' ON SIDES OF LOTS, UNLESS OTHERWISE NOTED)
- BUILDING SETBACK (50' FRONT 300 SOUTH, 30' FRONT GARDEN DRIVE AND MEADOW LANE, 20' REAR, 10' SIDE)
- ROAD DEDICATION TO CITY
- DETENTION BASIN #2
- DETENTION BASIN EASEMENT (BASIN #1)
- AREA DEEDED TO WAYNE BARLOW (WEST 2' OF SUBDIVISION)
- XXX STREET ADDRESS
- POINT OF BEGINNING
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- FOUND REBAR

CURVE TABLE

CURVE	LENGTH	RADIUS	CD BEARING	CHORD	DELTA
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NOTE:
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UTILITY APPROVALS

UTAH POWER & LIGHT _____ DATE: _____

QUESTAR GAS _____ DATE: _____

US WEST _____ DATE: _____

_____ DATE: _____

DETENTION BASIN NOTES

1.) HOME OWNERS ASSOCIATION IS REQUIRED TO MAINTAIN DETENTION BASIN #2. DETENTION BASIN #2 IS NOT TO BE DEDICATED TO CITY.
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3.) WATER CONTROL STRUCTURES ARE TO BE BUILT ACCORDING TO THE COUNTRY GARDEN ESTATES II CONSTRUCTION PLANS, AND MAY NOT BE ALTERED IN any WAY.
4.) ANY LANDSCAPING, OTHER THAN GRASS SOD, IS TO BE APPROVED BY THE PROVIDENCE CITY BUILDING INSPECTOR AND/OR CITY ENGINEER.

NOTE: LOTS 1, 29, 27, 26 ARE NOT ALLOWED DRIVEWAY ACCESS ONTO 300 SOUTH. LOT 28 IS REQUIRED TO HAVE A CIRCLE DRIVEWAY.

NOTE: LOTS 17, 18, 19 DRIVEWAYS MUST BE A MIN. OF 50' FROM THE END OF THE ROAD (UNTIL ROADS ARE CONTINUED)

SURVEY CERTIFICATE

I, TIM V. GIBBONS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 156967 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS I HAVE MADE AND/OR SUPERVISED THE SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND HAVE SUBDIVIDED SAID TRACT INTO LOTS AND STREETS, HEREINAFTER TO BE KNOWN AS:
"COUNTRY GARDEN ESTATES II".
AND THE SAME HAS BEEN CORRECTLY SURVEYED AND ALL STREETS ARE THE DIMENSIONS SHOWN.

TIM V. GIBBONS — REGISTERED LAND SURVEYOR — NO. 156967 — STATE OF UTAH — TIM V. GIBBONS — R.L.S. NO. 156967 — 8/14/01 DATE

BOUNDARY DESCRIPTION

A PART OF THE SOUTH HALF OF SECTION 10, TOWNSHIP 11 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN. ALSO PART OF LOTS 2, 3, 14, AND ALL OF LOT 13 OF BLOCK 4, PLAT "D" PROVIDENCE FARM SURVEY.

BEGINNING AT THE NORTHWEST CORNER OF LOT 13, SAID POINT BEING IN THE SOUTH RIGHT OF WAY LINE OF ORIGINAL 300 SOUTH STREET, THENCE S87°30'31"E 649.26 FEET ALONG SAID RIGHT OF WAY, TO THE NORTHWEST CORNER OF PARCEL 02-096-0038; THENCE LEAVING SAID RIGHT OF WAY S01°20'26"W 330.00 FEET TO THE SOUTHWEST CORNER OF PARCEL 02-096-0038; THENCE S87°30'31"E 330.00 FEET TO THE SOUTHEAST CORNER OF PARCEL 02-096-0038; THENCE S01°20'26"W 593.45 FEET ALONG WEST LINE OF COUNTRY DRIVE SUBDIVISION AND PARCEL 02-096-0061 TO THE NORTHEAST CORNER OF PARCEL 02-096-0060; THENCE N87°21'15"W 664.52 FEET TO THE NORTHWEST CORNER OF PARCEL 02-096-0060; THENCE N02°19'03"E 165.00 FEET TO THE NORTHEAST CORNER OF PARCEL 02-096-0059; THENCE N66°50'02"W 282.49 FEET TO AN ANGLE POINT; THENCE N87°20'55"W 66.00 FEET TO THE SOUTHEAST CORNER OF PARCEL 02-096-0036; THENCE N02°16'25"E 656.56 FEET TO THE NORTH EAST CORNER OF PARCEL 02-096-0036 AND ALSO THE POINT OF BEGINNING.
CONTAINING 16.69 ACRES, MORE OR LESS.

NARRATIVE

THIS SURVEY WAS COMMISSIONED BY BILL BERTOLIO FOR THE PURPOSE OF ESTABLISHING THE BOUNDARY OF PARCEL 02-096-0037 AND SUBDIVIDING THIS PARCEL INTO A SUBDIVISION NAMED "COUNTRY GARDEN ESTATES II".
THE BOUNDARY WAS ESTABLISHED USING EXISTING MONUMENTS, FENCES, AND DITCHES.
THE BASIS OF BEARING FOR THIS PLAT IS THE SOUTH RIGHT OF WAY LINE OF 300 SOUTH STREET. THE RIGHT OF WAY (66') OF 300 SOUTH STREET WAS ESTABLISHED USING TWO FOUND REBAR MONUMENTS AND EXISTING FENCE LOCATIONS. THE RIGHT OF WAY WIDTH OF 300 SOUTH STREET WAS ADJUSTED TO 80' FROM THE ORIGINAL 66'. THE AREA OF THIS PARCEL THAT IS IN THE 80' RIGHT OF WAY IS TO BE DEDICATED TO THE CITY AS A PUBLIC RIGHT OF WAY, AS WELL AS BOTH STREETS IN THE SUBDIVISION.

(CONTINUED BELOW)

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREINAFTER KNOWN AS: "COUNTRY GARDEN ESTATES II SUBDIVISION"
DO HEREBY DEDICATE, GRANT AND CONVEY TO PROVIDENCE CITY, UTAH ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO DEDICATE TO PROVIDENCE CITY THOSE CERTAIN STRIPS AS EASEMENTS FOR PUBLIC UTILITY AND DRAINAGE PURPOSES AS SHOWN HEREON. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE AS INTENDED FOR PUBLIC USE.

IN WITNESS WE HAVE HEREUNTO SET OUR SIGNATURES THIS _____ DAY OF _____ A.D. 2001.

_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF CACHE

ON THIS _____ DAY OF _____, 2001, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR THE SAID COUNTY OF CACHE IN THE SAID STATE OF UTAH, THE SIGNERS OF THE ABOVE OWNER'S DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

COUNTY SURVEYOR'S CERTIFICATE

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.

_____ DATE _____ COUNTY SURVEYOR

PLANNING COMMISSION APPROVAL

APPROVED THIS 21ST DAY OF AUGUST, A.D. 2001 BY THE PROVIDENCE CITY PLANNING COMMISSION.

R.S. Lewis
CHAIRPERSON

MAYOR APPROVAL AND ACCEPTANCE

PRESENTED TO THE PROVIDENCE CITY COUNCIL THIS 21ST DAY OF August A.D. 2001. AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

Glenn T. Larkin — MAYOR
Jay N. Bankhead — ATTEST

(NARRATIVE CONTINUED)
THE WEST 2 FEET OF THIS SUBDIVISION (LOT 26A) IS TO BE QUIT CLAIMED TO WAYNE BARLOW AND IS TO BECOME PART OF PARCEL 02-096-0036.
THE DETENTION BASINS ARE TO REMAIN INTACT, AND NO STRUCTURES TO BE BUILT THEREON. THE MAINTENANCE OF DETENTION BASIN #2 IS TO BE THE RESPONSIBILITY OF THE HOME OWNERS ASSOCIATION. THE MAINTENANCE OF DETENTION BASIN #1 IS TO BE THE RESPONSIBILITY OF PROVIDENCE CITY.
ALL REAR LOT CORNERS WERE MARKED WITH A #5 REBAR WITH A PLASTIC CAP STAMPED "TIM V. GIBBONS RLS #156967". ALL FRONT CORNERS ARE TO BE CONCRETE EXPANSION NAILS SET IN THE BACK OF THE CURB AT THE PROPERTY LINE EXTENSION.

COUNTY RECORDER'S NO. 768544

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST OF PROVIDENCE
DATE 29 AUG 2001 TIME 3:07 p.m. FEE 106.00
ABSTRACTED _____
INDEX 2001-1473
FILED IN: FILE OF PLATS
Michael L Gleed
COUNTY RECORDER

CITY ATTORNEY

APPROVED AS TO FORM THIS 27TH DAY OF August A.D. 2001.

ATTORNEY

ENGINEER'S CERTIFICATE

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.

_____ DATE
8-23-01 ENGINEER

CACHE • LANDMARK ENGINEERING
666 NORTH MAIN SUITE 303 LOGAN, UTAH 84321
PHONE: (435) 755-7600 FAX: (435) 755-2882

DATE:	08/13/01
CALCULATED BY:	SCE
CHECKED BY:	CNF
APPROVED BY:	TVG
JOB#:	00004BRT
LOCATION:	PROVIDENCE, UTAH

PROVIDENCE CITY
Staff Report
Planning Commission
Meeting Date: April 22, 2020

Request: The applicant is requesting approval the South Cache Commercial Condominiums Building 6 plat, and expandable condominium project located in the general area of 550 W 465 N, Providence UT.

Item Type: Condominium Plat	**Applicant:** South Cache Commercial	**Agent**: Rod Blossom
Prepared by: S Bankhead	**General Plan**: CGD	**Zone**: CGD
Parcel ID #: 02-206-0009	**Proposed Building Lots:** Bldg 6	**Acres:**

Staff Report Summary of Key Issues:

1. This is a multi-phase project of the South Cache Commercial Subdivision located at 530 West 465 North.

Background Information:

1. The application was received on March 16, 2020
2. The public works infrastructure was inspected on March 17, 2020.
3. The zoning review was completed on March 17, 2020.
4. Utah Code (UCA), Providence City Code (PCC), and the Providence City General Plan were used for this review.

Providence City General Plan 2020

- **Vision**:

Guide and manage growth in a way that preserves natural scenery while also providing more opportunities to live, work, shop, and recreate in Providence.

FINDINGS OF FACT:

1. UCA Title 57 Chapter 8 Condominium Ownership Act list the rules a regulations regarding condominiums.
2. PCC Title 11 Chapter 6 lists rules and regulations for condominium approval.
3. PCC 11-6-3:A:1.a. requires a fire marshal review.
4. PCC 11-6-3:A.1.b. requires the city attorney review the declaration of condominium.
5. PCC 11-6-4:B.1. If the planning commission finds that the project is in compliance with applicable ordinances and the requirements of final plat approval, the planning commission shall grant approval.

CONCLUSIONS OF LAW:

1. The application meets the requirements listed in the Findings of Fact with the following conditions:

CONDITIONS:

1. The fire marshal review will be completed as part of the building permit process.
2. The city attorney's approval of the declaration of condominium.
3. The applicant shall continue to meet all applicable City, state and federal laws, codes, rules.
4. Approval by the City of any application submitter or paperwork does not alleviate the owners and/or their agents from their responsibility to understand and conform to local, state, and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.

RECOMMENDATION: That the Planning Commission approve the final plat for Building 6 of the South Cache Commercial Condominiums based on the Findings of Fact, Conclusions of Law, and Conditions listed in the Staff Report.

PROVIDENCE CITY APPLICATION FOR APPROVAL OF A CONDOMINIUM

FOR OFFICE USE ONLY
Date
Payment Form
Amount
Receipt #
Clerk

Please Note: City Staff will NOT accept the application and fee payment if they are incomplete. Incomplete applications will NOT be processed or scheduled for review by the City.

Initial RB Name Rod Blossom

Date 12 March 2020

SUBMITTAL REQUIREMENTS — **Staff Check**

- $300 application fee — ✓
- Four (4) copies of the 24"x36" plat and one (1) copy of the 11"x17" plat — ✓
- Two (2) copies signed in the original of the proposed condominium declarations and bylaws — ✓
- Copy of proposed covenants, conditions and restrictions which provide adequate guarantees for retention and maintenance of the development as approved — ✓
- An electronic copy of **ALL** submittals (flash drive or emailed is acceptable) —

Applicant (all information **must** be provided)
Name Rod Blossom
Address 275 Eastridge Lane, Logan, UT 84321
Phone 435-757-8748 Email rodblossom@comcast.net

Party Responsible for Payment (if different than Applicant)- the individual/firm to whom any and all professional services invoices (attorney/engineer/etc.) will be sent and who will be responsible for payment of such invoices.
Name South Cache Land Company LLC
Address 275 Eastridge Lane, Logan ut. 84321
Phone 435-757-8748 Email rodblossom@comcast.net

Property (all information **must** be provided)
Owner of Record South Cache Land Company LLC
Address 275 Eastridge Lane, Logan, UT 84321
Phone 435-757-8748 Email rodblossom@comcast.net

Project (all information **must** be provided)
Project Name South Cache Commercial Condominiums Building 6
Project Location Providence
Parcel Tax ID 02-206-0009 Phase 3 Acreage of Phase 0.83 Total Phases in Project 4
Zone CGD Height 60' Initial RB Name
Set Backs (front yard) ~~35~~ 44' (side yard) 15' (rear yard) 0 Initial RB
44' minimum

Architect/Engineer/Surveyor (all information **must** be provided)
Name Cache Landmark
Address 95 Golf Course Road, Logan, UT 84321
Phone 435-713-0099 Email office@Cachelandmark.com

Property owner and contractor shall have responsibility to determine grades, and final placement and elevations of footings/foundations. Property owner and contractor shall be responsible for compliance with all state, national and local building codes and ordinances. Initial RB Name Rod Blossom

RECEIVED
MAR 16 2020
By

164 N. Gateway Dr * Providence UT 84332
435-752-9441 * Fax: 435-753-1586 * email: sbankhead@providence.utah.gov

Approval by the city of any application submittal or paperwork does not alleviate the owners from their responsibility to understand and conform to local, state and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated. Initial RD

By signing this document, you agree that Providence City will bill you for any and all professional firm fees as they arise throughout the approval process. This is in addition to application fees. All subdivisions require engineering review throughout the approval process, such as but not limited to reviews of development agreements, construction drawings, preliminary and final plats, and inspections. These services are billed by our city engineer at an hourly rate. Some subdivision applications may also require legal review. Other applications, such as but not limited to conditional uses, may also require engineering and/or legal review at the City's discretion. You agree to reimburse the City for all such costs, whether or not you were forewarned about such costs, and that the City cannot predict all situations in which professional services may be required in order to process your application. Initial RB

I declare under penalty of perjury that I am making this application of my own free will and choice and that the statements, answers, and documents submitted in connection with this application are true and correct to the best of my knowledge.

Signature of Applicant | Printed Name | Date

The following is a general summary of which body reviews each land use application in Providence City. Public hearings may be required by the Planning Commission and City Council, as shown below. This matrix does not include zoning clearance/permits for new single-home construction or for business licenses, both of which are reviewed and approved by City Staff.

Application	Executive Staff	Land Use Authority	Planning Commission	Public Hearing	City Council	Public Hearing	Appeal Authority	Filing Fee[1]
Code Amendment	✓	----	✓	✓[2]	✓	----	----	$100
Annexation	✓	----		----	✓	✓	----	$150
Rezone	✓	----	✓	✓	✓	----	----	$100
Conditional Use	✓	✓		----	----	----	----	$100
Subdivision Concept Plan	✓	----	----	----	----	----	----	$300
Preliminary Subdivision Plat	✓	----	✓	----	----	----	----	$400
Final/Amended Subdivision Plat[3]	✓	----	✓	----	✓[4]	----	----	$600
Site Plan	✓	✓	----	----	----	----	----	$50
Lot Consolidation[5]	✓	----	✓	----	----	----	----	$50
Exception to Title[6]	✓	----	✓	----	✓	----	----	$100
General Plan Amendment	✓	----	✓	✓	✓	----	----	$100
Right-of-Way Vacation	✓	----	✓	----	✓	✓	----	$100
Variance/ Appeal	----	----	----	----	----	----	✓	$100
Condominium	✓	----	✓	----	----	----	----	$300

[1] Filing Fees do **not** include professional firm review fees. Those will be billed to the applicant separately

[2] Public Hearing required at Planning Commission only when the proposed code amendment is related to land use

[3] Construction drawings are reviewed/approved by the City Engineer and Public Works Director

[4] The City Council does not review the final plat itself, but rather reviews and approves the development agreement associated with the final plat.

[5] Lot consolidations are only required to have City approval when they are in a platted/recorded subdivision.

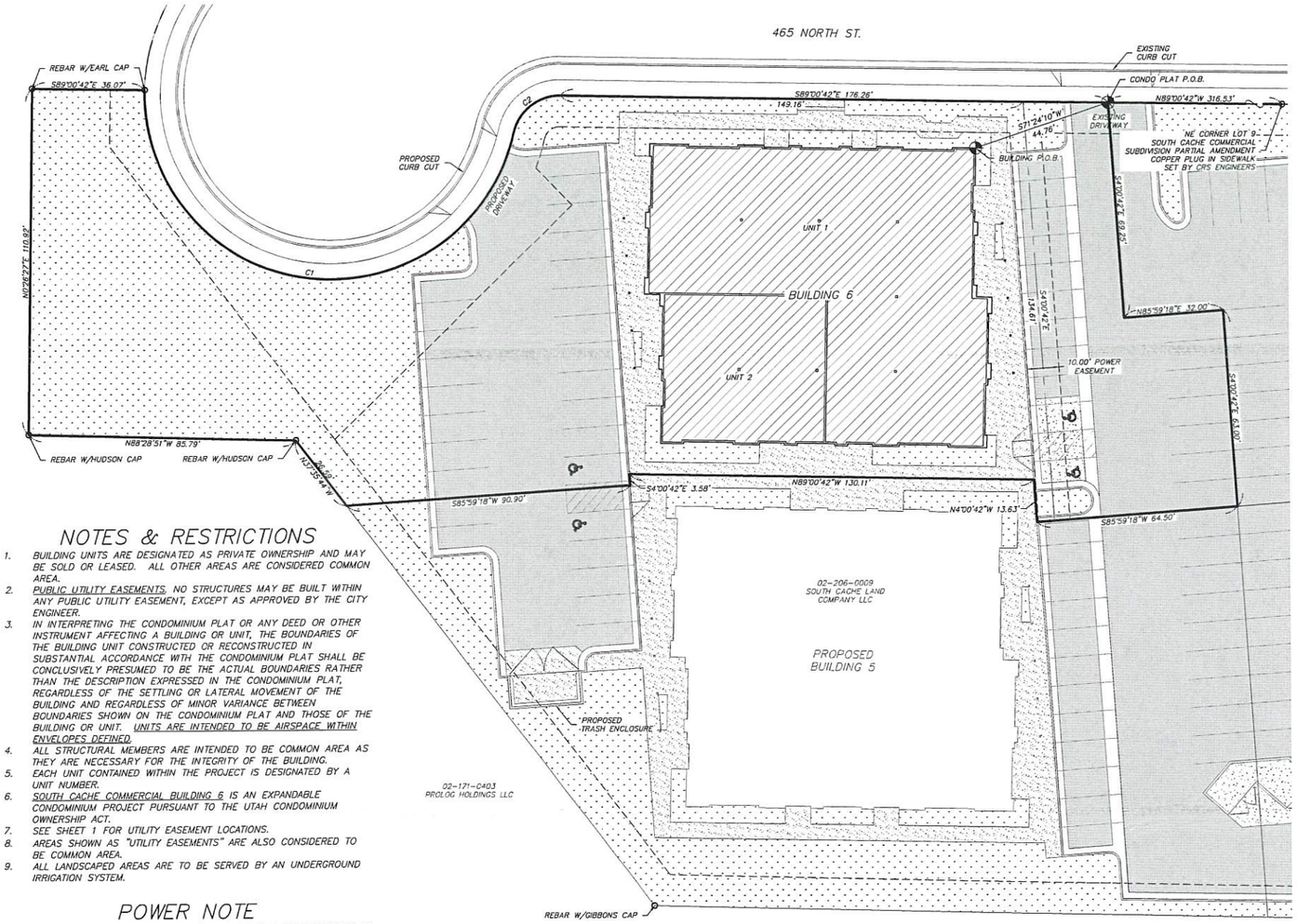
[6] Developers may ask for an exception from the requirements of the Providence City Subdivision Code (Title 11) through this process. All other variance/exception requests shall be handled by the Appeal Authority.

164 N. Gateway Dr * Providence UT 84332
435-752-9441 * Fax: 435-753-1586 * email: sbankhead@providence.utah.gov

SOUTH CACHE COMMERCIAL CONDOMINIUMS BUILDING 6

AN EXPANDABLE CONDOMINIUM PROJECT
PART OF SECTION 3, T11N, R1E, SLM
PART OF LOT 9, SOUTH CACHE COMMERCIAL SUBDIVISION - PARTIAL AMENDMENT

PROVIDENCE CITY, CACHE COUNTY, UTAH



NOTES & RESTRICTIONS

1. BUILDING UNITS ARE DESIGNATED AS PRIVATE OWNERSHIP AND MAY BE SOLD OR LEASED. ALL OTHER AREAS ARE CONSIDERED COMMON AREA.
2. PUBLIC UTILITY EASEMENTS. NO STRUCTURES MAY BE BUILT WITHIN ANY PUBLIC UTILITY EASEMENT, EXCEPT AS APPROVED BY THE CITY ENGINEER.
3. IN INTERPRETING THE CONDOMINIUM PLAT OR ANY DEED OR OTHER INSTRUMENT AFFECTING A BUILDING OR UNIT, THE BOUNDARIES OF THE BUILDING UNIT CONSTRUCTED OR RECONSTRUCTED IN SUBSTANTIAL ACCORDANCE WITH THE CONDOMINIUM PLAT SHALL BE CONCLUSIVELY PRESUMED TO BE THE ACTUAL BOUNDARIES RATHER THAN THE DESCRIPTION EXPRESSED IN THE CONDOMINIUM PLAT, REGARDLESS OF THE SETTLING OR LATERAL MOVEMENT OF THE BUILDING AND REGARDLESS OF MINOR VARIANCE BETWEEN BOUNDARIES SHOWN ON THE CONDOMINIUM PLAT AND THOSE OF THE BUILDING OR UNIT. UNITS ARE INTENDED TO BE AIRSPACE WITHIN ENVELOPES DEFINED.
4. ALL STRUCTURAL MEMBERS ARE INTENDED TO BE COMMON AREA AS THEY ARE NECESSARY FOR THE INTEGRITY OF THE BUILDING.
5. EACH UNIT CONTAINED WITHIN THE PROJECT IS DESIGNATED BY A UNIT NUMBER.
6. SOUTH CACHE COMMERCIAL BUILDING 6 IS AN EXPANDABLE CONDOMINIUM PROJECT PURSUANT TO THE UTAH CONDOMINIUM OWNERSHIP ACT.
7. SEE SHEET 1 FOR UTILITY EASEMENT LOCATIONS.
8. AREAS SHOWN AS "UTILITY EASEMENTS" ARE ALSO CONSIDERED TO BE COMMON AREA.
9. ALL LANDSCAPED AREAS ARE TO BE SERVED BY AN UNDERGROUND IRRIGATION SYSTEM.

POWER NOTE

1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OF OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
2. PURSUANT TO UTAH CODE ANN. § 17-27a-603(4)(c)(ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE P.U.E. AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
   (A) A RECORDED EASEMENT OR RIGHT-OF-WAY
   (II) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
   (III) TITLE 54, CHAPTER 8a, DAMAGE TO UNDERGROUND FACILITIES OR
   (IV) ANY OTHER PROVISION OF LAW.

LEGEND

- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- PUBLIC UTILITY EASEMENT
- POINT OF BEGINNING
- SURVEY MONUMENT
- UNIT
- COMMON AREA
- PROPOSED ASPHALT DRIVEWAYS & PARKING (COMMON)
- PROPOSED LANDSCAPING (COMMON)
- PROPOSED CONCRETE PAVEMENT & SIDEWALKS (COMMON)

STREET ADDRESS TABLE

UNIT 1	560 WEST 465 NORTH SUITE 601
UNIT 2	560 WEST 465 NORTH SUITE 602

GRAPHIC SCALE 1"= 20'

CURVE TABLE					
CURVE	LENGTH	RADIUS	Δ	CH. BEARING	CHORD
C1	176.41'	60.00'	168°27'34"	S83°14'36"E	119.39'
C2	20.54'	15.00'	78°27'47"	N51°45'24"E	18.97'

RECEIVED
MAR 16 2020
By

SURVEY CERTIFICATE

I, STEVEN C. EARL, A PROFESSIONAL LAND SURVEYOR, HOLD CERTIFICATE NO. 318575-2201, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT, WHICH IS ACCURATELY DESCRIBED THEREWITH, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO CONDOMINIUM UNITS AND COMMON AREA TO BE HEREAFTER KNOWN AS SOUTH CACHE COMMERCIAL CONDOMINIUMS BUILDING 6, AND THAT THE SAME HAS BEEN SURVEYED ON THE GROUND AS SHOWN ON THIS PLAT.

LEGAL DESCRIPTION

A PART OF SECTION 3, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN; ALSO A PART OF LOT 9, SOUTH CACHE COMMERCIAL SUBDIVISION-PARTIAL AMENDMENT, LOCATED IN PROVIDENCE CITY, CACHE COUNTY, UTAH, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 9;
THENCE N89°00'42"W 316.53 FEET ALONG THE NORTH LINE OF SAID LOT 9 TO THE POINT OF BEGINNING;
THENCE ALONG THE WESTERLY LINE OF SOUTH CACHE COMMERCIAL CONDOMINIUMS BUILDING 7, ENTRY 1198534 THE FOLLOWING THREE COURSES:
1. S4°00'42"E 69.25 FEET;
2. N85°59'18"E 32.00 FEET;
3. S4°00'42"E 63.00 FEET;
THENCE S85°59'18"W 64.50 FEET;
THENCE N4°00'42"W 13.63 FEET;
THENCE N89°00'42"W 130.11 FEET;
THENCE S4°00'42"E 3.58 FEET;
THENCE S85°59'18"W 90.90 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 9;
THENCE ALONG THE BOUNDARY OF SAID LOT 9 THE FOLLOWING SEVEN COURSES:
1. N37°35'44"W 26.59 FEET;
2. N88°28'51"W 85.79 FEET;
3. N0°26'27"E 110.92 FEET;
4. S89°00'42"E 36.07 FEET;
5. SOUTHERLY, EASTERLY, AND NORTHERLY 176.41 FEET ALONG A CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 60.00 FEET AND A LONG CHORD BEARING S83°14'36"E 119.39 FEET TO A POINT OF REVERSE CURVATURE;
6. NORTHEASTERLY 20.54 FEET ALONG A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 15.00 FEET AND A LONG CHORD BEARING N51°45'24"E 18.97 FEET;
7. S89°00'42"E 176.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.90 ACRES, MORE OR LESS.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE ABOVE-DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO CONDOMINIUM UNITS AND COMMON AREAS TO BE HEREAFTER KNOWN AS
SOUTH CACHE COMMERCIAL CONDOMINIUMS BUILDING 6,
AND DO HEREBY DEDICATE ALL COMMON AREAS TO THE SOUTH CACHE COMMERCIAL CONDOMINIUMS LOT 9 OWNERS ASSOCIATION, SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PROJECT, RECORDED IN THE OFFICE OF THE RECORDER OF CACHE COUNTY, UTAH, AS ENTRY NUMBER 920344 ON JULY 6, 2006 AND AMENDED AS ENTRY NUMBER 999368 ON JUNE 4, 2009. THE UNDERSIGNED FURTHER CONSENT TO THE RECORDATION OF THIS PLAT IN ACCORDANCE WITH UTAH STATE LAW. WE ALSO DEDICATE EASEMENTS AS SHOWN HEREON TO THE PUBLIC FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES. FURTHERMORE, WE INCORPORATE ALL NOTES AND RESTRICTIONS AS LISTED HEREON.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 2020.

BY: SOUTH CACHE LAND COMPANY, LLC

BY: _____
ROD BLOSSOM, MANAGING MEMBER

ACKNOWLEDGMENT

STATE OF UTAH } §
COUNTY OF CACHE

ON THIS _____ DAY OF _____, IN THE YEAR 2020, BEFORE ME _____, A NOTARY PUBLIC, PERSONALLY APPEARED ROD BLOSSOM, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED HIMSELF TO BE THE MANAGING MEMBER OF SOUTH CACHE LAND COMPANY, LLC, A LIMITED LIABILITY COMPANY, AND IN THAT CAPACITY BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE LIMITED LIABILITY COMPANY BY HIMSELF AS THE MANAGING MEMBER.

NOTARY PUBLIC SIGNATURE: _____
NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH

CULINARY WATER AND SANITARY SEWER AUTHORITY

PRESENTED TO THE PROVIDENCE CULINARY WATER AND SANITARY SEWER AUTHORITY THIS _____ DAY OF _____ 20____, AT WHICH TIME THIS CONDOMINIUM PLAT WAS APPROVED AND ACCEPTED.

_____

COUNTY RECORDER'S NO. _____

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ FEE _____
ABSTRACTED _____

INDEX _____
FILED IN: FILE OF PLATS

_____
MICHAEL GLEED, COUNTY RECORDER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS ____ DAY OF _____, 20____.

_____
CITY ATTORNEY

ENGINEER'S CERTIFICATE

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE AND THE CITY ORDINANCE, THIS _____ DAY OF _____, 20____.

_____
CITY ENGINEER

MAYOR'S APPROVAL AND ACCEPTANCE

PRESENTED TO THE PROVIDENCE CITY MAYOR THIS _____ DAY OF _____, 20____, AT WHICH TIME THIS CONDOMINIUM PLAT WAS APPROVED AND ACCEPTED.

_____
MAYOR

LAND USE AUTHORITY

PRESENTED TO THE PROVIDENCE CITY LAND USE AUTHORITY THIS _____ DAY OF _____ 20____, AT WHICH TIME THIS CONDOMINIUM PLAT WAS APPROVED AND ACCEPTED.

_____
LAND USE AUTHORITY

STEVEN C. EARL
318575-2201
3/11/20
PROFESSIONAL LAND SURVEYOR
STATE OF UTAH

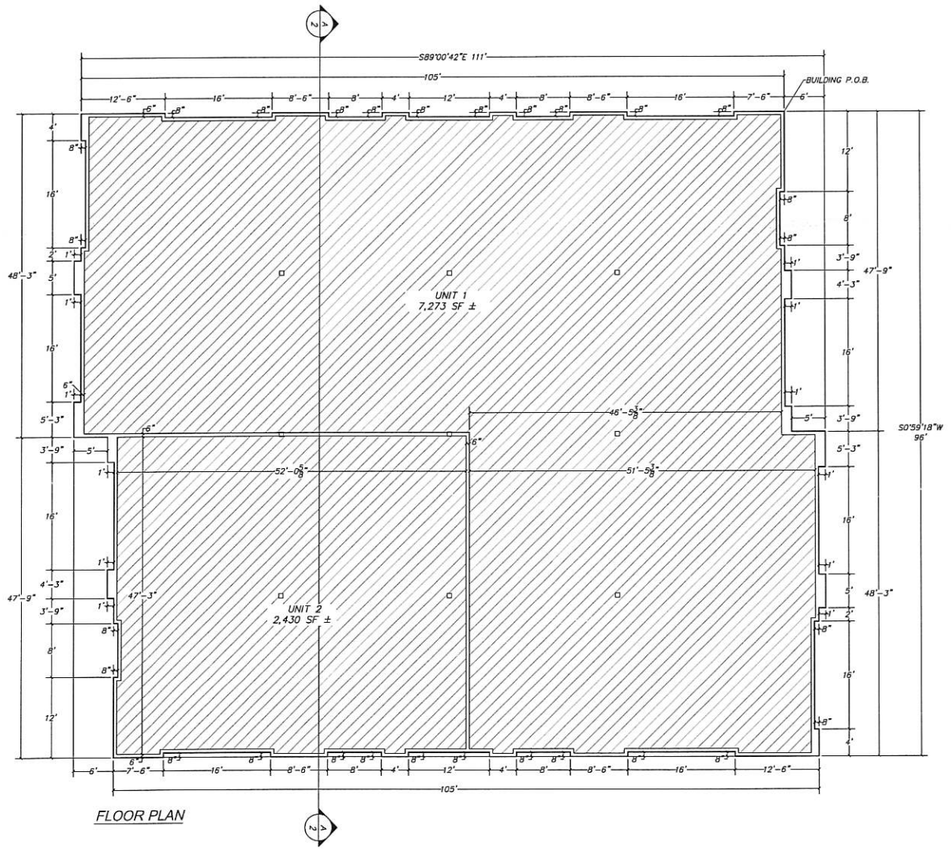
SHEET DESCRIPTION: SITE MAP, LEGAL DESCRIPTION, DEDICATION, CERTIFICATES, LEGEND, ETC.

PROJECT TITLE: SOUTH CACHE COMMERCIAL CONDOMINIUMS BUILDING 6

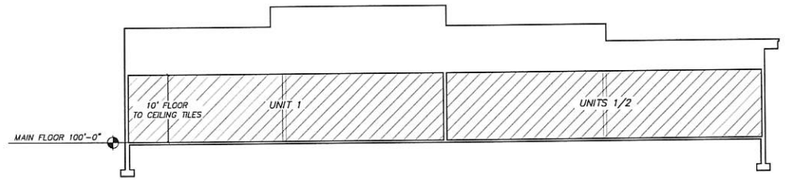
Cache • Landmark
Engineers
Surveyors
Planners
95 Golf Course Rd.
Suite 101
Logan, UT 84321
435.713.0099

DATE: 11 MARCH 2020
SCALE: 1" = 20'
CALCULATIONS BY: S. EARL
CHECKED BY: S. CROOKSTON
APPROVED BY: S. EARL
PROJECT NUMBER: 585-1701
SHEET: 1 of 2

3/12/2020 11:13 AM Z:\2020 PROJECTS\585-2001 SOUTH CACHE BUILDINGS 5&6\ACAD\SURVEY\CONDOMINIUM PLAT\585-2001 SOUTH CACHE COMMERCIAL BUILDING 6 CONDO PLAT (



FLOOR PLAN



A/2 BUILDING SECTION

OWNERSHIP LEGEND

UNIT

COMMON AREA

0 5 10 20

GRAPHIC SCALE 1"= 10'

STEVEN C. EARL
318575-2201
3/11/20
STATE OF UTAH
PROFESSIONAL LAND SURVEYOR

SHEET DESCRIPTION:
FLOOR PLAN & X-SECTION

PROJECT TITLE:
SOUTH CACHE COMMERCIAL CONDOMINIUMS
BUILDING 6

Cache • Landmark
Engineers
Surveyors
Planners
95 Golf Course Rd.
Suite 101
Logan, UT 84321
435.713.0099

DATE: 11 MARCH 2020
SCALE: 1" = 10'
CALCULATIONS BY: S. EARL
CHECKED BY: S. CROOKSTON
APPROVED BY: S. EARL
PROJECT NUMBER: 585-2001
SHEET: 2 of 2

3/12/2020 11:13 AM Z:\2020 PROJECTS\585-2001 SOUTH CACHE BUILDINGS 5&6\ACAD\SURVEY\CONDOMINIUM PLAT\585-2001 SOUTH CACHE COMMERCIAL BUILDING 6 CONDO PLAT (

PROVIDENCE CITY
Staff Report
Planning Commission
Meeting Date: 04/22/2020

Request: Approval of a preliminary plat for the Ballard Springs Subdivision, a 39-lot residential planned unit development (PUD) in the general area of 515 W 500 S.

Item Type: PUD Preliminary Plat	**Applicant:** Champlin Development	**Agent**: Nic Porter
Prepared by: S Bankhead	**General Plan**: SFH	**Zone**: Single-Family High (SFH)
	Density per acre: PCC SFH with PUD density increase – 6.05/net acre	**No of properties:** 1
	Gross density: **Net density:**	**Proposed lots**: 39
Parcel ID #: 02-96-0058	**Address:** General area of 515 West 500 South	**Acres:** 9.58

Staff Report Summary of Key Issues:

1. This is a residential planned unit development. PCC 10-14-2:A. states the intent of the PUD chapter is to:
    a. Provide regulations that shall further the objectives of the general plan relating to residential developments.
    b. Achieve a balance between open space and buildings, harmony between new development and the surrounding area, and an overall project atmosphere that concurs with goals for a more attractive city.
    c. Ensure superior maintenance, and longer life expectancy of structures and environs.
    d. Require the developer to demonstrate by plans submitted for approval that the objectives and foals of the general plan have been fostered. If these requirements cannot be met, approval of the planned unit development with its inherent density increases will not be given.
2. The city is currently in the process of working with property owners in the area south of 300 South and west of 500 West to provide sewer collection for the area. The developer has been involved in the discussions and has designed a private system with a lift station. The lift station can be converted to a gravity flow when the proposed city sewer system is in place.

Background Information:

1. The complete application was received on April 16, 2020
2. The staff reviewed the Utah Code (UCA), Providence City Code (PCC), and the Providence City General Plan.

Providence City General Plan 2020

- **Vision**:

Guide and manage growth in a way that preserves natural scenery while also providing more opportunities to live, work, shop, and recreate in Providence.

- **Key Initiatives:**
    1. Preserve the 'sense of place' by identifying characteristics that define Providence as a unique place.
    2. Make decisions regarding storm water and exterior water us guided by green infrastructure and low impact development best management practices.
    3. Consider life-cycle costs in mind when making decisions for design standards (such as road widths) and new capital improvement projects.
    4. Ensure that transportation and recreation facilities accommodate a variety of transportation modes (biking, walking, driving) to provide people multi-modal transportation options as a lifestyle and recreation choice.
    5. Consider long-term economic development impacts when making land use, transportation, and other planning decisions.
    6. Encourage housing options to meet the needs of residents of all ages, income level and family size, regardless of their stage of life.

FINDINGS OF FACT:

1. UCA 10-9a-603 & 604 lists the requirements for Subdivisions.
2. PCC 10-14-2 lists the requirements for planned unit developments (PUD), including but not limited to the following Land Use Authority approval requirements.
    a. That the development provide an attractive living environment.
    b. That the proposed development creates no detriment to adjacent properties nor to the general area in which it is to be located.
    c. That the PUD shall provide more effective use of the land with more usable open space than a conventional development.
    d. That increased densities allowed in an area shall be compensated by better site design and increased amenities and recreational facilities.
    e. That the development shall not create a hazard to any part of our community.
    f. That the PUD is in compliance with all ordinances and the intent of this chapter.
3. PCC 11-3-2 lists the requirements for preliminary plat.

CONCLUSIONS OF LAW:

1. The proposed plat is in harmony with the General Plan vision and key initiatives; and
2. The proposed plat is consistent with the intent of the PUD ordinances; and
3. The proposed plat is consistent with the requirements for preliminary plat with the following conditions:

CONDITIONS:

1. The applicant shall meet all applicable City, state and federal laws, codes, rules.
2. Approval by the City of any application submitter or paperwork does not alleviate the owners and/or their agents from their responsibility to understand and conform to local, state, and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated.

RECOMMENDATION:

That the Planning Commission approve the proposed preliminary plat based on the Findings of Fact, Conclusions of Law, and Conditions listed in the staff report.

FOR OFFICE USE ONLY
Date _____
Payment Form _____
Amount _____
Receipt # _____
Clerk
_____

PROVIDENCE CITY
APPLICATION FOR APPROVAL OF A PRELIMINARY SUBDIVISION PLAT

Please Note: City Staff will NOT accept the application and fee payment if they are incomplete. Incomplete applications will NOT be processed or scheduled for review by the City.

Initial_____Name_____

Date_____

SUBMITTAL REQUIREMENTS **Staff Check**

- $400 application fee _____
- Cache County Recorder's parcel map(s) of areas on the preliminary plat _____
- Four (4) copies of the 24"x36" plat and one (1) copy of the 11"x17" plat _____
- A written/signed statement from the owner of record, consenting to the applicant's pursuit of the preliminary plat approval _____
- A title report, dated within 30 days of the date of the application, which indicates in whom the fee simple title to such property is vested and any liens or encumbrances thereon. _____
- A statement from the property owner disclosing any options or unrecorded contacts/agreements associated with the property. _____
- An electronic copy of **ALL** submittals (flash drive or emailed is acceptable) _____

Applicant (all information **must** be provided)
Name_____
Address_____
Phone_____Email_____

Party Responsible for Payment (if different than applicant): the individual/firm to whom any and all professional services invoices (attorney/engineer/etc.) will be sent and who will be responsible for payment of such invoices.
Name_____
Address_____
Phone_____Email_____

Property (all information **must** be provided)
Owner of Record_____
Address_____
Phone_____Email_____

Project (all information **must** be provided)
Project name_____
Project location_____Parcel Tax ID_____
Phase_____ Acreage of phase_____ Total phases in project_____
Zone_____ Height _____ Initial_____
Setbacks (front yard) _____ (side yard) _____ (rear yard) _____ Initial_____

Architect/Engineer/Surveyor (all information **must** be provided)
Name_____
Address_____
Phone_____Email_____

164 N. Gateway Dr * Providence UT 84332
435-752-9441 * Fax: 435-753-1586 * email: sbankhead@providence.utah.gov

Property owner and contractor shall have responsibility to determine grades, and final placement and elevations of footings/foundations. Property owner and contractor shall be responsible for compliance with all state, national and local building codes and ordinances. Initial _____ Name _____

Approval by the city of any application submittal or paperwork does not alleviate the owners from their responsibility to understand and conform to local, state and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated. Initial_____

By signing this document, you agree that Providence City will bill you for any and all professional firm fees as they arise throughout the approval process. This is in addition to application fees. All subdivisions require engineering review throughout the approval process, such as but not limited to reviews of development agreements, construction drawings, preliminary and final plats, and inspections. These services are billed by our city engineer at an hourly rate. Some subdivision applications may also require legal review. Other applications, such as but not limited to conditional uses, may also require engineering and/or legal review at the City's discretion. You agree to reimburse the City for all such costs, whether or not you were forewarned about such costs, and that the City cannot predict all situations in which professional services may be required in order to process your application. Initial_____

I declare under penalty of perjury that I am making this application of my own free will and choice and that the statements, answers, and documents submitted in connection with this application are true and correct to the best of my knowledge.

Nicole Poertz

Signature of Applicant | Printed Name | Date

The following is a summary of which body reviews each land use application in Providence City. Public hearings may be required by the Planning Commission and City Council. This does not include permits for new single-home construction or for business licenses, which are reviewed/approved by city staff.

Application	Executive Staff	Land Use Authority	Planning Commission	Public Hearing	City Council	Public Hearing	Appeal Authority	Filing Fee
Code Amendment	✓	----	✓	✓[1]	✓	----	----	$100
Annexation	✓	----		----	✓	✓	----	$150
Rezone	✓	----	✓	✓	✓	----	----	$100
Conditional Use	✓	✓		----	----	----	----	$100
Subdivision Concept Plan	✓	----	----	----	----	----	----	$300
Preliminary Subdivision Plat	✓	**----**	✓	**----**	**----**	**----**	**----**	**$400**
Final/Amended Subdivision Plat[2]	✓	----	✓	----	✓[3]	----	----	$600
Site Plan	✓	✓	----	----	----	----	----	$50
Lot Consolidation[4]	✓	----	✓	----	----	----	----	$50
Exception to Title[5]	✓	----	✓	----	✓	----	----	$100
General Plan Amendment	✓	----	✓	✓	✓	----	----	$100
Right-of-Way Vacation	✓	----	✓	----	✓	✓	----	$100
Variance/ Appeal	----	----	----	----	----	----	✓	$100

[1] Public Hearing required at Planning Commission only when the proposed code amendment is related to land use
[2] Construction drawings are reviewed/approved by the City Engineer and Public Works Director
[3] The City Council does not review the final plat itself, but rather reviews and approves the development agreement associated with the final plat.
[4] Lot consolidations are only required to have City approval when they are in a platted/recorded subdivision.
[5] Developers may ask for an exception from the requirements of the Providence City Subdivision Code (Title 11) through this process. All other variance/exception requests shall be handled by the Appeal Authority.

164 N. Gateway Dr * Providence UT 84332
435-752-9441 * Fax: 435-753-1586 * email: sbankhead@providence.utah.gov

BALLARD SPRINGS SUBDIVISION
PRELIMINARY PLAT
SECTIONS 10 & 15, TOWNSHIP 11 NORTH, RANGE 1 EAST

VICINITY MAP

OLIVER HANSEN LOW
INTER VIVOS TRUST
02-096-0035

WAYNE & MADELINE
BARLOW
02-096-0036

OLIVER HANSEN LOW
INTER VIVOS TRUST
02-096-0058

TUONG H LUU
02-188-0003

ROBERT &
HEATHER
STEPHENSON
02-188-0002

JACOB J & RACHEL KING
02-188-0004

TERESA KAE SAMMONS
02-188-0005

MICHAEL & LORI
LILLYWHITE
02-188-0006

ADAM & TARA GLEED
02-188-0007

MARK D & HILARY W ROBISON
02-188-0008

CHRISTOPHER B &
KRISTA BITNER
02-188-0010

BARBARA W TR GUTKE
02-188-0009

OLIVER HANSEN LOW
INTER VIVOS TRUST
02-096-0058
CONT. 9.58 ACRES

STORM
WATER
BASIN

PRIVATE DRIVE

DRIVE

PRIVATE

TRAIL ROW

MEADOW LANE

SEWER LIFT STATION

OPEN SPACE #2
0.10 ACRES

OPEN SPACE #1
0.13 ACRES

LOT 1 6539 SQ FT
LOT 2 6462 SQ FT
LOT 3 6385 SQ FT
LOT 4 6307 SQ FT
LOT 5 6230 SQ FT
LOT 6 6408 SQ FT
LOT 7 6563 SQ FT
LOT 8 6563 SQ FT
LOT 9 6606 SQ FT
LOT 10 6606 SQ FT
LOT 11 6174 SQ FT
LOT 12 6466 SQ FT
LOT 13 6606 SQ FT
LOT 14 6606 SQ FT
LOT 15 6606 SQ FT
LOT 16 6562 SQ FT
LOT 17 6562 SQ FT
LOT 18 6479 SQ FT
LOT 19 6632 SQ FT
LOT 20 6589 SQ FT
LOT 21 6589 SQ FT
LOT 22 6589 SQ FT
LOT 23 6589 SQ FT
LOT 24 6589 SQ FT
LOT 25 6489 SQ FT
LOT 26 6602 SQ FT
LOT 27 6589 SQ FT
LOT 28 6589 SQ FT
LOT 29 6589 SQ FT
LOT 30 6589 SQ FT
LOT 31 6589 SQ FT
LOT 32 6347 SQ FT
LOT 33 6125 SQ FT
LOT 34 6125 SQ FT
LOT 35 6125 SQ FT
LOT 36 6125 SQ FT
LOT 37 6125 SQ FT
LOT 38 6125 SQ FT
LOT 39 6110 SQ FT

BIG BALLARD SPRING AND RESERVOIR

500 SOUTH

EX. IRR. CB
RIM: 4517.18'
INVERT: 15" HDPE NORTH & SOUTH 4515.01'

EX. IRR. CB
RIM: 4517.69'
INVERT: 15" HDPE NORTH 4514.91'
INVERT: 15" HDPE EAST 4515.12'

EX. IRR. CB
RIM: 4517.47'
INVERT: 15" HDPE EAST 4513.54'
INVERT: 15" HDPE WEST 4513.74'

SS MH
RIM: 4524.25
10" PVC
INVERT NORTH: 4512.80
INVERT SOUTHWEST: 4513.58
INVERT SOUTH: 4512.82

NOTES

1. PROPERTY TAX IDENTIFICATION #: 02-096-0058.
2. WARRANTY DEED ENT #: 1181513, BK #: 1973, PG #s: 1859
3. ZONE: SINGLE FAMILY RESIDENTIAL (SFR)
4. PROPOSED NUMBER OF RESIDENTIAL LOTS: 39
5. PROPOSED NUMBER OF PHASES: 1
6. TOTAL AREA: 9.58 ACRES
7. ROAD & LIFT STATION AREA: 1.96 ACRES
8. OPEN SPACE: 35.5%
9. ALL COMMON AREAS ARE PUBLIC UTILITY EASEMENTS.
10. ALL COMMON SPACES AND PRIVATE DRIVES SHALL BE MANAGED BY AN HOA.
11. BUILDING SETBACKS:
    - 11.1. FRONT: 20'
    - 11.2. CORNER: 20'
    - 11.3. SIDE - 10'
    - 11.4. REAR: 15'
12. PUBLIC UTILITY EASEMENT IS 10' IN THE FRONT AND 5' ON ALL OTHER SIDES

CONTACTS

1. SUBDIVIDER: CHAMPLIN DEVELOPMENT INC.
   - 1.1. ADDRESS: 195 WEST 1600 NORTH, LOGAN, UT 84341
   - 1.2. PHONE #: 435-535-1137
   - 1.3. OWNER: CHAMPLIN DEVELOPMENT INC.
   - 1.4. ADDRESS: 195 WEST 1600 NORTH, LOGAN, UT 84341
2. CIVIL ENGINEER: CIVIL SOLUTIONS GROUP, MICHAEL E. TAYLOR, PE
   - 2.1. LICENSE #: 8243189-2202
   - 2.2. ADDRESS: 540 WEST GOLF COURSE ROAD, STE B1, PROVIDENCE, UTAH 84332
   - 2.3. PHONE #: 435-890-4498
3. SURVEYOR: FORESIGHT LAND SURVEYING, INC.
   - 3.1. ADDRESS: 2005 N 600 W, LOGAN, UT 84321
   - 3.2. PHONE: 435-753-1910

OWNER CERTIFICATE

I, THE UNDERSIGNED, DO HEREBY AFFIRM THAT I AM THE RECORD OWNER OF OF THE SUBJECT PROPERTY PROPOSED ON THIS MAP FOR SUBDIVISION, AND I CONSENT TO THE FILING OF THIS PRELIMINARY PLAT MAP.

OWNER _____ DATE _____

N

0 40' 80'

LEGEND

- EXISTING WATER LINE
- EXISTING SEWER LINE
- EXISTING STORM DRAIN LINE
- EXISTING FENCELINE
- 5440 EXISTING CONTOUR
- EXISTING ASPHALT
- EXISTING CONCRETE
- EXISTING UTILITY POLE
- EXISTING FIRE HYDRANT
- EXISTING SEWER MANHOLE
- EXISTING DRAIN MANHOLE
- E EXISTING ELECTRICAL BOX
- C EXISTING COMMUNICATIONS BOX
- EXISTING COMMUNICATIONS PEDESTAL
- EXISTING WATER METER

LEGAL DESCRIPTION PARCEL 02-096-0058

A PART OF THE SOUTHWEST QUARTER OF SECTION 10, AND A PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 11 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE NORTHWEST CORNER OF LOT 4, BLOCK 4, PLAT D, PROVIDENCE FARM LAND SURVEY LOCATED 4882.06 NORTH 89°58'09" EAST AND 219.46 FEET NORTH 01°31'47" EAST AND 492.97 FEET SOUTH 88°19'27" EAST FROM THE NORTHWEST CORNER OF SECTION 16 (BASIS OF BEARING IS THE WEST LINE OF SECTION 16 WHICH BEARS SOUTH 00°15'50" EAST);

RUNNING THENCE SOUTH 88°19'27" EAST 627.00 FEET ALONG THE NORTH LINE OF SAID LOT 4 TO THE NORTHWEST CORNER OF COUNTRY GARDEN ESTATES III RECORDED AS ENTRY NO. 813855 IN THE CACHE OCUNTY RECORDER'S OFFICE ; THENCE SOUTH 00°48'12" WEST 660.08 FEET ALONG THE WEST LINE OF SAID COUNTRY GARDEN ESTATES III TO THE SOUTH LINE OF SAID LOT 4; THENCE NORTH 88°19'27" WEST 637.05 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4; THENCE NORTH 01°40'33" EAST 660.00 FEET ALONG THE WEST LINE OF SAID LOT 4 TO THE POINT OF BEGINNING.

CONTAINING 9.576 ACRES.

civilsolutionsgroup inc.
CACHE VALLEY | P: 435.213.3762
SALT LAKE | P: 801.216.3192
UTAH VALLEY | P: 801.874.1432
info@civilsolutionsgroup.net
www.civilsolutionsgroup.net

PRELIMINARY PLAT
BALLARD SPRINGS SUBDIVISION
LOCATION: 500 SOUTH 480 WEST, PROVIDENCE, UTAH 84332
PROPERTY OF: CHAMPLIN DEVELOPMENT INC.
PREPARED FOR: CHAMPLIN DEVELOPMENT INC.

MARK	DATE	DESCRIPTION

PROJECT #: 19-376
DRAWN BY: I. MORTENSEN
PROJECT MANAGER: M. TAYLOR
ISSUED: 3/31/2020

PROFESSIONAL ENGINEER
3/31/2020
No. 8243189-2202
MICHAEL E. TAYLOR
STATE OF UTAH

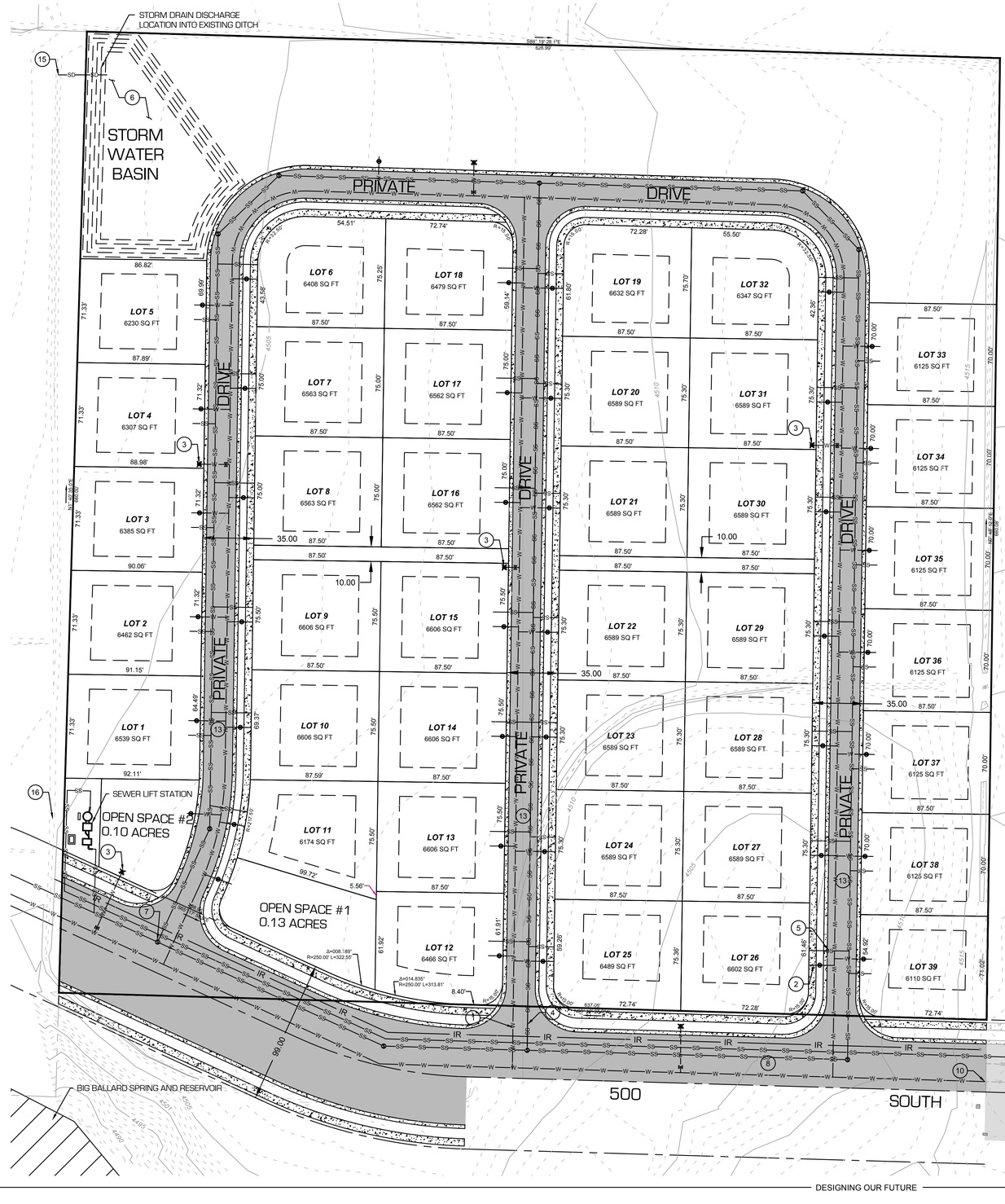
SURVEY PLAN

SHEET 1 OF 2

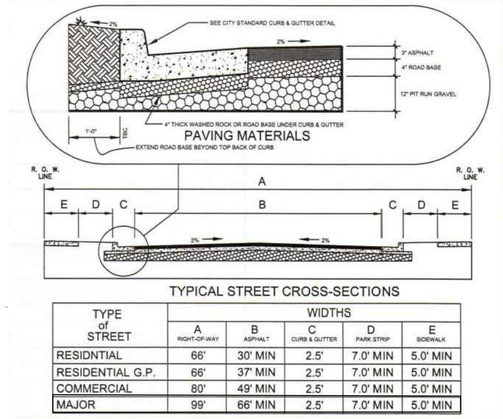
P:\2019\19-376 Champlin Providence Development\19-376 Champlin Providence Preliminary Plat

DESIGNING OUR FUTURE

BALLARD SPRINGS SUBDIVISION
PRELIMINARY PLAT
SECTIONS 15 & 10, TOWNSHIP 11 NORTH, RANGE 1 EAST

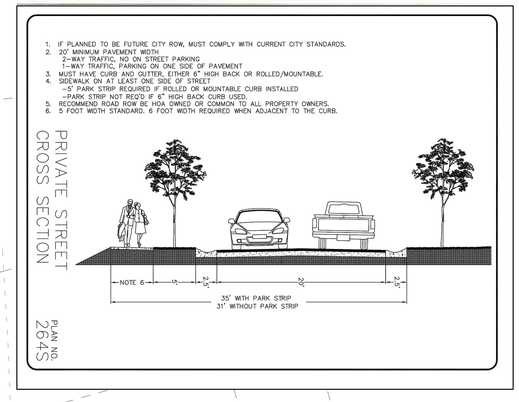


NOTES
1. EACHINDIVIDUAL UNIT AND LOT WILL BE SERVICED BY A 1" WATER METER AND SERVICE LINE.
2. EACH INDIVIDUAL UNIT AND LOT WILL BE SERVICED BY A 4" SEWER SERVICE.
3. ALL STORM WATER FROM THE SITE WILL BE COLLECTED INTO A STORM WATER DETENTION AREA LOCATED ON THE NORTH WEST SIDE OF THE PROPERTY (SEE KEY NOTE 6).
4. THE DESIGN ENGINEER HAS VERIFIED THAT ALL LOTS HAVE AN ADEQUATE BUILDABLE ENVELOPE WITH REGARDS TO HAZARDOUS SLOPE, BUILDING, WATER, ZONING SETBACKS, ETC.



TYPICAL STREET CROSS-SECTIONS

TYPE of STREET	WIDTHS				
	A RIGHT-OF-WAY	B ASPHALT	C CURB & GUTTER	D PARK STRIP	E SIDEWALK
RESIDNTIAL	66'	30' MIN	2.5'	7.0' MIN	5.0' MIN
RESIDENTIAL G.P.	66'	37' MIN	2.5'	7.0' MIN	5.0' MIN
COMMERCIAL	80'	49' MIN	2.5'	7.0' MIN	5.0' MIN
MAJOR	99'	66' MIN	2.5'	7.0' MIN	5.0' MIN



① SHEET KEY NOTES
1. PROPOSED 8" WATER LINE, TYP.
2. PROPOSED 1" CULINARY WATER SERVICE, TYP.
3. PROPOSED FIRE HYRDRANT ASSEMBLY, TYP.
4. PROPOSED 8" SEWER LINE, TYP.
5. PROPOSED 4" SEWER SERVICE
6. PROPOSED STORM DRAIN DETENTION AREA.
7. PROPOSED SEWER MANHOLE, TYP.
8. PROPOSED 99' CITY CROSS SECTION PER CITY STANDARD (THIS SHEET)
9. CONNECT PROPOSED SEWER LINE TO EXISTING MANHOLE.
10. CONNECT PROPOSED 8"Ø WATER LINE TO EXISTING WATER LINE.
11. STORMWATER TO DISCHARGE TO EXISTING DITCH AT CONTROLLED RATE OF 0.2 CFS/ACRE.
12. EXISTING FIRE HYDRANT.
13. PROPOSED 35' PRIVATE DRIVE. (DETAIL THIS SHEET)
14. PROPOSED BLOW-OFF HYDRANT
15. STORMWATER TO DISCHARGE TO EXISTING DITCH
16. EXISTING DITCH

LEGEND
- EXISTING WATER LINE
- EXISTING SEWER LINE
- EXISTING STORM DRAIN LINE
- EXISTING FENCELINE
- EXISTING CONTOUR
- EXISTING ASPHALT
- EXISTING CONCRETE
- EXISTING UTILITY POLE
- EXISTING FIRE HYDRANT
- EXISTING SEWER MANHOLE
- EXISTING DRAIN MANHOLE
- EXISTING ELECTRICAL BOX
- EXISTING COMMUNICATIONS BOX
- EXISTING COMMUNICATIONS PEDESTAL
- EXISTING WATER METER
- PROPOSED ASPHALT
- PROPOSED CONCRETE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED SEWER LINE
- PROPOSED WATER LINE
- PROPOSED WATER METER
- PROPOSED IRRIGATION LINE
- PROPOSED STORM DRAIN LINE
- PROPOSED FIRE HYDRANT
- SETBACK LINE

Civil Solutions Group, Inc.
Leaders in Sustainable Engineering and Planning

Project: Champlin Providence
Date: 26-Mar-20
Location: Providence, UT
Method: Rational

Post Development Area:

Condition			Area (acres)	Runoff Coefficient	Weighted Area
Road Hardscape			1.96	0.90	1.76
Rooftops (2,500 sf/lot)			3.13	0.90	2.82
Driveways (20'x30'/per lot)			0.54	0.90	0.49
Landscaping (Remaining Grass & Mulch)			3.95	0.20	0.79
		Total Area	9.58 acres		
			Total Weighted Area:		5.86
Design Storm:			100 year, 24-hr storm		
Percolation Rate:				1.92	cfs

Duration (min)	Intensity (in/hr)	Post-Dev. Runoff (cfs)	Total Runoff (CF)	Cumulative Allow. Discharge (CF)	Detention Storage Req'd (CF)
5	5.40	31.63	9,488	575	8,914
10	4.08	23.90	14,338	1,150	13,188
15	3.40	19.91	17,922	1,724	16,198
30	2.28	13.35	24,037	3,449	20,588
60	1.41	8.26	29,730	6,898	22,833
120	0.81	4.71	33,947	13,795	20,152
180	0.57	3.34	36,056	20,693	15,363
360	0.34	2.00	43,225	41,386	1,839
720	0.21	1.23	53,135	82,771	-29,636
1440	0.13	0.74	63,677	165,542	-101,865
2880	0.07	0.42	72,111	331,085	-258,973

Required Storage Volume Detention: 22,833 Cubic Feet

civilsolutionsgroup inc.
CACHE VALLEY | P: 435.213.3762
SALT LAKE | P: 801.216.3192
UTAH VALLEY | P: 801.874.1432
info@civilsolutionsgroup.net
www.civilsolutionsgroup.net

PRELIMINARY PLAT
BALLARD SPRINGS SUBDIVISION
LOCATION: 500 SOUTH 480 WEST, PROVIDENCE, UTAH 84332
PROPERTY OF: CHAMPLIN DEVELOPMENT INC.
PREPARED FOR: CHAMPLIN DEVELOPMENT INC.

MARK:	DATE:	DESCRIPTION:

PROJECT #: 19-376
DRAWN BY: I. MORTENSEN
PROJECT MANAGER: M. TAYLOR
ISSUED: 3/31/2020

PROFESSIONAL ENGINEER
3/31/2020
No. 8291602
MICHAEL D. TAYLOR
STATE OF UTAH

ENGINEERING PLAN

SHEET 2 OF 2

P:\2019\19-376 Champlin Providence Development\19-376 Champlin Providence Preliminary Plat

FOR OFFICE USE ONLY
Date
Payment Form
Amount
Receipt #
Clerk

PROVIDENCE CITY
APPLICATION FOR A REZONE OF PROPERTY

Please Note: City Staff will NOT accept the application and fee payment if they are incomplete. Incomplete applications will NOT be processed or scheduled for review by the City. Application fees do not include professional firm fees, which will be billed separately.

Initial KD Name Kent Dunkley

Date April 2 2020

SUBMITTAL REQUIREMENTS — **Staff Check**

- $100 application fee
- Cache County Recorder's parcel map(s) of areas proposed for rezone
- Names/addresses of affected entities, as defined by UCA 10-9a-103
- Names/addresses of adjacent property owner(s)
- Property owner's consent for the rezone to be pursued[1]
- An 11"x17" map showing the area(s) proposed for rezone
- Combined legal description of the area(s) proposed for rezone
- A written statement of the purpose for the rezone request
- An electronic copy of **ALL** submittals (flash drive or emailed is acceptable)

Applicant Information (all information MUST be provided)

Name Kent S. Dunkley

Address 285 W 100 SO. Providence

Phone 435-757-6099 Email Kent.Dunkley@Century21.COM

Party Responsible for Payment (if different than applicant)- the individual/firm to whom any and all professional services invoices (attorney/engineer/etc.) will be sent and who will be responsible for payment of such invoices.

Name Jerry Fickus / Steven Misener (752-6666)

Address c/o Century 21 N & N Realtors, 150 East 400 North, Logan, Ut. 84321

Phone 435-770-0314 Email Trapper1761@gmail.com

Property Information (Information must be provided for ALL parcels requesting rezoning. Attach additional sheets if necessary)

Parcel 1

Owner of record JEROME S. FICKES.

Owner address 1761 South HWY 165

Owner phone 435-770-0314 Owner email Trapper1761@gmail.com

Parcel address 80 WEST 1700 SO.

Parcel Tax I.D. 02-090-0011

Current zoning Commercial Highway District Requested zoning ~~MFH~~ Multi-Family High.

[1] Not required if owner of record is the same as the applicant. If more than one parcel is proposed for rezone, the application must include written consent from the owners of ALL parcels proposed for rezone.

RECEIVED
APR 14 2020
By J Bradley

164 N. Gateway Dr * Providence UT 84332
435-752-9441 * Fax: 435-753-1586 * email: sbankhead@providence.utah.gov

Parcel 2

Owner of record NA

Owner address _____

Owner phone _____ Owner email _____

Parcel address _____

Parcel Tax I.D. _____

Current zoning _____ Requested zoning _____

Written Statement **of Request** (attach additional sheets if necessary)

See ATTACHED –

Property owner and contractor shall have responsibility to determine grades, and final placement and elevations of footings/foundations. Property owner and contractor shall be responsible for compliance with all state, national and local building codes and ordinances. **Initial** KD **Name** Kent Dunkley

Approval by the city of any application submittal or paperwork does not alleviate the owners from their responsibility to understand and conform to local, state and federal laws. Providence City's approval is not intended to and cannot be construed to allow any laws to be violated. **Initial** KD

By signing this document, you agree that Providence City will bill you for any and all professional firm fees as they arise throughout the approval process. This is in addition to application fees. All subdivisions require engineering review throughout the approval process, such as but not limited to reviews of development agreements, construction drawings, preliminary and final plats, and inspections. These services are billed by our city engineer at an hourly rate. Some subdivision applications may also require legal review. Other applications, such as but not limited to conditional uses, may also require engineering and/or legal review at the City's discretion. You agree to reimburse the City for all such costs, whether or not you were forewarned about such costs, and that the City cannot predict all situations in which professional services may be required in order to process your application. Initial KD

I declare under penalty of perjury that I am making **this application of my own free will and choice and that the statements, answers, and documents submitted in connection with this application are true and correct to the best of my knowledge.**

Signature of Applicant | Kent Dunkley (Printed Name) | 4-13-2020 (Date)

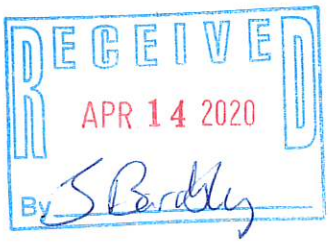
164 N. Gateway Dr * **Providence UT 84332**
435-752-9441 * Fax: 435-753-1586 * email: **sbankhead@providence.utah.gov**

Providence City
164 N. Gateway Drive
Providence, Ut 84332
(435) 752-9441

Receipt No: 167082
Receipt Date: 04/14/2020
Timestamp: 04/14/2020 11:50 AM
Payor: Dunkley Real Estate Co.

305 Application fees	
Rezone App for Fickas prop. 1761 South Hwy 165	100.00
	$100.00

Check 3153	$100.00
Tendered Amount:	$100.00
Cash Back:	$0.00
Total Applied:	$100.00



April 13, 2020

Providence City
Planning and Zoning Comission

Re: Jerry Fickas/ Steven Misener 02-090-0011 Zone Change Request letter.

Dear Planning and Zoning Comission,

I have been approached by Mr. Steven R. Misener regarding the above property, Mr. Misener and I have entered into buy/sell agreement on approximately 3 acres of land that fronts 1700 South, the lot would join Logan Extermination on the west and share the same North South property line. The lot would run approximately 344 feet East from the North East corner of the Logan Extermination lot, then south 357 feet, then west 344 feet to the South East corner of the Logan Extermination Lot, then North 357 feet to the point of beginning. Legal description represents a portion of parcel number 02-090-0011. Mr. Fickas is currently in the process of having his property surveyed and will then file with the city for a three lot subdivision when the survey work is complete.

Mr. Misener is interested in purchasing this property to develop a town home community similar to the Ridge View Development located at approximately 430 West 100 South in Providence. He is requesting a zone change to High Density Housing which will allow Town Homes to be constructed and sold, on this site.

As the property owner I support this development concept, and his request for high a high density zoning change.

Best Regards,

Jerry Fickas

Jerry Fickas

RECEIVED
APR 14 2020
By J Bardsley

#2

Parcel Map

RECEIVED
APR 14 2020
By SBradley

2/13/2020, 9:50:48 AM

1:1,635

0 0.01 0.03 0.05 mi
0 0.02 0.04 0.08 km

Parcel Tax ID Label
County Centerline
County Boundary
State Roads
Municipal Boundaries
Cache Parcels

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community | Copyright© 2013 National Geographic Society, i-cubed | National Geographic, Esri, Garmin, HERE, UNEP-WCMC, USGS,

Web AppBuilder for ArcGIS

civilsolutionsgroupinc.

02/11/2020

Kent Dunkley
kent_dunkley@yahoo.com

RE: Misener Townhome Concept

Dear Kent,

This proposal is for preparation of a concept plan for parcel #02-090-0011 in Providence, currently owned by Jerry Fickas. It is understood that the exhibit will be used as part of the re-zone application for the parcel. It is further understood that the parcel will be subdivided into three smaller parcels as follows:

A conceptual site plan maximizing the townhome layout on the 3-acre piece will also be provided on the concept.

The following is a fixed fee for the proposed services above:

Item	*Scope of Work*	*Fixed Fee*
1	Concept Plan	$500.00
	Total Fixed Price	***$500.00***

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By

Parcel Map

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APR 14 2020
By

2/13/2020, 9:50:48 AM

1:1,635

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.08 km

Parcel Tax ID Label

County Centerline

County Boundary

State Roads

Municipal Boundaries

Cache Parcels

Web AppBuilder for ArcGIS

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community | Copyright© 2013 National Geographic Society, i-cubed | National Geographic, Esri, Garmin, HERE, UNEP-WCMC, USGS,

RECEIVED
APR 14 2020
By

MISENER TOWNHOME
CONCEPT 2
1761 S HIGHWAY 165
PROVIDNCE, UT 84332

civilsolutionsgroup inc.
CACHE VALLEY | P: 435.213.3762
SALT LAKE | P: 801.216.3192
UTAH VALLEY | P: 801.874.1432
info@civilsolutionsgroup.net
www.civilsolutionsgroup.net

CONCEPT

1 OF 1

PROVIDENCE CITY UTAH
Planning Commission Bylaws
Dated: August 2019

ARTICLE I - GENERAL PROVISIONS

1.1 Applicable State Statutes and Local Ordinances and Rules.
The Providence City Planning Commission, hereinafter referred to as the "Commission," shall be governed by state statutes and local ordinances and policies including the following:

a. State statutes applying generally to public boards, members and officials, including but not limited to: Title 10, Chapter 3, Part 13 of the Utah Code dealing with disclosure requirements and Title 52, Chapter 4 of the Utah Code dealing with open and public meetings.

b. State statutes governing the activities of Planning Commissions in relation to planning and zoning, including but not limited to: Title 10, Chapter 9a, Municipal Land Use Development and Management Act.

c. The Zoning Regulations of Providence City as set forth in Title 10 of the Providence City Code.

d. The Subdivision Regulations of Providence City as set forth in Title 11 of the Providence City Code.

e. Boards and Commissions, Planning Commission as set forth in Title 2 Chapter 1 of the Providence City Code.

f. The bylaws of the Providence City Planning Commission as set forth herein. NOTE: These bylaws are not adopted by Ordinance and do not have the force of law. They are advisory guidelines only. Consequently, should the Planning Commission waive or suspend (see Section 10.2 herein) or otherwise deviate from these bylaws during the course of a hearing/meeting, such deviation shall not be grounds for invalidating a hearing/meeting held during such hearing/meeting or any decisions made at such hearing/meeting.

g. If these bylaws conflict with Federal, State, or City codes and/or ordinances, the federal, state, or city codes and/or ordinances shall prevail.

1.2 Requirement of Familiarity with State Statutes and Local Ordinances and Bylaws affecting the Commission.
Upon taking office, all members of the Providence City Planning Commission shall familiarize themselves with the foregoing and, while in office, members shall maintain such knowledge, including knowledge of amendments and additions, and shall be strictly governed thereby in the conduct of Planning Commission affairs.

1.3 Bylaws of Planning Commission (Commission) to be Available in the Providence City Office.
An official copy of the bylaws of the Planning Commission, in current form, shall be available in the Providence City office as a public record. Additional copies shall be provided to members of the Commission and made available to the public upon request, but the official copy in the Providence City office shall govern.

1.4 Location of the Providence City Office.
The office of the Providence City Planning Commission shall be located within the Providence City offices, City Hall, 164 N Gateway Dr, Providence, Utah, 84332.

ARTICLE II - MEMBERS

2.1 Number of Members, Appointment, Compensation, Etc.
The membership and appointment of the Planning Commission shall be governed by the provisions of the Utah Code and the provisions of Title 2 Chapter 1 of the Providence City Code.

There will be five voting members on the Commission and two non-voting alternates on the Commission. Alternates will be assigned by the Chair to temporarily fill a seat of a voting member of the Commission who is absent. All Commission members including alternates are expected to be present at all Commission hearings/meetings and participate in the discussions.

The Chair and Vice Chair are voting members on the Planning Commission, voting on all items.

2.2 Causes for Removal from Commission.
Causes for consideration of removal of members from the Providence City Planning Commission by recommendation of the Mayor to the City Council may include malfeasance, misfeasance, or nonfeasance generally, and in particular:

a. Failure to maintain reasonable familiarity with state statutes and local ordinances and bylaws affecting the Commission, or failure to be governed thereby, as required by Section 1.2, above.

b. Failure to disclose conflict of interest for purposes of disqualification when a member has a personal or monetary interest in the matter involved, or will be directly affected by a decision of the Commission, which the City Council deems to be in violation of the provisions of the Utah Code.

c. Providence City Code 2-1-1B. “Members may be removed with or without cause upon recommendation of the Mayor and a majority vote of the City Council.”

2.3 Resignations, Generally, and by Absence.

When members propose to resign, if reasonably feasible, they shall give notice of their intent to the Mayor and Director of Administrative Services and make the date of resignation effective in such a manner as to allow time for appointment of replacements.

Failure to attend three consecutive regular meetings, or three of any seven consecutive meetings, without the documented notice to and consent of the Chair and/or Director of Administrative Services, shall be construed by the Chair as grounds for resignation from the Commission by absence. The Chair may then recommend removal of the member to the Mayor.

2.4 Vacation of Office.

When a member’s term of service is complete, dies, resigns, or is removed (including resignation by absence), the Mayor shall promptly indicate to the City Council that a vacancy exists. When a member becomes incapacitated for office permanently or for what appears likely to be a protracted period, or

moves from the jurisdiction, or becomes, for any other reason, no longer qualified for office and fails to resign, the Chair shall cause any necessary investigation to be made and shall present the facts to the Mayor who may declare to the City Council the office vacant and appoint a replacement.

2.5 Expiration of Term.

The terms of office for all members of the Planning Commission shall be three (3) years and until their successors are appointed and qualified except where appointment to a shorter term is necessary to provide for staggered terms among Commission members. Standing members may be appointed to serve an additional term when recommended by the Mayor and voted upon by the City Council and acknowledged by the standing Commission member.

2.6 Orientation and Training.

Newly appointed commission members will commence orientation and training through reading and study of:

1) Handbook for Planning Commissions and Land Use Authorities published by the Utah League of Cities and Towns;
2) Providence City Code Title 2 Chapter 1 (8/9/16) Planning Commission;
3) Bylaws of the Planning Commission;
4) Conflict of Interest Statement;
5) Meeting schedule for year;
6) Map showing City boundaries and zoning;
7) Current General Plan; and
8) Providence City Zoning Code Title 10 Chapters 1-16.
9) All other related City codes, mapping, information and documents.

The orientation will be completed within 60 calendar days and reported to the Commission Chair.
The Director of Administrative Services will notify Planning Commission members of training opportunities.
Commissioners are encouraged to:

1) study other areas of Providence City government (e.g. subdivision code(s)); and
2) other publications on planning and zoning to include attending training(s).

See the Providence City Personnel Policy Section 8. Training and Travel for reimbursement policies.

Newly appointed Planning Commission members will initially be appointed alternates to the commission. It is advised that within ninety (90) days of the appointment date alternates attend relevant training scheduled by Providence City consisting of Land Use 101 or equivalent. Current commission members shall continue annual training while a member of the commission. The Commission Chair will select a Training Chair to keep record of members' training. (Resolution 003-2020, 01/15/2020)

ARTICLE III - OFFICERS, COMMITTEES, STAFF, DUTIES

3.1 Planning Commission Duties, Generally

The planning commission shall make recommendation to the legislative body for:

a. a general plan and amendments to the general plan.
b. land use regulations.
c. appropriate delegation of power to at least one designated land use authority to hear and act on a land use application.
d. appropriate delegation of power to at least one appeal authority to hear and act on an appeal from a

decision to the land use authority.

e. application processes that:
    1) may include a designation of routine land use matters that, upon application and proper notice, will receive informal streamlined review and action if the application is uncontested.
    2) shall protect the right of each:
        i. application and third party to require formal consideration of any application by a land use authority.
        ii. applicant adversely affected party, or municipal officer or employee to appeal a land use authority's decision to a separate appeal authority.
        iii. participant to be heard in each public hearing on a contested application.

See UCA 10-9a-302
The planning commission is the land use authority for all subdivisions.
See Providence City Code (PPC)2-4-1.

3.2 Until Successors Take Office.
Annually, as the last item of business at the first regular meeting of the Commission in the month of July, the Commission shall elect a Chair and Vice Chair. If such regular hearing/meeting is canceled or a quorum is lacking, the election shall be held within 36 days thereafter at a regular or special meeting. If no quorum can be obtained within 36 days, the election shall be held at a regular or special meeting held as soon thereafter as a quorum can be obtained, provided that if no such election is held within 60 days of the dates when generally required, the Mayor shall notify the City Council, who shall appoint a Chair and Vice Chair to serve until the next regular election in the month of July. The prior Chair and Vice Chair shall remain in office until successors take office at the next regular or special meeting following an election or appointment. A chair may not succeed him or herself as Chair of the Commission.

3.3 Succession of Vice Chair to Office of Chair; Special Elections.
If the Chair or Vice Chair resigns or no longer becomes a member of the Commission, the vacancy shall be filled by vote of the Commission, recommended in a special election held at the next regular meeting of the Commission, to complete the term prior to regular succession of office in July. The Commission's decision will be a recommendation to the Mayor and City Council.

3.4 Duties of Chair and Vice Chair; Appointment of Temporary Chair to Preside at Hearings/Meetings:

a. If present and able, the Chair shall preside at all hearings/meetings. If the Chair is absent or unable to preside, the Vice Chair shall preside. If both are absent or unable to preside, the members present shall appoint a Temporary Chair to preside for that meeting only. In accordance with these bylaws and other applicable rules, the presiding officer shall decide all points of procedure and order, unless otherwise directed by vote of a majority of the Commission members in attendance.

b. The Chair shall maintain order and decorum. These bylaws and when necessary, in deciding points of order, Roberts Rules of Order, newly revised, may be used by the Chair as a point of reference. The Chair may ask disorderly or disruptive persons to leave the room and City property; however, as needed, removal of disorderly or disruptive person(s) will be in accordance with UCA 10-3-608 by an officer of the Cache County Sheriff's Department.

3.5 Other Responsibilities and Duties of Chair; Delegation to Vice Chair.

The Chair shall have further duties and responsibilities as indicated below. The Chair may delegate duties generally to the Vice Chair, or may authorize the Vice Chair to perform specific duties during her/his

absence or in case of his/her inability to perform necessary Commission functions in a timely manner. The Vice Chair shall perform all duties so delegated. In case of absence or incapacity of the Chair, on approval by a majority of the Commission, the Vice Chair shall perform, temporarily, any or all duties of the Chair whether or not delegated.

3.6 Managerial Responsibilities.

Subject to these rules and further instructions from the Commission, the Chair shall direct the official business of the Commission, interface with the Mayor in the conduct and affairs of the Commission, request needed staff assistance from the Director of Administrative Services or the City Council, and exercise general management direction of the affairs of the Commission.

3.7 Assignment of Commission Members to make Observations.

The Chair may designate members of the Commission to make specific studies and reports or personal observation, of property and land uses, when necessary for proper consideration of agenda items. No more than two Commission members should gather on any such assignment at the same location and time; otherwise, open meeting rules will apply.

3.8 Director of Administrative Services.

The Director of Administrative Services shall assist the Planning Commission unless otherwise delegated.

3.9 Duties of Directory of Administrative Services.

The Director of Administrative Services, acting under the general direction of the Mayor is responsible for providing staff services to the Commission within the provision of budget authority appropriated by the Providence City Council and within the framework of the provisions of Titles 2, 10, and 11 of the Providence City Code.

3.10 Appointment of Secretary.

The Secretary to the Commission shall be assigned by the Director of Administrative Services from the City's staff.

3.11 Duties of Secretary.

Subject to applicable City Codes and the direction of the Director of Administrative Services, the Secretary shall in general attend to all correspondence of the Commission; attend all hearings/meetings of the Commission (except when excused and with temporary services arranged); and generally, perform or supervise all clerical work of the Commission.

Under the direction of the City Recorder and/or Director of Administrative Services, send out or cause to be published all required notices, agendas, compile all required records; maintain the necessary schedules, minutes, files, and indexes and related tasks.

ARTICLE IV - CONDUCT OF COMMISSION MEMBERS, STAFF

4.1 Representation of Applicants or Petitioners.

No member of the Commission, or of its staff, shall represent applicants or petitioners on matters on which the Commission is to make determinations or recommendations.

4.2 Conflict of Interest.

No member of the Commission shall participate in any application in which they have financial or personal interest in the property or action concerned, or will be directly affected by the decision of the Commission, or has or believe they have any other conflict of interest as defined or regulated under the provisions of the Utah Code. No member of the staff of the Commission or of any agency serving the Commission shall prepare or present arguments or reports, or attempt to influence the decisions of the Commission, in any application in which he/she has similar interests and which would constitute a violation of the above-referenced Utah State statutes.

4.3 Disqualification on Grounds of Influence Other Than at Public Hearing/Meeting.

Commission members may be disqualified from voting whenever any applicant, or their agent, has sought to influence the vote, of the Commission member, on their application or petition, other than in the public hearing/meeting, through communication directly with a Commission member about issues in the application without the knowledge of the other Commission members.

4.4 Expression of Bias, Prejudice, or Individual Opinion Prior to Meeting and Determination.

Commission members may seek information from:
1) other Commission members;
2) counseling with the Commission;
3) staff serving the Commission; or
4) the staff of other departments or agencies advising the Commission.

No member shall express any bias, prejudice, or individual opinion on proper judgment of the application prior to its meeting and determination. Violation of this bylaw shall be deemed to constitute malfeasance and be grounds for dismissal from the Commission.

4.5 Commission Members Not to Vote Unless Present at Meeting.

No Commission member shall vote on any matter unless such member is present, either in person or by electronic connection, at the meeting when a vote is taken.

The Commission members may be allowed to attend any Planning Commission meeting by electronic connections as allowed by City and State Codes.

a. At least 3 commission members, forming a quorum, must be present at the scheduled meeting, located at the anchor site, 164 Gateway Dr., Providence, Utah 84332.

b. No more than (2) members of the Commission may attend by electronic connection.

c. A commission member desiring to attend by electronic connection must notify the Chair or Directory of Administrative Services at least one business day prior to the meeting, to allow for arrangements to be made for the electronic connection and related set up.

4.6 Inquiry Regarding Conflicts of Interest and Bias.

It shall be the responsibility of the Chair, Vice Chair or presiding officer to inquire regarding potential conflicts of interest, issues of bias, prejudice, or individual opinion on proper judgement, regarding the pending agenda item(s), at the beginning of a public hearing/meeting.

4.7 Decorum.

Commission members shall avoid leaving their seats except during approved recesses of a public hearing/meeting. Members shall avoid random conversation in or outside of the Commission room at the time of the hearing/meeting that is not plainly audible to all present in the hearing/meeting room while the Commission is in session.

ARTICLE V - MEETINGS, GENERALLY.

It will be the objective of the Planning Commission Chair and Commission Members to conduct a Commission meeting that is orderly and respectful. It is in the best interest of the City to afford those who wish to address the Commission an opportunity to do so as much as reasonably possible. The meeting agenda will generally follow a format as follows:

- Call to Order
- Roll Call of Commission Members
- Pledge
- Minutes of previous meeting
- Public Comment
- Public Hearing (as scheduled)
- Action Items (Commission approval or recommendation to City Council)
- Study Items (specific items preceding formal Commission approval)
- Staff Report (information on City business and projects not otherwise dealt with by the Commission)
- Special meetings for any purpose may be held at the call of the Chair, the Mayor, the City Council, or the Director of Administrative Services. Notice of the date, time and place of any special hearing/meeting shall be given in conformance with the provisions of state statutes and local ordinances.
- Public Hearing(s) may be scheduled during a regular or special meeting. Noticing requirement shall be done in compliance with Utah Code.

5.1 Recess or Continuance.

Any regular, hearing, special or study meeting may be recessed or continued from day to day or to the time of any previously announced regular or special hearing/meeting. Such recess or adjournment to another date, time and place shall not require additional public notice.

5.2 Cancellation.

If no business is scheduled before the Commission, or if it is apparent that a quorum of the Commission will not be available, any meeting (regular, special or hearing) may be canceled by the Chair or Director of Administrative Services by giving notice to all Commission members and the Mayor, before noon on the day of such meeting.

5.3 Quorum.

A quorum of the Commission shall consist of at least three voting members or alternate members. In all situations where there are only three members present, all members must cast a vote upon any action for an application or petition requiring action, otherwise it will be tabled for incomplete voting. When only three members are present, a positive or negative vote must be determined; otherwise, it will be tabled for lack of a majority vote.

5.4 Agenda, Order of Business.

The Secretary, under direction of the Chair and/or the Director of Administrative Services, shall prepare an agenda for each Commission meeting. Order of the business shall be as specified by the Chair and/or Director of Administrative Services.

5.5 Length of Meetings.

The Commission meeting will begin at 6:00 p.m. and end at 9:00pm, unless scheduled otherwise. At 9:00 pm the Planning Commission will finish the item presently being considered, within 10 minutes; no additional items will be heard after that time unless there is a motion by a member of the Commission and a majority vote to extend the meeting. All items remaining to be heard will be forwarded to the next regular meeting agenda for continued consideration.

ARTICLE VI - PROCEDURES AT MEETINGS (regular, hearing, special, study)

Regular Meeting. Meetings that are pre-set on the calendar covering an entire year, where the Planning Commission meets to discuss and act on both administrative and legislative matters pertaining to the use of land and related issues.
Hearing Meeting. Meeting set aside to receive and hear verbal input on the position of citizens regarding specific topics/applications affecting the City. A hearing may be scheduled during a regular Commission meeting.
Special Meeting. A meeting that is not in the sequence of regular meetings. Typically, called for in order to address issues or actions times that were not completed at a regular meeting or for urgent matters needing attention.
Study Meeting. Time set aside for the Planning Commission, other City officials, staff and citizens to come together to collaborate, offer up ideas, conduct research and/or discuss important issues that need more in-depth study before they are brought forward for finalization and approval. Study may be scheduled during a regular Commission meeting.

The Chair will have the discretion, on any Agenda Item, to carry over the review, to include postponing a vote, to another Commission meeting (regular or special) in order to hear additional information or testimony on an application.

Beyond the time allotted for each segment of the Agenda, the Commission has the latitude to discuss amongst themselves important issues and matters that may reflect on public comment, public hearings, action item applications or any other matter that relates to land use issue or the duties of the planning commission.

Any member of the Commission or staff upon recognition by the Chair, may direct any questions or comments to those speaking at the podium, applicants, witnesses, or any person speaking from the

audience, to bring out pertinent facts.

6.1 Representation at Meeting.

The Commission meeting will be open to the public to attend Planning Commission meetings in the Providence City Hall building in the Council room. An overflow room will be made ready as needed and available, for the public attending to view and hear the proceedings of the Planning Commission meeting electronically projected on an overhead screen or TV.

The meeting will follow the Agenda and will be conducted by the Chair of the Planning Commission.

At the meeting any person or applicant may appear before the Commission, following the order and manner set forth by the Commission. Those who desire to speak to the Commission are asked to make it known by filling in the" Sign-In Sheet", for Public Comment and scheduled Public Hearings respectively. Those who will be speaking may do so impromptu or use a prepared text. A spokesperson is encouraged representing a larger group with a similar disposition. Only those appearing on the sign-in sheets will be called forward to speak. The sign-in sheets limit the number of persons who will be allowed to speak. The sign-in sheets will be closed when the meeting is called-to-order by the Chair. A person may only be listed once on each sign-in sheet.

Those asking for the Commission's action on a specific land use or related matter should have previously filed an application or petition for review and placement on the meeting agenda "Action Items". Further, the application or petition will require the person or applicant to be present in the meeting that represents the application or petition. Should the person or applicant be absent, they may be represented by an authorized substitute (e.g. individual, agent or attorney). As requested by the Commission such substitutes may be required to present competent proof that they are authorized to represent the matter on the agenda.

6.2 Public Comment.

The Chair will open the Public Comment. This time during the meeting, is allotted for citizens (or interested persons), who have not otherwise submitted a specific application or arrived for a hearing, to appear before the Planning Commission to express their views or concerns on issues that may affect the City.

It will be necessary for those persons wanting to address the Commission to fill in the Sign-In Sheet provided and located at the entry to the Council room. The Chair will call forward those persons wanting to speak in order as they appear on the Sign-In Sheet for Public Comment. Upon hearing their name called said person will raise their hand and come forward to the podium. Once at the podium they will have 3 minutes to talk to the Commission. They will be expected to sit down when they have finished or when 3 minutes has lapsed, whichever is sooner. It will be the intent of the Commission to listen to what is being said. Should the person have a question, the Commission may attempt to answer it if reasonably practical and can be responded to if the 3 minutes has not lapsed. The speaker has the option if they feel it is important, to submit their narrative and questions in writing, with contact information, to the Commission Secretary. The narrative and questions will be responded to if necessary, practical and possible within the next 7 business days. Said person may contact the Commission Secretary if necessary and desired, for comment. Said narrative and questions may be copied to the Commission if necessary.

The duration of the public comment segment will be 21 minutes (allowing for 7 speakers), unless there

are no more speakers signed-in.
Should there be any time remaining, the Chair will ask the audience if there is anyone who would like speak, keeping their comments to 3 minutes, if so, they will be invited to the podium.

The Chair will close the Public Comment. At the conclusion of the citizen comment time, the Chairman may direct staff to assist the citizen on the issue presented; direct the citizen to the property administrative department(s); or take no action.

6.3 Public Hearing.

A public hearing will be held in this meeting when it has been determined, by application, decision of the City Council or Planning Commission or as dictated by Utah code or Providence Code, that a public hearing be held. The purpose of the public hearing is to allow persons to express their thoughts, concerns and questions about a specific matter, currently being reviewed by the City.

The Chair will open the Public Hearing. The Chair will describe the nature of what the hearing is being held for. This time during the meeting is allotted for citizens (or interested persons), who have arrived for the specific reason to hear and possibly appear before the Planning Commission to express their views or concerns on subject of the hearing. Persons neutral, or in opposition or support of the matter, application or petition under review my provide testimony or comment during the hearing.

It will be necessary for those persons wanting to address the Commission during the hearing to fill in the Public Hearing Sign-In Sheet provided and located at the entry to the Council room. The Chair will call forward those persons wanting to speak in order as they appear on the Sign-In Sheet for the Public Hearing. Upon hearing their name call said person will raise their hand and come forward to the podium. Once at the podium they will have 5 minutes to talk to the Commission. They will be expected to sit down when they have finished or when 5 minutes has lapsed, whichever is sooner. It will be the intent of the Commission to listen to what is being said. Should the person have a question, the Commission may attempt to answer it if reasonably practical and can be responded to if the persons 5 minutes has not lapsed. The speaker has the option if they feel it is important, to submit their narrative and questions in writing, with contact information, to the Commission Secretary. The narrative and questions may be responded to if necessary, practical and possible within the next 7 business days. The speaker may contact the Commission Secretary if necessary and desired for comment. Said narrative and questions may be copied to the Commission if necessary.

The duration of the public hearing will be 50 minutes (or 10 speakers) unless there are no more persons listed. Should there be any time remaining, the Chair will ask the audience if there is anyone who would like to speak, keeping their comments to 5 minutes, if so, they will be invited to the podium.

Chair will close the Public Hearing.

6.4 Action Items.

The Chair will open the segment of the meeting for Action Items which are generally applications (or petitions) for approval of land use or related matters. The Chair will announce each Action item. The Commission will review, discuss and take action on applications received. The Chair will ask the Secretary to the Commission to report on the findings of fact, conclusions of law and conditions, coming from the City's Executive Staff (ESR) review committee, pertaining to each application. Applicants are expected to attend the Commission meeting. When the Agenda item is read the applicant will be called forward. They

will raise their hand and come up to the podium. The applicant will have 15 minutes to introduce and make a brief presentation leaving enough time for the Commission or staff to ask questions. The applicant will be expected to sit down when they are finished or when the 15 minutes has lapsed, whichever is sooner. Should there be any time remaining, the Chair will ask the audience if there is anyone who would like speak, keeping their comments to 3 minutes, if so, they will be invited to the podium.

It will be the intent of the Commission to listen, deliberate, ask necessary questions and take action seeking a majority vote to either approve (with added conditions if needed) or deny the application (stating the reason for denial). The Chair will go on to the next Action Item until finished.

The Chair will close the Action Items.

6.5 Meeting Order and Decorum.

It is the desire of the Commission that all persons, in attendance, be given an opportunity in response to the published Agenda, to address the Commission with their comment, concern, statement, testimony or application, as it affects the community of Providence City. It is hoped that all persons conduct themselves in a responsible, civil and respectable manner that affords the meeting to proceed in an orderly, efficient and effective manner allowing the Commission to perform its duty to serve over the planning and zoning affairs of Providence City. Further, please observe the

a. During the meeting each person speaking shall proceed without interruption. All presentations, testimony, statements and pleadings shall be addressed to the Commission

b. Persons attending the meeting will:
*Refrain from clapping, heckling, stomping feet, shouting or speaking out of turn.
*Refrain from parading or posting signs, inside or outside the meeting room.
*Refrain from calling for any 'straw polling' or impromptu-voting during the meeting.

The Chair may ask disorderly or disruptive persons to leave the room and City property; however, as needed, removal of disorderly or disruptive person(s) will be in accordance with UCA 10-3-608 by an officer of the Cache County Sheriff's Department.

ARTICLE VII - FINDINGS AND DECISIONS

7.1 Timing of Decisions.

After conclusion of the public hearing on any application or petition, the Commission shall examine the evidence before it in relation to findings required.

With due consideration to the length of the agenda, the nature of the application, the complexity of the evidence, and the findings required, the Chair may elect, subject to a vote of the majority of the Commission, one of the following alternatives:

a. To proceed immediately to a determination and decision at the conclusion of the presentation in a particular application; or

b. To defer determination and decision until later in the same meeting; or

c. To defer determination and decision until a specified special or regular meeting of the Commission, within the time limits specified by state statute or local ordinances.

7.2 Findings.

If a majority of the quorum of the Commission members present concurs that the evidence supports favorable findings upon an application before it, or that such findings could be made if conditions and safeguards are established, the decision shall be favorable to the applicant, provided that such conditions and safeguards as may be required for a favorable finding are specified in the decision. Such conditions, safeguards and requirements shall be binding upon the applicant or petitioner and her/his successor and interests.

If a majority of the quorum of the Commission members present concurs that the evidence does not support a favorable action or recommendation by the Commission, then findings shall be specified in the decision outlining those problems or deficiencies in the application or petition which warrant such action.

If the findings of fact and conclusions of law recommended by staff do not accurately reflect the Commission's decision, the Commission may amend such findings and conclusions at the meeting or may recess the meeting to a date and time certain to allow for preparation of revised findings and conclusions by staff.

7.3 Form and Procedure of Decisions.

All such decisions of the Commission shall be made at a public meeting by motion, made and seconded, and by a voice vote. The motion shall be in the form of findings of fact and shall state the reason for the findings by the Commission and a statement of any conditions or safeguards or requirements to be attached to the action. If there is any ambiguity on any vote or if the nature of the application or petition warrants, the Chair may conduct a roll call vote, for a clear vote of aye/nay.

7.4 Notification.

Notice of the Commission decision shall be given to the applicant or petitioner and to other interested parties who have requested such notice, by the Secretary of the Commission, as soon as reasonably possible after the decision is reached, but within ten (10) days. Such notice shall be given on a "Report of Action" form approved by the Commission and shall include a copy of the complete findings of fact and conclusions of law and conditions adopted by the Commission in reaching its decision.

7.5 Appeals. Appeals by applicant or affected party.

Appeals to administrative decisions and legislative decisions are directed to the Appeal Authority.

Advisory recommendations of the Commission cannot be appealed as they will be heard by the City Council.

ARTICLE VIII - REQUEST TO WITHDRAW OR AMEND APPLICATIONS OR PETITIONS

8.1 Withdrawal.

Upon written request from the applicant, petitioner, or authorized agent, an application or petition may be withdrawn at any time before the Commission makes a decision in the case.

8.2 Amendment.

Applicants, petitioners, or their authorized individuals or agents may amend applications or petitions in any lawful manner on written request delivered to the Director of Administrative Services or his/her designee, not less than ten (10) days prior to the scheduled public meeting to assure that the amendment is properly evaluated and addressed in the staff report. Amendments received less than ten (10) days before the public meeting may not be evaluated and made part of the staff report. The staff shall orally report to the Commission at the public meeting the nature of any amendments received less than ten (10) days before the meeting. The Commission shall determine whether the nature of the amendment is such as to require referral for re-examination by Counsel or staff having made reports on the original application or petition. If such referral is found necessary, the Commission may proceed with the meeting or may continue it to a date, time and place specified, but shall not decide the matter until the Commission has received sufficient information and analysis to make a finding that the amendment would not create a substantial difference in the effect of the application or petition.

8.3 Deferrals and Continuances.

On its own motion, or at the request of applicants, petitioners, or their authorized individuals or agents, the Commission may defer the meeting of applications or provide for later continuance of applications on which meetings have begun. Such deferrals or continuances shall be permitted only for good cause, stated in the motion, and, unless time and place are stated, shall require new public notice. An applicant shall be allowed to request one continuance for good cause shown. If additional deferrals or continuances are at their request, new fees shall be paid by applicants or petitioners.

ARTICLE IX - AMENDING OR WAIVING RULES

9.1 Amending Bylaws.

These Bylaws may be amended by a majority vote of the Commission except where such amendment would be contrary to requirements or limitations set by Utah Code or Providence City Code. An amendment may be proposed at any regular meeting of the Commission. Prior to the meeting at which the amendment is to be voted upon, members shall be sent a copy of such proposed changes. All amendments to the bylaws must have City Council approval before taking affect.

9.2 Waiving or Suspending Rules.

A bylaw of procedure may be suspended or waived at any meeting by unanimous vote of Commission members present unless such rule is set by Utah Code or by the Providence City Code.