Providence City

164 North Gateway Drive
Providence, UT 84332
(435) 752-9441 Fax: (435)753-1586

PROVIDENCE CITY PLANNING COMMISSION
NOTICE OF PUBLIC HEARING

Project Type:	Rezone
Applicant:	Doug Rich
Project Description:	Proposed zone change for Parcel No.s 02-212-0004, 02-212-0005, and 02-171-0001 from Commercial General District (CGD) to Multi-Family High, located in the general area of 265 N Gateway Dr and 565 W 100 N, containing approximately 7.89 acres, from Commercial General District (CGD) to Multi-Family High Density (MFH).
Hearing Date:	June 10, 2020
Hearing Time:	6:00 PM
Hearing Location:	Providence City Office Building, 164 North Gateway Drive, Providence UT Some members of the Planning Commission may be attending this meeting electronically. This meeting will live stream on Providence City's YouTube Channel.

Prior to making a recommendation on the proposed zone change, the Planning Commission is holding a public hearing. The purpose of the public hearing is to provide an opportunity for anyone interested to comment on the proposal before action is taken. **Persons wishing to comment on the proposed zone change may email their comments to providencecityutah@gmail.com or text comments to 435-752-9441.** By law, email comments are considered a public record and will be shared with all parties involved, including the Planning Commission and the applicant.

If you are disabled and/or need assistance to attend the public hearing, please call 752-9441 before 5:00 p.m. on the day of the meeting.

Thank you,

Skarlet Bankhead
City Recorder

Newspaper Publication Date(s): May 30, 2020

Posting Date: May 28, 2020
Posting Locations:

1. Providence City Office Building, 164 North Gateway Drive, Providence UT
2. Providence City website www.providencecity.com
3. Utah Public Notice Website
4. On the property in the general area of 265 N Gateway Dr. and 565 W 100 N.

PROVIDENCE CITY
Staff Report
Planning Commission
Meeting Date: 05/27/2020

Request: Proposed rezone of Parcel No.s 02-212-0004, 02-212-0005, and 02-171-0001 from Commercial General District (CGD) to Multi-Family High, approximately 7.89 acres

Item Type: Rezone	**Owner of Record:** Parcel No. 02-212-0004 – Black Sheep Treatment LLC Parcel No. 02-212-0005 – Elaine S & Jonathan H TRS Daines Parcel No. 02-171-0001 – Jonathan H TR Profit Sharing Daines	**Applicant:** Rich Development Inc. by Doug Rich	
Prepared by: S Bankhead	**General Plan**: CGD	**Current Zone**:	**Requested Zone**:
		CHD	MFH
Parcel ID #: 02-212-0004 02-212-0005 02-171-0001	**Address:** 565 W 100 N 565 W 100 N No address assigned–general area of 265 N Gateway DR	**Acres:** 0.99 0.94 5.96 7.89 Total	

Background Information:

1. The complete application and required support documentation was received on May 18, 2020

Staff Report Summary of Key Issues:

1. Parcels 02-212-0004 and 012-212-0005 are part of the Spring Creek Village Subdivision and located north of the property that currently houses Megaplex Theatres at Providence (Stadium 8).
2. Parcel 02-171-0001 is part of the Gateway Business Park Subdivision and is located on the west side of Gateway Drive, south of the property that currently houses Mountain View Veterinary Center.
3. Spring Creek runs along the south boundary of Parcel 02-171-0001 and the north boundaries of Parcels 02-212-0004 and 02-212-0005.
4. The Cache County GIS Parcel Summary lists the following areas that may require further analysis: canals, wetlands, major waterways, FEMA Floodplain, County floodplain buffer, moderate slopes, steep slopes, liquefaction potential, and wildfire hazard areas.
5. The property is legally described as follows:
   Parcel 1: Lot 4, SPRING CREEK VILLAGE SUBDIVISION, according to the official plat of said subdivision filed February 22, 2007 as Entry No. 937522, on file and of record in the office of the Recorder of Cache County, Utah.

   Parcel 2: Lot 5, SPRING CREEK VILLAGE SUBDIVISION, according to the official plat of said subdivision filed February 22, 2007 as Entry No. 937522, on file and of record in the office of the Recorder of Cache County, Utah.

   Parcel 3: A part of the Northwest Quarter of Section 10, Township 10 North, Range 1 East of the Salt Lake Base and Meridian. Also part of Lot 1 GATEWAY BUSINESS PARK SUBDIVISION filed September 29, 1999 as Filing No. 725110. Beginning at a point North 90°00'00" West 563.24 feet from a point North 00°09'34" East 66.06 feet from the Northwest Corner of Spring Creek Subdivision, Phase 1; running thence North 90°00'00" West 129.46 feet; thence North 0°02'48" West 538.77 feet; thence North 01°04'42" West 55.75 feet; thence South 89°38'20" East 53.89 feet; thence South 58°55'12" East 324.84 feet; thence South 89°38'20" East 327.29 feet; thence South 0°31'50" East 12.84 feet; thence South 14°33'20" West 241.70 feet; thence North 90°00'00" East 22.48 feet; thence South 13°05'57" West 53.87 feet; thence South 31°00'45" West 49.85 feet; thence North 62°00'10" West 121.81 feet; thence South 37°22'34" West 63.47 feet; thence North 78°42'53" West 52.89 feet; thence South 42°26'48" West 55.82 feet; thence South 78°11'09" West 105.13 feet; thence North 68°44'18" West 62.01 feet; thence South 83°31'49" West 48.47 feet; thence South 09°00'52" West 54.53 feet to the point of beginning.
   Less and Excepting: Any of the above described parcel lying within the street known as Gateway Drive

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. Utah Code (UCA) 10-9a-505: The legislative body may divide the territory over which it has jurisdiction into zoning districts of a number, shape, and area that it considers appropriate to carry out the purposes of Utah Code Title 10 Chapter 9a.
2. UCA 10-9a-302(1)(b)(ii): The planning commission shall review and make a recommendation to the legislative body for amendments to existing land use regulations.
3. UCA 10-9a-302(2): Before making a recommendation to a legislative body on an item described in Subsection (1)(a) or (b), the planning commission shall hold a public hearing in accordance with Section 10-9a-404.
4. Providence City Code (PCC) 10-4-1 established the City's zoning districts.
5. The Providence City General Plan 2020 and current and anticipated development in the immediately surrounding area, were considered in the review of the application.
6. PCC 10-5 defines and lists the regulations for sensitive areas.
7. PCC 10-6-1 lists the uses designated in each zone.
8. PCC 10-8-1 lists the area regulations designated in each zone.

CONCLUSIONS OF LAW:

1. Providence City has divided the city into zoning districts.
2. The Planning Commission will need to hold a public hearing prior to making a recommendation on this request to amend an existing land use regulation.
3. The City's zoning districts include the Commercial General district (CGD) and the Multi-Family High Density district (MFH).
4. The General Plan vision and key initiatives are listed above the Findings of Facts in this report. This property is currently zoned CGD (see Illustration A). The General Plan map Future Re-Zoning of Existing Districts & Annexed Area does not anticipate this property zone changing from CGD (see Illustration B. In this illustration, white represents no change).
5. *PCC 10-5-2:A. lists the following areas as non-developable:
    - jurisdictional wetlands as defined by the US Army Corps of Engineers,
    - steep slopes where the rise or fall of the land is equal to or exceeds 30% over a horizontal distance of 50' or greater measured perpendicular to the contour lines
    - natural waterways or open water, including but not limited to rivers, creeks or streams.
6. *PCC 10-5-2:A. lists the following areas as potentially developable:
    - steep slopes where the rise or fall of the land is between 20% and 30% over a horizontal distance of 50' or greater measured perpendicular to the contour lines
    - floodplains as defined in PCC 10-16-3
    - crucial wildlife habitat areas as identified by the State Division of Wildlife Resources
    - geological hazard area earthquake fault lines or area prone to debris flows, landslides, high or extreme liquefaction potential, and rock falls as identified by the US Geological Survey (USGS)
    - wildfire hazard areas of the city designated as having moderate to extreme potential for wildfire
7. *PCC 10-5-2:B.2.&3. The lands within potentially developable sensitive areas may be developed and built upon, subject to

the requirements if this section and other applicable city, state, and federal requirement; and may be considered for development density at the discretion of the Providence City Planning Commission based on recommendations from professional(s) with expertise in the filed being discussed.
*The Cache County GIS Parcel Survey does not confirm sensitive areas exist, it only lists areas that may require further analysis.

8. The abbreviated tables from PCC 10-6-1 and 10-8-1 compare the uses and area regulations for the MFH and CGD districts.

CONDITIONS:

1. The applicant shall meet all applicable City, state and federal laws, codes, rules. Approval by the City of any application submitted 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.

Illustration A – Current Zoning

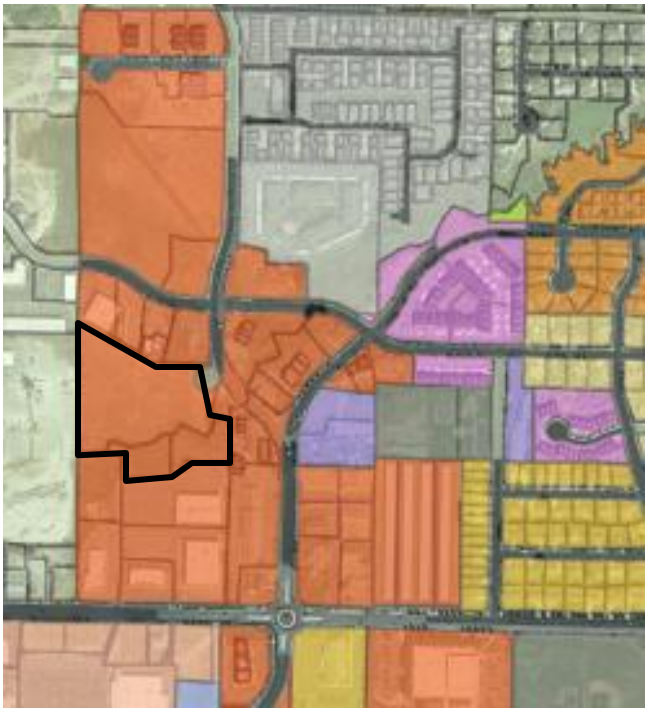
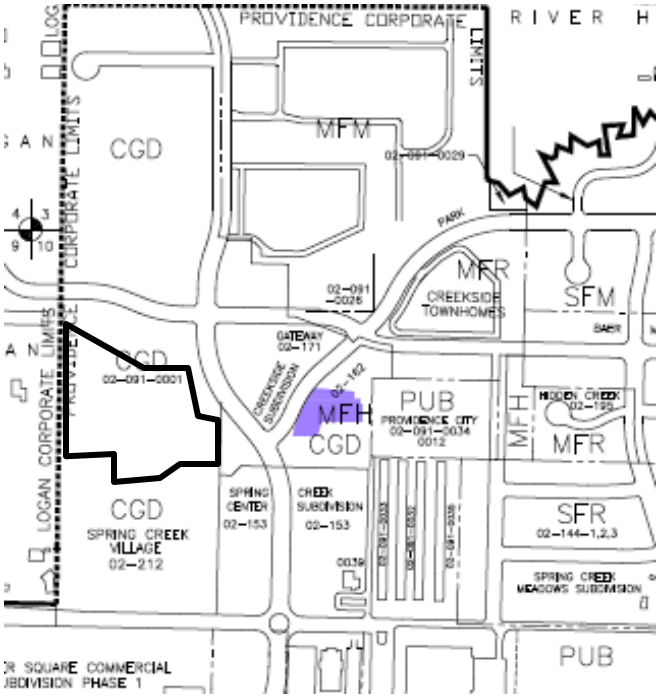


Illustration B – Future Zoning



Information taken from PCC 10-6-1 Use Chart

P = permitted use
C = conditional use permit required
X = special review required
I = Allowed only as a conditional use when incidental to a retail business with more than 15,000 square feet of floor area . . .
[ ] = not permitted (absence of symbol)
If a use is not specifically designated, it is prohibited.

		MFH	CGD			MFH	CGD
A.	**Residential Uses**			F.	**Retail/Related Uses**		
1	Single family, detached			1	Adult oriented business		c
2	Single family, attached	P		2	Food preparation, catering, etc	C^	P
3	Dwelling, two family	P		3	Bakery/Confectionery sales	C^	P
4	Dwelling, three family	P		4	Barber/beauty shop	C^	P
5	Dwelling, four family	P		5	Book/Stationery Store		p

		M F H	C G D			M F H	C G D
6	Dwelling, multi-family	P		6	Computer Store		p
7	Manufactured/modular	P		7	Department store		p
8	Mobile/trailer home			8	Florist Store		p
10	Cluster development	C		9	Furniture Store		p
11	Inner block development			10	Specialty Store/Shop	C^	P
12	Planned Unit Development	P		11	Grocery store	C^	p
13	Bed & Breakfast	C	C	12	Hardware store		p
14	Hotel/motel	C	C	13	Home & Garden store		p
15	Lodging house	C	C	14	Laundry/dry cleaning store		p
16	Residence for persons with disabilities	P		15	Laundry services	C^	
17	Residential facility for the aged	P		16	Liquor store (OM 015-2004)		p
B.	**Accessory/Incidental Uses**			17	Music Store		p
1	Accessory building	P	P		Paint Store		p
2	Accessory apartment unit			18	Pet Grooming	C^	P
3	Accessory dwelling unit			19	Pet Store		p
4	Accessory farm building			20	Restaurant/fast food		p
5	Off street parking incidental to main use	P	P	21	Shoe repair	C^	p
6	Private swimming pool	P	P	22	Small appliance repair	C^	p
C.	**Governmental/Institutional/Special Services**			23	Variety Store		p
1	Church	P		24	Commercial complex		p
2	Ministers, rabbis, priests, and other similar ordained religious work	P^		25	Shopping center		p
3	Community center	P	P	26	Tire sales, retail (OM 001-002, 02/27/01)		P
4	Day care nursery	C^	P	27	Yard sales on an occasional basis	P^	
5	Preschool	C^		G.	**Commercial/Related Uses**		
6	Public Park	P		1	Auto Sales – New & Used (OM 016-2004 05/11/04)		P
	Private Lessons / public facility			2	Auto Sales –Used (OM 016-2004 05/11/04)		
7	Public School (OM 020-2004)	P		3	Auto wash		P
8	Public building	P	P	4	Bank/financial		C
D.	**Utility and Related Service**			5	^^^Nondepository Financial Institutions		P
1	Electric substation			6	Building materials		P
2	Electric power plant			7	Dance hall		
3	Fire station	P		8	Gasoline/petroleum storage (not bulk)		C
4	Gas meter station	P		9	Gasoline sales/service		P
5	Irrigation supply	P	P	10	Fitness Center Commercial (Gym)		P
6	Utility distribution lines	P	P	11	Convenience store		P
7	Radio/TV/cellular tower		C	12	Night club		
8	Sewage/water pumping station	P	P	13	Print shop/sales		P
9	Telephone utilities	P	P	14	Recreation/Entertainment		P
10	Public utilities, other	P	P	15	Research facilities	P	
11	Utility shop, storage and bldgs	P	P	16	Theater		P
12	Water treatment plant	P	P	17	Vehicle storage		
13	Water well reservoir or storage tank	P	P	H.	**Industry and Manufacturing**		
E.	**Professional Services**			1	Auto repair		
1	Business office, medium impact	C^		2	Paint and body shop		
2	Business office, low impact	P^		3	Bldg maintenance & repair services		C
3	Business office, general		P	4	Cabinet Shop		
4	Clinic, dental		P	5	Counter top shop		
5	Clinic, medical		P	6	Clothing Manufacturer		
6	Clinical Social Worker		P	7	Furniture Manufacturer		
7	Office for single physician, dentist, or chiropractor	C^	P	8	General contractor yard		C
8	Licensed professional	C^	P	9	Landscape services		
9	Mortuary	C^	P	10	Yard/lawn/snow removal maintenance		C
10	Optical shop	C^	P	11	HVAC shop/sales		C
11	Pharmacy	C^	P	12	Ice cream plant		
12	Private school, teaching, tutoring(1 or 2 students at a time)	C^		13	Lumber yard		P
13	Private school, teaching	C^	P	14	Paint Shop		P

		MFH	CGD			MFH	CGD
14	Studio: Art, Dance, Drama, Photography, etc (1 or 2 students at a time)	C^		15	Welding/machine Shop		C
15	Studio: Art, Dance, Drama, Photography, etc and tutoring	C^	P	16	Wholesale outlet/storage and sales		P
16	Dressmakers, seamstresses, tailors, upholsters, and related occupations	C^		17	Light Manufacturing		C
17	Artists, artisans, craftsman, sculptors, authors, small crafts and handcrafts, and related artistic work	C^		18	Motorcycle, Snowmobile, ATV, etc repair		
18	Veterinarian^^	C^	C	I.	**Agriculture and Related Uses**		
					Beekeeping - 4 or less colonies	P^^	P^^
					Beekeeping - More than 4 colonies	C^^	C^^
					Breeding or raising animals for sale, food, pleasure, or profit		
					Keeping dogs, cats, fish, or exotic caged birds	P^^	C
					Commercial crop production		
					Dairy business		
					Feed lot		
					Gardens and orchards for home use	P	
					Ranch/farm production and operation		
					Garden and greenhouse plants and produce for wholesale or retail sales OM 007-2006 05/23/2006		
					Gasoline/petroleum storage (not bulk)		

^Use is allowed as a permitted or conditional use only if it is a home business, child care business or nonconforming business that complies with Title 3, Chapter 4 of this Code, Conditional Businesses

^^Must conform to Title 5 Chapter 1of this Code, Animal Regulation and Control.

^^^Nondepository financial institutions are businesses that conduct transactions of cashing a check for consideration or extending a deferred deposit loan and shall include any other similar types of businesses licensed by the State of Utah pursuant to the check cashing and deferred deposit lending registration act. Nondepository financial institutions shall be limited by the population of all residents in Providence City. The total population figures shall be based on the US Census Bureau's annual estimates. Only one nonfinancial institution shall be allowed for a population of 0 – 7,000. and 1 per 7,000 thereafter.

*The following conditions apply to a non-sales tax generating business (NSTGB) located in the CHD zone:

1. The combined total of all NSTGB will be limited to no more than 15% of the combined existing gross leasable space (GLS) of buildings in the project area; the GLS of a building is based on the square footage of the ground floor; upper levels are not included in the combined totals for or against the 15% limitation.
2. The project area is the approved preliminary plat.
3. Incidental uses in the project area are not computed in the 15% limitation.
4. NSTGB may be in a free standing building of its own or part of a multi-tenant building with separate outside entrances for the public.

Information taken from PCC 10-8-1 Area Regulations

	MFH	CGD
Min. lot area, square feet		
Min. lot width (measured at setback line)		
Min. lot area increase ea. add't unit, square feet)		
Max. units / ac excluding ROW, infrastructure^	18	
Max. lot area per ea. twin home, square feet^^		
Min. lot width, each unit (measured at setback line)		

	MFH	CGD
Setbacks		
Principal uses		
Front yard, ft.	25	35
Side yard, interior	10**	#
Side yard, street	20**	#
Rear yard	10***	#
Detached Accessory Uses		
Front yard, ft.	25	35
Side yard, interior	10	10
Side yard, street	25	10
Rear yard	5	10
Distance between residential structures on same lot		
Height:		
Principal use, Max, hgt. ft.	50	50
Accessory use, ft. max	35	50
Principal use, ft. min.	10	10
Fences (max. height)		
Front yard, ft.	8^^^^	C^^^^
Side yard, interior	8^^^^	8^^^^
Side yard, street	20**	C^^^^
Rear yard	10***	8

*See subsection 10-8-3:B.5 of this Chapter for further regulation and explanation.
**See subsection 10-8-3:B.9 of this Chapter for further regulation and explanation.
***See subsection 10-8-3:C.7 of this Chapter for further regulation and explanation.
##See subsection 10-8-3:C.2, C.3, C.4 of this Chapter for further regulation and explanation.
###See subsection 10-8-3:B.10 of this Chapter for further regulation and explanation.
^Infrastructure is defined to include rights-of-way, PUB and REC districts within development.
^^Lots of record for twin homes are limited to 20% of total lots in development.
^^^Principal Uses are allowed a combination front and rear yard setback totaling at least 50 feet, with a minimum front or rear yard setback of 20 feet.
^^^^See subsection 10-9-2

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 DR **Name**_____

Date_____

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_____

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

Parcel 1

Owner of record_____

Owner address_____

Owner phone_____ Owner email_____

Parcel address_____

Parcel Tax I.D._____

Current zoning_____ Requested zoning_____

[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.

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

Parcel 2

Owner of record_____

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)

_____

_____

_____

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_____

_____

_____

_____

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 DR **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 DR

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 DR

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.

Doug Rich

Signature of Applicant Printed Name Date

164 N. Gateway Dr * Providence UT 84332

435-752-9441 * Fax: 435-753-1586 * email: sbankhead@providence.utah.gov

Parcel 3

Owner ofrecord_____

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)

_____

_____

_____

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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 DR **Name** _____

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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.

Doug Rich

Signature of Applicant Printed Name Date

164 N. Gateway Dr * Providence UT 84332

435-752-9441 * Fax: 435-753-1586 * email: sbankhead@providence.utah.gov

GATEWAY BUSINESS PARK SUBDIVISION

02-171
-1-
Tax Unit 09

A PART OF THE NORTHWEST QUARTER OF SECTION 10 AND
A PART OF THE SOUTHWEST QUARTER OF SECTION 3,
TOWNSHIP 11 NORTH, RANGE 1 EAST, SLB&M
PROVIDENCE CITY, CACHE COUNTY, UTAH

FILED 29 SEP 1999 FILING NO. 725110
MAP NO. 1999-1289 SITE PAGE 02-091

PARCEL NO. = 02-171-LOT NO.
i.e. LOT 01 = 02-171-0001

SEE 02-171-4

LOT 3
Containing 7.163 Acres

LOT 2
GATEWAY BUSINESS PARK PHASE 3
SEE 02-171-3
Logan Crossroads Commercial LLC

LOT 1
Containing 6.891 Acres

LOT 4

LOT 4 GATEWAY BUSINESS PARK IS NOW
SAUNDERS PROFESSIONAL PLAZA CONDO
UNIT 1 PARCEL 02-171-0041
UNIT 2 PARCEL 02-171-0042
UNIT 3 PARCEL 02-171-0043

0001
5.96 AC
JONATHAN H VAINES
TRUSTEE MDPC PENSION

0035
PROVIDENCE CITY
0.39 AC

0036
PROVIDENCE CITY
0.28 AC

SPRING CREEK VILLAGE SEE 02-212

SKY GATEWAY III LLC.

Fnd. Smith Rbr.

Fnd. Rbr.

Knighton & Drow Survey)

GATEWAY DRIVE

COURSE

GOLF

ROAD

35' FRONT BUILDING SETBACK LINE

10' PUBLIC UTILITY EASEMENT AND BUILDING SETBACK (TYP)

30' BUILDING SETBACK OFF OF TOP OF BANK

20.00' Public Utility Easement

APPROXIMATE LOCATION OF TOP OF BANK

Set 5/8" Rebar Marked "Hansen & Assoc. 167819" (typ) 04/06/99

P.O.B.

EASEMENT TO PROVIDENCE CITY

CREEKSIDE SUBDIVISION

PLAT "A" CREEKSIDE TOWNHOMES

CITY PARK

SPRING CREEK PARKWAY

280 NORTH

(455 WEST)

PROVIDENCE CITY

SCALE 1" = 100'

SPRING CREEK VILLAGE SUBDIVISION

02-212

(A COMMERCIAL SUBDIVISION)

PROVIDENCE CITY, CACHE COUNTY, UTAH

PART OF BLOCK 34, PLAT "A" PROVIDENCE FARM SURVEY
LOCATED IN PART SECTION 10, TOWNSHIP 11 NORTH,
RANGE 1 EAST, SALT LAKE BASELINE AND MERIDIAN

TAX UNIT 09

Electronic Only

NORTH

0 60

SCALE 1" = 60'-0"

LOT 1
GATEWAY BUSINESS PARK SUBDIVISION
REC. FILED NO. 725110

LOT 1
AMENDMENT NO. 1
CREEKSIDE SUBDIVISION
REC. FILED NO. 758078

FOUND 5/8" REBAR WITH CAP LS# 167819 (HELD)

N90°00'00"E 130.91'
209.41'
(198', B.R.)
78.50'

N09°11'48"E 55.84'
N83°42'45"E 48.47'
S68°33'22"E 62.01'
N78°22'05"E 105.13'
N42°37'44"E 55.82'
S78°31'57"E 52.89'
44.89'
8.00'
N37°33'30"E 63.47'
S61°49'14"E 121.81'
N31°11'41"E 49.85'
N13°16'53"E 53.87'
S89°49'04"E 70.59'

198.21'

0004

LOT 4
43,097 sq. ft.
0.99 acres
545 WEST 100 NORTH
(SEE NOTE 3)

30' SETBACK FROM SOUTH BANK OF SPRING CREEK

N00°09'34"E 195.93'

SET 5/8 REBAR

N89°50'26"W 195.25'

30.00

S00°09'34"W 21.70'

S47°05'56"W 91.98'

FOUND RC HUGIE REBAR (HELD)

LOT 5
41,124 sq. ft.
0.94 acres
565 WEST 100 NORTH
(SEE NOTE 3)

0005

104.22'

DRAINAGE EASEMENT

105.00'

0006

LOT 6
62,699 sq. ft.
1.44 acres
575 WEST 100 NORTH
(SEE NOTE 3)

300.01'

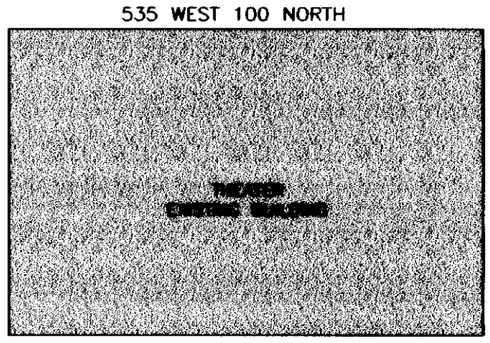
N89°50'26"W 220.84'

30.00 P.U.E.

0003

30.00

LOT 3
122,516 sq. ft.
2.81 acres
535 WEST 100 NORTH



70.00

INGRESS/EGRESS EASEMENT & P.U.E.

8.00 P.U.E.

215.00'

N00°09'34"E

299.50'

837.16'

S00°09'34"W

660.01'

N00°00'00"E

N90°00'00"E 208.57'
(198', B.R.)

30.00

INGRESS/EGRESS EASEMENT & P.U.E.

S89°50'26"E 483.29'

24.00

24.00

36.00

SET 5/8 REBAR

AMENDMENT #3
SPRING CREEK CENTER SUBD.
PHASE 1
REC. FILED NO. 792414

0007

149.20'

20.00

20.00

360.00'

S90°00'00"E 234.50'

S00°09'34"W 360.00'

30.00'

339.45'

LOT 7
74,900 sq. ft.
1.72 acres
585 WEST 100 NORTH

EXISTING BUILDING

EXISTING BUILDING

LOT 1
44,929 sq. ft.
1.03 acres
555 WEST 100 NORTH

0001

S00°09'34"W 191.60'

191.60'

LOT 2
119,449 sq. ft.
2.74 acres
517 WEST 100 NORTH

0002

EXISTING BUILDING

15.00' INGRESS/EGRESS EASEMENT, P.U.E. & IRRIGATION EASEMENT

POINT OF BEGINNING
FOUND 5/8" REBAR
SW COR. AMENDMENT NO. 3 TO
SPRING CREEK CENTER SUBDIVISION
PHASE 1

25.00 P.U.E.

25.00 P.U.E.

25.00 P.U.E.

SIGN EASEMENT (SEE NOTE 6)

25'

25'

(198', B.R.)
207.57'

234.50'

248.80'

N90°00'00"W 690.86'
(WEST 660', B.R.)

N88°34'13" W
1998.02
(BASIS OF BEARING)

FOUND 5/8" REBAR WITH CAP LS# 167819 (HELD)

99

100 NORTH STREET

FILED 22 FEB 2007
ENT 937522
MAP 2007-2158
SITE PAGE 02-091

Affected Entities

Providence City	164 N Gateway Drive, Providence UT 84332
Rocky Mountain Power	1407 West North Temple, Salt Lake City, UT 84116
Dominion Energy	895 W 800 N, Logan, UT 84321
Logan City Environmental Services	153 N 1400 W, Logan, UT 84321
Logan City Fire Department	76 E 200 N, Logan, UT 84321
Cache County School District	84 E 2400 N, North Logan, UT 84341

Names of Property Owners Adjacent to Parcel's

02-171-0001,02-212-0004,02-212-0005

02-171-0031 HOPKINS FAMLY PROPERTIES LLC 3009 N 2050 E NORTH LOGAN, UT 84341-8347

02-171-0032 HOPKINS FAMLY PROPERTIES LLC 3009 N 2050 E NORTH LOGAN, UT 84341-8347

02-171-0331 WATERTREE EQUIPMENT & HOLDINGS LLC 540 W GOLF COURSE RD STE A PROVIDENCE, UT 84332-9869

02-171-0332 DLMAC LLC 540 W GOLF COURSE RD PROVIDENCE, UT 84332-9868

02-171-0333 DANG ARNELL LLC 540 W GOLF COURSE RD STE C PROVIDENCE, UT 84332-9869

02-171-0034 PROVSOUTH HOLDINGS LLC 516 W GOLF COURSE RD PROVIDENCE, UT 84332-9867

02-171-0036 PROVIDENCE CITY 164 N GATEWAY DR PROVIDENCE, UT 84332-9813

02-162-0007 WALKARY LLC 4006 SUMMER RIDGE RD MORGAN, UT 84050-9342

02-162-0006 COMMUNITY NURSING SERVICE 2830 S REDWWOD RD STE A WEST VALLEY CITY, UT 84119-5626

02-162-0005 FRONTIER HOLDINGS CO LC 221 N GATEWAY DR STE B PROVIDENCE, UT 84332-9791

02-162-0004 COLLEGE DRIVE PROPERTIES LLC PO BOX 575 LOGAN, UT 84323-0575

02-212-0003 LARRY H MILLER THEATRES INC 9295 S STATE ST SANDY, UT 84070-2649

02-212-0006 SAGERS FAMILY LIMITED PARTNERSHIP 961 S 1555 W OREM, UT 84058-5895

02-086-0016 JANICE J SACKETT PO BOX 869 MAGNA, UT 84044-0869

02-086-0015 GREENFIELD COMMERCIAL CENTER LLC 1227 S HIDDEN VIEW DR PROVIDENCE, UT 84332-9321

PROPERTY OWNER CONSENT FORM

I JONATHAN H TR PROFIT SHARING DAINES am the owner of the property located at

(print name)

PROVIDENCE UTAH, with a Parcel Identification number of

02-171-0001. I hereby give Rich Development INC

the legal authority to represent me for the rezone application for above Parcel located in Providence City.

Jonathan H. Daines

Owner Signature

5/19/2022

Date

PROPERTY OWNER CONSENT FORM

I ELAINE S. DAINES REVOCABLE TRUST am the owner(s) of the property located at

565 W 100 N Providence Utah, with a Parcel Identification of

02-212-0005. I hereby give Rich Development INC

the legal authority to represent me for the rezone application for above Parcel located in Providence City.

Elaine S. Daines

Elaine S. Daines Co-Trustee

5-13-2020

Date

Jonathan H. Daines

Jonathan H. Daines Co-Trustee

5-13-2020

Date

PROPERTY OWNER CONSENT FORM

I _____BLACK SHEEP TREATMENT LLC_____ am the owner of the property located at

(print name)

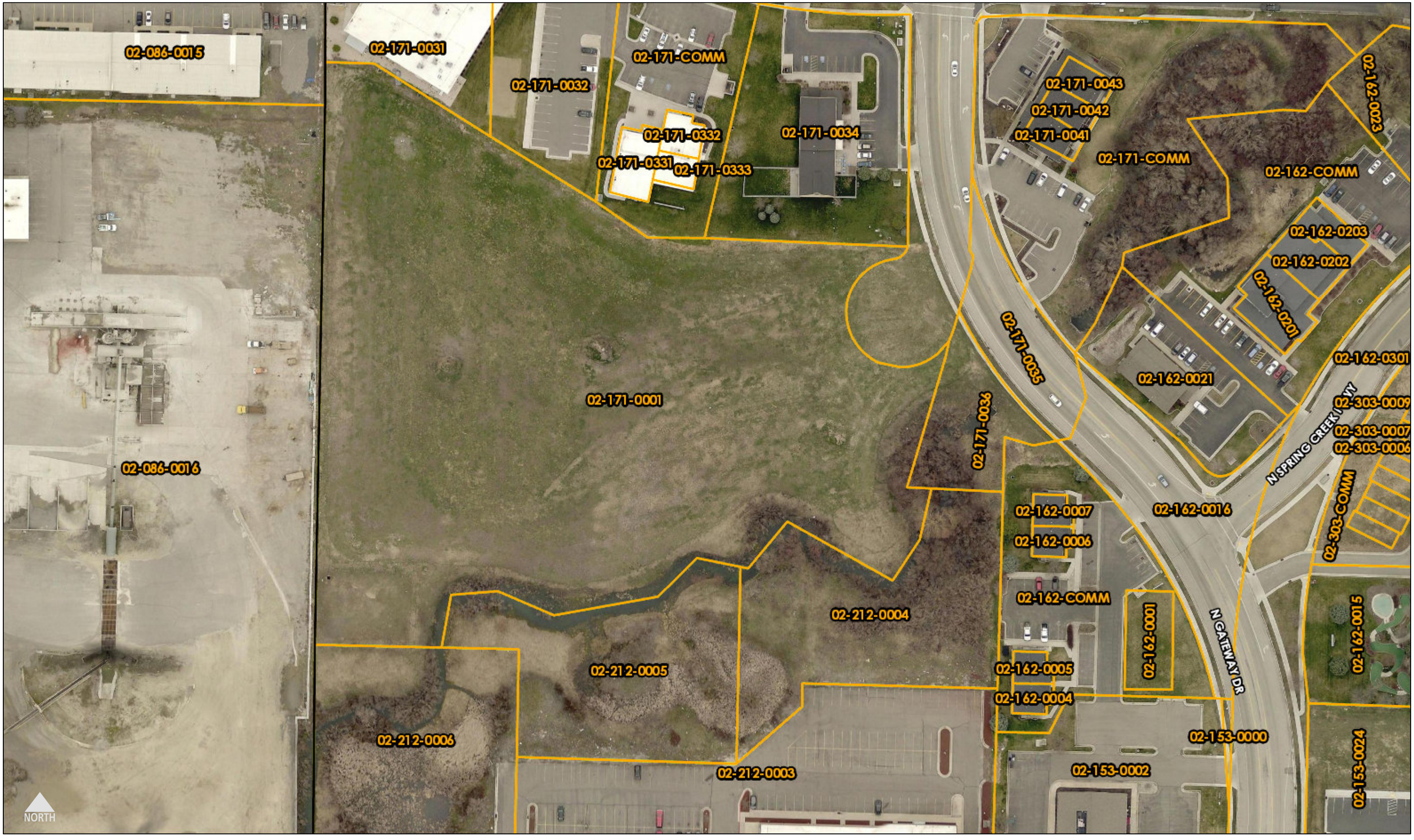
____545 W 100 N Providence, UT 84332_____, with a Parcel Identification number of

_02-212-0004_____. I hereby give Rich Development INC_____

the legal authority to represent me for the rezone application for above Parcel located in Providence City.

Matt Nielsen _____ 8/13/20 _____

Owner Signature Date



Date: 5/12/2020

SCHEDULE A

EXHIBIT A
Legal Description

Parcel 1: Lot 4, SPRING CREEK VILLAGE SUBDIVISION, according to the official plat of said subdivision filed February 22, 2007 as Entry No. 937522, on file and of record in the office of the Recorder of Cache County, Utah.

Parcel 2: Lot 5, SPRING CREEK VILLAGE SUBDIVISION, according to the official plat of said subdivision filed February 22, 2007 as Entry No. 937522, on file and of record in the office of the Recorder of Cache County, Utah.

Parcel 3: A part of the Northwest Quarter of Section 10, Township 10 North, Range 1 East of the Salt Lake Base and Meridian. Also part of Lot 1 GATEWAY BUSINESS PARK SUBDIVISION filed September 29, 1999 as Filing No. 725110. Beginning at a point North 90°00'00" West 563.24 feet from a point North 00°09'34" East 66.06 feet from the Northwest Corner of Spring Creek Subdivision, Phase 1; running thence North 90°00'00" West 129.46 feet; thence North 0°02'48" West 538.77 feet; thence North 01°04'42" West 55.75 feet; thence South 89°38'20" East 53.89 feet;thence South 58°55'12" East 324.84 feet; thence South 89°38'20" East 327.29 feet; thence South 0°31'50" East 12.84 feet; thence South 14°33'20" West 241.70 feet; thence North 90°00'00" East 22.48 feet; thence South 13°05'57" West 53.87 feet; thence South 31°00'45" West 49.85 feet; thence North 62°00'10" West 121.81 feet; thence South 37°22'34" West 63.47 feet; thence North 78°42'53" West 52.89 feet; thence South 42°26'48" West 55.82 feet; thence South 78°11'09" West 105.13 feet; thence North 68°44'18" West 62.01 feet; thence South 83°31'49" West 48.47 feet; thence South 09°00'52" West 54.53 feet to the point of beginning.
Less and Excepting: Any of the above described parcel lying within the street known as Gateway Drive

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[2]
Code Amendment	✓	----	✓	✓[3]	✓	----	----	$100
Annexation	✓	----		----	✓	✓	----	$150
Rezone	✓	----	✓	✓	✓	----	----	$100
Conditional Use	✓	✓		----	----	----	----	$100
Subdivision Concept Plan	✓	----	----	----	----	----	----	$300
Preliminary Subdivision Plat	✓	----	✓	----	----	----	----	$400
Final/Amended Subdivision Plat[4]	✓	----	✓	----	✓[5]	----	----	$600
Site Plan	✓	✓	----	----	----	----	----	$50
Lot Consolidation[6]	✓	----	✓	----	----	----	----	$50
Exception to Title[7]	✓	----	✓	----	✓	----	----	$100
General Plan Amendment	✓	----	✓	✓	✓	----	----	$100
Right-of-Way Vacation	✓	----	✓	----	✓	✓	----	$100
Variance/ Appeal	----	----	----	----	----	----	✓	$100

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

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

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

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

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

[7] 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

Ownership Clarification for Rezone

Parcel 1: Lot 4, Spring Creek Village Subdivision 02-212-004

Ownership: Black Sheep Treatment Inc.

Parcel 2: Lot 5, Spring Creek Village Subdivision 02-212-005

Ownership: Elaine S. Daines Revocable Trust

Parcel 3: part of Lot 1 Gateway Business Park Subdivision 02-17-0002

Ownership: Jonathan H TR Profit Sharing Daines

Cache County
1857

DEVELOPMENT SERVICES DEPARTMENT

BUILDING | SURVEYING | ENGINEERING | GIS | PLANNING & ZONING | ROADS | WEEDS

GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Generated on 20 May. 2020 at 10:11 AM

Parcel Number: 02-212-0004

Property Address: 545 W 0100 N
PROVIDENCE

Tax Roll Acreage: 0.99

Owner Name: BLACK SHEEP TREATMENT LLC

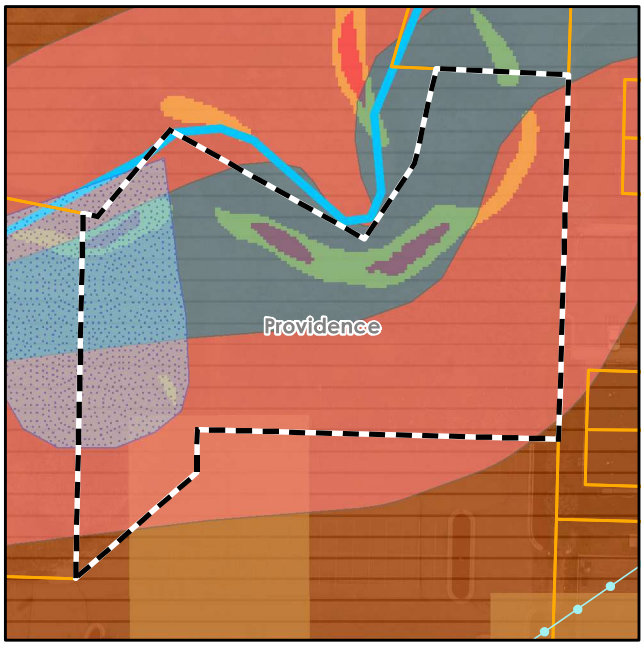
Owner Address: 2745 JUNIPER CIR
NORTH LOGAN, UT 84341-8322

Jurisdiction: Providence

Future Annexation Area: n/a

Base Zone: Contact Providence for Zoning

Overlay Zone: n/a



Comprehensive maps can be found at www.cachecounty.org/gis

Initial Parcel Legality Review: Incorporated Area
Contact Providence for Applicable Regulations

NOTE: *Parcel legality does **NOT** guarantee that a parcel or lot is buildable; it is only one step in the development process. All other requirements must still be met. Parcel legality should be verified before submitting a land use application.*

Areas That May Require Further Analysis

Canals	FEMA Floodplain	Steep Slopes
Wetlands	County Floodplain Buffer	Liquifaction Potential
Major Waterways	Moderate Slopes	Wildfire Hazard Areas

This overview is based on the information in the Cache County GIS databases. Please verify the potential presence of areas requiring further analysis with the County's webmaps. Sections 17.10, 17.17, and 17.18 of the Cache County Land Use Ordinance contain the development standards and requirements associated with these areas. The definition of "Parcel/Lot" in Section 17.07.040 outlines parcel legality.

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Cache County
1857

DEVELOPMENT SERVICES DEPARTMENT

BUILDING | SURVEYING | ENGINEERING | GIS | PLANNING & ZONING | ROADS | WEEDS

GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Generated on 20 May. 2020 at 10:13 AM

Parcel Number: 02-212-0005

Property Address: 565 W 0100 N
PROVIDENCE

Tax Roll Acreage: 0.94

Owner Name: ELAINE S & JONATHAN H TRS
DAINES

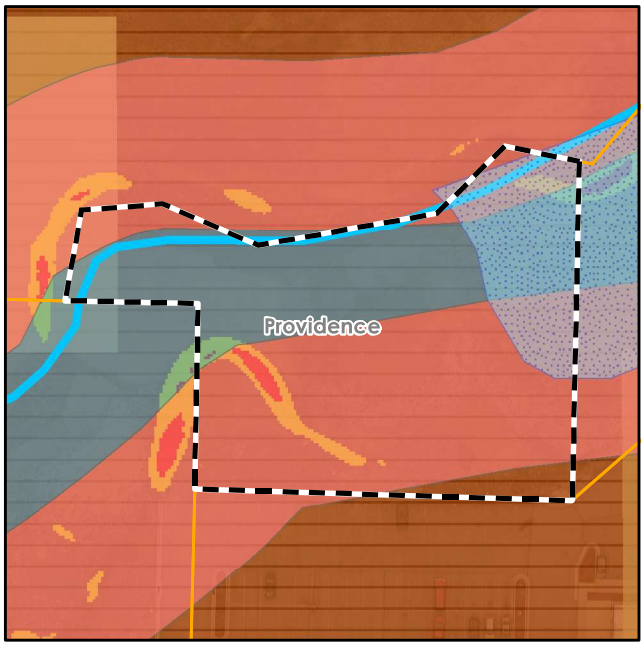
Owner Address: 4642 HOLLOW RD
NIBLEY, UT 84321-7916

Jurisdiction: Providence

Future Annexation Area: n/a

Base Zone: Contact Providence for Zoning

Overlay Zone: n/a



Comprehensive maps can be found at www.cachecounty.org/gis

Initial Parcel Legality Review: Incorporated Area
Contact Providence for Applicable Regulations

NOTE: *Parcel legality does **NOT** guarantee that a parcel or lot is buildable; it is only one step in the development process. All other requirements must still be met. Parcel legality should be verified before submitting a land use application.*

Areas That May Require Further Analysis

Wetlands
Major Waterways
FEMA Floodplain
County Floodplain Buffer
Moderate Slopes
Steep Slopes
Liquifaction Potential
Wildfire Hazard Areas

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Cache County
1857

DEVELOPMENT SERVICES DEPARTMENT

BUILDING | SURVEYING | ENGINEERING | GIS | PLANNING & ZONING | ROADS | WEEDS

GIS PARCEL SUMMARY

Not Authoritative — For Preliminary Review Only

Generated on 20 May. 2020 at 08:38 AM

Parcel Number: 02-171-0001

Property Address: (Not Available)

Tax Roll Acreage: 5.96

Owner Name: JONATHAN H TR PROFIT SHARING DAINES

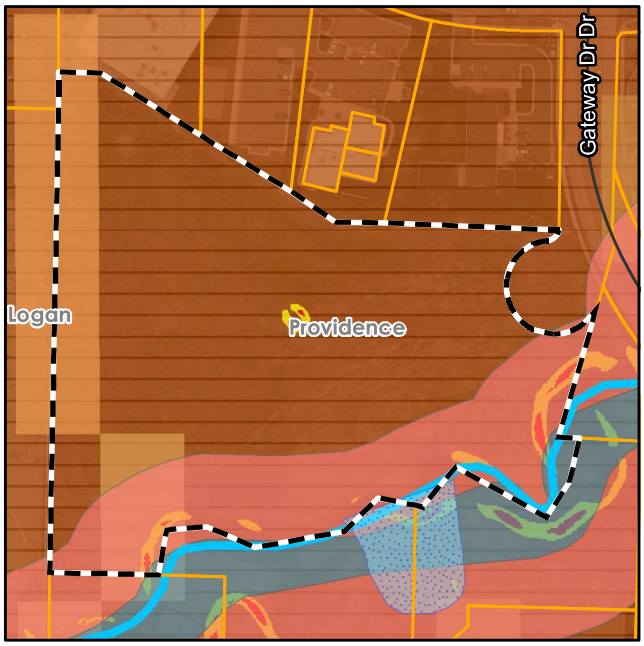
Owner Address: 4642 HOLLOW RD
NIBLEY, UT 84321-7916

Jurisdiction: Providence

Future Annexation Area: n/a

Base Zone: Contact Providence for Zoning

Overlay Zone: n/a



Comprehensive maps can be found at www.cachecounty.org/gis

Initial Parcel Legality Review: Incorporated Area
Contact Providence for Applicable Regulations

NOTE: *Parcel legality does **NOT** guarantee that a parcel or lot is buildable; it is only one step in the development process. All other requirements must still be met. Parcel legality should be verified before submitting a land use application.*

Areas That May Require Further Analysis

Wetlands
Major Waterways
FEMA Floodplain
County Floodplain Buffer
Moderate Slopes
Steep Slopes
Liquifaction Potential
Wildfire Hazard Areas

This overview is based on the information in the Cache County GIS databases. Please verify the potential presence of areas requiring further analysis with the County's webmaps. Sections 17.10, 17.17, and 17.18 of the Cache County Land Use Ordinance contain the development standards and requirements associated with these areas. The definition of "Parcel/Lot" in Section 17.07.040 outlines parcel legality.

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PARCEL LEGALITY

Summary

Parcel legality in the unincorporated county is established by the definition of "Lot/Parcel" in section 17.07 of the Cache County Land Use Ordinance (http://bit.ly/lotparcel). In a nutshell, there are two checks to see if a parcel is legal:

1. Is the parcel currently the same as shown on an approved, recorded subdivision plat?
2. If it's not in a recorded subdivision, is it the same size and shape as it was on August 8, 2006?

How the Legality Check Works

The GIS Parcel Summary Tool is designed to get you 80% of the way towards determining whether a parcel is legal. Determining if one parcel has the same shape as another is simple for humans but much more difficult for a computer. Instead of comparing the parcel's current shape with its 2006 shape, the Tool does two separate checks for each parcel:

1. Is the center point of the parcel inside a subdivision boundary?
2. Is the parcel's current System ID in the list of System IDs that existed as of August 8, 2006?

What is a System ID?

System IDs are an internal number assigned to each variation of a parcel to track its acreage over time for tax purposes. A new System ID is generated any time a parcel's legal acreage changes or a new parcel is created. So, if a parcel still has the same System ID, it's a good bet it hasn't significantly changed.

If the center is inside a subdivision boundary, the Tool reports "Potentially a subdivision lot." If it isn't, you'll see "Potentially a legal parcel" or "Potentially a restricted parcel" based on the results of the second check. Regardless, the Tool will always report whether it thinks the parcel has changed since August 8, 2006.

Limitations

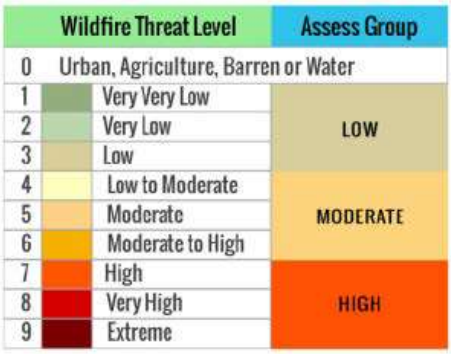
The Tool is not perfect and can miss some situations like the following:

- The parcel hasn't changed, but the legal acreage has been updated.
- A boundary line agreement updates the legal description without significantly changing the property (but still triggers a change in System ID).
- A subdivision lot's boundary is changed without a subdivision amendment, which would make the lot restricted until the plat is properly amended.
- A sliver of a parcel is split off for right-of-way on a UDOT project.

The GIS Parcel Summary Tool should **only be used as the first step** in the legality and sensitive area reviews. **County Planning and Zoning staff** can help you verify if a parcel is legal.

SENSITIVE AREAS

AREA	*LEGEND*	*IF AREA PRESENT:*
Natural and/or Manmade Waterways		
Wetlands		Wetland delineation, the review and determination of wetland areas, may be required. Development in wetland areas shall not occur except as permitted by the U.S. Army Corps of Engineers. Wetland acreage does not count toward the assessment of developable acreage.
Water Bodies		Development shall not occur in waterways, and acreage identified as waterways does not count toward the assessment of developable acreage. Additional setbacks are required from waterways.
Major Waterways		
Canals		
Floodplain		
FEMA Floodplain Floodplain Buffer		A Floodplain Permit is required. See §17.18.040 Sensitive Areas Analysis [A-2-c] and §17.18.050 Standards and Development Plan [B-3] for requirements. If structures are located within the county floodplain buffer, the owner/developer must provide an elevation certificate documenting a minimum of 1' of freeboard for structures, or meet the requirements of FEMA Technical Bulletin 1 / August 2008.
Source Water Protection Zones		
Zone 1 or 2	*(No symbol)*	Septic systems are not permitted within Zone 1 or 2 of a source water protection zone. See §17.10.050 Supplemental Standards [A-3-b].
Slopes		
Moderate Slopes		Any development on moderate slopes requires a geotechnical report. See §17.18.040 Sensitive Areas Analysis [A-2-a] and §17.18.050 Standards and Development Plan [B-1, 5], and §17.18.060 Geotechnical Report Minimum Standards for requirements.
Steep Slopes		Development is not permitted on steep slopes, and this acreage does not count toward the assessment of developable acreage. See §17.18.040 Sensitive Areas Analysis [A-1-b] and §17.18.050 Standards and Development Plan [A-2] for requirements.
Geologic Hazards		
Fault Lines		A geotechnical report is required if development is proposed within the hazard area(s). See §17.07.040 General Definitions; Geologic Hazard; Sensitive Area; for requirements see§17.18.040 Sensitive Areas Analysis [A-2-e] and §17.18.050 Standards and Development Plan [B-5], and §17.18.060 Geotechnical Report Minimum Standards.
Debris Flow		
Landslide Scarps		
Landslide		
Liquefaction Potential:		
6=Moderate to High		
7= High		
Important Habitat Areas		
Maguire Primrose		A Habitat Management Plan is required. See §17.18.040 Sensitive Areas Analysis [A-2-d] and §17.18.050 Standards and Development Plan [B-4] for requirements.
Canada Lynx		
Greater Sage Grouse		
Yellow-Billed Cuckoo		

Wildfire Hazards		
Wildland-Urban Interface		Wildland-Urban Interface; Additional requirements and standards may apply. Contact the Cache County Fire District (435) 755-1670 and refer to the 2006 Utah Wildland-Urban Interface Code. The Utah Wildfire Risk Assessment Portal (https://wildfirerisk.utah.gov/) is the primary mechanism for Utah Division of Forestry, Fire, and State Lands to deploy wildfire risk information and create awareness about wildfire issues across the state. The Wildfire risk and threat data layers were developed as part of the West Wide Wildfire Assessment covering the seventeen Western States. Collectively these applications will provide the baseline information needed to support mitigation and prevention efforts across the state. A more detail report can be generated from the website link above.
Wildfire Threat Level Index		
		
Agricultural Protection Areas		
Protection Areas 100' Buffer		See the recorded Agriculture Protection Area. See §2.70 Agriculture Protection Area Advisory Board; See also UCA §17-41.
Airport Overlays		
65 Ldn Noise Area		For airport areas, see §17.17.060 Schedule of Uses to determine if the proposed use is permitted in the airport zone. Federal Aviation Administration (FAA) review may also be required.
Inner Approach Zone		
Approach Zone		
Traffic Pattern Zone		
Influence Area		
FAA Regulation Part 77		
1,000 ft / 100 = 10 ft		
2,000 ft/ 100 = 20 ft		
3,000 ft/ 100 = 30 ft		
4,000 ft/ 100 = 40 ft		
4,500 ft/ 100 = 45 ft		
Encroachment Permit (County Roads)		
Encroachment Permit	*(No Symbol)*	An Encroachment Permit is required when working within the county right-of-way see, §12.02.020: Development of Roadways see §12.01.050: Damage to Roadways.