

1 **Providence City Planning Commission Minutes**
2 **Providence City Office Building, 15 South Main, Providence UT 84332**
3 **February 13, 2013 6:00 pm**

4
5 **Commissioners: R Sneddon, K Allen, G Allred, J Baldwin, R Cecil, S Sanders, G Walker**
6 **Attendance: R Sneddon, K Allen, G Allred, J Baldwin, R Cecil, S Sanders, G Walker**
7

8 **Approval of the Minutes:**

9 The Providence City Planning Commission will consider for approval the minutes of January 23, 2012.

- 10 • Page 1, no changes
11 • Page 2, Line 19 – Discussion was the interaction between City Council and Planning Commission on Baugh
12 subdivision. G Walker feels like the Planning Commission should support the decision made by the City
13 Council, although isn't sure if the City Council acted appropriately. K Allen felt like even if the decision is
14 not supported by the Planning Commission, the City Council acted within their authority. The January 23
15 Planning Commission Meeting minutes should read or reflect the Planning Commission should support
16 the decision made by the City Council because they did act within their authority, even if the Planning
17 Commission does not support that decision.
18 • Page 2, Line 19 – should read, "The City Council acted within their authority".
19 • Page 2, Line 21 – cross out G Walker view, insert "It is the City Council's prerogative to make this decision,
20 but the Planning Commission does not necessarily think they made the correct decision.

21 **Motion to approve the minutes with the corrections: C Rowan, second-K Allen**

22 **Vote: Yea: R Sneddon, K Allen, G Allred, J Baldwin, R Cecil, S Sanders, G Walker**
23 **Nay: None**
24 **Abstained: None**
25 **Excused: None**

26 The Commission changed the order of the Agenda items.

27 **Action Items:**

28 **Item No. 1:** The Providence City Planning Commission will consider for approval a preliminary plat for the Grace
29 Baugh Subdivision, a 3-lot residential subdivision located at 300 East and 300 South.

- 30 • R Sneddon said the Commission is familiar with the history of this item. He suggested that a note about
31 Planning Commission's disagreement with City Council's exception be on the final plat. He feels that
32 according to the ordinance, that exception should not have been granted.
33 • S Bankhead said Craig Call reviewed the ordinance at DRC. City Council can vary requirements as long as
34 the intent of the title remains the same. He felt like what the City Council did would work, but in the
35 future, reasons for exceptions need to be articulated more clearly by the City Council.
36 • G Walker said without the reasons for the exception stated, he feels the decision could be challenged.
37 • J Baldwin wondered if the City Council wants to look at this again.
38 • R Liechty said that after meeting with the DRC and reviewing the retention pond, the Attorney feels like
39 the City Council's actions to give an exception on sidewalk, curb and gutter, but extend the asphalt, were
40 right. Now the City Council wants to look at asking for curb and gutter, but not sidewalk in order to make
41 water run into that retention pond.
42 • J Baldwin asked if the City Council was going to reconsider sidewalk requirement. It would improve
43 aesthetics as well as safety.
44 • R Liechty said a walking path was suggested, not sidewalk, because it would be easier to control water.
45 There is a sidewalk on the west side of the street and a walking path on the asphalt would be striped off
46 on the east side of the street.
47 • G Walker had a question about the sidewalk on the north side of the property. Is the Council not
48 interested in installing sidewalk further down the street?
49 • R Liechty said the City does not require sidewalks going to and ending into nothing. Therefore, there are
50 certain streets where curb, gutter and sidewalks will not be required. The City Council is trying to require
51 sidewalks when they know they will eventually go somewhere. Anytime there is a development where a

- 1 sidewalk will eventually tie into other areas, then curb, gutter and sidewalk will be required. The trees
2 were also an issue in this case. The area of 300 East is similar to the situation on Canyon Road.
- 3 • G Walker asked why the ordinance was ever established in the first place if the City Council isn't going to
4 require sidewalks in all areas of the City. He feels there has been a disservice to other residents over the
5 years if the City Council is going to require sidewalks in some areas and then not in others.
 - 6 • R Sneddon said the argument being used by the City Council is one that ought to be extended to all older,
7 but not completely developed areas rather than an exception for one property owner.
 - 8 • R Liechty said that is why it is left as an exception so the Council can make those decisions as exceptions
9 where it is appropriate.
 - 10 • R Sneddon felt perhaps it would be appropriate to restate the ordinance so it reads such that in these
11 areas of exception can be granted by an appearance before the Planning Commission and City Council.
 - 12 • R Liechty said ordinance states that because of topical grades, or connections that don't match or work,
13 the Council can grant and exceptions.
 - 14 • S Bankhead said these exceptions, however, do have to come as a recommendation from the City
15 Engineer and/or Planning Commission, but the City Council is not required to agree with the
16 recommendation.
 - 17 • K Allen said rather than an overall general rule that requires sidewalks on all new developments being
18 build, each property needs to be looked at to see what is sensible for the area where they are being build.
19 He recommends to City Council to change the code.
 - 20 • G Allred said he is not in favor of changing the code. If the City had not required sidewalk, there would be
21 areas of his neighborhood that would not have sidewalk. It may take several years for sidewalk to go in
22 and be continuous, but over time it can be accomplished.
 - 23 • R Liechty said if development will drive the building, then the City can come in and fill in the gaps, but
24 where there are long stretches, such as three or four blocks with no sidewalk, the City isn't going to build
25 sidewalk.
 - 26 • G Allred said even though the sidewalks may go nowhere, there are plenty of people who walk that hill
27 and need a safe place to walk.
 - 28 • R Liechty said walking paths can go in where the City doesn't have connecting sidewalks, similar to Canyon
29 Road. Water can still be directed to where it needs to with walking paths.
 - 30 • R Sneddon asked where walkers walk in order not to walk in snow? Who moves the snow from where the
31 plows push it to get out of traffic lanes?
 - 32 • R Liechty said Canyon Road has a walking stripe. Half of Canyon Road is plowed back far enough for two
33 people to walk.
 - 34 • J Baldwin disagrees that Canyon Road is a safe walking path just because it is striped and plowed
35 adequately in some areas. A white striped line doesn't provide the same profile for safety that curb,
36 gutter and sidewalk provide. Speed of traffic and the lack of a physical barrier make it a poor design for
37 safety. Having the separation of curb, gutter and sidewalk ought to be the City's goal.
 - 38 • R Liechty said curb, gutter and sidewalk for safety is the City's goal where the City can connect sidewalk
39 and do that, but there are some areas where that just isn't the case.
 - 40 • D Calderwood said based on the City's Ordinances and Appeal Authority Guidelines concerning variances,
41 the Council should have considered the following:
 - 42 ○ Read Subdivision Regulation 11-5-15, the Administrative Regulations, Appeals D.
 - 43 ○ Read Chapter 5, Appeal Authority, 2-5-4 A1 and 2-5-4 A2b.
 - 44 • The Baugh property is to be subdivided and has no relation to the Canyon Road profile, which is purely
45 experimental at this time. It is not relative to subdivision variance.
 - 46 • C Rowan mentioned a mistake on vicinity map for Baugh property. 300 South is in two places, the second
47 is 300 East.
 - 48 • J Baldwin said design standards require a sidewalk on both sides of the street. Sidewalk should be 5'. City
49 has been very clear on what is expected. City has made other residents comply, consistency is important
50 and the City should be consistent.
 - 51 • C Rowan said we need to put the Planning Commission's disclaimer on the final plat.

1 **Motion that a disclaimer be added to final plat stating that the Planning Commission disagrees with the City**
2 **Council's decision, but it was approved in order to proceed with City Council's recommendation: C Rowan,**
3 **second – S Sanders.**

4 **Vote: Yea: R Sneddon, S Sanders, C Rowan**
5 **Nay: G Walker, G Allred, J Baldwin, K Allen**
6 **Abstained: None**
7 **Excused: None**

8 **Motion to deny preliminary plat approval for Grace Baugh Subdivision: G Walker, second – K Allen**

9 **Vote: Yea: K Allen, J Baldwin, R Sneddon, G Allred, R Cecil, G Walker**
10 **Nay: S Sanders**
11 **Abstained: None**
12 **Excused: None**

13 R Sneddon excused at this point, C Rowan chairs the meeting. S Sanders also excused.

14 **Item No. 2:** The Providence City Planning Commission will consider for approval the final plat for the Brad
15 Bearnson Subdivision, a 2-lot residential subdivision located at 80 North Satsuma.

- 16 • Jeff Nelson – Foresight Engineering said in 2007 Brad Bearnson went through the subdivision process on
17 this property. He received final plat approval, but it wasn't recorded. Now he want to change the final plat
18 to move the lot division line a little to the west, making the second lot smaller than what is shown on the
19 plat that was approved in 2007.
- 20 • S Bankhead said this plat has been reviewed by the City Attorney and is correct. The Engineer has checked
21 the legal descriptions, compared it to the plat submitted in 2007 and the only change in this is the lot
22 division line.

23 **Motion to approve: G Allred, second – J Baldwin**

24 **Vote: Yea: R Cecil, G Allred, J Baldwin, G Walker, K Allen**
25 **Nay: None**
26 **Excused: None**
27 **Abstained: None**

28 **Item No. 3:** The Providence City Planning Commission will consider for recommendation to the City Council
29 amending Providence City Code Title 10, Chapter 1, Section 4 Definitions including but not limited to Accessory
30 Buildings, Main Buildings and Business Use General, Low Impact and Medium Impact.

- 31 • G Allred felt that where some of the Commission members were absent a lot of the discussion items will
32 be a moot point.

33 **Motion to Continue: J Baldwin, second – G Allred**

34 **Vote: Yea: R Cecil, G Allred, J Baldwin, G Walker, K Allen**
35 **Nay: None**
36 **Excused: None**
37 **Abstained: None**

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39 **Study Items:**

40 **Item No. 1:** The Providence City Planning Commission will discuss amending Providence City Code Title 11
41 including but not limited to Concept Plan and road grades.

42 **Motion to continue: J Baldwin, second – G Allred**

- 43 • J Baldwin asked if Chapter 3 changes, regarding radius and grade information is going to be discussed.
- 44 • S Bankhead said this change is driven by a developer who wants to circumvent current ordinances in
45 order to maximize land development. The City wants to more narrowly define the ordinances to prevent
46 this from happening.

47 **Vote: Yea: R Cecil, G Allred, J Baldwin, G Walker, K Allen**
48 **Nay: None**
49 **Excused: None**
50 **Abstained: None**

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

- 2 • S Bankhead said John Russell is the liaison from City Council for Planning Commission.
- 3 • K Allen asked if there is a document camera that will make it easier for Planning Commission to follow
- 4 what developers, etc. are talking about in Planning Commission meetings. He would like something that
- 5 will project a visual that everyone can see and follow.
- 6

7 **Commission Reports:** Items presented by the Commission Members will be presented as informational only; no

8 formal action will be taken.

9 No reports.

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11 **Motion to close meeting: G Walker, second – J Baldwin**

12 **Vote: Yea: R Cecil, G Allred, J Baldwin, G Walker, K Allen**

13 **Nay: None**

14 **Excused: None**

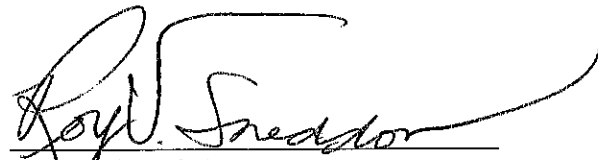
15 **Abstained: None**

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17 Meeting adjourned at 7:00 pm.

18 Minutes taken and prepared by C Craven

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24 Roy Sneddon, Chairman



Caroline Craven, Secretary

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