

1 Providence City Planning Commission  
2 Providence City Office Building  
3 Providence City Council Chambers  
4 15 South Main, Providence, UT  
5 March 15, 2005

6

7 Present:

8 Chairman: Blaine Sorenson

9 Commission: Mark Malmstrom, Hank Howell, Jim Beazer,

10 City Manager: Vern Keeslar

11 Secretary: Rebecca Billings

12

13 Handouts: 1. Amended staff reports for items two and three 2. Revised preliminary plat  
14 (11x17) for Edwards Furniture Subdivision 3. General Plan Draft: Chapters one and two

15

## 16 **STUDY MEETING**

17

### 18 **Chris and Michele Dunker Conditional Use for an Accessory Dwelling Unit**

19

- 20 • Was on the agenda last year, then was tabled, then withdrawn.
- 21 • Resubmitted with changed layout for the accessory dwelling unit.
- 22 • In the previous application, the main unit was not connected to the accessory  
23 dwelling unit, and the Code says it needs to be in the main unit.
- 24 • The new submittal (application) fits the building code definition of being  
25 connected to the main unit.
- 26 • The garage is below the accessory dwelling unit.
- 27 • The unit that is attached through the hallway is actually three stories.
- 28 • To get to and from their cars, the Dunkers will have to access the hallway  
29 between the accessory dwelling unit and the main unit.
- 30 • The exterior stairway to the garage faces north.

30

### 31 **General Plan Open House held March 10, 2005**

32

- 33 • Vern Keeslar handed out drafts of chapters one and two of the General Plan.  
34 Keeslar stated that the first part of the General Plan is usually technical. Chapter  
35 six onward gets more difficult in writing.
- 36 • Mark Malmstrom wondered if the Planning Commission and Council were going  
37 to approve each chapter at a time or approve the General Plan all at once, as one  
38 document.
- 39 • Keeslar said that the entire General Plan document will come before the Planning  
40 Commission (with the new maps and everything else) for approval; then the  
41 document will go before Council for approval. Keeslar said that he hopes to have  
42 this done by the end of this year.
- 43 • Keeslar will present a draft of each chapter to the Planning Commission to look  
44 over (so the Commission can give comments on each chapter—to address things  
45 right up front).
- 46 • Sorenson thought they should spend some time talking about landscaping and  
design review for the General Plan.

- 1 • Keeslar said that the General Plan is a good catalyst to adopting more specific  
2 ordinances.  
3

#### 4 **Providence Highlands Water Pressure**

- 5 • Keeslar stated that the Providence Highlands subdivision, which was approved for  
6 final plat a few months ago, has had problems getting the correct water pressure  
7 they need for the size of the homes being built.  
8 • Imagine Development plans to install a water line from the reservoir down to their  
9 subdivision, and then give the City an easement to construct. The water line will  
10 give surrounding subdivisions higher water pressure.  
11 • Keeslar said that Imagine Development is limited in their design for their roadway  
12 because the easement where the road will be is already there.  
13 • Keeslar said that the water pressure currently is only at 748 gpm's, but once this  
14 water line is installed, it should boost it up to between 1500-1800 gpm's. The  
15 projected flow is 1666 according to the plan that's been drawn out.  
16 • Keeslar said that another option for this would be to take out a couple of pressure-  
17 reducing valves, but the model estimated that it would bring it up to only less than  
18 1000. He said that the fire marshall is requiring more than 1000.  
19 • Sorenson wondered why the water line did a jog and not a straight shot down in to  
20 the Providence Highlands Subdivision.  
21 • Keeslar said that it's not good for subdivision design to have a straight shot.  
22 Imagine would like some design element to their subdivision.  
23 • Keeslar said that the fire marshall wanted to require sprinklers in every home in  
24 the subdivision, but he said that's just not going to work yet—maybe in 10-15  
25 years, but not yet.  
26

27 Sorenson closed the study meeting and opened the March 15<sup>th</sup> Planning Commission  
28 Meeting.  
29

### 30 **AGENDA ITEMS**

#### 31 **APPROVAL OF MINUTES**

- 32  
33  
34 • Sorenson asked the Planning Commission if they had any corrections for the  
35 minutes of the February 2005 Planning Commission Meeting.  
36 • Jim Beazer said that he said “yucky” on page eight, not “mucky.”  
37 • **MOTION** by Jim Beazer to approve the minutes of the February 15, 2005  
38 Planning Commission. **SECOND** by Mark Malmstrom. All in favor.  
39

40 **Disclosure of any conflicts of interest on any of the agenda items:** None.  
41

42 **Disclosure of any ex parte communication:** None.  
43

44 **ITEM ONE:** Chris and Michelle Dunker are requesting a conditional use for an  
45 accessory dwelling located generally at 959 South Grandview Drive.

- 46 • The following findings of fact, conclusions of law, and conditions were presented:  
47

1 **FINDINGS OF FACT:**

- 2 1. Providence City Code 10-12 Accessory Dwelling Units, lists the requirements for  
3 accessory dwellings.  
4 2. The property is designated as Residential (SFT) in the Providence City General  
5 Plan.  
6 3. The property is located in the Single Family Traditional (SFT) zone.  
7

8 **CONCLUSIONS OF LAW:**

- 9 1. The applicant meets the requirements of Providence City Code 10-12 Accessory  
10 Dwelling Units.  
11

12 **CONDITIONS:**

- 13 1. Continue to comply with Providence City Code 10-12 Accessory Dwelling Units.  
14
- 15 • Keeslar said that current ordinances in Providence City allow an accessory  
16 dwelling unit, provided it meets the building code and the applicant obtains a  
17 conditional use permit.
  - 18 • Keeslar said that this accessory dwelling unit does meet the building code because  
19 the accessory dwelling unit is attached to the house through a free flowing  
20 breezeway.
  - 21 • Keeslar said that because the applicant hasn't constructed anything yet, there's no  
22 retrofitting to do. He said that the lot runs east to west, and the garage and the  
23 accessory dwelling unit are located in the back of the main unit from point of the  
24 main road. He told the Commission that City staff (the Development Review  
25 Committee) is recommending approval.
  - 26 • Sorenson asked if Chris or Michele Dunker were present. They were not. He  
27 reminded members of the audience to sign in. He opened the time up to for  
28 public comment.
  - 29 • There was no public comment.
  - 30 • Blaine Sorenson closed the meeting to public comment and opened the time for  
31 Planning Commission comment.
  - 32 • The Planning Commission felt that the new design was better than the one the  
33 Dunkers had submitted last year.
  - 34 • **MOTION** by Mark Malmstrom that the Planning Commission recommend to the  
35 City Council approval of Chris Dunker's request for a conditional use for an  
36 accessory dwelling located generally at 959 South Grand View Drive with the  
37 findings of fact, conclusions of law, and conditions stated the staff report.  
38 **SECOND** by Hank Howell. All in favor.  
39

40 **ITEM TWO:** IHC Health Service, Inc. is requesting preliminary plat approval for  
41 Edwards Furniture Subdivision located generally at 1670 South Highway 165.

- 42 • The following findings of fact, conclusions of law, and conditions were presented:  
43

44 **FINDINGS OF FACT:**

- 45 1. Providence City Code 11-3-2 Preliminary Plat lists the requirements for  
46 preliminary plat requests.  
47 2. The property is designated as Commercial (C) in the Providence City General  
48 Plan.

- 1 3. The property is located in the Commercial General (CG) zone.  
2

3 **CONCLUSIONS OF LAW:**

- 4 1. The applicant's request complies with the Providence City General Plan.  
5 2. The applicant will meet the requirements of Providence City Code 11-3-2  
6 Preliminary Plat with the following conditions.  
7

8 **CONDITIONS:**

- 9 1. Continue to comply with Providence City Code 11-3-2 Preliminary Plat.  
10 2. Show sidewalk, curb, and gutter on final plat with Providence City design.  
11 3. Add note to final plat that states, "Additional interior fire hydrants may be  
12 required at site plan submittal for each individual lot."  
13
- 14 • Keeslar said that the updated staff report handed out at the beginning of this  
15 meeting for this item shows comments from an updated plat. He said that there  
16 are far fewer conditions on this staff report than on the last one (three conditions  
17 on the updated report, eight on the old one). He said that the Development  
18 Review Committee recommends approval with the conditions stated in the staff  
19 report. He said that this subdivision is in the general plan commercial, and in a  
20 commercial zone. He said that it will be very advantageous for the property  
21 owner to have lots that will be instantaneously build able. Keeslar stated that as  
22 Providence continues to attract businesses along Highway 165, there will be build  
23 able lots available in this subdivision. He said that this will be a wonderful  
24 facility that will benefit Providence and Cache Valley.
  - 25 • Tom Uriona, real estate director for IHC, was present and said he was available to  
26 answer any questions.
  - 27 • Beazer wondered what the minimum frontage requirement is on a commercial lot.
  - 28 • Keeslar said that the current Providence City Code doesn't have a minimum or  
29 maximum lot width requirement for commercial lots.
  - 30 • Sorenson wondered what would be done landscaping-wise.
  - 31 • Beazer said that Edwards was supposed to be maintaining lot five, but hasn't  
32 been.
  - 33 • Brian Smith, one of the property owners of the Edwards Furniture Subdivision,  
34 said that there wasn't supposed to be anything there but farmland, so they weren't  
35 supposed to be maintaining anything. Most of the property around that area is  
36 used as an alfalfa field.
  - 37 • Malmstrom wondered where the access was for lots five and six. He wondered if  
38 it was from the existing driveway.
  - 39 • Keeslar said that there's a 60-foot access easement across lots five and six, and  
40 60-foot easements for lots one, two, and four. He said that the City has to be  
41 careful about the number of accesses allowed on Highway 165.
  - 42 • Malmstrom noted that there will only be one access on 300 South.
  - 43 • Keeslar said that was true for right now, but that there is potential for lots to  
44 petition the City for additional site plans for more accesses. He said that it's  
45 better to let traffic disperse in to the subdivision and not allow more accesses.
  - 46 • Brian Smith said that, depending upon what plays out with the corner lot, their  
47 plan is to seek access from 1700 South. In the original plan, they wanted to  
48 replace the access to their building, north of the building.

- 1 • Ron Liechty wondered if condition two [in the original staff report for this item]  
2 was going to be required. He wondered if Edwards was going to put sidewalk all  
3 the way across 300 South.
- 4 • Keeslar said that they were. He said that the current plat for Edwards Furniture  
5 Subdivision shows a monolithic curb and gutter, and the sidewalk is right to the  
6 property line. Keeslar will check with UDOT about the monolithic curb and  
7 gutter. He doesn't feel like monolithic curb and gutter is a good idea.
- 8 • Hank Howell wondered if there were future plans for a stop light in the  
9 subdivision.
- 10 • Keeslar said that an analysis was run last spring or fall, and it didn't warrant a  
11 light at that time. He said that there is a clear understanding that 300 South will  
12 have a light one day.
- 13 • Brian Smith said that one of the concerns is having sidewalk along Highway 165  
14 with the current speed limit. He said that the current speed limit is 55 mph, and  
15 many people go faster. He felt that it was dangerous to have a sidewalk.
- 16 • Keeslar said that as that area continues to develop, the City hopes to see the speed  
17 drop to 45 mph, and later, maybe down to 35 mph. In the mean time, 45 mph  
18 speed limit needs to be considered.
- 19 • Malmstrom felt that a sidewalk along this subdivision, no matter what the speed  
20 on Highway 165, is a good idea. He said that it's certainly a lot safer to have a  
21 sidewalk than not have one at all—so people can be off the street.
- 22 • Beazer wondered if there was room between the retention pond and the highway  
23 to construct the sidewalk.
- 24 • Keeslar said that there may have to be some modifications in order to get the  
25 sidewalk, curb, and gutter. There may need to be some topographic leveling.
- 26 • Beazer said that he would hope that the City wouldn't make them move the entire  
27 retention pond inward—just reduce the width.
- 28 • Keeslar said that there will probably need to be some type of on-site retention.
- 29 • **MOTION** by Jim Beazer that the Planning Commission recommend to the City  
30 Council approval of IHC's request for preliminary plat for Edwards Furniture  
31 Subdivision located generally at 1670 South Highway 165 with the findings of  
32 fact, conclusions of law, and conditions stated in the staff report, highlighting that  
33 the Commission has information from UDOT about condition two (monolithic  
34 curb and gutter) and information about 300 South. **SECOND** by Mark  
35 Malmstrom. All in favor.

36  
37 **ITEM THREE:** Jack Nixon is requesting preliminary plat approval for Eagleview  
38 Estates Phase Two Subdivision located generally at Sherwood Drive and Eagleview  
39 Drive.

- 40 • The following findings of fact, conclusions of law, and conditions were presented:

41  
42 **FINDINGS OF FACT:**

- 43 1. Providence City Code 11-3-2 Preliminary Plat lists the requirements for  
44 preliminary plat requests.
- 45 1. The property is designated as Residential (SFT) in the Providence City General  
46 Plan.
- 47 2. The property is located in the Single Family Traditional (SFT) zone.

1 **CONCLUSIONS OF LAW:**

- 2 1. The applicant does not meet the requirements of Providence City Code 11-3-2  
3 Preliminary Plat.  
4 2. Currently, there is no secondary water source to fill Comb Flat Reservoir for  
5 Water Zone Three as required by Utah law. No additional subdivisions may be  
6 approved until the secondary source of water to fill Comb Flat Reservoir is  
7 operational.  
8 3. Currently, there is only one access off the bench. For public health, safety, and  
9 welfare, a second access off the bench will need to be connected before approving  
10 additional subdivisions.  
11 4. The Providence City General Plan requires Sherwood Drive to continue north.  
12 The applicant has failed to show dedication and construction of this 60-foot  
13 planned road.  
14 5. A county plat was not submitted with the application.  
15 6. A title report was not submitted with the application.  
16 7. There are several discrepancies on the plat as stated below:  
17 • Turnaround needs to be 50 feet, not 40 feet as shown.  
18 • Deep enough grades of the existing sewer lines on Eagleview are not shown,  
19 nor is there a note included on the plat that the lot will be pumped (if not deep  
20 enough).  
21 • ADA ramps need to match on lots 4 and 8.  
22 • Lots 6 and 8 do not have less than a 30% slope.  
23 • Flush hydrants and air valve are not shown to be installed in the park strip.  
24 • There is no fire hydrant on lot 8—at the intersection of Eagle View and Talon  
25 Court.  
26 • The slope through the intersection of Eagleview and Talon Court needs to be  
27 4% per Providence City Code. It currently shows a 10% slope.  
28 • A storm water pollution prevention and erosion control plan and a notice of  
29 intent from the State have not been submitted.  
30 • There is no road width shown on the second page.

31 **CONDITIONS:**

- 32 1. None.  
33  
34 • Vern Keeslar said that the Eagleview Estates Phase II concept plan came before  
35 the Development Review Committee, and they had had some concerns. Keeslar  
36 said that the Committee had provided these concerns to Mr. Nixon and his  
37 engineer, Mr. Turner, and some of these concerns are very critical design  
38 elements.  
39 • Keeslar said that there are a number of plat concerns that normally engineers and  
40 staff work out over time. However, items two through four on the staff report are  
41 more theoretical in nature. He said that number two is under design now and will  
42 be done sometime this spring. The developer putting in the secondary source  
43 plans to retain an amount of money for use of the secondary source.  
44 • Keeslar said that because of the number of issues and the main concern with the  
45 second access, the water of comb flat reservoir, and the road not being stubbed to  
46 the north, the Development Review Committee regrets that they have to  
47 recommend denial for this request.  
48 • Sorenson opened up the time for public comment.

- 1 • Dan Turner, engineer for Jack Nixon, said that a lot of the conditions in the staff  
2 report are fairly small issues. He said that there are some basic things he and Jack  
3 are more concerned about: big things. 1. The extension of Sherwood Drive—  
4 whether or not it's necessary. In City meetings, Jack has said that he'd be more  
5 than willing to build it if necessary, but it's no more than 100 feet; there's no need  
6 to build it. Turner said that all tract E will turn in to is a parking lot for lot one.  
7 2. The greatest concern is the Providence City Code that states that there must be  
8 a 4% cross section. Turner said that he and Jack understand that this comes from  
9 ADA requirements. He said he thinks it's going to be something to be looked at  
10 as development continues because most of the roads in Providence go north and  
11 south, but there are only a few that go east and west. He said that there are some  
12 places that have to go up the hill. He said that this is one of those places.
- 13 • Turner said that where the Eagleview Drive Ts into Sherwood Drive, the cross is  
14 12%—it isn't horrible. Turner wondered if there was some way to address the  
15 ordinance, such that when developers start developing along the bench in  
16 Providence, it can be dealt with.
- 17 • Turner said that number two is the main concern. He said that in order to get the  
18 slope to even 10%, there would need to be some incredible cuts. Turner  
19 wondered what Providence City sees as the overall picture for future development  
20 on the bench because there will be the same slope problem.
- 21 • Turner said that there are areas in the subdivision that need to be graded down to a  
22 30% slope. He said that he needs to do another survey because there has been a  
23 lot of gravel being pulled.
- 24 • Turner said that the issue of tract E being a continuation of Sherwood Drive  
25 hinges on whether or not the Checketts' parcel gets developed, and there will be a  
26 road there. He said that there are too many things that could happen or may not  
27 happen to warrant a 100-foot section of road there.
- 28 • Nixon said that he thought he'd just attach the land to the park instead of stubbing  
29 the road.
- 30 • Beazer said that what the City is trying to do is avoid little blobs out by  
31 themselves. He said that the City likes to see subdivisions connect where they  
32 can. He said that he's not so concerned when he looks at number three of the  
33 "conclusions of law." He asked what the City was planning on doing there. He  
34 said that no one can put another subdivision on the bench until there's a way to  
35 get off of it. He wondered where the road would go off.
- 36 • Keeslar said that the current General Plan shows two roads going to the north, and  
37 Sherwood Drive is one of them. He said that if the property owner to the north  
38 decides to develop, the road would have to go through. He said that if the road is  
39 stubbed through, people building in the area will know that the road will one day  
40 continue.
- 41 • Keeslar said that there was something that he forgot to include in the staff report  
42 concerning the Eagleview Subdivision Phase II: they're showing build able lots  
43 between the power lines. Keeslar feels that constructing in the middle of the pole  
44 line easement is not something that the City would want to advocate for public  
45 safety and welfare. Keeslar said that this should have been conclusion eight.
- 46 • Beazer wondered if it was in the City Code that they can't build between the  
47 power lines.

- 1 • Keeslar said that he hasn't seen anything that says they can't, but he feels that it's  
2 bad for the public to have homes built there.
- 3 • Jack Nixon said that he's stubbed two roads in Providence already, and that the  
4 City has not used either one. He said that he's not anxious to do another one. He  
5 said that he doesn't mind leaving the parcel available and putting it in at a later  
6 date. He said that he hates to stub a third road, especially if the likelihood of it  
7 continuing is very small.
- 8 • The two roads that Nixon has stubbed are Matsuma and Sarah. He also stubbed  
9 Lex's Lane in Eagleview Subdivision.
- 10 • Sorenson said that the City's concern with Lex's Lane is the traffic flow coming  
11 off on to Center Street. He said that now that south and north Sherwood meet at  
12 the center, there has been somewhat of a traffic hazard.
- 13 • Turner said that he thought stubbing out Sarah Street and having a continuation  
14 on 400 North is a great idea, but he said that the property owner decided that that  
15 is not what they wanted to do. He said that Stan Checketts is pursuing several  
16 different avenues to get a second road through. He said that they're dealing with  
17 many individuals who don't want the road.
- 18 • Turner said that Jay Neilson had been asked if there'd ever been concern about  
19 Cliffside. There's concern about having 500 building lots coming down Center  
20 Street, but there's nothing that could keep someone from doing that.
- 21 • Turner said that he knows that there's going to be a second road at this location at  
22 some time, but he didn't feel that telling a developer to put in two miles of road  
23 was really [fair].
- 24 • Keeslar said that the City is not requiring Nixon to put in the secondary access.
- 25 • Turner asked how he will build the houses without a road.
- 26 • Keeslar said that there are 242 houses to get off the area. He said that the fire  
27 marshall said that there needs to be two or three accesses. Keeslar said that if  
28 there was only one access, then it could block the intersection for as much as two  
29 hours.
- 30 • Turner wondered how the City could expect Nixon or Checketts to put in millions  
31 of dollars of road.
- 32 • Nixon met with the Art Checketts family, and they want Nixon to sell or develop  
33 the property. Art bought about 600 feet of frontage from his 40-acre piece on  
34 down to Canyon Road. Nixon said that the problem of developing the property is  
35 solved, but the extra six acres of land that they gained makes the land very  
36 marketable. He said this will solve some problems for Providence City.
- 37 • Keeslar said that he has to go off of the current adopted master plan, and the  
38 master plan doesn't say anything about that—the City hasn't planned that far yet.  
39 He said that that's something the City can look at with the General Plan update.  
40 He said that there ought to be another street that runs north and south on the east  
41 side of the power lines.
- 42 • Beazer said that Nixon's highest home will have a backyard with a deer fence and  
43 a road in front of it.
- 44 • Keeslar said that certainly this property will be developed one day, but that the  
45 City has got to look at health, safety, and welfare and draw a line.

- 1 • Beazer said that the power lines concern him, but that the issue with stubbing tract  
2 E is a problem. He said if the City didn't want tract E to be a road, then they  
3 wouldn't have presented it as a potential route north.
- 4 • Keeslar said that it's on the General Plan.
- 5 • Beazer told Nixon that he doesn't want him to have to build that road if it's  
6 useless, but because the General Plan requires the road, the Planning Commission  
7 doesn't have an option. Beazer asked if there was a way to table the item. He  
8 doesn't want to deny it, but he'd like to see some answers on the power line issue.
- 9 • Sorenson said that the size of the power line is an issue, as well. It is a major  
10 power line. It is a health and safety concern.
- 11 • Nixon said that the fire company has no heartburn about him building underneath  
12 it, as long as he keeps 17 feet from the posts. He said it's customary all over the  
13 state to build under those lines.
- 14 • Beazer said that the houses are not really directly underneath the power lines,  
15 they're kind of between them.
- 16 • Nixon said they're 17 feet from the post and 15 feet from the wire.
- 17 • Keeslar said that that information is a little different from what the City has  
18 received from Utah Power for the most recent subdivision.
- 19 • Malmstrom said that he would like to see issues resolved before an item comes in  
20 to see the Planning Commission. He said that they've been over this a dozen  
21 times in their meetings to get things cleaned up before the Planning Commission  
22 even sees it. He feels it is a waste of his time to discuss issues that should be  
23 resolved beforehand.
- 24 • Malmstrom said that the issues are power lines, cross streets, the stubbing of the  
25 road . . . major issues.
- 26 • Turner said that he met with staff on February 14, and there were four things that  
27 he hadn't addressed. He said it makes it hard for a developer to make the changes  
28 and go back to staff.
- 29 • Keeslar said that when things are not addressed, there is no choice but to inform  
30 the Planning Commission.
- 31 • Sorenson said that the secondary water source is still an issue.
- 32 • Keeslar asked how the City can approve something that's against state law.
- 33 • Nixon said that if there's something that doesn't meet the ordinance, he's willing  
34 to acquiesce, but if he's meeting the ordinance, then he needs a good excuse why  
35 he's not approved. He said that he and the City had an agreement that goes way  
36 back. One specifically says that upon giving the water system and park, the City  
37 would expeditiously, without withholding, (as long as he met the ordinances)  
38 approve subdivisions all the way up to the deer fence.
- 39 • Nixon read a paragraph from the agreement signed by Glade Davis, Lex Baer,  
40 Mayor Alma Leonhardt, and himself.
- 41 • Nixon said that there were a lot of concessions that he made to the City over the  
42 past 40 years; in exchange, the City has assured him that they won't delay his  
43 development, so long as he meets the ordinances.
- 44 • Malmstrom asked, "You, above any other developer, will get special  
45 consideration from the City?"
- 46 • Nixon stated that he's been the forerunner, the pioneer, in development in  
47 Providence. He said that he put the whole water system up here. He said that he

- 1 had dedicated the water system to the City in exchange for some things. He said  
 2 that he had dedicated the park to the City. In return, he got an assurance from the  
 3 Council that he wouldn't be given the runaround time and time again. He said  
 4 that it's an understanding that they move ahead with him.
- 5 • Keeslar said that Nixon's agreement with the City is dated 1978, and he's hung on  
 6 to it. He has a legitimate concern. He told Nixon that if he's looking for a reason  
 7 for being turned down, one is that the subdivision plan doesn't meet the General  
 8 Plan because the road isn't stubbed. He said that another reason is that it doesn't  
 9 meet Providence City ordinance because a title report was not submitted; he said  
 10 that it doesn't meet the 4% slope requirement. Keeslar told the Planning  
 11 Commission that these reasons are there to back up a motion to deny.
  - 12 • Beazer said that the City bent over backwards to make sure that Nixon's  
 13 subdivision, Eagleview Drive, worked. He feels that the road for the phase II  
 14 subdivision should be stubbed. He said that he has a problem with the power line  
 15 issue if Utah Power has a problem with it, but if they don't, then there is no  
 16 problem. Beazer said that tract E, if it's in the Providence City General Plan,  
 17 should be stubbed. He said that the Planning Commission can't deviate from that  
 18 or they wouldn't be planners.
  - 19 • Nixon wondered at what point the City would want the road stubbed. He said that  
 20 when the people buy lots, they get a plat that shows that the road is stubbed.
  - 21 • Nixon said he would find out about the power line issue, and he said that the  
 22 Planning Commission has the right to wave the 4% grade situation.
  - 23 • Beazer said that he'd like to see this item tabled.
  - 24 • Keeslar said that he doesn't care what Utah Power says. He said he personally  
 25 thinks it's a wrong place to build homes. He said that Utah Power's guidelines  
 26 are pretty general. The Planning Commission doesn't have to approve this if they  
 27 feel that it's not good for the community.
  - 28 • Sorenson said that tabling or denying both fall into the same category: put  
 29 something off until the timing is more appropriate.
  - 30 • Keeslar said that he doesn't see these issues being resolved in the time frame Dan  
 31 Turner and Jack Nixon are looking at.
  - 32 • **MOTION** by Malmstrom that the Planning Commission recommend to the City  
 33 Council denial of Jack Nixon's request for preliminary plat for Eagleview Estates  
 34 Phase Two Subdivision located generally at Sherwood Drive and Eagleview  
 35 Drive with the findings of fact, conclusions of law, and conditions stated in the  
 36 staff report with the added conclusion of law that the plat shows lots in between  
 37 power lines, which the Planning Commission does not want. **SECOND** by Hank  
 38 Howell. All in favor.
  - 39 • Beazer said that he's not yet on board for saying Nixon's subdivision is not  
 40 accepted. He would like to see what Utah Power says.
  - 41 • Nixon wanted to know if it was in the Providence City ordinance to deny  
 42 subdivisions if they build under power lines.
  - 43 • Keeslar said that it is not in the ordinance, but that the Planning Commission has  
 44 the ability to deny things for public health, safety, and welfare issues.
  - 45 • Nixon said that he understands that the power line issue needs to be resolved, but  
 46 he wanted to know if the Planning Commission was turning it down because of  
 47 the second access issue.
  - 48 • Sorenson said that it was denied because of the findings of facts in the staff report.

- 1 • Beazer said that the Planning Commission trusts the City staff immensely.  
2 Planning Commission doesn't always follow in lock step with them or with  
3 Council, but they take in to consideration very highly what they say.
- 4 • Nixon said that there's not a whole lot he can do about the grade, and the water  
5 issue will take care of itself.
- 6 • Sorenson said that he would need some knowledge that there's still provision  
7 made that the road will go north.
- 8 • Ron Liechty said he thought the City Council would demand it.
- 9 • Ron Liechty said that Utah Power is not looking for safety; they're looking at the  
10 room they need to work.

11  
12 The meeting adjourned at 7:35

## 13 14 **STUDY MEETING**

- 15  
16 • The Planning Commission reconvened into a study session. Imagine  
17 Development was present to discuss the water pressure for the Providence  
18 Highlands Subdivision. They informed the Planning Commission that they will  
19 be installing an additional water line to increase the water flow to over 1600 for  
20 the subdivision. They discussed needing a public utility easement for the water  
21 line. The new line would provide higher water pressure for surrounding  
22 subdivisions, as well as their own.

1 Meeting Minutes for March 15, 2005 Planning Commission Approved.

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43 Blaine Sorenson \_\_\_\_\_ Date \_\_\_\_\_  
44 *Chairman*

45  
46 Rebecca Billings \_\_\_\_\_ Date \_\_\_\_\_  
47 *Secretary*