

1 **Administrative Land Use Authority (ALUA)**

2 **Minutes –July 8th, 2026 – 1:30 pm**

3 Providence City Office Building, 164 North Gateway Drive, Providence UT 84332

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6 **ALUA WORKSHOP**

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8 ➤ **ALUA WORKSHOP:** The ALUA will be holding a workshop to discuss utilities and services along
9 SR165 between 100 N and 500 S. No formal action will be taken.
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11 • ALUA discussed the development plans for the area that the applicant will be presenting on later
12 today noting possible issues with sewer and water connections, fire flow, possible need for lift
13 station, road/corridor access to highway and other roads north and south of property.
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15 **ALUA MEETING (Started around 2:10 PM)**

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17 **Call to Order:** Skarlet Bankhead, Chair

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19 • Chair Skarlet Bankhead called the meeting to order at approximately 2:10 PM. Chair Bankhead
20 introduced the members of the Administrative Land Use Authority present: Public Works
21 Director Rob Stapley and City Engineer Steven Wood. Also in attendance were City Manager
22 Ryan Snow and City Recorder Ty Cameron. Chair Bankhead noted that Colton Love, who
23 typically handles zoning and stormwater matters, was excused from the meeting.
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25 **Approval of the Minutes:** The Administrative Land Use Authority approved the last meetings minutes via
26 email.
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28 **Discussion Items:**

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30 ➤ **Item No. 1 Pre-Application request:** The ALUA will consider a pre-application request to consider
31 a concept plan for a proposed commercial and multi-family development located on the west side of
32 HWY 165 in the general area of 25 N to 100 S. **(CONCEPT PLAN)**
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- 34 • Chair Bankhead introduced the pre-application discussion item concerning a concept plan for a
35 proposed commercial and multi-family development located on the west side of Highway 165 in
36 the general area of 25 North to 100 South. She noted that the developers had been provided
37 Zoom access to participate remotely, though they had not yet connected at the time the meeting
38 was called to order. Shortly into the introductory remarks, Dominic Ghaby of Evergreen
39 Development joined the Zoom session, followed by Devin and another representative from
40 Galloway Engineering Group, who would serve as the civil engineer for the project.

41 **Project Scope and Parties Involved**

- 42 • Chair Bankhead provided opening context for the concept plan. The subject area involves three
43 parcels spanning two different zoning designations. The two eastern parcels along the highway
44 frontage are zoned Commercial Highway District, while the western parcel is zoned RM-18, a
45 multifamily residential designation allowing no more than 18 units per net acre. The concept
46 plan as submitted depicted contributions from three separate developers, with the areas color-
47 coded accordingly on the illustrative site plan: green for Evergreen Development's commercial

pads, blue for a proposed townhome residential development, red for a separate future commercial pad to the south, and white for future undeveloped pads with no current plans.

- Mr. Ghaby clarified that Evergreen Development's scope is limited solely to the green-highlighted area, which consists of three commercial pad buildings along the highway frontage. The red and blue areas represent separate projects by separate developers and were included only for illustrative purposes to show what the overall area may ultimately look like. The white areas have no active development plans at this time.

Zoning Compliance — Commercial Highway District and Non-Sales-Tax-Producing Uses

- Chair Bankhead addressed a zoning concern that had arisen prior to the meeting regarding the inclusion of a bank on the concept plan. She explained that within the Commercial Highway zone, all buildings are required to be sales-tax-producing. A non-sales-tax-producing use, such as a bank, is permitted only as an incidental use — up to 12 percent of gross leasable space within a building, or up to 15 percent if housed in a separate building. Based on the concept plan as submitted, the two retail pads and the restaurant totaled approximately 10,900 square feet of gross leasable space, while the bank building was shown at approximately 4,450 square feet. This placed the bank at roughly 29 percent of the total gross leasable space of approximately 15,350 square feet, exceeding the allowable 15 percent threshold for a separate non-sales-tax-producing building. Mr. Ghaby confirmed that Evergreen does not actually intend to construct a bank at the site, and that the depiction was purely illustrative. The three proposed uses will be sales-tax-producing retail tenants.

Subdivision Requirement and Preliminary Plat

- Chair Bankhead clarified that because Evergreen intends to subdivide the larger parcel, purchase the green-highlighted portion, and then ground-lease individual pads to tenants, the applicant must submit a preliminary plat for a subdivision. Mr. Ghaby confirmed this was consistent with prior discussions and that the team is prepared to proceed through the preliminary plat and then final plat process, accompanied by civil improvement construction drawings. He noted that Evergreen is not intending to process a master commercial site plan at this stage; rather, each tenant would come forward at a later date for their own site-specific improvements and design review. Chair Bankhead confirmed this approach was appropriate and encouraged the team to focus the pre-plat and final plat process on the subdivision infrastructure rather than individual commercial site improvements.
- Chair Bankhead also noted that the preliminary plat must encompass the full parent parcel — including the white future pad areas — as the civil infrastructure improvements must be planned for the entirety of the property. This includes provisions for cross-access and utility extensions to all property lines so that adjacent and future parcels can connect to services without requiring improvements to be made through another party's land.

Utility Extensions and Property Line Requirements

- Public Works Director Stapley and Chair Bankhead both emphasized the city's standard subdivision requirement that utilities and access must be extended to all property lines, regardless of whether adjacent parcels are currently slated for development. City Manager Snow

reinforced this with a practical example, noting that the developer on the east side of Highway 165 was required to extend utilities through an undevelopable wetlands area for the same reason.

- Mr. Ghaby sought clarification on whether this obligation applied even to the southern property boundary, which is subject to a wetlands delineation and would not be built upon. Chair Bankhead and City Manager Snow confirmed that yes, the requirement applies regardless of the developable status of adjacent properties, since services must reach the property line so that future owners can connect without encroaching into Evergreen's parcel. Mr. Ghaby acknowledged this requirement and confirmed his team would plan accordingly, including extending utility mains eastward through the internal drive to connect toward the blue area and running services south to the southern property line.

Water System — Fire Flow Looping

- Director Stapley addressed questions from Devin of Galloway Engineering regarding a requirement referenced in prior correspondence about extending a fire flow loop southward through the property and tying into the broader system further southeast. Director Stapley explained that for the green commercial area alone — given it does not immediately involve the white or blue areas — the existing single water line crossing the highway may provide adequate pressure and fire flows, pending water modeling and engineered analysis of equivalent residential connections. However, he noted that for the entire area to be served long-term, a second looped connection would almost certainly be required, since fire flows sufficient to serve the full buildout would not be achievable from the single existing line. He recommended updated topographic surveying to inform the analysis, as the data from the Members First Credit Union development — which had addressed similar questions — was more than a decade old and no longer reliable for current planning purposes.

Sewer

- Director Stapley noted that the existing manhole located in the Members First driveway is not particularly deep and could potentially serve gravity sewer for the green commercial area and possibly some of the white area, particularly if fill is brought in to build the commercial pads up to a grade level consistent with Main Street. He recommended updated topographic surveying to determine how far gravity service could extend southward. Mr. Ghaby confirmed that no topographic survey has yet been completed and noted that visually the site sits considerably lower than Main Street, with the likely intent being to raise the grade to be flush with the Members 1st access. Chair Bankhead asked which party would coordinate with Members 1st regarding changes to their access arrangement; Mr. Ghaby confirmed that Evergreen would handle that coordination and noted preliminary conversations have already begun.

Stormwater

- Devin raised the stormwater question, noting that he anticipated the need for detention and low-impact development best management practices to satisfy state requirements. She identified the triangular landscaped area north of the internal drive as a logical location for surface stormwater detention, with an outfall either to the adjacent wetlands drainage area or to Main Street if necessary, supplemented by smaller LID BMPs distributed across the site.

- City Engineer Steven Wood responded that prior to any discharge into the wetlands drainage area, environmental compliance would be required. He referenced a nearby project on the south side of the city that was required to install a CDS chamber to separate hydrocarbons and trash before discharging into the wetlands. He noted, however, that the same level of treatment can often be achieved through surface ponds and vegetation. Devin indicated that the team was leaning strongly toward above-ground treatment using bioswales, sediment forebays, and possibly rain gardens, rather than subsurface chambers — citing the shallow nature of the drainage channel as a practical constraint on underground conveyance. City Engineer Wood confirmed he was in agreement with this approach and noted it was his preferred solution, describing below-ground chambers as more of a last resort fix rather than a primary design solution. Both parties agreed they were aligned on the stormwater approach, with City Engineer Wood reminding the applicant that any discharge into the wetlands must comply with Providence City's MS4 permit obligations.

Highway Frontage Improvements

- Chair Bankhead introduced the topic of frontage improvements along Highway 165. She noted that in addition to UDOT's requirements, Providence City requires decorative street lighting, sidewalk, and park strip improvements along the frontage. The minimum sidewalk width is five feet, with wider being acceptable but not required. The minimum park strip width in this area is seven feet, though Chair Bankhead acknowledged that the UDOT right-of-way context may result in a slightly narrower requirement of six feet, and the city would confirm. Director Stapley confirmed that the decorative lighting specifications had not yet been shared with this applicant group and agreed to provide them. Devin noted that the improvements would likely mirror what exists on the east side of the highway, which Chair Bankhead confirmed was correct.

UDOT Access — Traffic and Cross Access

- City Manager Snow raised a concern regarding the UDOT pre-application meeting Evergreen had previously held. He noted that at the time of that meeting, only the green commercial area was under discussion, and neither the blue residential nor the red commercial parcels were contemplated. Given that the blue residential parcel is essentially landlocked — with its only access to a public street being either through Evergreen's internal drive or via 100 South — City Manager Snow expressed concern that UDOT may place additional traffic loading conditions on Evergreen's access point if this connectivity comes to light later in the process, potentially mid-construction. Mr. Ghaby acknowledged that those parcels were not factored into the earlier UDOT conversations and committed to updating UDOT with full transparency about the overall area configuration and the traffic implications of the blue and red parcels accessing the highway through or adjacent to Evergreen's access.
- City Manager Snow also noted that a traffic signal at 100 South had been discussed in prior UDOT conversations, with the understanding that a signal would eventually be warranted at that location. However, he clarified that a signal is not currently within the city's corridor agreement with UDOT, and that changing the road category for that stretch of Highway 165 — a prerequisite for signalization — would likely take at least another year to complete. As a result, the development plan must proceed on the assumption that no traffic light will be in place, even if one is anticipated in the longer term.

- On the matter of the northern access point, Chair Bankhead confirmed that the temporary UDOT access currently serving Members First Credit Union would be relocated to align approximately with the Macy's driveway at around 65 North, and that Evergreen's development plan would provide the connection point to give Members First access to their site through the new arrangement. Mr. Ghaby confirmed this was the intent and indicated the illustrative plan shown was slightly outdated in this regard.
- Chair Bankhead also referenced red-line comments included in the UDOT permit review documents that called for consideration of cross-access connections with Les Schwab and with the Home2 Suites motel to the west. She noted that the city had previously attempted to negotiate cross-access with the motel during its development without success, and that the UDOT comments were likely standard practice to flag all adjacent potential connections. Mr. Ghaby clarified that Evergreen has no ownership or development relationship with either the Les Schwab property or the Home2 Suites and could not speak to those negotiations. City Manager Snow confirmed that UDOT routinely notes potential cross-access opportunities in the vicinity of a project regardless of ownership, and that Evergreen should be aware of the comments without being directly responsible for the outcomes.

Emergency Access and Multi-Family Connectivity

- Chair Bankhead noted that because the western parcel is zoned RM-18 for multifamily residential, the fire department's requirements for emergency access must be factored into the overall site layout. She explained that a development of that nature cannot rely on a single point of access to the highway — multiple egress options are required for emergency services purposes. She confirmed that the approximate access points at 65 North and 100 South would need to be evaluated by the fire department to determine whether they constitute adequate access for the multifamily zone. Mr. Ghaby indicated that Evergreen's intent is to maintain the northern access point available as a secondary route for the residential development in addition to that development's own access from 100 South, and that this coordination would continue as part of the pre-plat process.

Path Forward

- Chair Bankhead summarized the direction for next steps: the applicant should focus on preparing and submitting a preliminary plat for the subdivision, which will encompass the full parent parcel, including the white future pad areas. Civil improvement drawings will accompany the final plat and address the required utility extensions, stormwater facilities, frontage improvements, and access provisions. Commercial site plans for the individual pad buildings are to be deferred and will come forward separately through the appropriate process when each tenant is ready. Chair Bankhead reminded the parties that detailed discussion of commercial site plan specifics requires a public meeting of the ALUA, so future informal coordination should remain focused on subdivision matters to preserve the flexibility of staff-level communication.
- Mr. Ghaby thanked the Authority and confirmed that the pre-plat submittal would be forthcoming, and that the team would remain in contact as design progresses.

A motion to adjourn was made by City Engineer Steven Wood and seconded by Public Works Director Rob Stapley.

Vote:

Yea-

Nay-

Abstained-

Motion passes, meeting adjourned.

Minutes approved by vote of ALUA on _____ day of _____ 2026.

I swear these minutes are true and correct to the best of my knowledge.

Ty Cameron, City Recorder