

**Administrative Land Use Authority (ALUA)**

**MINUTES –September 30th, 2026 – 1:30 pm**

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

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

**ALUA Members:** Rob Stapley, Skarlet Bankhead & Steven Wood

**Staff in Attendance:** Stormwater Specialist Colton Love & City Recorder Ty Cameron.

**Approval of the Minutes:** The Administrative Land Use Authority will approve the minutes of the last meeting, which was held on August 26th, 2026. [\(MINUTES\)](#)

- Chair Bankhead called for the approval of the minutes of August 26<sup>th</sup>, 2026.
- No corrections or changes were requested.

**Motion to approve the minutes of August 26<sup>th</sup> was made by Rob Stapley and seconded by Steven Wood.**

**Vote:**

**Yea- Rob Stapley, Skarlet Bankhead & Steven Wood**

**Nay-**

**Abstained-**

**Absent-**

**Motion passes, minutes approved.**

**Items:**

- **Item No. 1 Conditional Use for a Home Nail Salon:** The ALUA will review, discuss and may take action on an application for a conditional use for an at home Nail Salon located at 512 W 400 S here in Providence Utah.
  - Chair Bankhead introduced the first action item: a conditional use application for an at-home nail salon located at 512 West 400 South, Providence, Utah. The applicant, Kaitlyn Lindberg, was present. Zoning and Stormwater Administrator Colton Love delivered the staff report.
  - Colton summarized that the application was received on September 17, 2026, and included the Providence City Conditional Use Application, exterior and interior plans, proposed business plan, and stated hours of operation. The applicable regulatory framework included Utah Code Title 10, Chapter 20, Part 506 (conditional uses); Providence City Code 3-4-5 (home businesses); Providence City Code 10-6-1 (use regulations); and Providence City Code 10-3-5 (standards for reasonable conditions). Colton noted that Providence City has adopted ordinances in compliance with state code authorizing the consideration of conditional use permits. The conditions proposed included: the applicant obtaining a business license pursuant to Providence City Code 3-1-5; meeting all home business requirements under Code 3-4-5; operating in accordance with the submitted business description and plan; and continuing to comply with all applicable federal, state, county, and city rules, laws, codes, and ordinances. Colton also read the standard notice

that city approval does not relieve owners or agents from their responsibility to conform to all applicable laws.

- The applicant, Kaitlyn Lindberg, explained that she is renting a townhome in the Fox Hollow subdivision and intends to operate a small nail salon out of a spare bedroom. She indicated she typically serves approximately two clients per day or fewer, and described the operation as a small, uncomplicated business.
- Public Works Director Stapley identified the location as being within Fox Hollow Phase 2 and raised the question of whether the business plan was consistent with HOA guidelines, noting that approval from the HOA would also be necessary. He stated that given the simplicity and limited scope of the business plan, he had no further concerns.
- City Engineer Wood raised the issue of parking, noting that because the applicant is a renter within HOA-governed property rather than a private property owner, visitor parking provisions would be subject to HOA rules. He emphasized that the city cannot approve uses that conflict with the governing rules of private property.
- The applicant clarified the parking arrangement, explaining that there is a shared parking lot accessible from the rear of the garages within the development, situated across an interior alley from her unit. She indicated that if that lot were full, clients could park behind her garage, which she noted has not been an issue in practice.
- Chair Bankhead noted that the conditions established for the conditional use permit are anchored to the applicant's submitted business plan, including the stated hours of operation and client volume. She advised the applicant that while reductions in operations would not require a return to the ALUA, any significant increase — such as expanding from two or three clients per day to four or five or more — would require the applicant to notify the city so that conditions could be updated accordingly. Chair Bankhead stressed that failing to do so and operating outside the approved conditions could result in a violation if a complaint were received.
- She indicated that the applicant would receive a written copy of the staff report in the form of a Record of Decision, which should be attached to the pending business license application.

**Public Works Director Rob Stapley moved to approve Item No. 1, the conditional use permit for the home nail salon at 512 West 400 South. Steven Wood seconded the motion.**

**Vote:**

**Yea- Rob Stapley, Skarlet Bankhead & Steven Wood**

**Nay-**

**Abstained-**

**Absent-**

**Motion passes, conditional use approved.**

- Chair Bankhead advised the applicant that Colton Love would prepare a Record of Decision and that it would need to be attached to the business license application already on file with the city.

➤ **Item No. 2 AmSource Flex Building:** ALUA will discuss and may take action regarding access to the AmSource Flex Building per applicants revised information.

- Chair Bankhead introduced the second action item concerning the AmSource Flex Building. She noted that the agenda had been updated prior to the meeting — following coordination between

Public Works Director Stapley and the applicants — to allow the ALUA to not only discuss but also potentially take action on the item. Two representatives of AmSource participated by telephone: Thomas Hunt, Engineer, and Kendall Hawkins, representing the ownership group.

- Thomas Hunt summarized the revisions made to the site plans following field verification work conducted over the preceding weekend. The original plans had inaccurately depicted existing sewer infrastructure. Hunt confirmed that a sewer manhole east of Family Dollar does exist and has a sewer pipe running south; however, a second manhole further to the south could not be located during field inspection due to debris on the site, including trucks, trailers, and steel beams. After consultation with Public Works Director Stapley, who also did not believe a second manhole existed to the south, the plans were updated to reflect that only a stub line runs south out of the confirmed manhole. The revised plans therefore call for the construction of one additional sewer manhole and approximately 139 linear feet of new sewer pipe within an existing easement. Hunt noted that depth verification confirmed the sewer grades would work appropriately.
- Regarding the water system, Hunt noted that the configuration shown on the plans is largely accurate but that only one hot tap connection is needed rather than the two previously shown. He indicated this change does not need to be reflected on the plans and would be addressed in the field during construction, representing a cost savings.
- Public Works Director Stapley elaborated on the sewer situation, noting that a stub of pipe is visible coming out of the dead-end manhole, but that whether this stub can be utilized — in terms of elevation, grade, and angle — can only be determined through field verification. He indicated this could be resolved at the pre-construction conference and should not be treated as a surprise by any party, with the understanding that it may be necessary to run the full line to the manhole. He and Hunt concurred that this approach was acceptable.
- Chair Bankhead introduced the pedestrian connectivity discussion, noting that residents had raised concerns about the difficulty of pedestrian movement throughout the broader commercial area, particularly given traffic volumes around the Macy's corridor. The city had sought to explore whether the AmSource Flex Building site plan could provide a pedestrian connection running south.
- Hunt explained that a significant physical barrier exists between the AmSource property and Tractor Supply to the south in the form of a retaining wall approximately seven to eight feet tall. While the AmSource project will introduce some fill that reduces the elevation differential slightly, the difference remains substantial. He noted that any southward connection would require stairs and railings, would not be ADA compliant, and would not represent a natural pedestrian destination, as it would effectively lead to Tractor Supply's maintenance and delivery area — a use the property owner expressed reluctance to encourage pedestrian traffic toward. Hunt also noted the presence of wetlands in the area, which further constrains available options.
- Kendall Hawkins, joining by phone, acknowledged the difficulty. He agreed that the wetlands and the elevation change were the primary obstacles to any southward pedestrian route, and that routing people toward the rear delivery area of Tractor Supply was undesirable from a safety and practical standpoint. He indicated that overall pedestrian connectivity within the commercial center could be improved but that the southward direction had consistently presented the greatest challenges.
- City Engineer Wood introduced a broader conceptual question: whether the wetlands located between the AmSource holdings — including the parcel between car wash and Mobeta's restaurant — and the highway could become a long-term pedestrian corridor. He described a vision in which a boardwalk or similar minimally invasive structure could someday provide pedestrian movement from the commercial area, through the wetlands, and potentially

underneath the highway to connect with future high-density residential development on the west side. Wood emphasized that he was not requesting AmSource to construct such an improvement now, but rather asking whether groundwork could be laid — through a legal instrument recorded with the site plan — to preserve Providence City's future ability to construct such a connection when funding and regulatory conditions allow.

- Hawkins indicated that the idea of a boardwalk through the wetlands had come up previously and that an internal review of AmSource's agreement with the Army Corps of Engineers had led to the conclusion that constructing anything within the wetlands was prohibited under the existing contract terms. He acknowledged that the concept could be revisited through further discussion with attorneys and the broader AmSource team but was cautious about committing.
- Chair Bankhead and City Engineer Wood both expressed surprise at the characterization of boardwalks as prohibited, as boardwalks are generally understood to be permitted in wetlands subject to specific requirements such as minimum clearance above ground level. Wood noted that existing agreements with the Army Corps may simply not have contemplated boardwalks — having been focused on conventional construction such as asphalt, concrete, and commercial structures — and suggested it was worth directly approaching the Army Corps to explore the possibility. He indicated it was unlikely the Army Corps would be opposed to a well-designed, noninvasive boardwalk that would expand the beneficial use of the wetland area.
- Chair Bankhead observed that the Army Corps has continued to narrow its definition of what constitutes Waters of the United States, meaning some areas that previously qualified as regulated wetlands may no longer meet that standard under current interpretations. She also raised the urgency of addressing this now: AmSource currently controls the relevant property, and any future change in ownership could eliminate the city's opportunity to secure the access rights needed for such a pedestrian corridor. She proposed that some form of agreement be put in place that would grant Providence City the right to construct a pedestrian improvement through the wetland area at a future date, contingent upon Army Corps approval and the availability of city funding, without requiring AmSource to build or fund the improvement itself.
- Hawkins acknowledged the concept as something he could bring back to the broader AmSource team for consideration. He indicated that as a long-term property holder, AmSource would likely be open to having that conversation.
- Wood noted the broader long-term vision included the possibility of someday constructing an underpass beneath the highway, similar to improvements made in Logan, to allow residents from future high-density development to safely access the commercial district on foot. Chair Bankhead noted that UDOT had expressed interest in collaborating on such an underpass years earlier, around 2018, but that the opportunity was ultimately not pursued.
- City Engineer Wood identified two items being requested that required ALUA consideration: relief from the sidewalk connectivity requirement within the commercial district, and relief from the parking setback requirement that prohibits parking lots from being placed within a certain distance of property lines. He noted that the parking on both the north and south sides of the proposed flex building encroaches within that required setback. He connected both items thematically, observing that the relevant code provisions both serve the underlying goal of creating open, walkable, visually accessible commercial environments — the same goal that the connectivity discussions were addressing.
- Wood stated that while he found both requests conceptually well-founded and supportable in principle, he was hesitant to approve them without a more concrete plan in place to address pedestrian connectivity through alternative means. He expressed the view that the ALUA had a responsibility to explore nontraditional approaches to achieving the pedestrian connectivity goals articulated in city code before granting relief from those standards.

- Chair Bankhead raised a concern about the precise terminology being used, noting that the term variance carries specific legal implications and that true variances must go through the Administrative Hearing Appeals Officer rather than the ALUA. She indicated the authority being exercised was under Providence City Code 10-8-5, which governs site improvement regulations for commercial zone districts, and she committed to providing the precise code citation for the record. Public Works Director Stapley suggested the term exception might be more appropriate than variance for what was being considered.
- Chair Bankhead asked the applicants to clarify which direction they consider the front of the building, noting that this determination would be necessary for drafting appropriate conditions and findings. Hunt indicated he considered the north side the front, while Hawkins characterized the west side — facing the main street — as the front. Chair Bankhead requested that the applicants confer internally and provide a definitive answer within the next day or two, as the designation would affect the written justification for the relief being sought.
- Hawkins mentioned that the project's architect, Brandon, had submitted architectural plans to Cache County for review on the 14th of the month. Chair Bankhead requested that the architect also submit the architectural elevations and exterior material specifications directly to the city, noting that while the city does not review structural or mechanical plans, it does review architectural design within its authority. Hawkins agreed to contact his office immediately following the meeting and have him forward the relevant materials.
- Given that both the city and the applicants needed additional time to address the outstanding items — including the Army Corps inquiry, the legal instrument for wetland access, the front-of-building determination, and the precise code language governing the requested relief — Chair Bankhead proposed tabling the item to the following week.
- Wood agreed to contact his Army Corps liaisons to informally explore whether a boardwalk in this wetland context would be permissible, and under what conditions. The goal was to determine whether it would be feasible to include a recorded easement or legal notation on the plat preserving Providence City's future right of access for pedestrian improvements, without requiring AmSource to construct anything at this time or exposing them to future liability.

**City Engineer Steven Wood moved to table Item No. 2, the AmSource Flex Building, to the following week's meeting, to allow both the applicant and the city to provide additional details as discussed. Public Works Director Rob Stapley seconded the motion.**

**Vote:**

**Yea- Rob Stapley, Skarlet Bankhead & Steven Wood**

**Nay-**

**Abstained-**

**Absent-**

**Motion passes, item continued.**

- Chair Bankhead confirmed that draft minutes from the current meeting would be posted to the city's website within a few days, and directed Kendall Hawkins to the website to review them. She reiterated that the city was eager to see the project move forward and expressed that progress in the commercial area is mutually beneficial for both the development and the city.
- Chair Bankhead noted that additional conditional use items are anticipated for the next meeting agenda. No further business was brought before the Authority.

**Public Works Director Rob Stapley moved to adjourn. City Engineer Steven Wood seconded the motion.**

**Vote:**

**Yea- Rob Stapley, Skarlet Bankhead & Steven Wood**

**Nay-**

**Abstained-**

**Absent-**

**Motion passes, meeting adjourned.**

**Minutes approved by ALUA on \_\_\_\_ day of \_\_\_\_\_ 2026.**

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

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Ty Cameron, City Recorder