

**1 LAND USE AUTHORITY**  
**2 November 4, 2010**  
**3 Providence City Office Building**  
**4 15 South Main, Providence, UT**

**5**  
**6 Call to Order: Skarlet Bankhead**  
**7 Attendance: Randy Eck, Max Pierce**  
**8 Audience Attendance: Kasey Bills from Amsource**  
**9 Excused: None**

**10**  
**11 Conflict of Interest: None.**

**12**  
**13 Action Item:**

**14 Item No. 1.** The Providence City Land Use Authority will consider for approval a request from Amsource  
**15** for an Overall Site Plan Amendment for property located at 100 North and SR 165.  
**16** This site plan was approved by the Planning Commission 9/20/2005. This site plan is amendment to that  
**17** site plan. This one changes the access to Hwy. 165 and incorporates the wetlands. K Bills, and it  
**18** eliminates an access on 100 south. Planning Commission approved the final plat on October 27, 2010.  
**19** City Council reviewed the Development Agreement October 26 but was waiting on more information but  
**20** they now have the information. Addressing K Bills, you got a copy of that, right? K Bills, yes. They were  
**21** also waiting on the letter from UDOT. They were good with the rest of the agreement.  
**22** R Eck, refresh me on where the other access was on 100 south. K Bills, it was farther East.  
**23** M Pierce, there is still the same total number of accesses onto 100 South right? K Bills, yes. R Eck, I don't  
**24** know if this is valid, September 23<sup>rd</sup>. Is this the latest plan submitted? K Bills, October 21 was the latest  
**25** submittal. M Pierce, I don't remember seeing an overall site plan. K Bills, that may be the last one we  
**26** submitted for the site plan process, but we submitted others for the additional parking and improvements to  
**27** 100 South. S Bankhead, I know I have seen ones that showed the changes. M Pierce, yes, but it was for  
**28** the additional parking. S Bankhead, maybe that is the one I am thinking of. There is wetland on this plan  
**29** and there is parking showed over the top of the wetlands. At this time the Army Core has not given  
**30** approval to mitigate that. So the parking has to be removed from the wetlands at this point. R Eck, is it  
**31** safe to assume that the parking stalls shown under the wetlands are being counted in the totals? KC, yes  
**32** they are. K Bills, we gave an overall and even minus the wetlands we are sufficient with our parking ratio.  
**33** S Bankhead, if you include the parking under the wetlands they have about 350 parking access stalls. S  
**34** Ward, so is this plan that we are looking at not correct? Do we need an updated plan for this review? S  
**35** Bankhead, there are two problems I see with this plan that we have. One is the parking under the wetlands  
**36** and the other is the wetlands under building 116. I know that is an easy fix because we can move the  
**37** parking. You need to move that pad out from under the wetlands or we need to approve with the  
**38** restrictions that the future pad 116 cannot be built like it is shown. M Pierce, the Core is not going to let  
**39** you build that anyway if it is not mitigated. KC, I think that is why we did not move it, because we knew if  
**40** they did not let us mitigate it we knew we would not be able to build there. All of those pads are easy to  
**41** move around. They are not set in stone. R Eck, but on an amended site plan, if it shows it we have to  
**42** approve it, right? S Bankhead, yes, that is why I am saying that if we approve this the way this picture is  
**43** we would have to have the conditions that 115 and 116 will need to be adjusted to accommodate to the  
**44** existing wetlands. I want it on the record that this is what needs to happen. You will have to bring in  
**45** another with the changes so we don't have someone come in and say, this is what you approved so this is  
**46** what I want. So we need to have the statement that those buildings will be shifted to accommodate the  
**47** wetlands. M Pierce, why don't we have them show this on the plans. The only reason I can think of is that  
**48** they think they are going to get mitigated. R Eck, you are right, but I am leaning the other way. I don't  
**49** think they will get mitigated. KC Bills, we have laid out everything in the hopes that it gets mitigated. But  
**50** we also know that if it's not then we have to makes some adjustments. We understand that until it is a done  
**51** deal the city is not going to assume it is going to get mitigated. That is reasonable. M Pierce, well  
**52** wouldn't it be easier then to have an overall site plan submitted to us with assumption that it won't be  
**53** mitigated? That way it approved correctly at this time? KC Bills, if it is not mitigated by the time we start  
**54** to build we will have to do something, like putting a retaining wall around it. S Bankhead, KC, have you  
**55** got the authorization that if we accept the plan like it is that you will make the changes like we need it?  
**56** KC, tell me if I am wrong, but we think this is just like a concept that we can adjust the pad like we need to  
**57** in the future. Pad sizes may change. I don't know how much flexibility we have, but as far as the wetlands

1 we know we are limited. We wouldn't like to be tied into an exact layout. S Bankhead, no you are not tied  
2 into an exact layout, but it makes it really difficult when someone comes in and demands to be in this  
3 layout that we approved.

4 KC, can we make a note that states that the plans are subject to the wetlands being mitigated? R Eck, I  
5 think we need to have this cleaned up as much as we can. Max, I agree. I would like to see it drawn  
6 correctly and not put in exceptions. KC Bills, so you want us to just avoid buildings on the wetlands? M  
7 Pierce, and parking. I think you should show on the plans as so the wetlands are not mitigated. Show us  
8 how you would address it under those circumstances. S Bankhead, you can put it on the plat that if the  
9 wetlands are mitigated then you can put in the parking and put the pads in like you have it now. M Pierce,  
10 but they will have to still have a pad by pad approval. S Bankhead, yes. S Bankhead, have you gotten the  
11 revised letter from UDOT yet? Yes, Max has it and will forward it to Randy and Skarlet. R Eck, is  
12 everyone good with the notes on this plan? Randy reads the notes. Everyone is good with the notes. S  
13 Bankhead, KC you will have to adjust the overall parking. You can put a box on it with the wetlands then  
14 that is ok. Max, wants to see a site plan with the wetlands included. What would you do if the wetland  
15 stays there? KC, we will try not to have drive aisles there. S Bankhead, what does this do to you? If Mike  
16 builds around the wetlands then that will go into his landscaping. If he puts in landscaping in the wetland  
17 area he won't be able to remove it and won't be able to make the changes unless he does something  
18 different elsewhere. How does Amsource feel about this? KC, do you look at per site or overall site? S  
19 Bankhead, we do both. KC, it is in our agreement that we deal with the wetlands. He will be held to  
20 landscape like the wetlands are not there. R Eck, he is willing to still purchase knowing the wetlands are  
21 there? KC, yes. S Bankhead, we just want to make sure his plan matches your site plan. KC, there may be  
22 some slight differences in his plans, but we are trying to make it smooth. The lots and general layout  
23 should be the same. If he wants to count his landscaping in his general plan then we would be ok with that.  
24 That would save us a ton of money with the mitigation. M Pierce, where are you on the mitigation? We  
25 don't have final approval. We have as long as they want. We are just waiting. We were hoping it would  
26 be done by now, but it's not. KC will come back with the changes and then we will meet again.  
27 S Bankhead, motion to continue.

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30 **Motion to continue: M Pierce, R Eck, second**  
31 **Vote: Yea: S Bankhead, R Eck, M Pierce**  
32 **Nay: None**  
33 **Abstained: None**  
34 **Excused: None**

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37 **S Bankhead, motion to adjourn.**

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39 **Motion to adjourn: M Pierce, R Eck, second**  
40 **Vote: Yea: S Bankhead, R Eck, M Pierce**  
41 **Nay: None**  
42 **Abstained: None**  
43 **Excused: None**

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45 Meeting adjourned at 2:02 p.m.  
46 Minutes taken and prepared by Sheri Ward.

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50 Skarlet Bankhead, Chairman

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Sheri Ward, Secretary