



Memorandum

To: Planning Commission
From: Thomas Dansie, Director of Community Development
Date: January 13, 2023
Re: Development Agreement Modification: Stewart Ferber

In the January 4 meeting the Planning Commission reviewed a proposed modification to the 2015 Development Agreement between Stewart Ferber and the Town of Springdale. The proposed modification to the Agreement would transfer ownership of six properties to the Town. It would also grant development incentives on the La Quinta and Zion Canyon Campground properties. Details of the proposed Agreement are explained in the [staff report](#) for the January 4 meeting.

During the January 4 meeting the Commission and Community had a number of questions about the proposed Agreement modification. Based on these questions the Commission asked for the following information about the proposal:

1. Information about how development on the La Quinta and Zion Canyon Campground made possible by the proposed modified Agreement would differ from development possible under the current Agreement.
2. Results of the recently concluded community-wide survey regarding housing issues.
3. Response from Mike Marriott regarding his willingness to donate parcel S-3 to the Town.
4. The Town's plans for development on the donated properties, should they be transferred to the Town.
5. An analysis of employee housing units on all commercial properties in the Town.

Each of these issues are discussed below.

Development on the La Quinta and Zion Canyon Campground Properties

Mr. Ferber has provided information regarding what could currently be built on the La Quinta and Zion Canyon Campground properties under the current Agreement. He has compared that to what could be developed under the terms of the proposed Development Agreement modification. Mr. Ferber's information is included in an attachment to this report.

According to Mr. Ferber, the current Agreement allows him to develop approximately 80 transient lodging units on the Campground property. He could relocate RV and camping sites to be able to develop the 80 transient lodging units and not lose any campground sites. With the proposed modification he is requesting the ability to build four hotel buildings, each of which contain 20 transient lodging units, for a total of 80 transient lodging units. In the last meeting Mr. Ferber indicated is willing to stipulate that he will build no more than 80 transient lodging units as part of the Agreement.

The proposed Agreement modification does not increase the density allowed on the La Quinta property (number of units). The existing Agreement limits the property to 164 transient lodging units. Mr. Ferber has not requested to alter that regulation. The proposed Agreement modification would decrease the amount of required landscape on the property, which could allow larger and/or more structures to be constructed.

Results of the Community Housing Survey

Results of the community-wide housing survey have been provided to the Planning Commission and will be discussed at the January 18 meeting prior to the Commission's discussion on the Development Agreement modification.

Marriott Property Donation

The Town has had extensive discussions with Mike Marriott regarding acquisition of the downtown parcel, including requests for a donation. Mr. Marriott has not yet expressed interest in transferring the property to the Town as a philanthropic donation.

Town Plans for Donated Property

There are six lots proposed to transfer to the Town as part of the Development Agreement. Five of those lots are single family lots in the Red Hawk subdivision. The sixth is a parcel of Central Commercial property located at the end of Trapper Circle, parcel S-100-C. The Town intends to use these lots for workforce housing if they are transferred to the Town.

The Town is not interested in constructing, managing, or administering the housing on these parcels. The Town does not have the resource or expertise to do so. Rather, the Town will most likely partner with a non-profit community housing development organization to construct and manage the housing. The Town has already had discussions with several such organizations who are ready and willing to develop housing in Springdale.

The biggest obstacle to the development of workforce housing in Springdale is the availability and cost of land. The community housing development organizations the Town has had discussions with report that they would have already developed housing in Springdale, if they had access to land. By acquiring land through the Development Agreement, then partnering with a community housing development organization, the Town removes the biggest obstacle to the development of workforce housing and facilitates housing that otherwise may not be built.

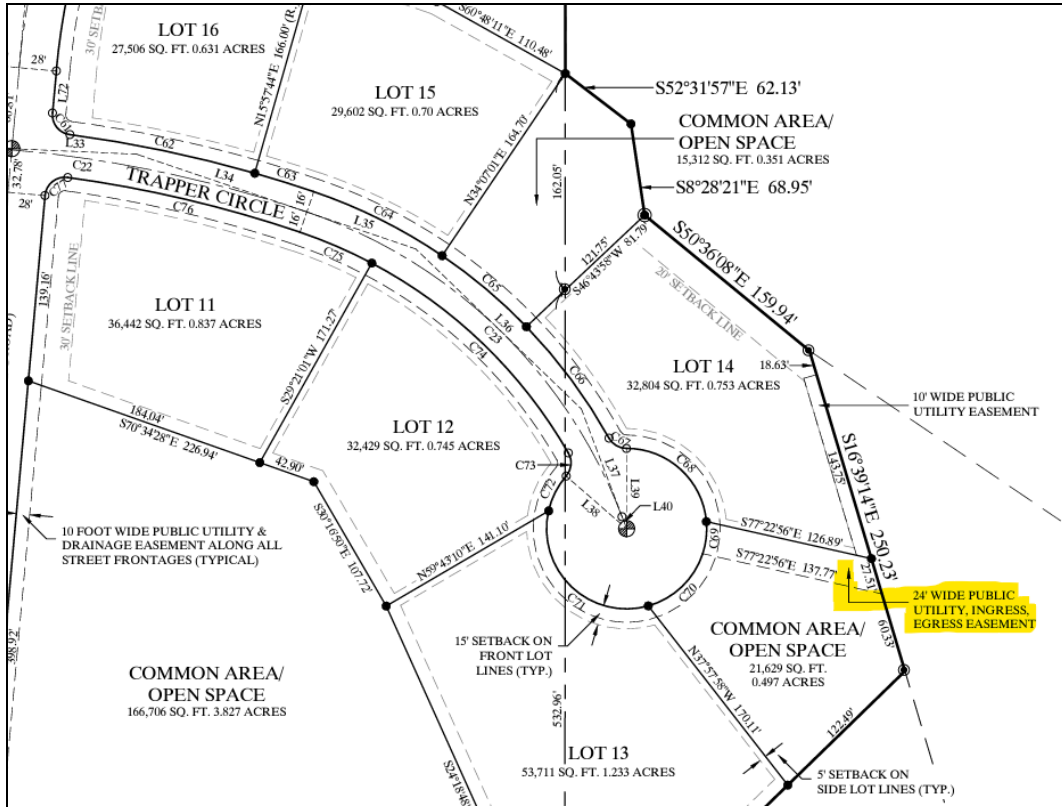
The five lots in the Red Hawk subdivision are already governed by a Moderate Income Housing Development Agreement, the Red Hawk subdivision plat, and the Red Hawk subdivision CC&Rs. The combination of all these documents requires the lots to be developed with single family houses sold to moderate income households. The current model for developing these lots is through a mutual self help (sweat equity) program. Income qualified households will be given the opportunity to use labor on the homes as the down payment for the home. They will then qualify for a low interest loan to purchase the homes.

The regulations of the moderate income housing development agreement, subdivision plat, and CCRs will not change based on transfer of ownership from Mr. Ferber to the Town. Thus, the difference between the Mr. Ferber owning the lots and the Town acquiring ownership of the lots is the timing of development of the workforce housing. If Mr. Ferber retains ownership there is no projected timeline to develop the lots. If the Town acquires ownership the lots will be developed more quickly.

The sixth lot involved in the proposed Agreement modification is parcel S-100-C, accessed off of the end of Trapper Circle. This lot is located in the CC zone. The Town intends to partner with a community housing development organization to develop multi-family workforce housing on the lot. Because the Town does not currently own the properties and it is uncertain whether or not it will in the future, the Town has not expended resources on developing detailed plans for the housing. In general, the Town plans on developing 10 multifamily housing units in a style compatible with the architecture and design of the Moenave condominiums. Any development on the lot must be in compliance with the zoning standards for the CC zone.

Unlike the Red Hawk lots which will be developed with workforce housing regardless of ownership, a number of future uses could be developed on parcel S-100-C. The lot could be developed with any use allowed in the CC zone, including multi-family housing. Given the lot's location, multi-family housing is the most realistic use of the property. If the lot is developed by a private owner with multi-family housing it will be market rate housing. If the Town acquires the lot it will work with a non-profit housing provider to develop workforce housing affordable to employees working in Springdale. Thus, the benefit of the Town acquiring this lot is that the lot will be developed with workforce housing rather than market rate housing.

In the last meeting there was discussion about whether or not the lot has an access easement from Trapper Circle. Staff has confirmed and verified that the Moenave subdivision plat establishes an 24 foot wide ingress/egress easement from Trapper Circle into the lot, as shown in the plat excerpt below.



Employee Housing Analysis

The Town is partnering with Utah Tech University in the City Alliance program. This program makes the resources of the University available to the Town to help with Town projects. One of the projects the Town is proposing as part of the City Alliance program is a comprehensive analysis of housing units in the Town, including employee housing units on commercial properties. This project will help provide valuable information regarding housing supply. However, the results of this (or any other analysis of employee housing) will not be available in a timely manner to assist the Commission in review of the proposed Agreement. While information about where employee housing units are currently located is important, the Commission’s review of the Development Agreement modification should be based on the merits of the proposal itself.



Thomas Dansie <tdansie@springdale.utah.gov>

Letter for commission

stewart ferber <ferberresorts@yahoo.com>
To: Tom Dansie <tdansie@springdale.utah.gov>

Thu, Jan 5, 2023 at 11:04 AM

Planning Commission,

I appreciate the opportunity to present the potential land swap with the Town. I am writing this to answer a few Questions and hopefully give you some more insight to what could be.

-Employee Housing, at this point, I see no drastic changes either way. I believe I can be credited with coining the phrase "Employee Housing". I currently house whether its in an RV space, house, apartment, or cabin approximately 50 employees during my season. I am always in the hunt for more housing. I currently have 6 more large units to be built up on North Temple. Because of the 2021 flood, I'm currently finishing up my construction to get my business back to where it was pre-flood. Why tell you this? Because I am unable to develop the lots I'm offering in a timely manner and the Town is ready for action.

-How many units can I put at the campground NOW, pre agreement? Simple easy math, I could resurrect the old Quality Inn with some modification on one building and get 36 of the 42 rooms back on that side of the property. By simply just eliminating the lowest 2 buildings on my new proposal, which one could easily be moved the 10 feet to avoid the need for a setback deviation, the 2 buildings would net me 44 rooms. I could then move the cabins that I'm removing down to the area these two buildings were to be and not lose any cabins. I have in excess of 180 parking stalls, and I would still have the empty "Alan Lee" piece of Village commercial. So total rooms without any thought or building adjustments, just removal, would be 80, the same that I am asking for. The difference is look and style. See attached. The La Quinta buildings take more space because of the large covered patios, viewing decks and bridges.

-What can the Town do? They can only do what I can do. In my belief, the town is trying to set precedent and analyze the process. By getting these lots, there is no pressure to expedite a rushed job. The parcels won't rot or go away, giving the process time to work. Its your input that will help. Sometimes making a decision on an unknown is okay, if the consequences are not detrimental. The lots are not perfect, but they are perfect for workforce housing. The cost of the ground is consequential in the overall cost of something "AFFORDABLE".

-Development deal

I disagree with the argument about a deal needing to be sun-setted. I have had my deal for 7 years and have only built employee housing. Would the Town rather have forced me to build out and live with it for eternity, or maybe hope that my mind has aged and I decide that I like more open space. Actually my proposal is creating a much more serene environment with none of these buildings in plain view from SR9. My current deal would expose the 2 buildings in Plain sight, better for business, but not for overall aesthetics.



Thank you for your efforts,

Stewart Ferber