



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION REGULAR MEETING
ON TUESDAY JANUARY 16, 2019 AT 5:00PM
AT SPRINGDALE TOWN HALL, 118 LION BLVD., SPRINGDALE, UTAH.**

Meeting convened at 5:00PM

MEMBERS PRESENT: Chair Joe Pitti, Allan Staker, Tyler Young, Jack Burns, and Mike Marriott

EXCUSED: Suzanne Elger and Cindy Purcell

ALSO PRESENT: Director of Community Development Tom Dansie, Associate Planner Sophie Frankenburg, and Town Clerk Darci Carlson Recording. Please see attached list for citizens signed in.

With the absence of Suzanne Elger, Tyler Young would be a voting member of the Commission this evening.

Approval of the Agenda: Motion made by Mike Marriott to approve the agenda with the change of removing Item 2 from the agenda; seconded by Joe Pitti,

Staker: Aye

Young: Aye

Pitti: Aye

Burns: Aye

Marriott: Aye

Motion passed unanimously.

Commission discussion and announcements: Ms. Carlson announced the Rotary Club of Zion Canyon and community volunteers from Springdale and Rockville were organizing a pot luck and food drive on January 17th for federal workers. Items could be brought to the Canyon Community Center in support of this event. Parks and Recreation Director Ryan Gubler would answer any questions.

Action Items

1. Public Hearing: Zone Change Request - Majestic View Lodge requests a zone change from Valley Residential (VR) to Village Commercial (VC) on parcel S-144-NP, 2.5 acres located immediately south of the Majestic View Lodge – Sam Patel: The requested zone change would allow a mixed-use development including housing, retail, lodging and a welcome center. The applicant had also expressed an interest in developing affordable housing on parcel S-69-B located on Apple Lane (incorrectly identified in the staff report as the parcel across from Silver Bear), however there were no details in the application specific to this proposed project.

Mr. Marriott asked the size of the parcel on Apple Lane and the amount of housing that could be developed.

- The parcel was about three-quarters (3/4) of an acre in the Valley Residential Zone. Under this base zone, one single-family home or one duplex could be developed. The applicant had provided a concept for this development only.

The proposed number of units exceeded what was allowed in the zone; however, the applicant expressed interest in a development agreement to increase density in exchange for affordable housing.

- Mr. Dansie noted the specifics of a development agreement had not been provided therefore the Commission should consider the merits of the zone change itself.

Zone changes were not allowed unless one of three specific criteria had been satisfied: 1) it promoted the goals and objectives of the General Plan; 2) it accommodated substantial changes in conditions; 3) it corrected a manifest error. The applicant stated the proposed zone change would satisfy number 1 and 2.

Commission questions to staff: Mr. Young asked how many zone changes the Commission had recommended over the last few years and if they were common.

- Mr. Dansie answered they were not particularly common. Changing residential to commercial was very rare.

Public questions to staff: None were asked.

Commission questions to applicant: Sam Patel was in attendance representing Majestic View Lodge.

Mr. Marriott noted some of the requests in the proposal went above and beyond what was allowable in Town and he asked how the project was envisioned to be village scale.

- Mr. Patel indicated they wanted to see how many units could be developed given the site restrictions and Town Code. The lodging units were intended as a way to subsidize the affordable housing, but could be reduced in number. The welcome center would help educate visitors. An engineering and architectural firm, familiar with Springdale, had been hired to keep the village atmosphere.

Mr. Marriott noted the welcome center building straddled the boundary line. He asked if it would be a joint venture.

- Ben Willits from Horrocks Engineers said this was a conceptual layout which helped preserve views and be less impactful to neighbors; many details were yet to be determined. With the change in elevation, the building was designed to be low profile with a walk-out in back.
- Mr. Willits understood this was UDOT right-of-way and suggested a memo of understanding (MOU) would have to be worked out. He anticipated people could park in the public parking area to access the welcome center but also park below. The idea was to make the facility visible from SR-9.

Mr. Burns asked if impacts to the shuttle stop had been given consideration.

- Mr. Willits said they had not done a traffic impact study yet but understood these types of considerations would need to be done if the zone change was approved.

Public questions to applicant: Janet Hollis, Springdale resident, asked how the project would benefit the community and the criteria for the affordable housing.

- Mr. Patel said the welcome center would provide information about parking and Springdale in general. The affordable housing component would benefit people who worked in the community; they would not be nightly rental units. The retail space would create opportunity for those considering a small business here. Mr. Patel indicated the lodging units would help subsidize the economics of the project.

Motion made by Mike Marriott to open public hearing; seconded by Allan Staker.

Staker: Aye

Young: Aye

Pitti: Aye

Burns: Aye

Marriott: Aye

Motion passed unanimously.

Public Comments: None were made.

Motion made by Joe Pitti to close public hearing; seconded by Allan Staker.

Staker: Aye

Young: Aye

Pitti: Aye

Burns: Aye
Marriott: Aye
Motion passed unanimously.

Commission deliberation: Due to the lack of detail in the proposal, Mr. Marriott struggled to know if the project was a prospect for a zone change. Zone changes from residential to commercial required compelling reasons.

Mr. Pitti agreed and noted the Future Land Use Map (FLUM) designated this area as preserving the agricultural/residential feel. The location was problematic given traffic and impacts to the shuttle stop.

Mr. Pitti was also not in favor of incentivizing a deal permitting a bigger project than would be allowable.

- Mr. Staker felt the sheer numbers of units being proposed completely overwhelmed the property.
- Mr. Young agreed. He said this area was a farming/residential area. The proposal was far outside the FLUM and General Plan.

Mr. Marriott noted the FLUM did speak to a visitor's center component. The proposed development was vastly denser than what the code would permit.

Mr. Pitti asked if the previous Majestic View settlement agreement included a welcome center component.

- Mr. Dansie said the welcome center envisioned in the settlement agreement was much smaller and along the lines of a kiosk.

As the gateway to Springdale, Mr. Burns commented this was a critical piece of property. The intent of the General Plan and FLUM were to keep the rural feel of this area. He had not heard a compelling reason to support a zone change.

- Mr. Young also did not see a clear meeting of the requirements for a zone change.

Motion made by Tyler Young that the Planning Commission recommend denial of the zone change on parcel S-144-NP as presented in the application. The motion is based on the following findings: 1) It does not meet the requirements listed in the Town Code section 10-3-2A, including but not limited to; it does not support the General Plan which requests avoidance of rezoning properties from residential to commercial to the greatest extent possible and conforming to the Future Land Use Map; 2) It does not correct a manifest error of which none have been identified; 3) Nor does it accommodate substantial changes in condition which the applicant has not offered detailed supporting evidence of in this case; seconded by Jack Burns.

Staker: Aye

Young: Aye

Pitti: Aye

Burns:

Marriott: Aye

Motion passed unanimously.

Mr. Marriott qualified his vote and commented this site could qualify for a zone change but this project was not the right one. The FLUM request for a welcome center had merit in this location.

Item A2 was removed from the agenda.

3. Continued discussion from December 5, 2018: Design/Development Review – Employee housing building at 198 Zion Park Boulevard – Dennis Brooks: The proposed development was for general housing and office space behind Thai Sapa.

When considering this proposal last month, the Commission raised concerns about flood hazards and development near the toe of the landslide. The applicant submitted an engineered flood hazard analysis indicating the drainage channel, if reinforced with riprap, was capable of handling the capacity of a 100-year flood without impacting the proposed building.

Mike Brooks, the project contractor, was in attendance to address questions about hazard mitigation.

The standard under which the Commission needed to evaluate this proposal was that the development would not place people or real property at unreasonable risk of natural hazard.

Mr. Marriott questioned the dimensions of the wash as it seemed to cut the volume in half.

- Mr. Dansie was unable to speak to that.

Mr. Pitti quoted from section 3.4 of the Landmark Geotechnical Report which stated, “the combination of steep slopes capped by well-jointed, resistant bedrock formations provides ample opportunity to generate rock falls”. More alarming was the statement, “avoidance of such rockfalls may not be possible and probability of damage to property and cause of injury or loss of life is mapped high at this location”. Mr. Pitti said there was evidence the landslide continued to move slowly and he questioned how this could be mitigated. He questioned if there was another spot on the property where this development might be more appropriate. Mr. Pitti saw a lot of red flags.

- Mr. Burns agreed and said he was leery building a residence at the toe of a moving slope. He also raised concern a thirty-foot (30') pier had the potential to further destabilize the slope.

Mr. Dansie clarified there were two engineering reports. Pratt Engineering focused on flood hazards; Landmark Engineering focused on all the other hazards associated with the property.

Mr. Young noted public comment submitted by Julie McKown (Attachment #1) mentioned there was a lot of natural hazard danger in this area.

- Mr. Dansie reiterated the standard in the Village Commercial Zone that development could not put people or personal property at unreasonable risk of natural hazard. He had discussed this with Ms. McKown and advised that any proposed development would need to address this issue.

Mr. Young noted the Geotechnical Report indicated the thirty-foot (30') piers would be safe because they would be driven into hard clay. However, later in the report it mentioned if any significant moisture soaked into the ground, there may be expansion issues. This was concerning.

Mike Brooks from Old School Construction was in attendance to address the Commission.

- Mr. Brooks said Pratt Engineering indicated the existing ditch would suffice in any reasonable flood condition. Installing rip rap around the south point of the building would be effective.
- Mr. Brooks referenced the pit, apron and wall installed by Greg Miner and said it had worked well for ten years. The three large rocks on the slope could be repositioned during excavation, used as part of the rip rap, and eliminate the threat of them falling.

Based on the analysis there was expansive clay starting at eighteen feet (18') down to twenty-seven feet (27'). Pratt Engineering would design the piers.

Mr. Marriott felt there was a way to engineer the project but did not think it the best location for a residence. He was unsure how many rocks were on the slope that created a potential risk.

- Mr. Dansie said the Commission needed to determine if the rocks presented a tolerable or unreasonable risk.

Mr. Staker felt the Geologic Report was very general in nature. He suggested work be done to identify rocks that posed an immediate danger.

Mr. Pitti asked if it was permissible to move rocks from geologically hazardous areas.

- If the rocks could be accessed without disturbing the 30% slopes, it was allowed. The rocks in question were located about twelve feet (12') from the corner of the excavation. Mr. Brooks indicated they could be removed by equipment without disturbing the slope.

Mr. Young said rocks were not the only potential hazard. Also, under section 3.4 of the Landmark report was mention of the Hurricane and Sevier Toroweap faults considered to be two major active faults in the area.

The Commission considered a third report be conducted to provide additional analysis and guidance.

- Mr. Dansie said the Town had retained a geohazard consultant for other developments in the past and could do so again.
- Mr. Staker and Mr. Marriott agreed a site-specific examination would be helpful.

More than the rocks, Mr. Burns felt the moving land mass was the main issue.

- Mr. Marriott asked if there was evidence of movement. Reading from the Landmark report under section 3.4, Mr. Young said the site was at the toe of the Springdale landslide which moved in 1992.
- Additionally, Mr. Dansie said the Town had a surveyor monitor movement on this hillside every six (6) months. Based on observations there was slight movement, but the data was not fine-grained enough to tell if it was associated with creep and erosion or the landslide movement.

Mr. Marriott was also not certain the design of the wash had solved the water issue.

The Commission requested a third opinion addressing the rock slide potential and adequacy of the drainage channel.

Motion made by Mike Marriott to table the discussion for the housing building at 198 Zion Park and direct the Town to obtain additional information from a third-party engineer that can provide information on the real rock fall hazards as well as the drainage issues making sure that the proposed drainage design is adequate and there are no other land slide eminent risks; seconded by Tyler Young.

Staker: Aye

Young: Aye

Pitti: Aye

Burns: Aye

Marriott: Aye

Motion passed unanimously.

4. Consideration and possible recommendation of the General Plan priorities for 2019: This item was introduced in the January Planning Commission work meeting. The Commission should identify priorities for the Town to work on and make recommendations to help guide Council discussions. In addition to the eight priorities adopted in the General Plan, the Commission identified the following items:

- Preserve the Town's dark night skies. This could be accomplished by bringing all lighting, including both the Town's lighting and lighting curfew standard, into compliance with the outdoor lighting ordinance.
- Preserve the Town's village scale by carefully regulating new growth and development, particularly new lodging development as it related to the proportion of residential development.
- Protect sensitive lands, perhaps through a "net developable acreage" standard for density.
- Develop a realistic plan for how to develop affordable housing in Springdale.
- Make improvements to side streets (curb, gutter, sidewalk, drainage) complementary to the new street improvements on SR-9.
- Foster more opportunities for display of public art in Springdale, including performance art. Partner with other communities on public art programs.
- Encourage expanded medical and health care services in Springdale.

Mr. Burns suggested a need for a geologic hazard ordinance to provide guidance in the future.

- Mr. Dansie said the Town drafted a geologic hazard ordinance but ran into resistance from the Planning Commission. It therefore did not move forward.

5. Nomination and recommendation for the 2019 Planning Commission Chair and Vice Chair: The Commission discussed members availability to serve.

Motion made by Tyler Young that Mike Marriott be nominated as Chair of the Planning Commission and Suzanne Elger as Vice Chair for the coming year; seconded by Allan Staker.

Staker: Aye

Young: Aye
Pitti: Aye
Burns: Aye
Marriott: Aye
Motion passed unanimously.

The Council would ratify the nominations in their February regular meeting,

Consent Agenda:

Motion made by Joe Pitti to approve the meeting minutes from December 5, 2018 and January 2, 2019; seconded by Allan Staker.

Staker: Aye
Young: Aye
Pitti: Aye
Burns: Aye
Marriott: Aye
Motion passed unanimously.

Motion to adjourn at 6:46pm made by Allan Staker; seconded by Tyler Young.

Staker: Aye
Young: Aye
Pitti: Aye
Burns:
Marriott: Aye
Motion passed unanimously.

Darci Carlson, Clerk

APPROVAL: _____ DATE: _____

A recording of the public meeting is available by contacting the Town Clerk's Office. Please call 435-772-3434 or via email at springdale@infowest.com for more information.



PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD
Please print your name below

Meeting Planning Commission Regular Meeting Date 1-16-19

Michael Brooks
Name (please print)

Name (please print)

Lisa Zung
Name (please print)

Name (please print)

Sam Patel
Name (please print)

Name (please print)

Vic Patel
Name (please print)

Name (please print)

Henry Patel
Name (please print)

Name (please print)

Eric Snow
Name (please print)

Name (please print)

Brianna Brailford
Name (please print)

Name (please print)

Sarah Hollis
Name (please print)

Name (please print)

Richard Manser
Name (please print)

Name (please print)

Luke Wilson
Name (please print)

Name (please print)

From: Julie McKown
To: [Carlson Darci; joepitti@msn.com](mailto:Carlson_Darci; joepitti@msn.com)
Subject: Please distribute for Planning Commission Public Hearing, 1/16/19.
Date: Tuesday, January 15, 2019 12:30:30 PM

Because I am out of town and unable to attend the public hearing, please include my comments below:

Public hearing Zone Change, parcel S-144-NP, 2.5 acres located immediately south of the Majestic View Lodge – Sam Patel.

"NO!!! NO!! NO zone changes. Stick to our general plan. We have enough hotel units now. STOP this madness.

Patel's offer to bargain employee housing for a zone change will not come to fruition but turn into more nightly rental units."

Re: Dennis Brooks, employee housing, Thai Sappa.

A few years ago, I was told by Tom Dansie, that the property I owned where Luke Wilson's parking lot is now located, could never be used for any form of overnight facilities, employee housing or otherwise, due to the instability of the hill. Being told this by Dansie, I sold the property to Luke Wilson and suffered a huge loss in a potential business opportunity. Now, being considered for employee housing is the next lot that is much closer to the unstable hillside. Not to mention, the fact that Fotheringham's Subway property now has overnight facilities and is right up against that same hillside.

This doesn't seem fair to me. Will someone please explain the difference?

Sincerely,

Julie McKown