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**MINUTES OF THE SPRINGDALE PLANNING COMMISSION MEETING ON TUESDAY, MAY 20, 2014
AT 5:30 P.M. AT SPRINGDALE TOWN HALL, 118 LION BLVD., SPRINGDALE, UTAH. THE WORK
MEETING BEGAN AT 5:00 PM.**

Work Meeting

MEMBERS PRESENT: Acting chair Mike Marriott, Commissioners Jack Archer, Randy Taylor, Liz West and NPS Liaison Commissioner Kezia Nielsen

EXCUSED: Joe Pitti

ALSO PRESENT: DCD Tom Dansie and Town Clerk Fay Cope, recording. Four citizens signed in, see attached list.

Discussion/Information/Non-Action Items:

Staff review of agenda items

Residential Design/Development Review: 101 Mukuntuweap Circle (Lot 28, Kinesava) – John Montgomery:

- Mr. Dansie explained this application was for a Design/Development Review for an addition to an existing building – a garage added to the main building via a deck walkway. The proposal included a rooftop deck area. The lot was on a steep hillside.
- Because Kinesava Subdivision was built before the 1992 ordinance, there were lots that were too small, too steep, or otherwise non-compliant with the FR zone. The town had approved a Special Exception (SE) which allowed variations to the standards of the underlying FR zone. If there weren't explicit special exceptions for a lot, the underlying FR zone standards prevailed.
- Mr. Taylor pointed out this was the second accessory building they had recently reviewed that 'got around' the separation standards by using a covered walkway to make it a part of the main building. He questioned whether that negated the intent of the ordinance. Mr. Dansie said that was a possibility and if the Commission was concerned about the possibility, they should discuss it as part of the accessory building ordinance revision.
- Mr. Dansie explained the current FR zone standards required adding the square footage of an attached structure to the square footage of the main structure to determine total building size. Total size would still be limited to 5000sf, so the attached structure would be limited in size. If separated, two 5000 sf structures would be allowed.
- The SE addressed lot 28 specifically because the lot was so steep. It required a 15' setback from the edge of the slope to the building. Meeting that setback required the building to encroach on the 30% slope on the side property line, which was permitted by the SE.
- Mr. Dansie informed the Commission the Kinesava Homeowners Association (KHOA) had approved the plan. The Town didn't enforce the CCRs, but tried to cooperate with HOAs.
- Mr. Taylor said he intended to ask the applicant why the setback on page A02 wasn't 15' – it was about 11'. Mr. Dansie said the original submission didn't have 15' setbacks on any page and he had required the submission of compliant plans. The site plan and elevations were accurate, but he thought A02 might have been overlooked. He agreed that was a good question for the applicant.
- Mr. Archer asked who inspected the foundation, pilings, backfill and construction to ensure the work was done accurately. Mr. Dansie explained the geotech engineer who wrote the report was required

to inspect, test compaction and provide a letter of compliance before a Certificate of Occupancy was issued. The foundations were inspected by the town inspector. Mr. Taylor suggested any approval should be conditioned on having inspectors and engineers present during the digging and placement of the pilings.

- Mr. Archer mentioned the deterioration of the slope above the street below the lot. He asked if the town could require the lot owner to do something about it. Mr. Dansie explained KHOA had worked something out with the owner.
- Mr. Taylor said the special exception required Geological hazardous slopes to be stabilized. Mr. Stempel said he would discuss that in the regular meeting.

Open Air Display Permit: Joy Craft and Design, 932 Zion Park Blvd – Joy Stein: Mr. Dansie explained this business had moved since the Commission granted the original open air display. This address was the Regalo storefront. Ms. Stein wished to display items she sold. She wouldn't be present. There had always been parking issues at this business center, but it didn't appear this application would affect parking. Mr. Dansie explained the Town was concerned only that the complex had enough parking for all uses, not whether each business had rights to a certain number.

Sign Permit: Switchback Business Center, 1149 Zion Park Blvd – Mike Marriott: The existing sign was 48sf and this addition to the sign was 2sf. Jack Archer would chair the meeting during this item.

Sign Permit: Thai Sapa, 198 Zion Park Blvd – Dennis Brooks: Two new signs would replace the existing building mounted sign and the monument sign. The application was straightforward, except the application stated the building mounted sign would be printed vinyl. The sign couldn't be entirely vinyl. Also, the yellow on the sign was not on the palette, so it was required to be 10% or less of the sign's size. Mr. Brooks asked to be heard earlier on the agenda and was granted that permission.

Discussion of May 8 Community Involvement Meeting: Mr. Dansie said he had received a lot of positive feedback from everyone about the event and how helpful it was. He thanked the Commissioners, particularly Mr. Archer, for all their work and participation.

Discussion of recently approved development projects under construction: There was not time to discuss this item.

Regular Meeting **Convened at 5:33**

MEMBERS PRESENT: Acting chair Mike Marriott, Commissioners Jack Archer, Randy Taylor, Liz West and NPS Liaison Commissioner Kezia Nielsen

EXCUSED: Joe Pitti

ALSO PRESENT: DCD Tom Dansie and Town Clerk Fay Cope, recording. Four citizens signed in, see attached list.

Discussion/Information/Non-Action Items

Approval of agenda: Motion by Jack Archer to approve the agenda with the change of the Thai Sapa application being the first agenda item, seconded by Liz West:

Archer: Aye

Marriott: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

Commission discussion and announcements:

Mr. Dansie announced a Night Sky event on Thursday May 29: Alex Chamberlain, a professor at Dixie State would be making a Night Sky Photography presentation at 7:30. Mr. Mabbutt complemented Mr. Dansie on the last event – he had arranged for all the lights in town to go out so the stars could be seen clearly.

Action Items

Sign Permit for Thai Sapa 198 Zion Park Blvd: – Dennis Brooks:

- Mr. Brooks explained the signs would be metal with interior-lit vinyl lettering. The freestanding sign was inside the right-of-way (r/w) because the r/w went right to the edge of the building. The yellow color shown was not on the palette, but the flower was only 7% of the sign, so it was permitted.
- Mr. Taylor found the sign complied with the ordinance. Mr. Archer suggested the motion should expressly permit the sign inside the r/w.

Motion by Randy Taylor to approve the free-standing and building signs for Thai Sapa at 198 Zion Park Blvd with the conditions that 1) the freestanding sign, which was already inside the right-of-way would be allowed to remain, but it must be removed if UDOT or the town so required; 2) the gold-colored logo, which didn't comply with the color palette, is limited to less than 10% of the allowable sign area; 3) the materials of the sign be sheet metal with vinyl lettering. Seconded by

Jack Archer:

Archer: Aye

Marriott: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

Residential Design/Development Review: 101 Mukuntuweap Circle (Lot 28, Kinesava) – John Montgomery:

- Architect Peter Stempel said this was a very difficult lot in Kinesava. Even before they began the project, they asked AGECE (the geotech engineers) to determine the feasibility and advisability of the project. He said they were not affecting the existing foundation. They had placed the building in a pre-disturbed area. Including the shelf already cut into the hill. There would be no fill. He had a soil study and additional correspondence with the geotech engineers he would supply to the DCD. They were being very careful with drainage, exterior lighting and even interior lighting. He said they had been working closely with Kinesava HOA and were meeting their requirements for extra construction insurance and funding against acts-of-God.
- Mr. Archer asked if they intended to do anything to 'shore up' the front slope. Mr. Stempel said the engineers advised against 'messing with' the slope, which was apparently stable. He said the ordinance allowed them to disturb already-disturbed slopes, but 'native' slopes couldn't be disturbed. There was a large rock crushing a drainage pipe; they might have to fix that.
- Ms. West asked if there were any homes below the slope that were in harm's way if a landslide occurred. *No, but Mr. Mabbutt might have trouble getting to or from his home.*
- Mr. Stempel said they had considered what would happen if there was a slide – they would have to hire an excavator to clear the road; that was part of their additional funding they worked out with KHOA. He pointed out there were many places in Kinesava Subdivision, as well as all through Springdale, with slopes susceptible to acts of God. No one could have predicted what happened at Balanced Rock, for example. They were taking precautions not to exacerbate existing conditions: moving the building away from the edge, using an already-disturbed and re-compacted area for the new construction, designing proper drainage, and using piers that went fairly deep – partly for slope stabilization, partly for a secure foundation.
- He knew there lots in Kinesava that couldn't secure a feasible geotechnical report.
- He explained the drainage plan. Nothing would drain to NPS land. There was already a large culvert. He said there was one safe place to drain runoff and they would ensure everything went to that place. The pipe that was damaged was apparently a sewer pipe.
- Ms. Nielsen asked about the landscaping plan. She didn't want any plantings or paths to encroach into the National Park. Mr. Stempel said he had found the NPS boundary markers and had already determined they would remove any encroachments that had been put in place by a previous owner.
- Mr. Taylor asked about A0.2 – the setback wasn't 15'. Mr. Stempel apologized; he said they had to redraw the plans; that page hadn't been updated. L1.1 showed the updated plan.
- Mr. Mabbutt asked Mr. Taylor if he had a conflict of interest because he was a member of KHOA. Mr. Taylor said no; all the Kinesava property owners were members of the HOA. He wasn't even a member of the board.

- Mr. Taylor said the geotech report indicated this lot was a deposit from an ancient landslide and indicated the possibility of additional slide action, particularly if the soils were wet or bore too much load. Mr. Stempel explained the piles would have to go deep enough into the ground to get past the top layer (the overburden) of the landslide. The depth of the piles was determined by the engineering study and in-field review during construction.
- Mr. Stempel said they were removing the garden to mitigate wet soils, so they had designed an intensive planter that didn't drain to the earth. Its weight would be born on the piles. Mr. Taylor asked if the planter would add too much weight. Mr. Stempel explained there would be a load design to determine how many piles were necessary and if sleeves would be needed to reduce 'drag-down.'
- Ms. Nielsen asked if the Commission had any jurisdiction over the structural engineering. Mr. Dansie said the Town engineer typically reviewed that data. Mr. Taylor thought the Commission should review those things in reference to the slopes and natural hazards. He read from 10-9a-14(c) about natural hazards: *Construction of permanent structures shall not be permitted or performed in such a manner as to place real or personal property and/or individuals at unreasonable risk of harm or injury from natural, geologic or topographic hazards such as landslides, floods or excessive soil erosion. In addition to compliance with provisions of the uniform building code governing standards to meet the maximum foreseeable risk of such hazards, persons developing, improving, managing or owning such property shall have the obligation to bear the burden of so developing and/or improving the property in such a manner that the property and/or general public are safeguarded from unreasonable risk of harm or injury from such natural hazards.*
- Mr. Stempel thought he had detailed how they were taking as many prudent steps to safeguard from harm as anyone could. Compared to other residences approved in the subdivision, this was far more prudent. He was also legally required to do what the geotech report required.
- Colors: Mr. Marriott asked if they were using the same colors or materials as the existing structure, and if that was required by the SE. Mr. Stempel said they were not matching the existing materials, they were matching the existing building to new materials. They intended to use the same kind of dead-standing ponderosa siding used on the Sol Foods Market, so the exterior would be grey instead of white stucco, and would blend into the surroundings better. The existing house had a two-story sheer wall, so the garage in the foreground would 'break up' that visual impact. KHOA approved the materials, so they didn't see any conflict with the SE.
- They had to be careful to keep the new envelope within the existing envelope. They would actually be lowering the height of the existing building.
- Mr. Taylor asked about the rooftop restroom structure. Mr. Stempel said making the rooftop a social area made it possible to keep the building size within limits. There wasn't a dining room, for example. The restroom structure made that social space more feasible.
- Mr. Marriott asked about the trees required by the SE. Mr. Stempel said the trees would be in the planter. They didn't want to water the ground.
- Mr. Archer asked about the lighting. There weren't any drawings. Mr. Stempel said there were only two sconces; the other lighting was step-lighting.

Deliberation:

The Commission discussed the SE requirement for screening on the SR-9 side. Vegetation wasn't advisable. Ms. West suggested the planter could wrap around the porch to minimize the visual impact. Mr. Stempel said the garage would do that. Mr. Archer said the SE allowed rocks for screening; would they be using them? Mr. Stempel said they would be berming away from the garage so the garage would look like it was set into the ground, but they could also place rocks if necessary.

Mr. Marriott found the application met the standards of the FR zone and the special exception regarding height, setbacks, size, materials and outdoor lighting.

Ms. West said the SE limited the accent color on the house to 5%. Mr. Stempel said the accent color and main color were very similar. The accents were only to break up the visual similarity. That requirement was met; in addition to the DCD review, Paul Mailloux from the HOA had reviewed and okayed the design and colors; he was very careful.

Mr. Archer moved to approve the Design/Development Review for the garage and remodel on Kinesava lot 28 as submitted; the application appeared to meet the standards of the FR zone and the Kinesava Special Exception, including height, size, landscaping, lighting, and materials. with

the following conditions: 1) rocks be placed on the SR-9 side of the lot to help shield the side of the garage; 2) colors had to be in compliance with the Kinesava SE; 3) the recommendations of the geotechnical report had to be incorporated in the design and construction of the foundation; 4) the final plan review and onsite inspections must comply with paragraph F page 9 of the AGEC geotechnical report. Seconded by Liz West:

Archer: Aye

Marriott: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

Open Air Display Permit: Joy Craft and Design, 932 Zion Park Blvd – Joy Stein:

Ms. Stein wasn't present, so Mr. Dansie reviewed: The application was to use 88sf at the front of the building to display the same kind of goods as sold inside. There had been parking issues at this property, but there was no additional parking required for 88sf. Mr. Stempel said the coffee shop had taken over the building and they didn't use the front for parking. Mr. Archer said the door appeared to be in the middle of the display area. The displays couldn't block pedestrian thoroughfare or access to the building. Mr. Dansie said Ms. Stein understood that point.

Motion by Jack Archer to approve the Open Air Display Permit for Joy Craft and Design at 932 Zion Park Blvd as it appeared to meet all the open air display standards. Conditions: 1) no employees could be permanently stationed outside and no sales could take place outside; 2) the display could not obstruct pedestrian traffic or block any entrance or exit. Seconded by Randy

Taylor:

Archer: Aye

Marriott: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

Sign Permit: Switchback Business Center, 1149 Zion Park Blvd – Mike Marriott:

Mr. Marriott recused himself from the dais and presented from the podium. He explained that his guests periodically purchased artworks he had on his business walls. He thought a sign would be beneficial. He said he thought the application was straightforward. He wanted to add a slender sign (for a gallery) to the freestanding sign. Mr. Taylor said it would have to be very narrow. Mr. Marriott said he would bring the design in for DCD review and approval before it was built. Ms. West asked if the gallery space complied with 10-24-4(a)(7)(2), which required 1000sf of area dedicated a business to qualify for signage. Mr. Marriott said he didn't think that applied because the monument sign already qualified for 50sf, but his lobby was easily 1000 sf.

Motion by Randy Taylor to approve the sign permit for a 2sf sign for a gallery at the Switchback Business Center at 1149 Zion Park Blvd; it appeared to meet the sign ordinance standards for materials, colors, size and illumination; seconded by Liz West.

Archer: Aye

Marriott: Abstain

Taylor: Aye

West: Aye

Motion passed unanimously.

Discussion / Non-Action Items

Discussion of May 8 Community Involvement Meeting: Mr. Dansie expressed huge thanks to the Commission. He had received 'universally positive' feedback; the Commission had done a good job. He had recapped the written comments he'd received. Based on that feedback, he had determined the Commission needed to focus on four main points:

1) Decide how to proceed with the pending housing ordinances (cottage neighborhoods, accessory dwelling units)

The Commission discussed alternatives (allow only in VR zones, don't allow anywhere, specify neighborhoods) and determined they should have another work meeting on accessory dwelling units

(ADUs) to determine how they wanted to proceed. It had been long enough since the public hearing that a new hearing process should begin. They discussed the public process already undergone.

Mr. Mabbutt congratulated the Commission for their meeting, but he thought it didn't review the survey, which he thought was the original intent. The Commission hadn't determined how to get the rest of Springdale to comment on all these issues.

2) Decide how to proceed on the pending mixed-use development ordinance.

Ms. West said she had very positive responses about the VR and CC zones; she didn't get comments about the FR zone. She said people she talked with were pro-mixed use. She thought they should proceed.

3) Discuss any needed action regarding future hotel development.

Mr. Archer asked Mr. Dansie if Mr. Pitti had shown the number of hotel rooms already committed. The Commission discussed the number of hotel rooms already committed to with the Desert Pearl and Western States settlement agreements. Mr. Dansie said it was not just settlement agreements that had to be considered, the underlying zoning ordinances would allow existing properties to redevelop with far more rooms. Mr. Taylor asked if the ordinance could reduce the number of units allowed per acre. *Yes, that was a major point to consider.* Mr. Marriott said people had to be well educated about what limiting those numbers would really mean to the economy and employment base. Ms. Nielsen said they had received a lot of input expressing concern about the hotel:residence ratio; the Commission should continue to discuss it.

4) Discuss any trends or important themes that should be addressed in the upcoming General Plan (GP) revision.

Mr. Dansie expanded: Did the Commission learn anything at the event that would affect the GP? Did the guiding principles of the existing plan still reflect the community's desires or was there a need for direction changes?

Jack Archer thought they needed to look at the buildout and infrastructure deadlines – were we getting there faster than anticipated?

Kezia Nielsen thought they should be preparing for the build out scenario.

Randy Taylor pointed out the infrastructure master plans were getting outdated – that should be the first step - especially the water and wastewater master plans. Mr. Dansie said the Council was already looking at a treatment plant study. Mr. Taylor thought the forecasting in the water plan would make an update of the sewer plan relatively simple. Jack Archer thought Town Engineer Tom Jorgensen made the infrastructure presentation very informative and helpful.

Mike Marriott suggested a survey would be necessary for the GP update.

Randy Taylor suggested the town needed to develop a disaster plan for drought.

Consent Agenda: Minutes of May 6 special meeting and May 8 special workshop meeting. **Jack Archer moved to approved with corrections made by the clerk, seconded by Liz West:**

Archer: Aye

Marriott: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

Adjourn: Motion by Randy Taylor to adjourn at 7:10 PM; seconded by Liz West:

Archer: Aye

Marriott: Aye

Taylor: Aye

West: Aye

Motion passed unanimously.

Fay Cope, Town Clerk



APPROVAL: _____



