



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION SPECIAL MEETING ON
WEDNESDAY, JULY 01, 2026, AT 5:00 PM
AT THE CANYON COMMUNITY CENTER,
126 LION BOULEVARD, SPRINGDALE, UT 84767**

The meeting convened at 5:00 PM.

MEMBERS PRESENT: Chair Jennifer McCulloch, Commissioners Rich Swanson, Terry Kruschke, Paul Zimmerman, Mellisa LaBorde, and Susan McPartland from Zion National Park.

EXCUSED: Commissioner Kashif Bhatti

ALSO PRESENT: Town Manager Thomas Dansie, Director of Community Development Niall Connolly, Associate Planner Eugenia Akiyom, and Deputy Town Clerk April Raddatz recording. See the attached sheet for attendees.

Ms. McCulloch designated Mellisa LaBorde as voting member in the absence of the excused Commissioners.

Approval of the Agenda:

Motion made by Paul Zimmerman to approve the agenda. The motion was seconded by Mellisa LaBorde.

Vote on Motion:

Swanson: Aye

Kruschke: Aye

McCulloch: Aye

Zimmerman: Aye

LaBorde: Aye

The motion passed unanimously.

General Announcements:

Niall Connolly introduced Eugenia Akiyom as the new Associate Planner for the Town, and everybody welcomed her.

Declaration of Conflicts of Interest: There were no declared conflicts of interest.

A. Action Items

1. 2501 Anasazi Way - Grading Permit - Mr. Adam Hyatt requests a grading permit to expand a sunken patio at 2501 Anasazi Way. Staff Contact: Niall Connolly

Staff Presentation:

Mr. Connolly asked the Planning Commission to review a grading permit application submitted by Adam Hyatt to expand the sunken patio at the rear of his property. The project involved excavating into the hillside to increase the usable patio space.

The proposed excavation included a cut slope just under 10 feet high at the rear of the property and a second cut slope approximately 4 feet high closer to the house. According to an engineer's slope stability assessment, the existing rock conditions were expected to provide sufficient stability, and no retaining wall was anticipated. The engineer stated that the excavation would be monitored during construction, and if site conditions differed from expectations, a retaining wall or other retaining measures could be required.

Commission Questions and Discussion:

Mr. Kruschke clarified the perimeter of the property, and confirmed that beyond the perimeter was a conservation easement. Mr. Connolly confirmed this, and also clarified that within the subdivision where this lot is located, they are able to excavate up to the property line.

There was also discussion on the drainage of the property. Mr. Kruschke was concerned about whether the temporary drainage control would be sufficient for this project. Mr. Swanson questioned what would happen if there was a flood and the drainage was clogged.

Mr. Kruschke asked the applicant his intention for this project. Adam Hyatt clarified that there would be a patio constructed in the excavated space. Mr. Kruschke also confirmed with Mr. Hyatt that the 4 foot section would be for a staircase to be built, and that the staircase would not be cut into the rock.

Mr. Kruschke also talked to the applicant about a potential wall being built. Mr. Connolly clarified that if the wall was higher than 3 feet, it would need a permit from the Town. It was also clarified that if a deck was constructed, it would not require a permit since it would be a small construction area.

Mr. Zimmerman questioned staff on why a Geotechnical report was not required, citing Town Code Ordinance 10-15F-1. Mr. Connolly explained the circumstances under which a geotechnical report is required. These included subdivision approval, Design Development Review (DDR) for a new building larger than 500 square feet, additions to existing buildings when the combined area of the existing structure and the addition totals 1,000 square feet or more, structures intended for human occupancy, and any other situation in which the Director of Community Development determined that site or soil conditions warranted a geotechnical report. Mr. Connolly further concluded that this particular project didn't trigger any of those requirements.

Luke Wilson stated that he had been involved in the original construction of Mr. Hyatt's house and was familiar with the property's geotechnical requirements and slope stability analysis. He explained that a geotechnical report had been prepared during the home's construction and concluded that the excavation wall could be cut vertically because it consisted of solid sandstone and did not require stabilization.

Based on his personal experience performing the original excavation, Mr. Wilson confirmed that the material was solid rock. He also noted that stormwater runoff from the site drained directly into the drainage system below the house and that any runoff during construction would consist of clean water rather than sediment-laden material, so it was not expected to create drainage issues.

Mr. Wilson informed the Planning Commission that this information was documented in the existing geotechnical report and wanted the Commission to be aware of those findings when considering the application.

Mr. Kruschke reminded Commissioners and staff that they were there for a grading permit, not an approval for structures or projects being built or constructed.

Mr. Kruschke questioned if there should be a condition that the engineering firm that produced the report during building construction produce a document or letter indicating that the report would still apply, or if it would need adjustment. Mr. Connolly clarified that, if a geotechnical report were required, it would most appropriately fall under the code provision allowing such a report when site or soil conditions warrant it, rather than the provision related to additions to existing buildings. Mr. Connolly explained that the code defines a building as a structure with walls and a roof, so the proposed patio expansion did not clearly meet the definition of a building addition.

Mr. Connolly added that, if the Planning Commission determined a geotechnical report was necessary, they could require one under the provision addressing site and soil conditions. He also responded that it would likely be possible to have an engineer or geologist review the previous geotechnical report and prepare a supplemental slope stability analysis tailored to the proposed excavation.

There was discussion amongst the Commission on where they were at, considering everything that had been talked about. Mr. Kruschke stated that, with a geotechnical study already being done on the original cut and the engineers coming back saying they expected to encounter the same thing, he felt it made sense that the geotechnical study would still apply.

Mr. Swanson said that he felt like if they had to put up a retaining wall, if engineered correctly, it's not that uncommon. He stated that what he would be more concerned about is if there was a real slope and the wall was holding back more material. He stated that, given that an engineering report was done first, he didn't see any reason for additional concern, especially since they had an original assessment done when they built the house.

Motion made by Terry Kruschke that the Planning Commission approves the Grading Permit Application for an expansion of the sunken patio at 2501 Anasazi Way as discussed in the July 01, 2026 meeting. This motion is based on the following findings:

- 1. The proposed grading project meets the requirements of 10-15B regarding the grading standards, and 10-15F regarding the geological hazard zones.**
- 2. Regarding the requirement for the geotechnical report in the Town Code, the Planning Commission finds that due to the limited scope of the project, the engineering drawings, and the stamped letter from the engineer certifying the design of the cut slope and confirming the excavation will be monitored during construction, as provided by the Applicant, is sufficient to meet the requirements of this section.**

This approval has the following conditions:

1. The Applicant must follow the engineering recommendations during construction. If loose rocks, soil, or inconsistencies in bedrock emerge during construction, the slope must be stabilized in accordance with the engineer's recommendations.
2. Additionally, in the event that the retaining wall or sections of the retaining wall are found to be necessary during construction, the Applicant must submit the details of the retaining wall material to the Town for approval. The material used in the retaining wall must comply with the Town's architectural standards in Section 10-16 of the Town code.

Second by Rich Swanson

Discussion of the motion: There was no additional discussion

Vote on Motion:

Swanson: Aye

Kruschke: Aye

McCulloch: Aye

Zimmerman: Nay

LaBorde: Aye

The motion passed unanimously.

2. 50 Zion Park Blvd DDR (parking lot extension) - Mr. Luke Wilson requests Design Development Review for approval for an expansion to the parking lot at 50 Zion Park Blvd. Staff contact: Niall Connolly

Staff Presentation:

Mr. Connolly presented a Design Development Review application submitted by Luke Wilson for an addition to the parking lot at 50 Zion Park Boulevard. He noted that the Planning Commission had previously reviewed the application at its June 03, 2026 meeting and requested additional information. Mr. Wilson provided the requested materials, which were included in the meeting packet.

Mr. Connolly explained that the report addressed the additional information and included recommended conditions for the Planning Commission to consider if it approved the application. He also reported that two public comments had been received and circulated to the Commission, both expressing concerns about potential geological hazards at the site.

Commission Questions and Discussion:

Mr. Kruschke asked if there was information on what engineering analysis or geotechnical report was done in association with the grading permit. Mr. Connolly answered that a slope study had been completed as part of the grading permit application and reviewed the exhibit showing the location of the excavation in relation to areas with slopes of 30% or greater. Mr. Connolly also noted that a letter from Rosenberg Engineering had been submitted with the grading permit materials.

Mr. Swanson asked if the grading permit was approved, and Mr. Connolly confirmed that it was approved. Ms. McCulloch said that the letter had the word "temporary" in it, and asked about that. Mr. Connolly stated that the letter was more specifically for the grading that had happened before the permit was approved, and that the letter wasn't forward-looking. Ms. McCulloch asked if there was anything looking forward as to ongoing stability.

Mr. Connolly explained the Town's geotechnical report requirements for properties located within geologic hazard areas. He noted that the code requires a geotechnical report for subdivision approvals, Design Development Review applications for new buildings larger than 500 square feet, additions that increase a building's total area to more than 1,000 square feet, and structures intended for human occupancy. Mr. Connolly stated that the proposed parking lot expansion did not fall into any of those categories and therefore did not automatically require a geotechnical report. However, the code also allows the Director of Community Development to require a geotechnical report when site or soil conditions warrant additional evaluation. He advised that the Planning Commission could consider whether such a requirement was appropriate during its deliberations. Ms. McCulloch clarified that if the property were located in a landslide area, that could be a reason to require a geotechnical report. Mr. Connolly affirmed that could be a reason.

Mr. Kruschke inquired that based on the engineer's letter, the actual grading occurred in an area that was less than 30%, but adjacent to an area that is 30%. Mr. Connolly affirmed that to be correct.

Mr. Wilson stated that he understood that the purpose for the meeting was for the conditions from the previous meeting, which included architectural landscaping, bathrooms, metal screening around the bathrooms, trash receptacles, etc. Mr. Kruschke stated that he had looked over all of those items that Mr. Wilson had provided and that he was satisfied, aside from the drainage condition. Mr. Wilson acknowledged that he still needed to satisfy that condition and provide more information.

Ms. McCulloch asked if the Town-owned parking spaces on the street toward the park entrance were also in the slide and rockfall zone, and Mr. Connolly confirmed that they were also in those hazard zones.

Mr. Swanson asked for clarification on the landslide zones and rockfall zones. Mr. Connolly explained that geotechnical reports are required in certain circumstances regardless of zoning, such as for the construction of a new home. He stated that while the proposed parking lot expansion was not one of the types of projects specifically listed as requiring a geotechnical report, the Town could determine that one was warranted based on other site-specific factors.

Mr. Swanson asked what the practical effect of a geotechnical report would be if the property were found to be within a landslide or rockfall hazard area, noting that he was not aware of any code prohibiting the construction of a parking lot in those areas.

Mr. Connolly responded that the findings of a geotechnical report would depend on the specific conditions identified. He explained that the report could recommend mitigation measures to reduce potential hazards, and if it concluded that the site was highly unsafe, additional mitigation might be necessary. He also noted that the existing parking lot was already in place, and only the proposed additional parking spaces would be subject to that assessment.

Mr. Swanson confirmed his understanding that simply being located within a landslide hazard area would not necessarily prevent the project from moving forward. Mr. Connolly agreed, explaining that the report would more likely identify recommended mitigation measures rather than automatically prohibit the proposed parking lot expansion.

Ms. McCulloch clarified that just because the lot is in a landslide hazard zone doesn't necessarily change anything. Mr. Connolly said that a report may recommend mitigation potentially. Ms. McCulloch countered that the report won't automatically mean that the parking lot couldn't be there, and that the new spaces are the same existing risk as the old spaces. Mr. Connolly presented the overlay and showed that the parking spaces closest to the road were outside the overlay, or farther from it. The overlay also shows many other neighboring parking areas in the same hazard zones as the parking lot at 50 Zion Park Blvd.

Mr. Kruschke stated that his feeling was that, with a parking lot, there is no residential occupancy expected, so the concern would be the safety of the cars parked there and people who may be in the parking lot should something happen, as opposed to people being in a business or residential home. Mr. Wilson added that overnight parking is not allowed in the parking lot. Mr. Kruschke added that people in the parking lot would be there mostly during the daytime, not overnight.

Commission Deliberation:

Ms. McCulloch started by saying that the question she still had was whether it was possible to ask for a geotechnical report, but what would that accomplish? She wondered if there would possibly be mitigations, but maybe there wouldn't.

Mr. Kruschke stated that, based on the information presented, a significant amount of engineering analysis had already been completed following the grading work. He believed that requiring an additional engineering study was unlikely to reveal any new information that was not already known. He also stated that sufficient evidence had been provided to demonstrate that the site was safe for a parking lot, noting that a parking lot is not an occupied structure. Mr. Kruschke added that if a future proposal included a permanent building on the site, additional studies and requirements would likely be necessary, but that was not part of the current application.

Ms. McCulloch expressed concern about the distinction between a permanent building and a mobile business, noting that both involve people gathering on the site.

Mr. Kruschke explained that the current proposal was for a mobile business, and the Town's ordinances did not regulate it in the same manner as a permanent structure. He noted that the proposed use would involve customers briefly parking and visiting the coffee truck, with employees only remaining on-site for limited periods, rather than occupying the site as they would in a permanent building.

Ms. McCulloch asked whether the site's stability had already been sufficiently addressed through the engineering process to support its use as a parking lot.

Mr. Kruschke responded that, given the proposal for a parking lot and the way the ordinances were written, it was not clear that a full geotechnical report would have been required. He noted that the Director of Community Development could still request one under the ordinance's discretionary provision if warranted. Mr. Kruschke stated that he did not personally believe a geotechnical report was necessary for the proposal, but acknowledged that the committee could recommend requiring one if the majority felt it was appropriate.

Mr. Swanson stated that he would be comfortable establishing a requirement that any project located within a hazard zone must provide a geotechnical report. He explained that doing so would create a clear, consistent standard rather than relying on subjective opinions about whether a report was necessary on a case-by-case basis. He noted that, under the current ordinance, a geotechnical report was not required for the proposal and could only be recommended by the committee.

Mr. Zimmerman asked Mr. Connolly to bring the rockfall hazard area map and the rockslide hazard area map back up on the screen for review. Mr. Zimmerman stated that because of those two zones alone, a report would need to be required, not at the discretion of anybody, but because it's in a geologic hazard zone. Adjacent parking lots were brought up, and Mr. Zimmerman said that they needed to be careful, and they couldn't look at the surrounding area and make a determination on what was already existing there and that those parking lots could have been approved under other pre-existing rules or ordinances or lack thereof, and that it may not have been under current standards.

Mr. Zimmerman stated that this was an unfortunate situation because things weren't done in the proper order, and the Town didn't have the opportunity to recommend a geological report initially, so now he felt like they needed to clean that process up and correct things. Mr. Kruschke disagreed and said that when the Town met with Mr. Wilson and asked him to stop and told him to get a grading permit, that's what he did, and the grading permit was approved. Mr. Zimmerman countered and said that the grading permit was done after the work began, not before. Mr. Kruschke acknowledged that and stated that, at that point, the geotechnical report could have been required before the grading permit was given. Mr. Kruschke said that there was an opportunity to ask for the geotechnical report, but at the time, the engineering data that was available was sufficient.

Ms. McCulloch stated that they should be looking at this as if the grading permit was approved, and if they are approving the DDR and requiring the report, then what is it that they're looking to accomplish? Mr. Zimmerman answered her by saying that first, there would be an assurance there that there isn't a problem, and second was whether there would be a potential liability that is assumed by the Town because this was the current position that they were in and it needed to be corrected.

Mr. Connolly observed that either decision regarding a geotechnical report would be consistent with the Town's code. He explained that the commission could reasonably determine that a report was required or that it was not required, and either conclusion would be supported by the ordinance. He further clarified that, because the application was a Design Development Review, a geotechnical report could be required under certain circumstances. Mr. Connolly further noted that the fact a report had not been required for the earlier grading permit did not prevent the commission from requiring one as part of the current review if it determined that one was warranted.

Ms. McCulloch said that it might be better to be safe than sorry, and after seeing these maps of the hazard areas, she thought it would be helpful to get the report.

Motion made by Terry Kruschke that the Planning Commission requests to table the Design Development Review application for the expansion of the parking lot at 50 Zion Park Blvd as discussed at the July 01, 2026 meeting. The motion is based on the following findings:

- 1. Parking lot expansion encroaches into a landslide hazard area, as designated by the Utah Geological Survey**
- 2. The required geological study has not been submitted.**

This motion has the following conditions:

1. **We would like to request that the Director of Community Development request a geotechnical report**
2. **Any recommendations from that report be followed.**
3. **That report focuses on the landslide and the rockfall risk to ensure that we've properly mitigated any risks associated with the landslide and rockfall issues.**
4. **The drainage study for the surface water be submitted as it was missed in this iteration.**

Second by Paul Zimmerman

Discussion of the motion: There was no additional discussion

Vote on Motion:

Swanson: Aye

Kruschke: Aye

McCulloch: Aye

Zimmerman: Aye

LaBorde: Aye

The motion passed unanimously.

3. **Watchman Lot 8 and 11 DDR - Mr. Wendell Burnette requests Design Development Review approval for a single family home with accessory structure at 201 North Fork Drive, and a single family home at 211 North Fork Drive. Staff contact: Niall Connolly**

Staff Presentation:

Mr. Connolly presented a Design Development Review application for two homes in the Watchman Subdivision. He explained that one home, located on Lot 8, included an accessory building to be used as a guest house. He noted that the Planning Commission had approved a subdivision plat amendment at its previous meeting, which facilitated the proposed development.

He stated that the main house on Lot 8 would be constructed within the footprint of an old excavation left from an earlier, unfinished development, with the guest house located farther up the hillside. The second home was proposed on Lot 11.

Mr. Connolly explained that the applicant was not utilizing the residential height and size bonus. As a result, the project was not subject to the Town's architectural design standards, material and color palette requirements, or landscaping requirements associated with that bonus.

He noted that the proposed home on Lot 11 included a cantilevered section extending over slopes greater than 30%, which raised concerns because those slopes were not to be disturbed during construction. He reported that the architect and contractor stated the home could be built without disturbing the slopes. He also recommended a condition of approval to ensure the slopes remained undisturbed during construction.

Mr. Connolly also explained that both properties were located within geologic hazard study areas. He stated that the applicant had requested to defer the required geotechnical report until the building permit stage rather than submitting it during the Design Development Review process. He explained that

geotechnical reports are typically required as part of Design Development Review, with engineered building plans submitted afterward during the building permit process. Mr. Connolly advised the commission to consider whether deferring the report was appropriate and recommended that, if approved, the approval be conditioned upon completion of the geotechnical assessment before any building permits were issued.

Mr. Connolly noted that the commission would also be considering the project's geologic hazard review as part of the meeting. Contractor **Mark Fahrenkamp**, civil engineer **Jared Bates**, and architect **Wendell Bennett** were present for questions.

Applicant Presentation:

Mr. Bennett explained that the applicant was not requesting a waiver of the geotechnical investigation, but only asking to defer completion of the report until the building permit stage. He stated that the investigation involved extensive field testing, laboratory analysis, and structural engineering, and that completing those efforts before receiving Design Development Review approval would result in significant unnecessary expense if the project were not approved.

He noted that the applicant had worked closely with Town staff throughout the design process and that the subdivision plat amendment and driveway variance had already been approved. He emphasized that the applicant understood the site's geologic hazards and remained committed to completing the required investigation before any building permit was issued.

Mr. Bennett also explained that the proposed construction methods would avoid disturbing slopes greater than 30 percent and would minimize impacts to native vegetation and other natural resources. He stated that the project team was confident the work could be completed in compliance with the Town's requirements. He confirmed that the subdivision plat amendment would be recorded before a building permit was issued and reiterated that the request was only to defer the geotechnical documentation until the appropriate stage of the permitting process.

Mr. Bates of Rosenberg Associates explained that, because of the site's complexity, the recommendations in the geotechnical report would be highly dependent on the exact location of the proposed homes. He stated that if the building location changed after the investigation was completed, additional deep borings and analysis could be required. He explained that the applicant was requesting to defer the geotechnical investigation until the final building locations were confirmed to ensure the testing and recommended mitigation measures were accurate. Mr. Bates added that the project team understood the site's geologic risks and was prepared to address them appropriately.

Mr. Kruschke raised a question about whether the finished floor elevation of the cantilevered section exceeded four feet above the natural grade. He referenced the Town's ordinance, which requires any area below the first-floor elevation to be included in the building's square footage if the vertical distance exceeds four feet.

Mr. Kruschke noted that the proposed buildings were each under 3,000 square feet, allowing them to avoid certain design requirements, including the Town's color palette standards. He requested confirmation of the floor elevation measurements to determine whether the additional area should be included in the square footage calculation and whether doing so would increase the building size beyond

the 3,000-square-foot threshold. Mr. Connolly interpreted the Town's ordinance regarding building square footage and stated that he did not believe it applied to the proposed cantilevered section. He explained that the ordinance appeared to apply to portions of a structure supported by exterior building surfaces such as basement walls, crawl space walls, or foundation walls. Because the cantilevered section was not supported in that manner, he believed the area beneath it would not be included in the building's square footage under the ordinance.

Commission Discussion and Deliberation:

Mr. Swanson stated that as far as the structure was concerned, he didn't see anything that jumped out to him as an issue. Mr. Kruschke agreed, stating the drawings for the three structures were all within the height limits.

Mr. Kruschke said that he would like to see the geotechnical report. Mr. Swanson agreed. They both agreed that they'd like to see any mitigations on the geotechnical report.

Motion made by Terry Kruschke that the Planning Commission desires to table the Design Development Review application for a single-family home and accessory guest house at 201 North Fork Drive, and a single-family home at 211 North Fork Drive, as discussed in the July 01, 2026 meeting. The motion is based on the following findings:

- 1. The plan, as presented, overall looks good. The location and position of the site and the home look good, but the geotechnical report is not complete.**
- 2. We would like a complete and submitted geotechnical report with a plan that is substantially the same as what we're looking at.**

Second by Rich Swanson.

Discussion of the motion: There was no additional discussion

Vote on Motion:

Swanson: Aye

Kruschke: Aye

McCulloch: Aye

Zimmerman: Aye

LaBorde: Aye

The motion passed unanimously.

B. Consent Agenda

1. Approve minutes from 05/20/2026, 06/03/2026, and 06/17/2026

Motion made by Terry Kruschke to approve the Consent Agenda. The motion was seconded by Paul Zimmerman.

Vote on Motion:

Swanson: Aye

Kruschke: Aye

McCulloch: Aye

Zimmerman: Aye

LaBorde: Aye
The motion passed unanimously.

C. Adjourn

Motion made by Mellisa LaBorde to Adjourn at 8:15 PM The motion was seconded by Terry Kruschke.

Vote on Motion:

Swanson: Aye

Kruschke: Aye

McCulloch: Aye

Zimmerman: Aye

LaBorde: Aye

The motion passed unanimously.

April Raddatz, Deputy Town Clerk

APPROVAL: _____ **DATE:** _____

A recording of the public meeting is available on the Town's YouTube Channel at youtube.com/@SpringdaleTownPublicMeetings. For more information, please call 435-772-3434 or email springdale@springdale.utah.gov.