

**(no subject)**

David Everitt <deveritt@moabcity.org>  
To: Carmella Galley <carmella@moabcity.org>

Wed, Feb 1, 2017 at 1:26 PM

Begin forwarded message:

**From:** Barb Zinn <barbzinn@gmail.com>  
**Subject:** SITLA proposal to hold closed meetings on Lionsback  
**Date:** January 4, 2017 at 8:46:57 AM MST  
**To:** [city-council@moabcity.org](mailto:city-council@moabcity.org)

It is totally inappropriate to hold a closed meeting with just two council members at a time. This is a bald effort to avoid a quorum. This situation does not fall under the categories listed in the Utah Open Meetings Act regulations 52-4-204 and 52-4-205. Do not allow this.

Barbara Zinn  
460 Rosetree Lane  
Moab UT 84532  
[435 259 4077](tel:4352594077)

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Begin forwarded message:

**From:** William Love <[sombra@frontiernet.net](mailto:sombra@frontiernet.net)>  
**Subject:** Water Source Protection Plan Lionsback  
**Date:** January 6, 2017 at 10:44:45 AM MST  
**To:** David Everitt <deveritt@moabcity.org>  
**Cc:** [city-council@moabcity.org](mailto:city-council@moabcity.org)

The Lionsback Water Source Protection Plan may not have been prepared by a qualified person or company. I am especially concerned that there is no reference to any analytical data in the report or signature on the report. Please advise source of the Water Source Protection Plan.

The on site processing of sewage by the developer is a major change in watershed protection.

Bill Love

Begin forwarded message:

**From:** Renee Troutt <[renee@insuremoab.com](mailto:renee@insuremoab.com)>  
**Subject:** Moab Lionsback Resort  
**Date:** January 23, 2017 at 2:28:15 PM MST  
**To:** <[city-council@moabcity.org](mailto:city-council@moabcity.org)>

*Attn: Moab City Council  
Re: Moab Lionsback Resort*

*I would like to take this opportunity to offer my support for the Moab Lionsback Resort development application. I have examined the plans and project description and am familiar with the site. I believe the resort is well suited for the area and could offer our visitors a great luxury experience they are not able to get at other resorts in the area.*

*Michael Badger has worked tirelessly since 2004 to get the project off the ground. He has experienced many setbacks and has complied with the requirements and legal issues set before him. It's time to get this project off the ground. I hope you will consider this project for approval.*

*Sincerely,*

*Renee Troutt*

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Begin forwarded message:

**From:** William Love <[sombra@frontiernet.net](mailto:sombra@frontiernet.net)>  
**Subject:** Moab City Can Reverse Annexation of Lionsback Property  
**Date:** January 6, 2017 at 10:20:55 AM MST  
**To:** [city-council@moabcity.org](mailto:city-council@moabcity.org)  
**Cc:** Editor Times Independent <[editor@moabtimes.com](mailto:editor@moabtimes.com)>, "[zlevine@grandcountyutah.net](mailto:zlevine@grandcountyutah.net)" <[zlevine@grandcountyutah.net](mailto:zlevine@grandcountyutah.net)>, John Weisheit <[john@livingrivers.org](mailto:john@livingrivers.org)>, Editor Moab Sun News <[editor@moabsunnews.com](mailto:editor@moabsunnews.com)>, [council@grandcountyutah.net](mailto:council@grandcountyutah.net)

### Moab City Can Reverse Annexation of Lionsback Property

Attached are the Lionsback's 2008 Pre Annexation Agreement (PAA) and the Lionsback 2009 Development and Phasing Agreement. (DPA) Both agreements are between Moab City and the developer of the property LB Moab Land Company LLC.

In both agreements the developer has clearly stated that they intend to develop the Lionsback property in accordance with the applicable laws and regulations of the City of Moab (Section F –DPA and 1.6, 2.2.3, 2.2.8PAA).

A default in the 2008 Pre Annexation Agreement by the Developer refusal to accept Moab City's Land Use Code will allow Moab City to enforce Section 9.4 Default and Remedies. This section allows Moab City "Suspension or termination of annexation of the property", "withhold permits", "discontinue service" and "commence proceedings to disconnect the property from the city". Moab City can also refuse to supply Water and Sewer Services as required under Section 3 of the Agreement.

At the next City Council meeting the developer needs to confirm his commitment to these contracts. **Nothing should be done to approve the request to increase the**

**size of the hotel until the Developer confirms his commitment to abide by Moab City's Land Use Code.**

Note: The above comments are my interpretation of the agreements. Moab City needs to review all of the above with their attorney and also review with the attorney all other actions available to counter SITLA's intimidations. Moab City needs to have any other developer using SITLA property confirm they will abide by the Land Use Code. This is especially important for USU.

Bill Love 2871 E Bench Rd

Moab, Utah 84532

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Begin forwarded message:

**From:** Bob-Margie Read <[bread1@comcast.net](mailto:bread1@comcast.net)>  
**Subject:** REJECT the SITLA Request for Private Meetings on Lionsback with City Council  
**Date:** January 5, 2017 at 1:40:27 PM MST  
**To:** Moab City <[city-council@moabcity.org](mailto:city-council@moabcity.org)>  
**Cc:** Grand County Council <[council@grandcountyutah.net](mailto:council@grandcountyutah.net)>, Zacharia Levine <[zlevine@grandcountyutah.net](mailto:zlevine@grandcountyutah.net)>, Amy Weiser <[aweiser@moabcity.org](mailto:aweiser@moabcity.org)>

Please REJECT the SITLA request for a meeting with 2 council members at a time. This request makes the meeting "Private" and should Not be allowed.

There is something "Really Smelly" about this whole deal, Back Door Dealing, etc. What members of the Utah State Government are "Benefactors" of this deal?

In addition, Please insure that the Grand County Council and the Water, Sewer & Disposal Districts members, Plus the Public, are in Full attendance at this meeting and are allowed to speak, ask questions and comment on any statements that the SILTA reps. make. This matter has a Big Effect on the culinary water for all of Spanish Valley and should be Fully vetted in Public.

Bob Read  
195 E 100 S  
Moab, UT 84532

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Begin forwarded message:

**From:** Barb Zinn <[barbzinn@gmail.com](mailto:barbzinn@gmail.com)>  
**Subject:** Lionsback Resolution 36-2016  
**Date:** December 12, 2016 at 8:01:17 AM MST  
**To:** [city-council@moabcity.org](mailto:city-council@moabcity.org)

Moab City should not approve Resolution 36-2016 without a public hearing, since this is a major change to the original Lionsback proposal. As Grand Country did with Cloudrock, Moab City needs to stand up to SITLA and not allow them to dictate what is permitted. Consider the Water Conservation Plan to be presented tomorrow: Lionsback will be a huge impact to the aquifer. It is inappropriate to commit to any kind of sewer service during the moratorium. The access road will not be adequate to either the development or the public.

Table this Resolution and hold a public hearing.

Sincerely,

Barbara Zinn  
259-4077

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Begin forwarded message:

**From:** John Knight <[jlknight30@gmail.com](mailto:jlknight30@gmail.com)>  
**Subject:** Lionsback Resort  
**Date:** January 5, 2017 at 5:29:56 PM MST  
**To:** [city-council@moabcity.org](mailto:city-council@moabcity.org)

To whom it may concern -

My name is John Knight and I live at 284 McGill Ave, Moab UT 84532. As an active environmentalist, and renewable energy developer, I want to express my full support for the Lionsback project. The development team for the resort has gone through tremendous efforts to ensure that they are developing a project that will create good, sustainable jobs for the Moab and the community. While there are some understandable environmental and civil concerns associated with the project, it is still a good project that will be good for Moab. This project is close to town, reduces urban sprawl (which we are suffering from), is off of an existing major road that is already highly impacted by traffic, limits viewshed damage from the valley and will provide economic diversity for our community.

I hope the city will vote in favor of this project.

Sincerely,

John Knight  
(503) 860-8903

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Begin forwarded message:

**From:** William Love <[sombra@frontiernet.net](mailto:sombra@frontiernet.net)>  
**Subject:** SITLA Requests Private Meetings on Lionsback with Council  
**Date:** January 3, 2017 at 8:56:17 AM MST  
**To:** [city-council@moabcity.org](mailto:city-council@moabcity.org)

Moab City has received a letter from SITLA asking for meetings on Lionsback with 2 Council members at a time. These meetings would exclude the public. This request is unethical and is borderline illegal. Please reject this request from SITLA

Bill Love

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Begin forwarded message:

**From:** William Love <[sombra@frontiernet.net](mailto:sombra@frontiernet.net)>  
**Subject:** Resolution 36-2016 Lionsback Development  
**Date:** December 11, 2016 at 2:34:17 PM MST  
**To:** [city-council@moabcity.org](mailto:city-council@moabcity.org)

Please Distribute

Moab City should not approve Resolution 36-2016 without a public hearing. This is a major change to the original Lionsback proposal. SITLA's threats and bullying should not be tolerated by the Moab Council.

Moab City controls the water, sewer and access road to the development.

The access road is not capable of meeting the needs of the development. The traffic has increased significantly in the last 10 years and the Sandflats campground is full on most summer weekends. The road must be upgraded by the developer prior to any construction. SITLA proposal that a four lane road is needed from the old city dump to the hotel and an unsafe two lane road is needed to travel into town does not make sense. The safety of Moab residents and tourists should come before the desires of SITLA.

Grand County called SITLA's bluff with Cloudrock by saying that the county would not provide occupancy permits after homes were sold unless they met Grand County Codes. SITLA backed down and decided to accept Grand County Codes.

The USGS water study has said the Glen Canyon Aquifer does not have the 13,000 acre feet of water flowing into the Colorado River that was going to be used for future large projects such as Lionsback. Approving any changes to Lionsback that require a large quantity of water sometime in the future may require expenditures of millions of dollars by the city for processing. The City should not jeopardize the possibility of having a USU campus by allocating our last cheap water from the Glen Canyon Aquifer to SITLA. Moab City does not have the money for alternative sources of water without a contribution from developments such as Lionsback. No commitment should be made until the USGS water study is completed in 2017.

There is a moratorium on sewer connections. The City cannot commit to any type of sewer service until at least 6 months and probably up to two years until after the new plant is operating.

Moab City has many reasons to tell SITLA that a major or minor increase in hotel units cannot be approved at this time.

Bill Love  
2871 E Bench Rd  
Moab, Utah 84532

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Begin forwarded message:

**From:** William Love <[sombra@frontiernet.net](mailto:sombra@frontiernet.net)>

**Subject:** Road to Lionsback is a Death Trap

**Date:** December 10, 2016 at 10:49:02 AM MST

**To:** [city-council@moabcity.org](mailto:city-council@moabcity.org)

**Cc:** [council@grandcountyutah.net](mailto:council@grandcountyutah.net), Editor Moab Sun News <[editor@moabsunnews.com](mailto:editor@moabsunnews.com)>, "[zlevine@grandcountyutah.net](mailto:zlevine@grandcountyutah.net)" <[zlevine@grandcountyutah.net](mailto:zlevine@grandcountyutah.net)>

Please Distribute

### **Road to LionsBack Resort will be a Death Trap for Bicycles**

The road to Sandflats and the proposed Lionsback resort is steep and passes through a narrow dugway through a hill that has no room for a shoulder. The road is currently used by families on bicycles who cannot easily negotiate the steep road next to the edge of the road. Many bicycles riders take an entire lane as they try to navigate through the dug way.

Construction of Lionsback will require large trucks to transport materials to the building site. Many of the trucks will be fully loaded and cannot stop on a steep hill for bicycle riders trying to navigate the steep area in the narrow dugway on the road.

Moab City was negligent in prior years in approving Lionsback without requiring the developer to provide safer access to the Sandflats area.

Moab City should not consider enlarging or even approving construction of Lionsback prior to having the developer provide safe access for all users of the access road to Lionsback

.

Bill Love

Note: SITLA tried to ignore Grand County's Land Use Code during planning for Cloudrock. Grand County told SITLA that the county would not provide occupancy permits to buyers of homes that did not meet the county land use code. Nobody wanted to go to court and SITLA agreed to using the county's codes. SITLA's greed should not come before the safety of Grand County residents or tourist.

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Begin forwarded message:

**From:** William Love <[sombra@frontiernet.net](mailto:sombra@frontiernet.net)>  
**Subject:** EPA Review of Lionsback Pollution of City's Aquifer  
**Date:** January 1, 2017 at 11:41:55 AM MST  
**To:** [city-council@moabcity.org](mailto:city-council@moabcity.org)  
**Cc:** [council@grandcountyutah.net](mailto:council@grandcountyutah.net), "[zlevine@grandcountyutah.net](mailto:zlevine@grandcountyutah.net)" <[zlevine@grandcountyutah.net](mailto:zlevine@grandcountyutah.net)>

Please Distribute

The City of Moab in 2008 asked the EPA to review the problems associated with possible pollution of ground water by the Lionsback Development. The attached report is based on the EPA's designation of the Glen Canyon Aquifers as Moab City's Sole Source Aquifer. The EPA concerns for possible pollution of Moabs City's drinking water by a 50 room hotel are only increased by the current proposal to increase the size of the hotel to 150 rooms.

The attached report clearly states that:

*"Because the Glen Canyon Aquifer System is exposed at the surface within the delineated Drinking Water Source Protection Zones, it is not protected from potential contaminants spilled on the ground"*

*"In order to protect the City against potential problems that are difficult to regulate, it may be possible to require a bond for the developments. Regulators require this of mining and other types of projects. If the aquifer becomes contaminated, the City of Moab and Grand County Water and Sewer Agency will be left with the expense of treating the water in perpetuity. It can be very expensive"*

The EPA review was completed in late 2008 after most of the review of the Lionsback project was completed and probably did not receive adequate attention by the council. The report made suggestions and asked several questions that need to be reviewed prior to consideration of approving any agreement with SITLA. Increasing the size of the development by three times will also increase the possibility of pollution of the Glen Canyon Aquifer by three times.

Bill Love  
2871 E Bench Rd  
Moab, Utah 84532

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Begin forwarded message:

**From:** William Love <[sombra@frontiernet.net](mailto:sombra@frontiernet.net)>  
**Subject:** Question for Lionsback Meeting Feb. 1,2017  
**Date:** January 28, 2017 at 4:08:20 PM MST  
**To:** [city-council@moabcity.org](mailto:city-council@moabcity.org)

Does the city moratorium for commercial developments apply to Lionsback's request for 150 hotel rooms and sewer plant on the aquifer?

Bill love

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Begin forwarded message:

**From:** David McLean <[mclean777@gmail.com](mailto:mclean777@gmail.com)>  
**Subject:** LIONSBACK RESORT DEVELOPMENT  
**Date:** December 10, 2016 at 3:54:41 PM MST  
**To:** [city-council@moabcity.org](mailto:city-council@moabcity.org)

Dear Kyle, Rani, Heila, Kalen, and Tawny,

Please vote against any approval action concerning the proposed Lionsback Resort Development until adequate public hearings can be scheduled and held following this holiday season. In the spirit of transparency, the citizens of Moab Valley deserve the opportunity to voice their concerns or approval of this major development.

The Lionsback Resort Development, with its 150-room hotel, 220 vacation homes/nightly rentals, and 30 employee housing units probably presents the single-most impact on Moab Valley than any other project underway or planned in the foreseeable future. The impacts are significant:

**Sewer:** An obvious major impact based on the number of units, not to mention the "car wash facility. Did we not just pass a moratorium on future commercial hook-ups?

**Road:** During the construction phases alone, Sand Flats Road will become a virtual 'death trap'. The hikers, bikers, OHV drivers, tour groups in hummers and jeeps, and citizens who frequent the recycle center, land fill, and Sand Flats Recreation Area will be 'road fodder' for the construction vehicles on this narrow, twisty road.

**Water:** This development will be another major user of water, water that may or may not be available.

**Visual:** Lionsback Resort will be a visual sore, the first major blight, on the East Rim even during the day. The impact at night, however, will certainly light up Moab Valley more than we can imagine.

Please table this issue until our community has a chance to voice its opinions.

Sincerely,

Dave McLean

Moab

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Begin forwarded message:

**From:** "Jeff Pillus" <[jeffp@setengineering.com](mailto:jeffp@setengineering.com)>

**Subject:** Lionsback Resort

**Date:** January 26, 2017 at 10:52:19 AM MST

**To:** <[city-council@moabcity.org](mailto:city-council@moabcity.org)>

Dear City Council:

I am a licensed civil engineer and have dedicated my career to land planning in the southwestern US. This experience has given me a thorough understanding of the impacts of projects and actions of planning entities. The consequences of land planning decisions are often misunderstood. To say the Lionsback project is "good" or "bad" for the community requires a thorough understanding of regional trends as well as historical data from similar communities.

Moab is a desirable place to live and therefore will continue to grow. If properly guided, growth can bring long term economic benefits to the community while minimizing environmental impacts. If the City of Moab chooses to restrict additional housing and accommodations, visitors and residents will migrate to the nearest available location. This is detrimental to the community in several ways. First, forcing visitors or residents to commute to amenities or work, causes adverse pressures on both the local infrastructure and environment by increasing traffic, sprawl, parking shortages, and emissions. I am genuinely concerned that the recent opposition to hospitality projects in Moab is causing an overflow of land development to the south in Spanish Valley. We have seen a significant uptick in land development projects south of Moab while development in the City has waned. We will observe a substantial increase in traffic on Highway 191 in the coming years due to more people living and staying south of town rather than in the City. The second impact is an increased parking demand in the City as people drive from the south valley. Third, is an increase in unregulated camping on public lands. Campers colonize new areas of public land, then drive to the city for restaurants, groceries, etc. The short sighted answer is to build a wider straighter highway with more off-street parking. Although this option is often popular to local communities, its impacts, which include people driving more and further, greatly outweighs the benefits.

For further information please see the links below titled "[Induced Demand](#)" and "[High Cost of Free Parking](#)." Please take the time to study these subjects further as you will find that the prohibition of growth is often damaging in the long term. I would be happy to speak on the subject if the Council, Planning Commission, and City staff is interested in hearing more. The public may not immediately support decisions that allow development, but smart growth is the responsible decision that needs to be made and understood. It is essential that we guide inevitable growth so that it occurs near popular activity centers such as Sand Flats Recreation Area.

I am respectfully requesting your support for the Lionsback Project as it is a well-planned mixed use community near the amenities where people want to be. It is smart growth.

Respectfully,

Jeff Pillus

Reference articles:

Induced Demand: [https://en.wikipedia.org/wiki/Induced\\_demand](https://en.wikipedia.org/wiki/Induced_demand)

High cost of free parking: [http://www.nytimes.com/2010/08/15/business/economy/15view.html?\\_r=0](http://www.nytimes.com/2010/08/15/business/economy/15view.html?_r=0)

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Begin forwarded message:

**From:** "Jeff's Personal E-mail" <[jeffpeterson@frii.com](mailto:jeffpeterson@frii.com)>

**Subject:** Lionsback Resort Project

**Date:** January 6, 2017 at 2:54:52 PM MST

**To:** <[city-council@moabcity.org](mailto:city-council@moabcity.org)>

To the City Council for the City of Moab:

I represent the ownership of a parcel of property within the vicinity of the Lionsback Resort project and I would like to weigh in with my support for this project.

I have followed project for the last several years and feel the City's approval for the project is and has been in place for some time now. The plan for the project, as it was rightfully approved, is done in very

good taste and addresses the concerns for the local environment and aesthetics. The minor recent changes that Lionsback has designed into their project will only improve the overall aesthetics of the project, the design conforms to the SAR zoning and seems to fit well within their existing approvals.

With the added benefit of the improvements to Sand Flats Road that will be accomplished and the additional employment that will be generated from this project, the city and area should benefit tremendously from this project. This project should be allowed to move forward expeditiously.

Sincerely,  
Jeff Peterson

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### 3 attachments



**Lionsback development and phasing agreement 2009.pdf**

1850K



**Lionsback Pre-Annexation Agreement 2008.pdf**

2611K



**EPAFinalMoabMemo30September2008.pdf**

157K