



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION REGULAR MEETING
ON WEDNESDAY JANUARY 15, AT 5:00PM
AT THE CANYON COMMUNITY CENTER, 126 LION BLVD., SPRINGDALE, UTAH.**

NOTE: Chair Mike Marriott was excused from the meeting and Vice Chair Suzanne Elger was elected to the Town Council; therefore, Commissioners in attendance requested Joe Pitti step in and chair the meeting.

Meeting convened at 5:02 PM

MEMBERS PRESENT: Commissioners Joe Pitti, Jack Burns, Barbara Bruno, Eric Rioux, and Dawn McComb

EXCUSED: Mike Marriott and J. Treacy Stone

ABSENT: Tyler Young

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

There was a request by staff to switch the ordering of the agenda items.

Approval of the Agenda: Motion made by Barbara Bruno to approve the agenda with the change that item number 2 on the current agenda be moved to item number 1. Seconded by Jack Burns.

McComb: Aye

Bruno: Aye

Pitti: Aye

Burns: Aye

Rioux: Aye

Motion passed unanimously.

Commission discussion and announcements: Ms. Frankenburg indicated staff had a productive follow-up meeting with Rosenberg & Associates related to the Virgin River Management Plan Erosion Hazard Zone Study. Data compiled over the last six months was rolled into a draft. This draft would be presented to the community at a public information/education session to be held January 29th at the Community Center.

The road improvement project on Winderland Lane had begun. The first stage would consist of storm drain improvements followed by repaving. The Town anticipated the project would be completed by the first of March.

A. Action Items

1. Public Hearing – Conditional Use Permit Modification: Request to modify the conditions of approval of the conditional use permit for a public parking area at 445 Zion Park Boulevard by changing the point of access from SR-9 into the parking area - Travis Barney: Mr. Dansie provided a brief summary and explained any use generating more than ten vehicular trips per day required a parcel be located on a dedicated public street. In order to satisfy this standard, the original permit was conditioned the Valley Residential (VR) parcel be combined with the Whiptail Grill parcel. This modification request now sought to combine the Valley Residential parcel with the Zion Canyon Campground parcel in order to remain compliant with the ordinance concerning access from SR-9.

- Although a relatively straightforward request, the staff report outlined a number of complex issues associated with this modification.
- One public comment letter was received from an adjacent property owner. The remarks did not voice specific objection but identified possible impacts the existing parking lot could have if combined with the Zion Canyon Campground parcel.

Although CUPs for public parking in the Valley Residential Zone were no longer allowed, Mr. Dansie explained the Planning Commission should review the requested modification in terms of compliance with the standards in place when the permit was issued, as well as conditions attached to the motion.

Commission questions to staff: Ms. Bruno asked if the 2017 CUP was granted specifically for paid public parking or parking. The staff report indicated Mr. Ferber did not intend to operate a paid parking lot but use the parcel to support the commercial businesses. It was not clear the parcel would continue to be used as a parking area.

- The Town's definition of public parking did not hinge on payment; public parking was available with or without charge but could not be developed to support another commercial business. The CUP was specifically for public parking. Mr. Dansie suggested the Commission discuss whether the proposed use would continue to meet the definition.

Mr. Pitti asked if Mr. Ferber could continue to operate a parking lot on a Valley Residential property.

- Although not currently allowed, the 2017 CUP allowed public parking on this VR parcel into perpetuity. If the modification was permitted, public parking could continue.

Mr. Burns asked if the original CUP required public restrooms.

- There was a requirement that patrons use restrooms at the Whiptail Grill. Should the CUP be modified, staff recommended a condition that public parking patrons be allowed to use facilities at the Zion Canyon Campground.

Ms. McComb asked what Mr. Ferber intended for the parcel.

- Mr. Dansie said staff did not receive anything definitive.

Public questions to staff: None were asked.

Summary explanation/presentation of the hearing item by the applicant: Travis Barney was in attendance. Regarding use of the parcel, he indicated access to parking would shift to the campground.

Commission questions to applicant: Ms. Bruno questioned the use of the parking.

- Mr. Barney said he believed it was intended for hotel and check-in parking.

Mr. Burns asked if the use would remain public parking or be parking for Mr. Ferber's business patrons.

- Mr. Barney did not know the specific answer. There had only been informal discussions.

Mr. Pitti asked about the parcels being combined then separated again.

- Mr. Barney indicated Wayne Hamilton had a survey done which separated the property into two parcels again. He was unaware of this until the property tax bill was received. Mr. Ferber would acquire the VR parcel and then combine it with the intervening parcel (indicated as the Deed Gap Area on the map) and the campground parcel.

Mr. Pitti asked how solidified plans were with Mr. Ferber.

- Mr. Barney said plans were fairly solidified however Mr. Ferber wanted to wait until the CUP modification had been approved by the Council before continuing to move forward.

Public questions to the applicant: None were asked.

Motion to open public hearing made by Dawn McComb. Seconded by Barbara Bruno.

McComb: Aye

Bruno: Aye

Pitti: Aye
Burns: Aye
Rioux: Aye
Motion passed unanimously.

Public comment: No public comments were made.

Motion to close public hearing made by Jack Burns. Seconded by Dawn McComb.

McComb: Aye
Bruno: Aye
Pitti: Aye
Burns: Aye
Rioux: Aye
Motion passed unanimously.

Planning Commission deliberation: If the existing thirty-two (32) public parking spaces were to remain, Ms. McComb said the request seemed to meet parameters.

Mr. Pitti was amenable to the concept, but felt the application was not unified since it did not contain clear notification, permission or intent from Mr. Ferber. It was all conjecture at this point. Mr. Burns agreed.

- Ms. Bruno thought this irrelevant since the question was whether to allow the parcel to be combined with another. She was more concerned about the public parking requirement. The parcel should not be private parking for Mr. Ferber's property but public parking that included his guests.

Mr. Pitti reiterated his concern about the lack of detail in the proposal. He understood issues had likely been discussed with the Town and Mr. Barney, however there was no concrete information provided to the Commission.

- Since the wash project was not finished, Mr. Rioux noted there wasn't a rush to approve the request since the public parking area would still exist.
- Mr. Barney said this request was not time sensitive for him. Mr. Ferber would likely not proceed with any plans until the Council approved the CUP modification.

The Commission discussed the need for Mr. Ferber to verify his understanding of what the CUP required.

- Mr. Barney added the parcel could not be developed beyond the thirty-two (32) parking spaces currently there.

Based on code, the Planning Commission had to forward a recommendation to the Council within sixty-days from the date the CUP modification request was submitted.

- Since the Commission agreed to the request in concept, Mr. Burns said if Mr. Ferber submitted a letter to the Town which acknowledged his support, permission, authorization and understanding of what this meant as the property owner, he supported a recommendation for approval.

Motion made by Jack Burns, that based on the findings discussed in the Commission deliberation, the Commission recommends approval of the conditional use permit modification to allow the public parking area to be combined with the Zion Canyon Campground parcel, instead of the Whiptail Grill parcel. All conditions of the original conditional use permit issued in 2017 continue to apply to the use, except as specifically modified here: 1) Existing condition #1 on the permit is modified to read as follows: The subject parcel must be combined with the Zion Canyon Campground parcel (S-95) and the intervening parcel (S-103-B-1); 2) Existing condition #2 on the permit is deleted; 3) Existing condition #7 on the permit is modified to read as follows: The applicant is required to provide adequate public restroom facilities to parking facility patrons which will be provided through the businesses on the Zion Canyon Campground parcel; 4) The Town must receive a letter of authorization from Stewart Ferber that acknowledges his understanding and support for the proposed change, and further, his understanding what the implications of the change will mean as it relates to his parcel and the conditional use. Seconded by Barbara Bruno.

McComb: Aye

Bruno: Aye

Pitti: Aye

Burns: Aye

Rioux: Aye

Motion passed unanimously.

Mr. Dansie was excused from the remainder of the meeting.

2. Public Hearing – Amended Subdivision Plat: Review of proposed plat amendment application to combine parcels S-BIT-1 and S-BIT-2 into one single parcel in the Bit and Spur Subdivision - Ryan Lee:

Ms. Frankenburg provided a summary explanation. She said the development approved in the Design/Development Review, and the amended conditional use permit approved by Council in December, were only possible if these two lots were combined. The proposal would create parcel S-BIT-1-A as referenced on the proposed plat amendment. The shared property boundary would be removed and no other lot line adjustments would be made.

- Ms. Frankenburg assessed lot area, lot width and frontage, setback, and landscaping. According to staff, all were in compliance.

Commission questions to staff: None were asked.

Public questions to staff: None were asked.

Summary explanation/presentation of the hearing item by the applicant: Ryan Lee was in attendance and said this request eliminated the lot line between the two parcels and formally amended the plat.

Commission questions to applicant: Ms. McComb asked about future building on the lot.

- Mr. Lee said development approval had already been received.

Public Questions to the applicant: None were asked.

Motion to open public hearing made by Barbara Bruno. Seconded by Ric Rioux.

McComb: Aye

Bruno: Aye

Pitti: Aye

Burns: Aye

Rioux: Aye

Motion passed unanimously.

Public comments: No public comments were made.

Motion to close public hearing made by Dawn McComb. Seconded by Barbara Bruno.

McComb: Aye

Bruno: Aye

Pitti: Aye

Burns: Aye

Rioux: Aye

Motion passed unanimously.

Planning Commission deliberation: Mr. Pitti said the Planning Commission had reviewed the conceptual drawings and future use of this project. This was essentially a housekeeping issue to pull everything together and officially combine the lots.

Motion made by Barbara Bruno that the Planning Commission recommends approval of the plat amendment combining lots S-BIT-1 and S-BIT-2 into a single lot S-BIT-1-A as referenced on the proposed amended plat. This motion is made specifically because the Commission finds the

applicant has met all the requirements for lot area, lot width and frontage, setbacks, and landscaping. And that neither the public nor any person would be materially injured by this amendment. With the following condition: 1) The amended plat must be recorded with the Washington County Recorder's Office prior to a building permit application. Seconded by Jack Burns.

McComb: Aye

Bruno: Aye

Pitti: Aye

Burns: Aye

Rioux: Aye

Motion passed unanimously.

3. Nomination and recommendation for the 2020 Planning Commission Chair and Vice Chair: Mr. Pitti explained each year the Commission recommended a new Chair and Vice Chair. Mr. Marriott's term would be up soon and Ms. Elger had been elected to the Town Council.

Mr. Pitti nominated Mr. Burns as Chair, stating he always came prepared and brought an even tone to the conversation.

- Mr. Burns appreciated the vote of confidence.

Mr. Pitti nominated Barbara Bruno as Vice Chair.

Motion made by Joe Pitti to recommend the nomination of Jack Burns for Planning Commission Chair and Barbara Bruno for Vice Chair. Seconded by Dawn McComb.

McComb: Aye

Bruno: Aye

Pitti: Aye

Burns: Aye

Rioux: Aye

Motion passed unanimously.

B. Consent Agenda

Motion made by Barbara Bruno to approve the minutes of December 4th and January 7th.
Seconded by Ric Rioux.

McComb: Aye

Bruno: Aye

Pitti: Aye

Burns: Aye

Rioux: Aye

Motion passed unanimously.

C. Adjourn

Motion to adjourn at 6:06pm made by Dawn McComb. Seconded by Ric Rioux.

McComb: Aye

Bruno: Aye

Pitti: Aye

Burns: Aye

Rioux: Aye

Motion passed unanimously.



Darci Carlson, Town Clerk

APPROVAL: Jay Brown DATE: 2.19.20

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.