



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION REGULAR MEETING  
ON WEDNESDAY FEBRUARY 19, 2020 AT 5:00PM  
AT THE CANYON COMMUNITY CENTER, 126 LION BOULEVARD, SPRINGDALE, UTAH.**

**Meeting convened at 5:00 PM**

**MEMBERS PRESENT:** Chair Jack Burns, Commissioners Barbara Bruno, Joe Pitti, Tyler Young, Ric Rioux, and Dawn McComb

**EXCUSED:** Mike Marriott and J. Treacy Stone from Zion National Park

**ALSO PRESENT:** Director of Community Development Tom Dansie, Associate Planner Sophie Frankenburg, and Deputy Clerk Katy Brown recording. Please see attached list for attendees signed in.

**Approval of the Agenda: Motion made by Joe Pitti to approve the agenda; Seconded by Tyler Young.**

**Rioux: Aye**

**Young: Aye**

**Bruno: Aye**

**Burns: Aye**

**Pitti: Aye**

**Motion passed unanimously.**

**Commission discussion and announcements:** Mr. Pitti asked for a status update of the Winderland Lane construction project.

- The project timeline was on track and the crew was hoping to complete paving before the spring break crowds arrived. Updates could be found weekly on the Springdaletown.com homepage.

**A. Action Items**

**1. Public Hearing – Conditional Use Permit modification, 198 Zion Park Blvd: Request to use a newly constructed housing unit behind Thai Sapa as a transient lodging unit – Dennis Brooks:**

The Commission first reviewed the project in 2019 during the design/development review (DDR) phase when it was presented as office space and long term residential quarters. After much deliberation, the Commission approved the project but made sure the applicant was aware of the risks associated with the hazard area and hoped Mr. Brooks would consider those for future uses of the property.

The applicant was now seeking a Conditional Use Permit (CUP) for short term rentals/transient lodging. Staff provided an analysis based on 10-3A-4 showing whether or not the proposal complied with the six general standards for CUPs. The Commission needed to discuss if the proposed change in use placed an unreasonable risk of harm or injury on individuals from the natural geographical or topographical hazards.

**Commission questions to staff:** Ms. Bruno asked if the proposed lighting met the current standard.

- The current standard had not yet been approved at the time of approval of the DDR, but the proposal did meet the lighting standards in affect at that time.

Mr. Rioux asked if there was a requirement for accessibility features for the upstairs unit.

- Any issues related to ADA compliance would be analyzed during upcoming fire and building inspections. The Commission was only considering if the application met land use standards.

Mr. Pitti noted of the extensive analysis regarding the hazards associated with the location. He asked if the Commission could create a condition of approval that the property owner would inform guests of the historical hazards in the surrounding geology.

- Staff affirmed that if the Commission wanted to add that as a condition, they were free to do so.

**Public questions to staff:** None were asked.

**Summary explanation/presentation of the hearing item by the applicant:** Dennis Brooks was present to speak on his application. He attested that the likely use of the residential unit was for an employee to reside in the unit for at least six months of the year. He hoped to conduct nightly rentals during the other portion of the year. He posed a scenario to the Commission about the natural earthquake hazard present in San Francisco and wondered how his proposal would fare in that location. He doubted his application would have conditions attached to it solely on the grounds that there was an inherent geological risk of earthquakes there. He noted that other surrounding properties in Springdale didn't seem to be held to the same concerns and conditions regarding the previous landslides. Mr. Brooks pointed out risks associated with microwave emissions, such as those that come from the satellite above Under the Eaves Bed & Breakfast. To his knowledge, the owners were not required to inform their guests of the risks.

**Commission questions to applicant:** Mr. Burns asked for clarification on how much time Mr. Brooks intended to use the unit as a nightly rental.

- Mr. Brooks was hoping to employ international college students on a temporary basis who would be occupy the unit. He was also hoping to bring in a permanent executive chef, but wanted the flexibility to rent the unit on Air BnB during times when employees were not occupying it.

**Public questions to the applicant:** None were asked.

**Motion to open public hearing made by Barbara Bruno. Seconded by Joe Pitti.**

**Rioux: Aye**

**Young: Aye**

**Bruno: Aye**

**Burns: Aye**

**Pitti: Aye**

**Motion passed unanimously.**

**Public comment:** No public comments were made.

**Motion to close public hearing made by Tyler Young. Seconded by Barbara Bruno.**

**Rioux: Aye**

**Young: Aye**

**Bruno: Aye**

**Burns: Aye**

**Pitti: Aye**

**Motion passed unanimously.**

**Planning Commission deliberation:** Mr. Young felt that if the unit were to be used strictly by family or employees, they would have a much better chance at knowing the geological hazards than a visiting member of the public would. He thought it would be prudent to attach a condition to inform or educate prospective guests in some way.

Mr. Pitti recalled the extensive documentation and discussion of geologic risk during the Design/Development phase. He countered the applicant's case scenario and surmised that guests staying in San Francisco would most likely know of the widespread inherent risks of the region. Conversely, guests of Mr. Brooks' location would not necessarily know of the hazards as they were not actively visible. Mr. Pitti had never received report that the microwave tower above his Bed & Breakfast was posing a risk to his guests. However, it was a highly visible structure and guests always had the option to book elsewhere if they felt it presented a risk to them. It was Mr. Pitti's hope that prospective guests of 198 Zion Park Blvd would receive notification of the risks.

The Commission was in favor of including a condition of approval that would require notification to guests of the risks associated with the location. They directed staff to seek a legal opinion and get help crafting language for the potential condition based on findings from the extensive research from the geotechnical reports. They preferred to review draft language prior to recommending to the Council.

**Motion made by Tyler Young, that the Conditional Use Permit application for 198 Zion Park Boulevard to request use of a newly constructed housing unit as a transient lodging unit be tabled until the next meeting to allow Town Staff to meet with the Town Attorney and check if there is a different standard for notification of the general public's use of this building versus private use by family or employees and to check what the Town Attorney's recommendation is on language of the Planning Commission's intent to recommend notification to the public that uses this building of any geologic or geographic hazards; Seconded by Joe Pitti.**

**Rioux: Aye**

**Young: Aye**

**Bruno: Aye**

**Burns: Aye**

**Pitti: Aye**

**Motion passed unanimously.**

**2. Public Hearing – Design / Development Review, 21 West Temple Drive: Request to modify the layout and design of a previously approved employee housing development – Stew Ferber:** A DDR had been approved in 2017 for 10 employee housing units divided into five duplexes. Mr. Ferber was seeking approval for a reconfiguration of the units to be one four-plex and three duplexes. Since 2017, the Town's outdoor lighting standard had changed and the Commission was urged to require verification that the lighting plans would reflect the updated standards. Staff also recommended that any approval should be contingent on the applicant submitting a detailed landscape plan.

**Commission questions to staff:** None were asked.

As a point of correction, Mr. Ferber asserted that the 2015 development agreement stated that if there was anything that was more burdensome at the time of development, the requirements would default to the 2015 standard. That being said, Mr. Ferber would be more than happy to comply with the current lighting standard even though he was not bound to.

Mr. Pitti disclosed that he and Mr. Ferber were neighbors who shared common property. He also asked for clarification on where the development agreement approval stood and how the Commission's review of the proposed design modifications fit into the process.

- The original development agreement required the employee housing to be configured in five duplex buildings. The Council recently approved the change in the development agreement to modify the layout of the buildings, but the Commission still needed to review the modification of the design and make a recommendation.

**Public questions to staff:** None were asked.

**Summary explanation/presentation of the hearing item by the applicant:** After considering which employees would actually occupy the housing, Mr. Ferber had observed that his employee base was comprised primarily of single people and couples. He was asking for the modification to fit the needs of the people residing there.

**Commission questions to applicant:** Mr. Dansie verified that Mr. Ferber would not be bound to the 2017 lighting standards.

- Mr. Ferber had no problem being in compliance with the 2017 standard regardless.
- Mr. Pitti applauded Mr. Ferber's efforts to provide employee housing. He had 29 existing units and this proposal added 10 units.

**Public Questions to the applicant:** None were asked.

**Motion to open public hearing made by Joe Pitti. Seconded by Tyler Young.**

**Rioux: Aye**

**Young: Aye**

**Bruno: Aye**

**Burns: Aye**

**Pitti: Aye**

**Motion passed unanimously.**

**Public comments:** No public comments were made.

**Motion to close public hearing made by Joe Pitti. Seconded by Barbara.**

**Rioux: Aye**

**Young: Aye**

**Bruno: Aye**

**Burns: Aye**

**Pitti: Aye**

**Motion passed unanimously.**

**Planning Commission deliberation:** Mr. Young commended Mr. Ferber for submitting a complete and straightforward application.

**Motion made by Barbara Bruno that the Planning Commission approves the Design/Development Review application for a 10-unit employee housing development at 21 West Temple Drive. This motion is based on the findings that the changes to the project are in compliance with all of the requirements. There are two conditions: 1) The applicant must go with the lighting fixtures as approved in the agreement with the Town in 2017, and 2) The applicant must submit a revised landscape plan showing at least 40% of the property in natural open space or landscape, as well as more details on the requisite number of trees and shrubs selected from the Town's plant list prior to the Certificate of Occupancy. Seconded by Tyler Young.**

**Rioux: Aye**

**Young: Aye**

**Bruno: Aye**

**Burns: Aye**

**Pitti: Aye**

**Motion passed unanimously.**

## **B. Non-Action Items**

**1. Discussion of General Plan Update process:** In the previous meeting the Commission directed staff to develop a plan for public participation, begin crafting a town-wide survey, and to create a 12-month timeline for the project.

### ***Event Outreach:***

Staff was hoping to get the Commission's feedback on the idea of a festival to engage the public in the General Plan process. The concept would include offering meal tickets to be redeemed at food trucks in exchange for feedback on the General Plan. It was also proposed to provide childcare in conjunction with the YAZ program to encourage younger families to participate.

Mr. Pitti felt a festival was a lot of work. He felt there was enough interest in the General Plan among residents to attract them on input alone without having to entice them with a festival. He suggested outreach efforts at the Post Office since it was the main hub for residents.

Mr. Burns was involved in an Earth Day outreach effort for the last General Plan and felt it was very successful. He agreed that a festival event would create a lot of work and may not have a big enough draw. He wondered if the Town could promote public engagement in conjunction with another event.

Ms. McComb suggested a survey or comment card delivered via mail. She also suggested setting up a booth at the library.

Mr. Young liked the idea of engaging working professionals and people with kids. YAZ tie-ins were a great idea.

Staff offered to work the Commission's comments on public involvement events into a timeline and present it to them at the next work meeting.

**General Plan Survey:**

Feedback from past surveys ended up being more critical of the survey itself rather than offering comments on the survey topic. The goal with a survey was to engage respondents without making them feel that the questions were leading or biased some way. With this in mind, staff had prepared a mock survey modeling two different approaches to asking questions:

- 1) *Rate importance on 1-10 scale* - Respondents could rate issues on their perceived level of importance from 1-10. The rating scale would help staff determine priorities, but might limit creative ideas outside of the specific topics presented to the respondent.
- 2) *Yes/No format* – Each statement would be presented in terms of the overarching question: “In your perfect Springdale, is/are [*available housing options, cohesive building design, trails and recreational amenities, etc.*] important to you?”

Ms. Bruno suggested including a question at the end that would ask the respondent to rate their top three areas of importance overall.

- Ms. McComb agreed and felt it would be important to include a blank box for the respondent could make their own comments.

Mr. Pitti liked the rating system but suggested 1-5 instead of 1-10. He also felt that beginning sample statements about priorities with verbs like “regulate,” “preserve,” “encourage,” “promote,” could contribute to respondents feeling like they were being led.

Mr. Burns felt confident that a big concern among residents was lodging and felt that lodging-related questions weren't represented in the draft survey staff had provided.

- Ms. Bruno added that questions related to streetscape enhancements should be included as well.

Mr. Pitti was interested in comparing 2020 responses to previous General Plan surveys to see if trends remained consistent.

- Staff agreed that comparing to previous surveys would be a great exercise to identify possible trends, but stressed the importance of basing the General Plan revisions off the most current public input.

Mr. Young asked if survey participation would be limited to residents or if it would be open to prospective community members as well.

- Mr. Dansie shared that, to him, “community” might include residents, non-resident property owners, employees of Springdale businesses, and even visitors. Even so, input from residents should be given more weight. The results could be filtered so that staff could capture an overall response and filter down to residents only.

Staff would gather comments from the discussion and present a new survey draft at the next meeting.

Mr. Burns urged the Commissioners to read the General Plan.

**C. Consent Agenda**

**Motion to approve the consent agenda made by Joe Pitti. Seconded by Tyler Young.**

**Rioux: Aye**

**Young: Aye**

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

Motion to adjourn made by Tyler Young. Seconded by Barbara Bruno.  
Rioux: Aye  
Young: Aye  
Bruno: Aye  
Burns: Aye  
Pitti: Aye  
Motion passed unanimously.

  
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Katy Brown, Deputy Clerk

APPROVAL:  \_\_\_\_\_ DATE: 3.18.20

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](mailto: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 2/19/20

Lance Morris  
Name (please print)

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Name (please print)

Kent Fink  
Name (please print)

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Name (please print)

Dennis Brooks  
Name (please print)

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Name (please print)