



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION REGULAR MEETING ON  
WEDNESDAY MAY 19, 2021 AT 5:00 PM  
AT THE CANYON COMMUNITY CENTER, 126 LION BOULEVARD, SPRINGDALE, UTAH.**

**Meeting convened at 5:02 pm.**

**MEMBERS PRESENT:** Chair Barbara Bruno, Commissioners Ric Rioux, Jack Burns, Dawn McComb, Tom Kenaston, Kyla Topham, and Susan McPartland from Zion National Park.

**ALSO PRESENT:** Director of Community Development Thomas Dansie and Deputy Clerk Katy Brown recording. See attached sheet for attendees.

**Approval of the Agenda: Motion made by Ric Rioux to approve the agenda striking items A5 and A6 that will move to the next meeting. Seconded by Jack Burns.**

**Burns: Aye**

**Topham: Aye**

**Rioux: Aye**

**Kenaston: Aye**

**Bruno: Aye**

**Motion passed unanimously.**

**Commission discussion and announcements:** Staff reminded the Commission that they had the option to table any item(s) if doing so would allow more time to craft findings for strong motions.

**A. Action Items**

**1. Public Hearing - Zone Change: Request to change parcel S-99-B-1 (563 Zion Park Boulevard) from Valley Residential (VR) to Valley Residential - Cottage Housing Development Overlay (VR-CHD) - David and Mary Jane West:** The (Cottage Housing Development Overlay (CHDO) zone would allow the property to be developed with seven small cottages. As with all zone changes, the Town did not make zone changes unless the proposal promoted the goals and objectives of the General Plan, corrected a manifest error or, or would accommodate a substantial change in conditions. In addition to the general stance on granting zone changes, the Commission also needed to consider the general policy statements contained in the CHDO zoning ordinance.

Dawn McComb arrived at 5:06 PM.

**Questions from the Planning Commission to staff:** No questions were asked.

**Questions from the public to staff:** Jonathan Zambella asked for more information on why the CHDO was created. He also asked how the zone change would benefit the community and if the ordinance addressed sale prices of the houses.

- Mr. Dansie responded with a reference from the CHDO ordinance in 10-13F-1 that read:  
*"The purpose of the Cottage Housing Development Overlay zone is to further Springdale's housing goals as detailed in the General Plan. Specifically, it is to promote lower cost housing in the private market by encouraging modest house sizes. This type of*

*development will add to the diversity of the Town's housing stock and will make available a type of housing that will be more affordable than standard large lot single family alternatives."* The Commission would deliberate upon how this specific development would benefit the Town. There were no specific sales prices set within the ordinance because the purpose was to create lower cost housing in the private market.

Mr. Pitti mentioned the maximum overall buildout analysis in Springdale and asked how higher density development related to, or conflicted with, the maximum buildout projections.

- The buildout analysis performed by the Town looked at the current buildout, what the current zoning allowed, and previous development trends, then attempted to forecast those trends into the future. The projections weren't calculated by project, so the more deviations that were made, represented by approved applications, the more suspect those projections could become.

Trish Rioux asked if the price points for the cottage homes had been set and if they were truly attainable. She also asked if there was a maximum amount of cottage units that could be built in Town and if there were design standards for the CHD structures.

- Mr. Dansie responded that there was not yet a price point required by the ordinance. There was not a limit on CHDs throughout Springdale, but there was a standard stating that a CHD cannot be located within a thousand feet of another CHD. The Town had general architectural standards that all developments were subject to, but the design standards were not specific to CHDs.

Merle Peifer asked if there was a new overlay zone for Accessory Dwelling Units (ADUs) and if the subject cottages could be considered multi-family dwellings.

- A new state law would take effect in October that required the Town to allow internal accessory dwelling units in all residential zones. They were currently allowed in the Valley Residential zone (VR), and would soon be required to be allowed in the Foothill Residential zone (FR). If the Town were interested in approving the zone change before them, the Town could include language to prohibit their use as ADUs through a development agreement, if that were a concern.

Diane Warner asked if the property would remain a full parcel or if the parcel would be divided for each dwelling. She also asked how many occupants would be allowed per unit and whether or not the basement could be rented.

- Under the CHDO ordinance, it was envisioned that each cottage/parcel would be owned individually and potentially managed by an HOA. Under the current ordinance, a single-family dwelling cannot be occupied by more than four unrelated people or any number of people related by blood, marriage, or adoption. The CHDO envisioned single-family residences occupied by one family. The concern with recent state law changes was that they could be rented out. There was a possibility that the Town could stipulate specific terms in a Development Agreement.

**Summary explanation and presentation by the applicant:** David and MaryJane West had lived on the property for eleven years and felt the CHDO was a good fit for the property. She acknowledged growth in the community and the importance of employees in the community to have access to housing. They felt this proposal would meet that need. Questions had been raised about whether the cottages could be affordable/attainable. Affordability was determined by the cost of housing not exceeding 30% of the total household income. The median household income in Washington County was currently \$71,000. They acknowledged that the cottages may not be attainable for an entry-level employee, but felt the project could fill a gap in housing for the higher-level employee, such as hotel managers, business owners, or permanent employees in the Park. The average salary for Springdale employees according to Glassdoor.com was \$82,000.

Ms. West addressed the concerns regarding increased traffic. Likely, those working in the community were already creating a traffic impact by having to live further away and commute to Springdale. If they were able to live in Springdale, they would most likely bike or walk to work, thereby *decreasing* their traffic impacts.

**Planning Commission questions to applicant:** Mr. Burns asked if there were any plans to conduct a traffic study.

- The West's were open to a traffic study, but truly felt the project would show a decrease in traffic since the people they would serve were already impacting traffic by having to commute into Springdale every day.

Ms. Bruno asked if there was a target price point for the rentals and if the cottages were going to be listed for sale with the option to offer long-term rentals.

- Ms. West had analyzed rent prices and the only rental she had seen recently in Springdale was advertised at \$3,000/month. This was certainly not attainable and would not be their price point. Rental prices in La Verkin ranged from \$1,400 to \$2,200/month. They felt they could offer rental prices in Springdale within the same range. The units were intended solely for use as long-term rentals, and the West's would be living in one of the units. They would retain ownership of all the units and sign long-term rental contracts. The rental contract would include a clause that no more than two unrelated individuals would be allowed to occupy the unit.

Mr. Burns asked if the current home would be taken down.

- Their home would be removed. It had some foundational flaws and they had been looking for other options for quite for some time.

Ms. Topham asked if they had received any construction quotes to help confirm that the units would actually be attainable.

- They had seen a few bids at differing price points, but were still in the conceptual phase and they would not be building immediately due to recent cost increases with building materials and services. They intended to wait and see if building costs would come down so they could offer the most affordable housing stock possible.

Mr. Burns felt that a critical tripping point of the CHDO zone was that it came with no guarantee that the units would be used for purposes other than offering attainable housing. He asked the applicants if they would be willing to sign a contingency that the units would remain long-term rentals.

- The West's would be willing to sign an agreement that the units would be utilized as long-term rentals.
- Mr. Rioux asked how the West's defined long-term.
- The agreements would be a minimum of one year. They did not want a high turnover. The basement was envisioned for home office space or storage since no garages were planned.

Ms. McPartland asked if the applicants had development plans for the parcel in the event the zone change was not approved.

- As stated, the existing home had foundational flaws and could not meet their future needs. Development of the parcel was planned.

Mr. Burns noted the public comments regarding loss of viewshed. He asked if the applicants would be willing to consider structures that would be less than two stories. He also asked if they would consider one less unit to meet the front setback instead of asking for a variance.

- Ms. West said the height of the structures was planned to be no more than 20 ft. in height. They had considered removing one unit from the plan to provide a common area required by the CHDO.

Ms. Topham asked if removing a unit would allow them to rework the parking so they weren't entering and exiting onto Zion Shadows.

- That was a possibility, although the parking lot on Zion Shadows was going to be fenced/landscaped and was only planned to service three units.

Mr. Kenaston noted the Redhawk apartments as being the only truly successful application of a high-density housing concept, but they could not be restricted to employee housing. He asked if there was a way to restrict the cottages to ensure that they were only occupied by Town employees.

- Ms. West was unsure of how to put such restrictions on the cottages. She reiterated that they intended to live on the property and rent the units. They were a young family with kids and were hoping to have other young families move in, along with people employed in Springdale who already have a vested interest in the community.

Mr. Burns asked again if they would consider a deed restriction to ensure that the development would actually ensure employee housing.

- Their intent was to provide long-term housing for long-term Springdale employees.

Mr. Burns asked if the existing fence on Zion Park Boulevard would stay.

- They were planning on extending the existing fence in the same style.

**Questions by the public to the applicant:**

Barb Graves asked if the West's had any actual information that would be proof of a demand for higher-level employee housing. She asked how the West's could be sure that their renters would walk, shuttle, or bike. She also asked if they would consider performing a traffic study.

- There were currently no rentals in Springdale under \$3,000, so they saw that as an indicator of a demand. Their research showed that the median income of a Park Ranger was \$50,000 - \$75,000, making it entirely possible for two Park employees to be able to afford sharing a unit. Ms. West couldn't guarantee that occupants of the cottages would primarily choose non-vehicular means of transportation but she did not believe that six additional homes would create more of a jam. They were open to looking into a traffic study.

Ms. Bruno clarified that per the new state guidelines, in order to rent an interior ADU the property had to be 6,000 sq ft or larger or .13 acres, which may or may not actually be a viable option for the subject property. Additionally, in regard to lot area per dwelling, the VR zone stated that 'not more than one single dwelling or duplex may be placed on a lot or parcel of land.' The clarification was offered to provide context for how the property could be developed if the zone change was not approved.

Pam Cummings asked if there was a minimum amount of public use space required by the CHDO zone.

- The CHDO required 500 sq. ft. of common area per cottage, totaling 3,500 sq. ft. of common area required for the proposed development.

Merle Peifer asked what determined front, side, and rear setbacks on a corner lot adjacent to two roads with every proposed structure facing inward. The West property was setback ten feet from Mr. Peifer's property currently. He was trying to determine what the required setback would mean for the new development in relation to his property line, if approved.

- Mr. Dansie said that the front, side, and rear were not determined by the orientation of the structure, but rather by the relationship of the lot to the street. Any side that bordered a

street was a front lot line, which included both Zion Shadows Circle and Zion Park Boulevard. Rear lot lines were defined as opposite of front lot lines. Side lot lines were defined as anything else.

- Mr. Peifer said that would mean his property was located at the rear of the West's property, requiring a 20 ft. setback.
- Mr. Dansie confirmed that if the development was approved and a rear setback variance was sought, the Planning Commission could reduce setbacks up to 50% if there was a reason to do so.

Nancy Neithercut asked how high the buildings were planned to be.

- The one-story would be ten feet in height and the two-story would be twenty feet in height.

Marie McNeal asked about the recent housing study in relation to the proposal.

- The results of the study found that there was a need for more housing.

Diana Scardilli asked if the study showed average household incomes and wondered what the average employee would have to make to be able to afford housing in Springdale.

- The study did analyze average wages and affordability in terms of household income. Mr. Dansie was unsure of what the exact figure was that the housing study determined.
- Mr. Kenaston had recently consulted the housing study to help inform the work the Commission had been doing on the General Plan. He recalled a finding that there were over a thousand employees who commuted into town to work in a given day. It was unknown how many desired a residence in Springdale. He recalled the average annual salary as being \$42,000.

Diane Warner asked where the cars would park.

- Each cottage would have two parking spots. There would be six spots near Zion Shadows circle and eight spots near Zion Park Blvd

Gil Kiefer asked if there were any restrictions in the CHDO zone that guaranteed the units would remain rentals.

- There was a potential to set such stipulations in a development agreement but there was no such restriction built into the CHDO ordinance.
- The West's would be willing to seal into the agreement that they had no intention to sell.

**Motion made by Jack Burns to open Public Hearing. Seconded by Tom Kenaston.**

**McComb: Aye**

**Burns: Aye**

**Rioux: Aye**

**Kenaston: Aye**

**Bruno: Aye**

**Motion passed unanimously.**

**Public Comments:** Jonathan Zambella did not support zone changes, but he felt there was a need for employee housing to put low-cost rentals into market. The rental prices on Juniper Lane went from \$1,800 - \$2,000 per month for a 900 sq. ft. unit and he never saw them vacant. He was opposed to deed restrictions and felt it was inappropriate for a governmental entity to request a parking study and place contingencies on future land transitions. He felt the CHDO ordinance was flawed, and although the subject property would be an excellent test for the concept, the ordinance was crafted in a way that would not ultimately meet the need of any Town employees. The zone itself should include language about restrictions instead of relying on development agreements to regulate.

Joe Pitti was a former Commissioner, current Springdale resident, and owner of Under The Eaves Inn. The language in the ordinance was flawed because there were no guarantees. In 2017, the Commission discussed the CHD proposed by Luke Wilson as a barometer for how the ordinance might play out. The Commission decided that they would not recommend any CHD applications favorably until they had a time to see how the first development would pan out. The CHD proposal before the Commission now did not appear to provide affordable or attainable housing stock. He had heard from employees in Town that they had no issue living down the hill and commuting. It was in conflict with the General Plan to take away village character with high density development. He also mentioned that after a recent trip, he saw that Navajo Lake was half empty. He felt it was irresponsible to think that this area could keep adding more and more human impact to the environment. Stew Ferber was a good example of providing employee housing with 29 or more units in Town. The current ordinances could be strengthened to require large hoteliers to provide housing for their employees. There were ways to solve the issue, the CHDO ordinance was not one.

Tracy Dutson said the CHDO was designed to attract and build affordable housing, but they would need stronger development agreements that had more teeth and begged more accountability. The Town needed to strengthen their enforcement tactics.

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

**McComb: Aye**

**Burns: Aye**

**Rioux: Aye**

**Kenaston: Aye**

**Bruno: Aye**

**Motion passed unanimously.**

**Commission deliberation:** Mr. Kenaston thought all could agree that Springdale was in dire need of attainable housing, but with a limited supply of land, he felt the Commission should proceed cautiously. He hailed from Jacksonville where his co-workers commuted an hour to and from work and that was commonplace. Because of this, he didn't see the same sense of urgency that others had about lack of housing stock in Springdale.

Mr. Rioux confirmed that the Commission decided in 2017 that they could not recommend any CHDO applications to the Council until they could clearly determine how the Canyon Cottonwoods CHD met the housing needs in Springdale. He had concerns about what the Canyon Cottonwoods cottages would sell for and it seemed far distant from what the CHDO was supposed to achieve.

Ms. Topham said the comparison of the unfinished Canyon Cottonwood cottages and what the West's were proposing was apples to oranges. Mr. Wilson originally expressed intentions to sell the units. The West's were proposing to retain ownership and rent the units, which gave the project a much more home-grown feel.

Ms. Bruno was torn. She liked the project and would approve it if they already had the correct zoning, but the neighboring residents had spoken clearly about possible negative impacts with higher-density developments.

- Mr. Kenaston felt there were areas in Town where a CHD would be appropriate, but neighbor and community buy-in was important.

Mr. Rioux listed Springdale's current high-density housing units and estimated that there were around 100-150 units of attainable/affordable housing in Springdale. While he agreed that employee housing was important, he wasn't actually seeing a pressing need to meet the demographic they had been trying to fill.

Ms. Bruno reminded the Commission of the three conditions that must be met when considering recommending a zone change: That it would promote the goals and objectives of the General Plan and zoning ordinances, correct a manifest error, or accommodate a substantial change in conditions.

Ms. McComb said the Town had called upon property owners to develop for the purpose of more housing. She felt that the West's were attempting to answer that call.

Mr. Burns appreciated the presentation and he believed that they applicants had their hearts in the right place. Employees of Springdale were the backbone of the community and it was important that they had a place to live. He felt it wasn't fair for the Town to lock applicants into the deed restrictions through development agreements.

Ms. McPartland also mentioned the three general criteria to approve a zone change. She wondered if it would be more in keeping with the General Plan if it the parcel were developed under the current zoning.

Mr. Kenaston felt the overriding goal was trying to preserve the village atmosphere. He heard from the community that the proposal would not enhance the neighborhood in anyway.

Mr. Rioux spoke to the Commission's current public engagement with the General Plan revision process. It was overwhelmingly heard from the community to not grant anymore zone changes.

**The Planning Commission recommends denial of the zone change from Valley Residential to Valley Residential – Cottage Housing Development Overlay at 536 Zion Park Boulevard. This motion is based on the following findings: Does the proposed change from VR to VR-CHD meet the criteria for changing zones found in section 10-3-2(A) of the Town Code? Does the application promote the goals and objectives of the general plan and land use ordinance? The application meets the goals and objectives of the general plan and land use ordinance as written but cannot guarantee future sales and rental prices and therefore the benefits to Springdale residents and employees is unknown. As related to the timing, the final findings on whether an existing CHD that is under construction meets the purpose and need of the CHD ordinance has yet to be determined. This development serves as a model to the relevance of this ordinance. The application is silent on correction of any errors. The application is silent on how it accommodates substantial changes in conditions. In regard to satisfying the purpose and objective of the Cottage Housing Development, the application provides a housing type that is not well represented in Springdale. The application makes mention of the zone change benefitting Springdale employees as part of its justification but gives no detail on the likelihood of the cottages being attainable for Springdale residents or employees. The Cottage Housing Development Overlay provides no guarantee on future sales or rental prices and a better application would have included that information. Does the proposed CHD comply with the CHD approval standards in section 10-13F-10 in regard to location? The application proposes high density development in a section of town that frequently experiences high volume and vehicular and pedestrian traffic. Based on written and verbal public comment received, the proposed zone change would be detrimental and negatively impact living conditions of area residents, add to traffic and pedestrian congestion, increase risk to human safety, as well as impact area resident viewsheds and privacy. In recent survey results, town residents do not support up-zone changes, if allowed at all. The subject zone change would be an up-zone.**

**Does the concept plan presented with the CHD application meet all the development standards for CHD's contained in Chapter 10-13F? Based on proposed site density, the application does not meet front setback requirements. Seconded by Ric Rioux.**

**McComb: Aye**

**Burns: Aye**

**Rioux: Aye**

**Kenaston: Aye**

**Bruno: Aye**

**Motion passed unanimously.**

**2. Public Hearing - Ordinance Revision: Changes to Chapter 10-15C (Outdoor Lighting) of the Town Code to make the Town's outdoor lighting regulations consistent with International Dark Sky Association standards:** In the April work meeting the Commission reviewed changes to the outdoor lighting ordinance. The changes were intended to improve the Town's dark night skies, and to help the Town qualify for International Dark Sky Association (IDA) Dark Sky Community designation. The Commission should review the proposed changes and make a recommendation to the Town Council regarding these changes.

**Questions from the Planning Commission to staff:** Mr. Rioux asked if the Town would have to wait until the amortization period had been met before applying for Dark Sky designation.

- The Town could apply before the amortization period had been met.

**Questions from the public to staff:** Mr. Pitti asked how the seven-year amortization period came to be and wondered if people would actually need the full seven years to come into compliance.

- In 2009 the Town did an analysis on how much time a property owner would need to come into compliance and the time determined was seven years. The Town was only legally allowed to enact an amortization process that would take into account the capital lighting investments of properties and determine how long it would take for property owners to recoup their investments.

**Motion made by Barbara Bruno to open Public Hearing. Seconded by Dawn McComb.**

**Burns: Aye**

**McComb: Aye**

**Rioux: Aye**

**Kenaston: Aye**

**Bruno: Aye**

**Motion passed unanimously.**

**Public Comments:** Mr. Pitti encouraged the Commission to reduce the time it would take to come into compliance. The last seven years had been great for the Town and the Night Sky, and was a huge benefit to the community. The Town was primed for the requirements already and it didn't need to take seven years.

Mr. Zambella remembered when the previous amortization period was put into effect and it was based on the IRS amortization schedule for light fixtures and how long was a reasonable and legal amount of time for a property owner to recover their investment.

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

**McComb: Aye**

**Burns: Aye**

**Rioux: Aye**

**Kenaston: Aye**

**Bruno: Aye**

**Motion passed unanimously.**

**Commission deliberation:** Mr. Burns appreciated Mr. Pitti's comments and the Town had come a long way so far. He felt a five or three-year transition would more than reasonable, if there was any way to expedite the process. The Commission agreed that the sooner, the better.

- Mr. Dansie cautioned the Commission on the legality of pulling an amortization period out of their proverbial hats. The seven-year period was arrived at based on an analysis performed on the legal amount of time that could be expected for those affected by the new standards to bring their property into compliance and recover their original investment.

Ms. Bruno asked what the penalty would be if a property was found out of compliance.

- Mr. Dansie said it would be treated as a code violation which had its own enforcement process. Compliance was always sought prior to any citations as a general rule.

**Motion made by Barbara Bruno that the Planning Commission recommend that the Town Council approves the proposed changes to the Outdoor Lighting ordinance chapter 10-15-C of the Town Code. This recommendation is based on findings that the General Plan stresses the importance of a dark night sky as part of the Town's character and instructs the Town to obtain IDA Dark Sky community designation; these changes are necessary for that designation. It is also recommended an amortization schedule for non-conforming outdoor lighting be implemented for a period of up to seven years as determined by Town staff after an analysis of the IRS depreciation schedule. Seconded by Ric Rioux.**

**McComb: Aye**

**Burns: Aye**

**Rioux: Aye**

**Kenaston: Aye**

**Bruno: Aye**

**Motion passed unanimously.**

**3. Public Hearing - Design/Development Review: Request to develop a 32-space paved parking area on parcel S-100-C (located at the end of Trapper Circle in the CC zone) - Jonathan Zambella:**

The applicant proposed to develop a paved parking area on Parcel S-100-C. This parcel was accessed off the end of Trapper Circle via an access easement across the Moenave common area. The property was in the Central Commercial (CC) zone in which parking areas were a permitted use. The applicant indicated that the proposed use of the parking area would be overflow parking for the La Quinta Inn and Suites. The parking area could not be used as a paid public parking area since it did not meet the standards in section 10-23-10 of the Town Code which regulated public parking. Concerns had been raised about the proposed use of the property in regards to impacts on adjacent properties. The Planning Commission was tasked with reviewing the proposed parking area development to determine whether or not it complied with the applicable standards in the Town Code.

**Questions from the Planning Commission to staff:** Mr. Burns asked if there had been an approval process for the parcel as a flag lot and if there had been any discussion on the appropriate types of uses.

- The flag lot had been approved as part of the Moenave subdivision plat approval. Typically, lots were required to have a certain amount of frontage on a publicly dedicated street. Instances where the frontage was unable to be maintained but there was access to the lot from a dedicated street were referred to as a flag lot. There had never been any discussion on the appropriate types of use during the process.

With the access to the proposed lot being a utility access, Mr. Burns asked if it should remain a utility access or if it should be a right-of-way easement.

- As shown on the plat map, the lot could be used for both types of access.

Mr. Kenaston asked if the property had a history of commercial uses without the existence of permits.

- There had not been any uses of a commercial nature. There had been construction staging on the parcel that the Town had stopped but there was not a documented history of ongoing unpermitted commercial use.

Ms. Bruno asked who owned the property that the easement crossed.

- It was owned in common by the Moenave subdivision owners.

Mr. Kenaston said the current easement passed through Trapper's circle, but it was going to be used for the benefit of the La Quinta guests. He asked if it would be better to have an easement directly to the La Quinta property so that the residents were not affected by ingress and egress.

- In order for that to happen, a negotiation would have to take place between the Moenave residents and the applicant.

**Questions from the public to staff:** Gil Kiefer asked if the Moenave residents could get a recommendation from the Town to pursue finding better ingress and egress from the La Quinta than what was being proposed.

- Mr. Dansie recommended that approach.

Cindy Flegenheimer was a resident on Trapper circle and asked for clarification on who could negotiate an alternate easement.

- The current access easement travelled from Trapper Circle into the subject property, an access easement that was established at the time of the Moenave subdivision plat. At that time, the La Quinta property which benefitted from the easement was owned by someone else and not the current owner. The Commission posed the question that if the proposal was for the benefit of the La Quinta property, perhaps it would be better for the access easement to connect from the proposed lot directly to the La Quinta property rather than gaining access from Trapper Circle. Mr. Dansie had responded that the strategy made sense, however that was not where the current easement was, and the Town had no authority to mandate that an easement be granted or reconfigured. He reiterated that the property was Moenave common area, so any change in the configuration of the easement would need to be negotiated between the owners of the property, or the Moenave owners in common, and the benefitting property owners.

Elizabeth Watry lived at the end of Trapper circle asked if the lot was a done deal and if they were just determining access, or if denying the parking lot application was in question at all.

- The Commission's job was to determine if the lot met the standards for the CC zone. They would be deliberating that issue shortly.

Gil Kiefer said there was a storm sewer drainage system in the area that would allow access from La Quinta to the proposed lot. He asked who was responsible for the drainage system. He also asked if any commercial use of the property would allow overnight occupation of vehicles.

- The detention basin was the responsibility of Moenave HOA. The outlet from the detention basin to the sewer and that was the responsibility of the Town to maintain. A relocated access would could have an impact on the system and that would need to be investigated should an alternate easement be sought. Vehicles could park overnight but were not allowed to be occupied overnight.

Joe Pitti asked if the La Quinta was deficient in parking so much that it would require another lot for overflow.

- La Quinta actually had excess parking on their main property according to the requirements.

Jay Crosson asked if the CC zone allowed parking attendants or any kind of fee collection service.

- The zone could potentially allow for that, but there were standards in the code that the subject proposal did not currently meet for that to be a viable use.

**Summary explanation and presentation by the applicant:** Mr. Zambella was representing the owner of the lot and would be responsible for development, if approved. He agreed that access to the lot was not the best right-of-way, but he asked the Commission to approve the proposal based on the current easement in existence. The access would be through Trapper Circle via other public roads. Mr. Zambella's guides had various other staging locations throughout Virgin and Rockville currently. The pandemic had forced a reduced shuttle capacity, which in turn required larger vans and larger areas to circulate the vans. The lot would not be used after dark and would not be for public use, only for Zion Guru employees. They could add more landscaping. Currently there were no residents living within 100 feet of a parking space. He added that there currently was no landscaping on the lot and the area was already completely disturbed which occurred during the previous owner's tenure. Property improvements would be minimal including curb and gutter installation and a small retaining wall.

**Planning Commission questions to applicant:** Ms. McComb asked if there would be any signage stating that it would be employee parking only.

- They hadn't discussed signage at this point in the proposal but Mr. Zambella would be open to that suggestion.

Ms. Bruno asked how many vehicles would be going in and out per day.

- Mr. Zambella estimated an exchange of 16 vehicles circulating throughout the day.

Ms. McPartland asked about the long term-need in relation to pandemic restrictions that were lifting. Hiker shuttles had been allowed through the Park to assist with transportation constraints forced by the pandemic, but under normal circumstances the Park would not allow unrestricted access for hiker shuttle services.

- The La Quinta had the capacity for more lodging units, in which case the parking lot would serve additional lodging if Zion Guru didn't need the space for parking in the future.

Mr. Rioux asked how many parking spaces the applicant was currently allowed at the La Quinta lot.

- Zion Guru had been allotted 40 spaces. If the proposal was approved, they were hoping to make room for retail customers near the Zion Guru shop where the guide vehicles were currently taking up space.

Mr. Burns asked if the new lot, if approved, would accommodate parking for his ebike rental clientele. He also asked if there was any intent to use the new lot as an ebike rental staging area.

- Mr. Zambella did not intend to use the new lot as an ebike staging area. They were not trying to conduct business on the lot, just trying to find a home for vehicles.

Mr. Burns asked if Mr. Zambella had a response to the public comments that the Commission had received regarding his proposal.

- Mr. Zambella had not read any of the comment letters, but he asserted that the Town approved the CC zoning on the lot. All Moenave residents should have known before they signed any paperwork that they would live next to a CC zoned property. The current ingress/egress was approved by the subdivision and the previous property owner.

- Mr. Burns felt that regard should be paid to living conditions for residential community members. He said that as Mr. Zambella grew his business, he should understand that it would have an effect on surrounding residents. Moenave had taken the brunt of increased traffic lately, and although they may have bought into the zoning as is, the residents didn't buy in to the traffic impacts.
- Mr. Zambella was trying to balance running a good business and taking care of his employees with the rights of a property owners. He felt he could develop the project in a way that would bring as little impact as possible.

**Questions by the public to the applicant:** Gil Kiefer said there was currently an informal path between the parking lot and the back of La Quinta. He asked what would become of the path and if any parts of it were located on the subject property.

- Mr. Zambella was unsure.
- Mr. Dansie said the Moenave Common area owned the path.

Cindy Flegenheimer asked for more clarification on the use of the lot for guide and employee vehicles once the pandemic was under control. The applicant had alluded to not needing it for circulation once restrictions were lifted.

- Mr. Zambella currently had more vans in service due to the pandemic. There was an immediate need for shuttle storage which would go away soon. A future need of the lot could potentially be tied to any redevelopment on the La Quinta property.

Lynn Schwerman asked if the Moenave common ownership should pursue a change in the easement as an alternative to the proposed lot. She also requested that the Council approve speed limit signage through Moenave.

- Mr. Zambella reiterated that a change in easement would possibly require structure and drainage reconfigurations.

Elizabeth Watry asked why the developer hadn't considered putting the parking lot on the La Quinta property since the applicant had attested that there was enough space for more lodging units.

- Mr. Zambella could not speak for the land owner on that.

Jay Crosson asked if the applicant had a long-term lease for the lot. He was worried that a new tenant could do whatever they wanted on the parking lot. He also asked how many employees Zion Guru had that would require parking.

- Mr. Zambella had been a tenant of Stew Ferber, the owner of the subject lot, for 22 years. If the project was approved, he said there would not be any deed restrictions in place. The CC zone allowed parking lots, but it would be private. If the use of the land were to change there would need to be a resubmission for a change of use. Zion Guru employed 14 people that would need parking, plus an additional 15 tour vehicles.

**Motion made by Jack Burns to open Public Hearing. Seconded by Ric Rioux.**

**Burns: Aye**

**McComb: Aye**

**Rioux: Aye**

**Kenaston: Aye**

**Bruno: Aye**

**Motion passed unanimously.**

**Public Comments:** Elizabeth Watry hoped to see a security gate if the project was approved.

Cindy Flegenheimer never imagined when she decided to live in Moenave that the end of a cul-de-sac would become a staging area for a fleet of shuttles.

Gil Kiefer did not believe that Moenave ever disclosed that the lot was commercial. His long-term concern of the proposal was that it would eventually be overflow parking for La Quinta, and that would mean a variety of cars, trucks, and campers, and would present a significant increase in traffic.

Jay Crosson was concerned that the proposed use would grow over time or change completely. He also echoed that the realtor who showed him the property never mentioned that the lot was commercially-zoned. He did not feel that the proposal fit within what the residents were trying to do by living there.

**Motion made by Dawn McComb to close public hearing. Seconded by Ric Rioux.**

**McComb: Aye**

**Burns: Aye**

**Rioux: Aye**

**Kenaston: Aye**

**Bruno: Aye**

**Motion passed unanimously.**

**Commission deliberation:** Ms. Bruno felt that the written concerns were primarily about visitation to the neighborhood and what that would mean for traffic and safety. She hoped that, if approved, there would be security measures implemented to deter the general public from using it as public parking. The application being submitted as overflow parking for La Quinta didn't exactly match what the applicant was saying the lot would be used for initially, which was an employee and shuttle parking lot for Zion Guru. The Commission needed to consider what would happen if the use changed.

Mr. Rioux disclosed that he was a resident of Moenave. He contested the statement that the lot was already disturbed. It was an undisturbed and natural lot when Mr. Rioux moved in. The application seemed disingenuous since it made no mention of the Zion Guru use that the developer was proposing. He spoke to the wide margin for potential deviation from what was being proposed. It would have been more upfront if the application had stated that the parking lot would be utilized primarily for Zion Guru's business.

- Ms. Bruno allowed Mr. Zambella to address Mr. Rioux's comments as he didn't want it to be on record that the application was disingenuous. The purity of the application stood as-is. The La Quinta owned the property and he would be leasing the lot from the La Quinta ownership. They were not trying to deceive anyone.
- Mr. Burns noted that the application specifically stated that the parking would be used for overflow parking for La Quinta, but the Commission had heard details about the use of the lot that conflicted with what was presented in the application. The applicant was welcome to submit an application in the future that was correct.

Mr. Kenaston agreed that the application seemed disingenuous. He was troubled by the applicant's unwillingness to consider a different course. The residents who had made comment did not appear to have received disclosure that the lot was zoned commercial. He felt that Springdale residents needed to be good neighbors and check what their impacts do to others. He didn't see how the La Quinta guests could use Moenave property to access the lot without it being deemed trespassing.

**Motion made by Jack Burns that the Planning Commission denies the Design/Development Review for a parking area on parcel S-100-C. This motion is based on the following finding: The application submitted does not reflect the presentation given by the applicant. Seconded by Tom Kenaston.**

**McComb: Aye**

**Burns: Aye**

**Rioux: Aye**

**Kenaston: Aye**

**Bruno: Aye**

**Motion passed unanimously.**

**4. Public Hearing - Design / Development Review: Request to develop an eight-space gravel parking area on parcel S-160-A-4-1 in the Public Use (PU) Zone (located at the corner of Winderland Lane and Paradise Road) - Town of Springdale:** Mr. Dansie said lot was intended to provide parking for visitors to the Pioneer Cemetery at the base of the hill on which the cemetery was located. The cemetery was in the process of being documented for restoration purposes and was considered an amenity to the Town.

**Questions from the Planning Commission to staff:** Ms. Bruno asked how the Town would enforce the patronage of the lot.

- The Town envisioned that there would be a maximum time limit for parking, and enforcement would patrol for compliance.

Mr. Kenaston asked how seven spaces was decided.

- The area could support a larger parking lot, but the Town did not want to create a parking attraction for non-cemetery visitors.

Ms. Topham asked if there would be any further infrastructure that would be added to the cemetery.

- The Parks department would develop benches and park-like amenities at a future time. Those were not included in the current application.

Ms. McPartland asked if the gravel material would be compactible enough for wheelchair use.

- Streets Supervisor and Project Manager Robert George said it likely would not be ADA accessible. The rest of the cemetery was also not ADA compliant and there was not a requirement for it to be.

**Questions from the public to staff:** Trish Rioux asked if there would be speed limit signage.

- The request had been noted by Mr. George.

Joe Pitti asked if Springdale residents could park on Winderland lane. He had been on the Commission during the approval of a designated parking area in Moenave and asked if this was the same one.

- Residential parking permits allowed the holders to park on Winderland for an unlimited amount of time. This property was always envisioned to be deeded to the Town and to become a parking area.
- Mr. Pitti added that "Robert [George] rocks as an employee!"

Trish Rioux asked if the parking lot would be designated as cemetery parking.

- It would be easier for parking enforcement to determine if patrons were meeting the time limits rather than determining the intent of their visit, so the sign would likely only give a time limit.

**Motion made by Barbara Bruno to open Public Hearing. Seconded by Jack Burns.**

**Burns: Aye**

**McComb: Aye**

**Rioux: Aye**

**Kenaston: Aye**  
**Bruno: Aye**  
**Motion passed unanimously.**

**Public Comments:** Gil Kiefer felt that establishing maximum time limits would not take care of nearby restaurant patrons who could potentially use the parking for an hour or less. He asked the Town to consider providing less parking spaces. The most vehicles he had ever seen visiting the cemetery was four at a time.

**Motion made by Barbara Bruno to close public hearing. Seconded by Dawn McComb.**  
**McComb: Aye**  
**Burns: Aye**  
**Rioux: Aye**  
**Kenaston: Aye**  
**Bruno: Aye**  
**Motion passed unanimously.**

**Commission deliberation:** Ms. McComb thought it was a great project.

Ms. Bruno mentioned that her husband was on the Historic Preservation Commission and there was the potential for more groups and site studies. She didn't think the number of spaces needed to be reduced.

- The Commission felt seven spaces was a reasonable amount.

**Motion made by Barbara Bruno that the Planning Commission approves the Design/Development of a parking area on parcel S-160-A-4-1. This motion is based on the following findings: The lot area, setbacks, frontage and access, lighting, landscaping, and parking are all in compliance with Chapter 10-12 which is Public Use Zone. In Chapter 10-23, which is the off-street parking requirements and standards, the proposed parking area will make visiting the Pioneer Cemetery a pleasant experience for descendants of those buried there as well as those who are interested in the Town's history and heritage. Seconded by Dawn McComb.**  
**McComb: Aye**  
**Burns: Aye**  
**Rioux: Aye**  
**Kenaston: Aye**  
**Bruno: Aye**  
**Motion passed unanimously.**

## **B. Consent Agenda**

**Motion made by Dawn McComb to approve the minutes from the Planning Commission meetings of April 21<sup>st</sup> and May 5<sup>th</sup> as presented. Seconded by Jack Burns.**  
**McComb: Aye**  
**Burns: Aye**  
**Rioux: Aye**  
**Kenaston: Aye**  
**Bruno: Aye**  
**Motion passed unanimously.**

## **C. Adjourn**

**Motion to adjourn made at 8:32 pm by Dawn McComb. Seconded by Ric Rioux.**

**McComb: Aye**

**Burns: Aye**

**Rioux: Aye**

**Kenaston: Aye**

**Bruno: Aye**

**Motion passed unanimously.**



Katy Brown, Deputy Clerk



**APPROVAL:**

Barbara Bruno

**DATE:**

6-16-21

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@springdale.utah.gov](mailto:springdale@springdale.utah.gov) 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 5/19/21



**IN PERSON ATTENDEES:**

**REMOTE ATTENDEES:**  
**(Clerk will complete)**

David + MS West  
Name (please print)

Jan & Chuck Passek  
Name (please print)

Krish Rioux  
Name (please print)

Claudia Mitchell  
Name (please print)

Marie McNeal  
Name (please print)

Kip & Ashley  
Name (please print)

ELIZABETH WATRY  
Name (please print)

Neil Ballinger  
Name (please print)

Barb Graves  
Name (please print)

Ray Walter  
Name (please print)

Diana Scardilli  
Name (please print)

Tracy Dutton  
Name (please print)

Kevin Thredgold  
Name (please print)

Jay Crosson  
Name (please print)

MERLE PEPPER  
Name (please print)

Max Birnbaum  
Name (please print)

STAN PLAYSER  
Name (please print)

Ann Hinkley  
Name (please print)

David Ecker  
Name (please print)

Luke Wilson  
Name (please print)

Joe Pitts  
Name (please print)

Name (please print)

NANCY NEITHERCUT  
Name (please print)

Name (please print)

①



PO Box 187 118 Lion Blvd Springdale UT 84767

**ATTENDANCE RECORD**  
**Please print your name below**

Meeting Planning Commission Regular Meeting Date 5/19/21  
Continued

**IN PERSON ATTENDEES:**

**REMOTE ATTENDEES:**  
**(Clerk will complete)**

Jeanie Lesh  
Name (please print)

\_\_\_\_\_  
Name (please print)

Lynn Schwerman  
Name (please print)

\_\_\_\_\_  
Name (please print)

Cindy Flegenheimer  
Name (please print)

\_\_\_\_\_  
Name (please print)

ELIZABETH WATRY  
Name (please print)

\_\_\_\_\_  
Name (please print)

Jim & DEBI KEYS  
Name (please print)

\_\_\_\_\_  
Name (please print)

GIL KIEFER  
Name (please print)

\_\_\_\_\_  
Name (please print)

(2)