



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION ELECTRONIC REGULAR MEETING  
ON WEDNESDAY OCTOBER 21, 2020 AT 6:00PM**

**This Planning Commission meeting did not have an anchor location and was conducted entirely via electronic means. Commission members connected remotely. The meeting was available to the public for live viewing/listening and included public hearings wherein public comments were monitored electronically by the meeting host.**

**Meeting convened at 6:04 PM**

**MEMBERS PRESENT:** Chair Jack Burns, Commissioners Barbara Bruno, Mike Marriott, Tyler Young, Ric Rioux and Tom Kenaston

**ABSENT:** Dawn McComb and J. Treacy Stone

**ALSO PRESENT:** Director of Community Development Tom Dansie, and Town Clerk Darci Carlson recording. See attached sheet for attendees known to have signed into the electronic meeting.

**Approval of the Agenda: Motion made by Barbara Bruno to approve the agenda. Seconded by Mike Marriott.**

**Bruno: Aye**

**Marriott: Aye**

**Burns: Aye**

**Rioux: Aye**

**Young: Aye**

**Motion passed unanimously.**

**Commission discussion and announcements:** The Town was in the process of changing email addresses from *springdaletown.com* to *springdale.utah.gov* by the end of the month. Commissioners would be getting more information about next steps once the transition was complete.

**A. Action Items**

**1. Public Hearing – Design / Development Review Modification: Revisions to a previously approved DDR for transient lodging cabin units at 1423/1427 Zion Park Boulevard - Travis Barney:**

This project had been previously approved in 2017, but the applicant needed to revise the designs to meet certain fire standards. Changes included a decrease in the number of units from 13 to 12, a relocation of units centered closer to SR-9, and the addition of two-story units.

The applicant had submitted a revised landscape plan to address concerns in the staff report (Attachment 1). In addition, staff was working with the applicant to find an acceptable light fixture that complied with Town standards. Colors and materials also needed to be verified. Since development was proposed on two lots, another requirement was that both lots were combined into one.

Mr. Dansie said the Town had not received any written public comment.

**Commission questions to staff:** Ms. Bruno asked if combining the two lots was straightforward.

- Mr. Dansie answered it was standard; the applicant had submitted a receipt from the county indicating this requirement was in-process.

**Questions to staff by members of the public:** None were asked.

**Applicant presentation:** Travis Barney was in attendance to address the Commission. He said changes to the design were necessary due to fire restrictions. The revised layout accommodated the need to locate units one-hundred fifty feet (150') from a hydrant.

**Commission questions to the applicant:** Since a large portion of the property remained undeveloped, Mr. Burns asked if the intent was to add more units in the future.

- Mr. Barney said 'no'; the space would remain open. There would be a retention pond at the bottom of the property and a fence to prevent people from accessing that area.

Mr. Kenaston asked if there would be irrigation for the landscaping.

- Mr. Barney indicated the landscaping would be irrigated.

Mr. Barney said issues with the lighting and colors would be rectified and come into compliance.

Ms. Bruno asked about storm water runoff and if there was a storm water management plan.

- Mr. Barney still needed to work out this issue with the state. Since there was natural drainage to the area where the retention pond would be located, only minimal excavation would be needed.

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

**Motion made by Tyler Young to open Public Hearing. Seconded by Ric Rioux.**

**Bruno: Aye**

**Marriott: Aye**

**Burns: Aye**

**Rioux: Aye**

**Young: Aye**

**Motion passed unanimously.**

**Public Comments:** In addition to speaking, the public could type a comment into the Zoom chat box to be acknowledged. No public comments were made.

**Motion made by Ric Rioux to close Public Hearing. Seconded by Barbara Bruno.**

**Bruno: Aye**

**Marriott: Aye**

**Burns: Aye**

**Rioux: Aye**

**Young: Aye**

**Motion passed unanimously.**

**Commission deliberation:** In looking through the various requirements, Ms. Bruno said all items appeared to be in compliance. She asked if the landscape plan submitted today was considered final.

- Mr. Dansie said the plan submitted satisfied the ordinance.

Mr. Rioux asked if the open space area needed to be included in the landscape plan.

- The open space would essentially be left natural. Although only sixty percent (60%) was required, this application left seventy-two percent (72%) as open space.
- Given the ordinances and fire codes pertaining to this lot, it would be difficult to develop anything on the rear portion of the lot.

Although the plans presented were conceptual, Mr. Burns really struggled with the design. The Town continued to introduce architecture that did nothing to protect the character of Springdale. Following the General Plan and maintaining small town character were important to a design review. Mr. Burns also noted the architecture proposed was not complementary to adjacent properties.

- Mr. Young preferred the original plan layout and design but understood the issues requiring changes.

Mr. Burns said the word 'cabin' was being used loosely. There wasn't anything in the design conducive to the character of the Town. Mr. Burns strongly reiterated his position that Springdale not turn into Anywhere, USA with architecture that could be found any place.

- Mr. Barney agreed the units would not be like a cabin. This word continued to be used because the development did not yet have a name.

Ms. Bruno said the design was contemporary and not close to parkitecture; however, in assessing the general design requirements in section 10-16, she did not identify a specific non-conforming issue. Ms. Bruno felt it would be difficult to disallow this design when the property next to the gas station (Terrible's) was allowed.

Mr. Burns suggested the roofline was noncompliant due to its many angles. He also said the current Planning Commission could decide whether this was the direction to go or not. They did not have to fall back on decisions made in the past if they believed them to be wrong.

Mr. Young felt the design as presented would not really fit into the area. He referenced the LaFave transient lodging facility and how the Commission requested architectural changes.

- Mr. Burns agreed. Elements and colors made a difference. He could not sign off on this proposal since the design did not protect the village atmosphere or character of the Town.

Mr. Marriott shared some of the same architectural concerns. The new buildings and existing buildings were not compatible, however there was no requirement they look the same. Mr. Marriott felt the proposal likely met the ordinance in a basic sense so denying the application on 'looks' alone was tricky. The applicant was asked if he would consider modifying the architecture.

- Mr. Barney said he was not willing to modify the design, especially since there were a number of limitations on the property. There was nothing submitted that went against the standards and he was within his rights to present the project this way.

Mr. Young was sympathetic to the applicant but said changes to finishes, colors and materials would give the units a totally different feel.

Although contemporary, Mr. Rioux said it was not a prohibited architectural style.

- Mr. Barney was open to changes related to siding and colors, but not rooflines.

Title 10-16-4 addressed general design principals and contained aspirational language. Although the project could not be prohibited, it likely did not meet the spirit of the ordinance.

Commissioners struggled with the architectural aspects, but most agreed it conformed to code. If this type of style was not desired in the future, code could be amended to specifically define the preferred architecture in Town.

Addressing economics, Mr. Kenaston asked how square footage in the first design compared to the revised plan.

- Mr. Barney was unsure; however, given the setback and fire code constraints this was the layout. Mr. Barney did not want to develop something outlandish and was willing to work with staff on colors and siding.

Mr. Burns asked what issues existed with the roof. He referenced the LaFave transient lodging development and concerns the Commission had with different roof angles.

- Mr. Dansie explained section 10-16-4 contained a clause which discouraged extreme variations in roof lines. This was the issue on the LaFave property whereby the existing building had a low-profile gabled roof while the new buildings had more of a vertical emphasis. This was a similar concern with the current proposal.

**Motion made by Barbara Bruno to approve the modifications to the transient lodging cabin project at 1423/1437 Zion Park Boulevard. This motion is based on the following findings: 1) The applicant must combine parcels S- 74 and S-80 into a single parcel. The Town will issue a building**

**permit for the project once the lots have been combined: 2) The applicant must provide additional detail on the proposed recessed can light fixtures, specifically: the color temperature of the light source, the number of lumens, and details regarding the 2" recess on the light source: 3) The applicant will submit a storm water management plan that includes storm water retention on the rear of the property and calculations must be included to verify the sizing of the detention areas: 4) A strong request and recommendation that the applicant work with his architect to choose some siding and exterior colors that might more closely resemble the village environment of the Town of Springdale and work with Tom Dansie to see if something can be done with this recommendation. Seconded by Ric Rioux.**

**Bruno: Aye**

**Marriott: Aye**

**Burns: No**

**Rioux: Aye**

**Young: Aye**

**Motion passed 4-1**

Mr. Young had to leave early due to a business obligation. As the alternate, Tom Kenaston would vote.

**2. Public Hearing - Design / Development Review: Improvements to a vacant lot on Winderland Lane to create an employee parking area (parcel S-56) - Kurtis Maxwell:** This lot would be developed to support businesses on Winderland Lane and not designed as a paid parking lot. Although the lot had been used informally for parking previously, this proposal formalized the use and development. There were no buildings or lighting proposed.

Mr. Dansie said it appeared all applicable standards had been met with the design. No written public comment had been received.

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

**Questions to staff by members of the public:** None were asked.

**Applicant presentation:** Kurtis Maxwell was present to address the Commission. Mr. Maxwell indicated parking would be used for employee access for both the Shell gas station and the neighboring business. This would help eliminate parking on the road. The lot was previously used as parking for an adjacent home. Mr. Maxwell explained the lot would be improved with minimal vegetation and gravel to help with drainage.

- Mr. Burns thanked him for being a good neighbor.
- Mr. Kenaston said this project would help to alleviate a perceived lack of parking in the Red Hawk area.

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

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

**Motion made by Mike Marriott to open Public Hearing. Seconded by Barbara Bruno.**

**Bruno: Aye**

**Marriott: Aye**

**Rioux: Aye**

**Burns: Aye**

**Kenaston: Aye**

**Motion passed unanimously.**

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

**Motion made by Barbara Bruno to close Public Hearing. Seconded by Mike Marriott.**

**Bruno: Aye**

**Marriott: Aye**

Rioux: Ave  
Burns: Ave  
Kenaston: Ave  
Motion passed unanimously.

**Commission deliberation:** Mr. Marriott stated the project was straightforward and appeared to meet all the standards. The other Commissioners agreed and had no concerns.

**Motion made by Mike Marriott to approve the Design/Development Review for a parking area on parcel S-56. The motion is based on findings the project is in conformance with the Town Code specifically Chapter 10-11A and Sections 10-23-6, 10-23-7 and 10-23-9 of the Parking Ordinance. Seconded by Barbara Bruno.**

Bruno: Ave  
Marriott: Ave  
Burns: Ave  
Rioux: Ave  
Kenaston: Ave  
Motion passed unanimously.

**3. Public Hearing - Zone Change: Changing the zone on the following parcels: Central Commercial (CC) to Public Use (PU) on the Springdale Elementary School property at 898 Zion Park Boulevard (parcel S-60), Foothill Residential (FR) to Public Use (PU) on the following lots in the Balanced Rock Hills Subdivision: 1, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 25, 27, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 44, 45, 46, 47, 48, 49, 50, 51, 52, and Foothill Residential (FR) to Public Use (PU) on parcels S-135-C and S-135-E:** About a year ago the Town approved changes to the zone on several parcels that had a public use but not a Public Use zoning designation. Additional properties, that fit this same criterion, were identified including the elementary school parcel and a number of Town-owned parcels in and around the Balanced Rock Hills Subdivision.

Mr. Dansie explained the elementary school was in the Central Commercial zone but that it had been used as a school for a long time. The foreseeable use of that property was also for non-commercial, public use.

The Town had been acquiring lots in the Balanced Rock landslide area to preserve as open space. There was no intention to develop these parcels residentially; therefore, Public Use was a more appropriate zone designation.

**Commission questions to staff:** Mr. Marriott asked if the owner of the school property had been contacted.

- Mr. Dansie said the Town had reached out to the Washington County School District a number of times and had received minimal response. The School District acknowledged receipt of the inquires but had not provided input, concerns, or objections.
- Mr. Marriott commented this zone change could significantly impact the value of their property.

Mr. Burns asked the location of parcels S-135-C and S-135-E.

- These small lots were adjacent to the Balanced Rock Hills Subdivision on the north side.

Ms. Bruno asked where Luke Wilson planned to build.

- Mr. Dansie said his property was on the southeast side of the Balanced Rock Hills Subdivision. This zone change request would not impact his property in any way.

Mr. Kenaston asked if Mr. Wilson's property had been affected by the earthquake in 1992 and if building would still be allowed on this parcel.

- Mr. Dansie indicated it was affected. The area was unstable; therefore, extensive geotechnical analysis would need to be conducted in order to demonstrate building was safe.

For clarification, Mr. Rioux confirmed the zone change only affected Town-owned Balanced Rock lots and other parcels in Balanced Rock Hills Subdivision would remain Foothill Residential.

**Questions to staff by members of the public:** None were asked.

**Motion made by Barbara Bruno to open Public Hearing. Seconded by Ric Rioux.**

**Bruno: Aye**

**Marriott: Aye**

**Burns: Aye**

**Rioux: Aye**

**Kenaston: Aye**

**Motion passed unanimously.**

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

**Motion made by Mike Marriott to close Public Hearing. Seconded by Tom Kenaston.**

**Bruno: Aye**

**Marriott: Aye**

**Burns: Aye**

**Rioux: Aye**

**Kenaston: Aye**

**Motion passed unanimously.**

**Commission deliberation:** Mr. Rioux said putting these parcels into the Public Use zone was a more appropriate land use designation.

Mr. Marriott had reservation about the elementary school parcel and wanted to get School District input. Changing the zone was self-serving from the Town's perspective and Mr. Marriott did not favor changing the zone of this parcel at this time.

- Mr. Burns commented the owner of the property did appear to be part of the decision.
- Mr. Marriott was unsure if the non-response from the School District was due to bureaucracy or misunderstanding.

Mr. Dansie provided further clarification on the Town's efforts. Over the course of the last year both the Town Manager and the Mayor had reached out to a number of individuals at the School District to get input. The level of response over that year was "we'll look at it" or "we'll see". At this point the Town decided to move forward with the zone change since there had been a number of attempts to contact School District personnel.

Ms. Bruno confirmed the Town had the legal right to make this change.

- Zoning was a legislative decision and did not require a property owner's consent. As long as there was a legitimate reason to do so, the Town could alter the zone. Changing the elementary school parcel to Public Use would not vary the current use of that property.
- If in the future the School District decided to dispose of the property, the zone change could have an impact on the value of the asset.

Mr. Dansie reiterated that the legislative authority to designate zoning was the prerogative of the Town Council. The Council could up-zone, down-zone, or laterally zone at their discretion as long as that action was not arbitrary or capricious, or deprived any beneficial use. In this case it would not since the school could still operate as a school.

Mr. Burns said he would agree with Mr. Marriott if the parcel was owned by a private property owner. However, given who the property owner was, and the fact they had been given adequate notice of the change, he supported the zone change recommendation.

Commissioners decided to break out the recommendations into two motions.

Although it was outside the zone change discussion, Mr. Kenaston wanted to recognize that clean up was necessary on some Balanced Rock parcels due to hazards. This would be especially important if trails were developed in that area.

**Motion made by Barbara Bruno to recommend approval of the zone change from Foothill Residential (FR) to Public Use (PU) on the following lots in the Balanced Rock Hills Subdivision: 1, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 25, 27, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 44, 45, 46, 47, 48, 49, 50, 51, 52, and a zone change from Foothill Residential (FR) to Public Use (PU) on parcels S-135-C and S-135-E. This motion is based on findings the Town has determined that this zone change furthers the General Plan and the intent of that Plan, and also protects the property from future geological hazards. Seconded by Mike Marriott.**

**Bruno: Aye**

**Marriott: Aye**

**Rioux: Aye**

**Burns: Aye**

**Kenaston: Aye**

**Motion passed unanimously.**

**Motion made by Tom Kenaston to recommend approval of the zone change from Central Commercial (CC) to Public Use (PU) on the Springdale Elementary School property at 898 Zion Park Boulevard (parcel S-60). This motion is to recognize the public use of that property as it is currently being used and to change it out of the commercial district where the Planning Commission believes it does not belong. Seconded by Ric Rioux.**

**Bruno: Abstain**

**Marriott: No**

**Rioux: Aye**

**Burns: Aye**

**Kenaston: Abstain**

**Motion failed.**

**Motion made by Ric Rioux to recommend approval of the zone change from Central Commercial (CC) to Public Use (PU) on the Springdale Elementary School property at 898 Zion Park Boulevard (parcel S-60) as we find, in terms of the General Plan and the actual use, that the property is more appropriately zoned Public Use than it is Commercial since it is being used as school property and likely will for the foreseeable future. Seconded by Barbara Bruno.**

**Rioux: Aye**

**Marriott: No**

**Burns: Aye**

**Kenaston: Aye**

**Bruno: Abstain**

**Motion passed 3-1-1.**

## **B. Consent Agenda**

**Motion made by Barbara Bruno to approve the minutes from the Planning Commission meetings of September 16<sup>th</sup> and October 7<sup>th</sup> as presented. Seconded by Mike Marriott.**

**Bruno: Aye**

**Marriott: Aye**

**Rioux: Aye**

**Burns: Aye**

**Kenaston: Aye**

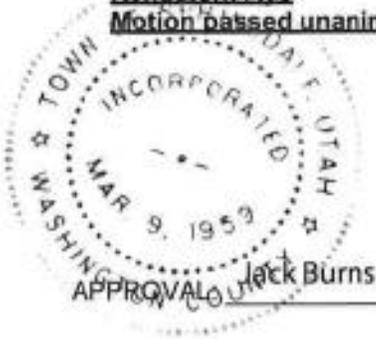
**Motion passed unanimously.**

## **C. Adjourn**

**Motion to adjourn at 7:42pm made by Mike Marriott. Seconded by Rick Rioux.**

**Bruno: Aye**

**Marriott: Aye**  
**Rioux: Aye**  
**Burns: Aye**  
**Kenaston: Aye**  
**Motion passed unanimously.**



Darci Carlson  
Darci Carlson, Town Clerk

Digitally signed by Jack Burns  
Date: 2020.11.19 10:48:07 -0700

DATE: 11/19/2020

A recording of the public meeting is available by contacting the Town Clerk's Office. Please call 435-772-3434 via email at [springdale@springdale.utah.gov](mailto:springdale@springdale.utah.gov) for more information.



PO Box 187 118 Lion Blvd Springdale UT 84767

## REMOTE MEETING ATTENDANCE RECORD

### Planning Commission Regular Meeting 10/21/2020

Travis Barney

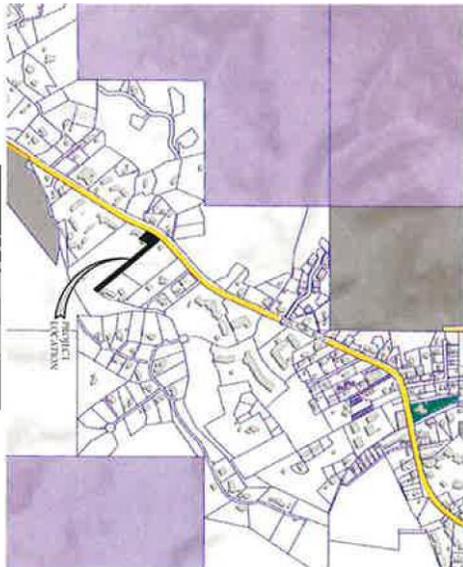
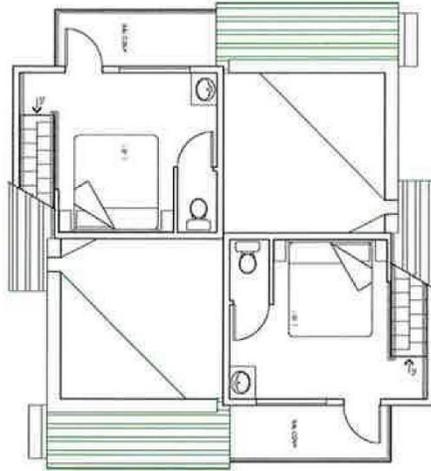
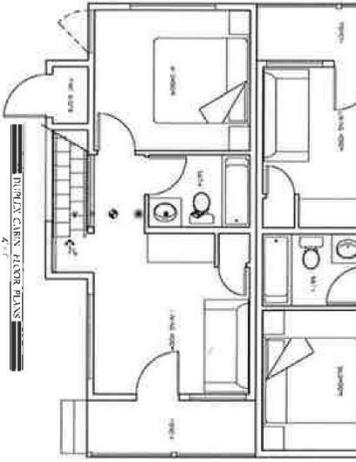
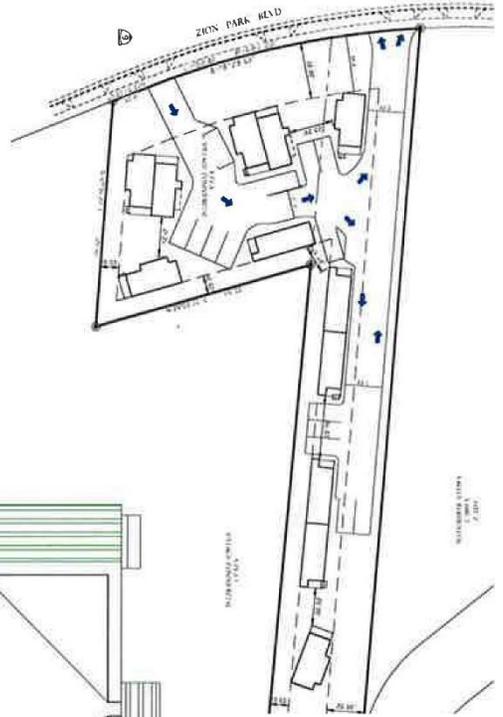
Kyla Topham

Kurtis Maxwell

Passek

Stewart Ferber

PENDING APPROVAL



1. SITE NAME  
 2. PROJECT LOCATION  
 3. DATE OF PLAN  
 4. DRAWN BY  
 5. CHECKED BY  
 6. APPROVED BY

1  
 1/1  
 1/1

COVER SHEET - SITE PLAN  
 BARNEY CABINS  
 TRAVIS & AMY BARNEY  
 101 TULLYVILLE ROAD, SUITE 100, HARTFORD, CT 06111

LE  
 LEH  
 1t@Jr/jjp  
 m

Attachment 1 - (3) pages 10/21/20







1  
5  
a

UTILITY & FIRE SAFETY PLAN  
BARNEY CABINS  
TRAVIS & AMY BARNEY  
LUCH001 at YP-ISE 12.T.F. IM K-W, ILM-11  
STRUYGDAILET.H

file

(f: !!P/f!

n @ x1.

/ <fb  
 .- -  
 - -  
 .. 2 2 2 2

r/  
 [ /

1  
 1  
 1  
 a

-----  
 -----

.....td/i.....r.  
 .....+10X7: .....

I

0  
 )  
 0  
 0  
  
 0

---  
 . - -  
 - - -

