



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION REGULAR MEETING ON
WEDNESDAY, AUGUST 20, 2025, AT 5:00 PM
AT THE CANYON COMMUNITY CENTER,
126 LION BOULEVARD, SPRINGDALE, UT 84767**

The meeting convened at 05:00 PM.

MEMBERS PRESENT: Chair Tom Kenaston, Commissioners Terry Kruschke, Paul Zimmerman, Jennifer McCulloch, Kashif Bhatti, and Matt Fink from Zion National Park.

EXCUSED: Rich Swanson and Mellisa LaBorde.

ALSO PRESENT: Director of Community Development Tom Dansie, Principal Planner Niall Connolly, Zoning Administrator Kyndal Sagers, Town Clerk Aren Emerson, and Deputy Town Clerk Robin Romero, recording. See the attached sheet for attendees.

Mr. Kenaston designated Kashif Bhatti as a voting member in Mr. Swanson's absence.

Approval of the Agenda:

Motion made by Jennifer McCulloch to approve the agenda. The motion was seconded by Paul Zimmerman.

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

McCulloch: Aye

Bhatti: Aye

The motion passed unanimously.

General Announcements:

Mr. Dansie reported that a successful ribbon-cutting was held for the town's new downtown plaza. He encouraged everyone who has not yet visited to stop by and see it, noting that it is an impressive addition to the community.

Declaration of Conflicts of Interest:

Mr. Kenaston disclosed that he and Mr. Praetzel were neighbors and served together on the Red Hawk HOA board, but stated that he did not feel any conflict in his review of the mural.

A. Action Items

1. Approval of a Mural: Rick Praetzel and Michele Van Hise Request Approval for a Mural at Zion Adventures, 36 Lion Blvd. Staff Contact: Niall Connolly

Staff Presentation:

Mr. Connolly explained that this was a retrospective application, as the mural was already in place. The Planning Commission had reviewed the mural the previous year but deferred a decision pending an update to the mural policy. In the meantime, the policy had been updated, and the Art Review Board had conducted another review. The Board recommended conditional approval, requiring that the majority of colors comply with

the town's palette while allowing some non-palette colors to be used for artistic highlights. They also recommended the removal of the signage elements.

The staff report included an analysis of the mural and its compliance with the standards outlined in the updated policy. The Commission was tasked with reviewing the proposal and determining whether to approve it, approve it with conditions, or deny approval of the mural.

Questions from the Commission:

Mr. Kruschke said he had reviewed the Art Review Board notes and observed discussion about a possible limit on non-palette colors, but noted that no percentage standard was included in the final motion. He asked for background on that decision and the pros and cons of applying a percentage.

- Mr. Connolly recalled that the Board had considered limiting non-palette colors to 30 percent of the mural but ultimately did not recommend it. He said the Board seemed more focused on clarifying which elements might need to change rather than setting a strict percentage. He added that in their discussion of the sky, only one of the colors was palette-approved, and the original suggestion was that using that color for the entire sky could address the majority of the compliance issue.

Applicant Presentation:

Rick Praetzel, co-owner of Zion Adventures, addressed the Commission and stated that this issue had been tabled for quite some time. He acknowledged that the mural was definitely off palette. He explained that it had happened because when the idea was born, sort of in a living room at home, Michelle searched the ordinance and did not find the subparagraph of the palette rules that mentioned murals. They proceeded with full creativity, and he thought MeiLi, Michelle's daughter, was interested in doing something sort of urban and started with spray paint.

He told the Commission that they liked the mural and would like to keep it. If the Commission disapproved it altogether, he requested a reasonable amount of time to paint over it. If they approved it conditionally, he would like a reasonable time to make those corrections. He added that he would go to Michelle and MeiLi, and once they realized it was art, but it was going to be amended art, they might decide to paint over it. That would not, for him, be out of anger. It would simply be that it was no longer their art, and if they were sensitive to that, they may decide to just paint the fence brown, the way it was before they started. He explained that he was not really there to sway the Commission too hard because he knew that the mural regulations had been amended, so now it was their responsibility to sort that out and figure out what the Commission thought made sense.

He expressed appreciation for being added to the agenda and being considered. He said they were responsible for being off palette, and they accepted that.

Mr. Kenaston asked how much time would be reasonable for Mr. Praetzel to make color palette changes to the mural. Mr. Praetzel responded that a couple of weeks would be sufficient.

Commission Deliberation:

The Commission discussed the Art Review Board's conditional approval of the Zion Adventures mural. Mr. Kenaston noted that the Board had conducted a thorough review but had not identified a specific percentage of on-palette colors, though 30–35 percent was mentioned. He interpreted the recommendation to mean that the majority of the mural's area, rather than simply the number of colors, should come from the approved palette. He outlined options for proceeding: adopting the Board's recommendation, requiring a revised template for the Board's review, or having staff oversee the repainting process, which he considered the most expedient.

Ms. McCulloch said she had initially favored leaving the mural unchanged but, with the updated ordinance, now supported revising the sky to bring the mural closer to the required majority of palette colors while still allowing artistic highlights. Mr. Kruschke said he had first considered requiring a percentage but later agreed with the Board's flexible approach. He supported conditional approval without imposing a strict number, emphasizing trust in the Board's recommendations. He acknowledged the sign element as a minor issue.

Discussion followed about the Board's intent regarding the sign, with Ms. McCulloch questioning whether removal meant eliminating it entirely. Mr. Zimmerman said he believed the concern was about advertising and

suggested revising the wording to geographic references rather than removing the element, which he viewed as an important artistic feature. He also argued that the sky's limited colors did not appear to exceed the allowance for highlights.

The Commission debated whether the policy required a numerical percentage or simply a majority of palette colors. Mr. Connolly confirmed that the ordinance did not specify a percentage but required that the majority of the mural use palette colors, with non-palette highlights permitted if justified. Commissioners generally agreed that this implied at least 50–60 percent compliance. Ms. McCulloch supported adjusting the sky to achieve this, while Mr. Zimmerman cautioned against overly rigid enforcement, noting that artistic intent should be respected.

Several Commissioners expressed concern about precedent and the potential for overly bold murals if flexibility was taken too far. Mr. Kruschke emphasized that the policy, though vague, had been adopted by the Town Council and the Art Review Board and must be followed. He recommended conditional approval consistent with the Board's review, directing staff to work with the applicant to ensure that the majority of the mural area used palette colors.

The Commission discussed how compliance would be determined. Mr. Connolly and Mr. Dansie advised that providing staff with general guidance would be most effective, allowing them to work with the applicant to make adjustments. Mr. Kruschke suggested interpreting "majority" as more than 50 percent and ensuring that any non-palette colors met the three criteria of compatibility with the natural and built environment, not detracting from vistas, and being justified by the applicant.

Commissioners generally agreed that only minor adjustments were needed to bring the mural into compliance, with staff working alongside the applicant to achieve the standard without dictating artistic choices. Mr. Zimmerman maintained that the policy constrained artistic expression too narrowly, while Mr. Kenaston and Mr. Kruschke emphasized that the Commission's role was to apply the policy as written and approved.

Motion made by Jennifer McCulloch that the Planning Commission approve the mural at 36 Lion Boulevard, subject to conditions, as discussed in the Planning Commission meeting on August 20, 2025. This motion is based on the following findings:

- 1. Agreeing with the Art Review Board findings that the mural does promote the town's village character, promotes the town's reputation as an arts community, and adds interest to the town's visual appearance.**
- 2. The mural can be brought into compliance with the Public Art and Art Review Board policy.**

The motion includes the following conditions:

- 1. The majority of colors must comply with the town's color palette, knowing that the code does allow for highlight colors.**
- 2. The town staff will work with the property owner to determine on-palette colors and areas of accent colors, and exactly which elements are to be repainted with on-palette colors to reach a majority of the on-palette colors.**
- 3. The mural signage must not reference any advertisement.**
- 4. The signpost with the text "Zion Adventures" and "Red Coyote Cyclery" is to be changed.**
- 5. The mural must not fall into disrepair, per code requirements relating to property maintenance, in particular, Section 10-20-13. Murals that fall into disrepair may be required to be removed.**

Second by Terry Kruschke.

Discussion of the motion:

Mr. Kruschke proposed adding that the mural must not advertise businesses, products, or services, but could reference natural features or geographic locations.

Ms. McCulloch accepted the additional condition to the motion.

Vote on Motion:

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

McCulloch: Aye

Bhatti: Aye

The motion passed unanimously.

2. Design Development Review Revision: Breck Dockstader Requests Approval for Revisions to His DDR Approval for a Single-Family Home with Detached Garage / Accessory Building at 54 Hummingbird Lane. The Revisions Consist of Amended Access Arrangements. Staff Contact: Niall Connolly

Staff Presentation:

Mr. Connolly summarized that Mr. Dockstader had applied for a revision to the Design Development Review (DDR) approved in September 2024. That approval was for a single-family home with a detached garage / casita, subject to 13 conditions. The access arrangements for the site were complicated, and the applicant's original plan included a shared parking area with the neighboring property at number 44. The Commission approved that plan with the condition that the shared arrangement be formalized through a common parking agreement and a recorded easement, which would require the neighbor's consent.

The revised plans proposed a different access layout with separated parking areas, and the applicant sought approval for that change. A public comment letter was received and circulated to the Commission and the public, raising concerns about the complex access situation and referencing ongoing civil disputes. However, staff emphasized that the Town could not become involved in such matters.

Staff noted that no building permit would be issued until evidence was provided of a recorded easement benefiting the property across number 50, and this was included as a recommended condition. The application also included revised grading contours on the river side of the erosion protection. Staff recommended that these grading changes not be approved, as they could have negative impacts on flood risk.

The staff report provided an analysis of the proposed revisions in relation to the code's requirements and suggested conditions for the Commission's consideration.

Questions from the Commission:

Mr. Kruschke asked what width was required for access to meet fire lane standards.

- Mr. Connolly explained that the town code required 12 feet for properties with five or fewer parking spaces, whereas the 20-foot width was a fire district requirement, typically addressed during the building permit review process.

Mr. Kruschke clarified that, while the 20-foot requirement was not part of town ordinances, it would still apply at the building permit stage.

- Mr. Connolly confirmed that it would, and Mr. Dansie added that the issue arose during the fire district's code review of the applicant's building permit. He noted that the town adopted the fire code by reference, making it binding, although it was not written directly into the town code.

Mr. Kruschke observed that the plans showed a Y-turnaround rather than a full 20-foot driveway and asked if that met fire standards.

- Mr. Connolly said the design had been prepared in consultation with the fire district. Mr. Dansie explained that the DDR review considered building size, layout, and land-use standards, while technical compliance with fire and building codes was addressed later in the process.

Mr. Kenaston asked if the application still sought to revise access arrangements approved in September.

- Mr. Connolly confirmed that it did, explaining that the original plan included shared parking, while the revision proposed separate access.

Mr. Kenaston asked if all property owners had signed the new easement.

- Mr. Connolly stated that there was a long-standing 20-foot easement across property number 50 to benefit number 44; however, Mr. Dansie noted that the easement language was vague and did not identify specific parcels. Both stated the town would not interpret the easement or intervene in private property disputes. Their role was limited to evaluating whether the proposal met land-use standards.

Mr. Zimmerman asked if there was another way to route access around the pump house.

- Mr. Connolly replied that there was space on the other side, but not enough for the full 20 feet.

Mr. Kruschke observed that asphalt already existed on much of the area without an easement.

- Mr. Connolly said it appeared to be an informal driveway without a legal easement.

Mr. Kenaston then inquired whether the revised access would meet the land-use requirements for all three properties. Mr. Zimmerman pointed out that the original approval had been contingent on resolving easements, which had not yet been satisfied.

- Mr. Connolly said that staff recommended carrying forward all original conditions until they were met.

Mr. Kenaston asked about the landscape plan, noting that an updated plan had not been provided as previously requested.

- Mr. Connolly confirmed that a site walk-through had taken place but that no revised plan had been submitted.

Mr. Kruschke asked if this requirement should be carried forward.

- Mr. Connolly confirmed it should.

Mr. Kenaston emphasized its importance due to the site's location along the Virgin River, and Mr. Zimmerman agreed. Mr. Kruschke added that the plan should show existing vegetation, removals, and replacements.

Applicant Presentation:

Breck Dockstader, applicant, explained that the plan presented at this meeting was the original site plan. His previous contractor had indicated that an easement already existed, but the adjacent property owners did not want to use it and preferred access on his side of the property. To address their concerns, the applicant then revised the plan, secured draft parking agreements, and obtained approval contingent on those agreements. Later, the same property owners asked that Mr. Dockstader return to the original plan, which led to the current revision request. He stated that the easement across Mr. Kisner's property was already in place, measured to the required width, and only needed to be properly recorded.

Mr. Kruschke asked if the asphalt currently in use was officially recorded as an easement.

Mr. Dockstader said it was not yet recorded, but was confident it could be formalized with Mr. Kisner's signature. Mr. Dansie cautioned the Commission not to interpret or enforce easements, noting that approval could be conditioned on obtaining that signature.

Mr. Kruschke asked if there were any proposed changes to external materials beyond the roof. Mr. Dockstader confirmed that there were not.

Mr. Kenaston asked about differences in the grading plans along the riverbank. Mr. Connolly noted discrepancies between the original approval and the new submission and recommended excluding the revised contours, as they had not been reviewed for erosion or floodplain compliance. Mr. Dockstader agreed, stating they would use the originally approved contours.

Mr. Dockstader addressed landscaping, explaining that an inventory of existing trees had been completed and that a landscape architect would be preparing a plan. Mr. Kenaston asked if he would provide documentation of existing landscaping. Mr. Dockstader agreed, stating that trees had been marked and diagrammed on the civil plans. Mr. Kenaston said he had observed more trees on-site than were shown, and Mr. Connolly

explained that this discrepancy was the reason for the original inventory condition. Mr. Dockstader said they would provide a complete landscaping plan and replace any tree removed.

Mr. Kenaston asked if the applicant had reviewed the public comment letter sent from Erin Tyler. Mr. Dockstader said he had not and was provided with a copy of the letter.

Mr. Kenaston also noted that the original DDR approval had 13 conditions, and the staff had recommended four additional conditions at this time, totaling 17. He asked if tonight's action would extend the approval for another year. Mr. Dansie clarified that this was a revision, not an extension; the original expiration date in September still applied. Mr. Kenaston asked if approval of the revision meant the project could proceed until September and, if denied, whether the applicant could reapply. Mr. Dansie confirmed that in either case, the applicant could reapply once the original approval expired.

Commission Deliberation:

Mr. Kruschke noted that the primary purpose of the revision was to modify access arrangements, an issue that had also been unresolved at the time of the original approval in September. He questioned whether the application should be considered incomplete until evidence of an agreement was provided, expressing concern that approving it now could lead to repeated revisions without resolution.

Mr. Dansie said that approach was justifiable, explaining that if the Commission found the application incomplete, they would need to document their reasoning. Since the revision centered on clarifying access, and questions about it remained unresolved, that was a valid basis for the Commission's decision.

Mr. Kenaston supported that approach, adding that it would give the applicant time to resolve other conditions so the town would have a more complete application when a building permit was reviewed.

Mr. Kruschke reiterated that continued uncertainty over the easement would create ongoing delays at the permit stage. Ms. McCulloch agreed. Mr. Kenaston observed that it might ultimately be best for the applicant to reapply once the issues were worked out.

Mr. Dockstader requested to address the public comment letter, stating that the adjacent property owners did not have an access easement across his property and had not used it as an access long enough to claim prescriptive rights. Their legal access was across Mr. Kisner's property, and he noted that he could fence or gate his property at any time to enforce that. He explained that the shared access agreement had been created only at the neighbors' request, when they opposed his original plan.

Mr. Dansie reminded the Commission that questions about easement or access rights were legal matters outside their authority and should be resolved in the proper venue. He advised that the Commission should focus on land-use standards and recognize that an issue with the Kisner easement remained unresolved. The Commission could either approve the revision with conditions or find the application incomplete due to missing information.

Mr. Dockstader clarified that the easement requested in this application was solely for fire access for his project and did not affect the neighboring property owners, who already had full access to their property through their own easement.

Mr. Kruschke said the Commission often used conditions to address easements, but noted they had already tried that once, and the issue returned. He felt they lacked evidence of a firm agreement.

Mr. Kenaston recalled assuming, at the last approval, that the parties were in agreement, but it became clear they were not. He said if this revision was denied, the applicant could resubmit.

Mr. Kruschke clarified that denial would apply only to the revision, not the original DDR.

Ms. McCulloch observed that denying the revision would prevent them from adding new conditions.

Mr. Kruschke countered that approval without evidence of an agreement risked approving a project that might still not proceed, similar to the September 2024 approval. He favored deeming the application incomplete until agreement was demonstrated.

Mr. Dansie explained that an incomplete finding would require the applicant to correct the deficiency, rather than being a denial.

Mr. Zimmerman said he supported Mr. Kruschke's approach, noting the three additional conditions identified could serve as the basis for deeming the application incomplete.

Ms. McCulloch questioned the benefit of that approach, while Mr. Zimmerman reiterated that approving the revision with conditions might be simpler.

Mr. Kruschke acknowledged that either path could work, provided the conditions were carefully drafted, but maintained that the lack of clear agreement was his concern.

Mr. Kenaston reiterated his concern about the unresolved Lot 44 easement dispute, noting that the dispute between the property owners was not something the Commission could resolve.

The Commissioners agreed that their responsibility was to review the plans against land-use standards. It was noted that, regardless of the action taken, the September 17, 2025, expiration date for the original DDR would remain unchanged.

Motion made by Terry Kruschke that the Planning Commission find the proposed Design Development Review Revision for 54 Hummingbird Lane to be incomplete, as discussed in the Planning Commission meeting on August 20, 2025. This motion is based on the following findings:

1. **The following item needs to be completed before presenting to the Planning Commission:**
 - a. **A complete resolution of the access changes with all property owners whose access would have to be modified to complete this plan, including lots 44, 50, and 54.**

Second by Jennifer McCulloch.

Discussion of the motion: There was no additional discussion.

Vote on Motion:

Kenaston: Aye

Kruschke: Aye

Zimmerman: No

McCulloch: Aye

Bhatti: Aye

The motion passed 4:1.

B. Discussion / Non-Action Item

1. Discussion to Assign Two Commissioners to a Subcommittee to Investigate Potential Implementation Strategies for the Virgin River Management Plan. Staff Contact: Niall Connolly

Staff Presentation:

Mr. Connolly reminded the Commission that at the last meeting, they discussed creating a subcommittee to explore strategies for protecting and enhancing the Virgin River riparian zone under the Virgin River Management Plan. He said the subcommittee should include no more than two members to avoid forming a quorum that would trigger a public meeting.

Commission Discussion:

The Commissioners discussed availability for the subcommittee. Mr. Kruschke and Mr. Bhatti both volunteered, noting it would be a good learning opportunity. The Commission nominated them to serve, and Mr. Connolly stated that he would coordinate with them to determine the next steps.

C. Consent Agenda

1. Approval of Minutes from July 16, 2025.

Motion made by Paul Zimmerman to approve the Consent Agenda for the Minutes from July 16, 2025. The motion was seconded by Jennifer McCulloch.

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

McCulloch: Aye

Bhatti: Aye

The motion passed unanimously.

D. Adjourn

Motion made by Paul Zimmerman to Adjourn at 07:19 p.m. The motion was seconded by Terry Kruschke.

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

McCulloch: Aye

Bhatti: Aye

The motion passed unanimously.

Robin Romero, Deputy Town Clerk

APPROVAL: _____ **DATE:** _____

A recording of the public meeting is available on the Town's YouTube Channel at [youtube.com/@SpringdaleTownPublicMeetings](https://www.youtube.com/@SpringdaleTownPublicMeetings). For more information, please call 435-772-3434 or email springdale@springdale.utah.gov.