

April 2, 2014 Payson City Council Minutes

Minutes of the Payson City Council Meeting held at the Payson City Center, 439 West Utah Avenue, Payson, Utah on Wednesday, April 2, 2014 at 6:00 p.m.

ROLL CALL: Mayor Rick Moore; Councilmembers: JoLynn Ford, Kim Hancock, Mike Hardy, Scott Phillips, and Larry Skinner; City Manager Dave Tuckett, City Attorney Mark Sorenson, and City Recorder Jeanette C. Wineteer.

PRAAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Kayden Allred and Pledge of Allegiance led by Karsen Sommer.

SUSPEND AGENDA

MOTION by Councilmember Hancock to suspend the agenda and allow Mayor Moore to proceed at his discretion. Motion seconded by Councilmember Phillips. Motion carries.

CONSENT AGENDA

MOTION by Councilmember Hardy to approve the Consent Agenda consisting of approval of March 19, 2014 City Council Minutes, and a Resolution approving an Interlocal Agreement with Elk Ridge. Motion seconded by Councilmember Skinner. Motion carries.

PUBLIC FORUM

Brent Stanton lives at 515 S 600 E near a proposed retention pond. He explained that Mr. Summerhays was going to build a house in that area and would have had to curb and gutter along the city right of way, so at the time the city decided to vacate a portion of the property along the city right of way to the adjacent homeowners. He said that the decision was made to vacate all but 56 ft. x 250 ft. Now the city is considering using the city property for a small retention pond, so Mr. Stanton's concern is if the pond would actually be a temporary pond and/or will he still be able to have access to his properties for future development. He asked the Council to review this or discuss it because he is concerned with devaluation of his property.

Consensus of the Council was to have this as an agenda item on the next agenda.

COUNCIL AND STAFF REPORTS

Recreation Director Karl Teemant announced that registration for swim lessons has started. Payson also held the JV invitational softball tournament last weekend and on April 12th will host the Varsity tournament.

Public Works Director Travis Jockumsen reported on the canyon water situation: we are at 75% precipitation and 59% snow water content. He said the piping is all in for the pressurized irrigation pond but we are still working on the pumps and pump house.

Mr. Jockumsen also said that the bids were opened for the well and we only received two bids because the drillers are very busy this time of year and both bids were more than double over our estimate. We will probably try to rebid this for the fall.

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Parks Director and Golf Pro Tracy Zobell reported that we have started to pour the sidewalk on the west side of the Memorial Park, and will probably continue that in the next day or two depending on weather.

We had the best March in the history at the golf course. They have started the Men's Golf Association and girls' golf for Payson High and Salem Hills High are in full force. In the past week Mr. Zobell received six phone calls, 4 were requesting weddings and two for class reunions. He feels we should start to look at funding for something to accommodate these requests or a public private partnership.

Councilmember Ford asked for information on this type of facility, return on investments, etc. Consensus of the Council was to begin that conversation, so Mr. Zobell will put some things together.

Chief Runyan commented on dispatch issues, and said the things they are planning (a building and personnel) will cost each member our share would be about \$75K per year.

Chief Spencer noted that in the dispatch meetings the Police Chiefs' have not reported their displeasure.

He said that there were some alleged dispatch issues in the Lone Peak Area; therefore they are trying to come up with standard operating procedures county-wide for response.

Chief Spencer said that open burn is from March 30th to May 30th and permits are obtained on line.

Sara Leavitt reported on the Wellness Committee and invited everyone to "Pay it Forward" on April 26th and the Elementary School Challenge.

Councilmember Hardy attended the Chamber of Commerce Meeting today and reported:

- Easter Egg Hunt is on April 19th at 9:00 a.m. Hillman Field.
- Nebo Economic Summit will be held June 19th in Spanish Fork.

Councilmember Hancock was approached by a citizen concerned about long-haul trailers being parked on residential streets. He wondered what we could do and felt we really need an answer for those complaints.

Councilmember Hancock has been involved with meetings on enclosing the Highline Canal, and said there have been a lot of studies about it. They are at the point now that the projected water needs of every city need to be given to this engineering firm, so they know how big the pipe should be. By the 1st of July we need an assessment showing what we expect for the build out of Payson for the next 100 years.

Councilmember Phillips likes the look of the new utility bill and feels it is a lot easier to read. They are working on getting the grass planted at the cemetery. The street sweeper has been out, and getting things cleaned up for spring. The new camera truck should be here tonight, which is good because we have a couple of sewer issues.

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Mayor Moore agreed that he has also received positive comments on the new utility bill. He also feels what they are doing at the cemetery is looking very nice. He also agreed that all the properties and streets are starting to look good for spring.

He said that Payson was honored in the Community Action newsletter and several people were recognized with Blair Andreason being honored as the community hero. They helped with Scouting for Food and this year had 14 collecting locations.

Mayor Moore also said the Mt. Nebo Water Agency is up and going, and will be a good mechanism to get funding for water.

APPOINTMENT OF PLANNING COMMISSIONERS

The interviews to fill two (2) vacant positions on the Payson City Planning Commission have taken place in accordance with Section 19.2.4 of the Zoning Ordinance. The members of the interview panel were impressed with the candidates who applied and thanked them all for their interest in serving the community. Mayor Moore requested the City Council to consider residents Kirk Beecher and Amanda Peterson to fill the two (2) vacancies. The appointed commissioners will each serve a four (4) year term.

The service provided by those serving on the Planning Commission is very important in the development process of the City. As a valuable advisory body to the City Council, the Planning Commission is expected to provide meaningful recommendations regarding the preparation and implementation of the Payson City General Plan and the adopted land use regulations without regard to personal bias, agendas, or relationships.

MOTION by Councilmember Hardy to appoint Kirk Beecher and Amanda Peterson to the Payson Planning Commission. Motion seconded by Councilmember Phillips. Motion carries.

Judge Dahlquist administered the Oath of Office to Kirk Beecher and Amanda Peterson.

SCOUT ATTENDANCE CERTIFICATES

Councilmember Hancock presented attendance certificates to scouts in attendance: Ezekiel Gomez, Alex Schirmer, Karsen Sommer, Teagan Sommer, and Kaden Allred.

CHAMBER OF COMMERCE BUSINESS OF THE MONTH

Collin Hogue Representative of the Chamber of Commerce reported that the Banquet was held last week and reiterated that the Easter Egg Hunt is coming up on the 19th at Hillman Field.

He then presented the Payson Business of the Month to The Payson Chronicle.

Denise Windley accepted the award on behalf of Payson Chronicle and was appreciative. She said her and Mike Olsen feel very honored. They hope to continue to upgrade their service, blog, website, and newspaper. They thanked the subscribers and readers so wanted to share the award with everyone.

UTAH HONOR FLIGHT

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Candice Baccus with the Northern Utah Public Relations for Utah Honor Flight explained that this organization flies veterans back to Washington DC to visit the WWII, Korean and Vietnam Monuments, etc. They wanted to get the word out for veterans that might be interested in this service. She then presented a video that is available at www.utahhonorflight.org or www.honorflight.org.

She said that they are now preparing a flight and Mr. Stewart from Payson is planning to go. She asked the City to help direct the veterans in your community to their services. A lot of the veterans don't even know this is available.

Manager Tuckett said that we will make sure we have a link to their website in our newsletter and on our website.

UAMPS OVERVIEW

Jackie Coombs, UAMPS Representative presented an overview of UAMPS and its partnership with Payson City:

UAMPS Overview

- ❖ An energy services interlocal that provides electric services on a non-profit basis to its members.
- ❖ Organized to develop, finance and operate projects for generation, transmission and energy services.
- ❖ Project-based organization which currently 16 separate projects.
- ❖ Members determine whether to participate in projects based on their individual needs.
- ❖ Member autonomy.
- ❖ Not an “all requirements” provider.
- ❖ Projects provide services more economically and efficiently by providing economy of scale.
- ❖ Each project operates independent from one another under the UAMPS umbrella.
- ❖ 45 members.
- ❖ 8 states.

Arizona.
California.
Idaho.
Nevada.
New Mexico.
Oregon.
Utah.
Wyoming.

- ❖ Projects
- ❖ Load and Resource Forecast
- ❖ Pool Project
- ❖ UAMPS acts as an agent for members to:
 - Scheduling.
 - Load Balancing.
 - Marketing.

- Wheeling.
- Ancillary Services.
- ❖ Resources are allocated, based on Member's resource priority list, to Member's load.
- ❖ Each member receives its entitlement share of the projects energy on an hourly basis, then in turn is billed those energy costs, including transmission and scheduling.
- ❖ If the member's resource does not match their load, the additional resource deficits are provided by the Pool or any surplus resources are purchased by the Pool.
- ❖ Environmental Regulation
- ❖ Environmental Regulation
- ❖ President Obama's Climate Action Plan
 - Coal.
 - Age of the fleet.
 - Greenhouse legislation.
 - 1,000 pounds CO₂ per megawatt hour.
 - Evaluating Economics.
 - Operations after 2025.
 - Cannot stay with the status quo.
 - Natural gas is the obvious option but small modular reactors are also an option.
- ❖ Average municipal rates - 9 cents.
 - Approximately ½ of the costs - distribution system maintenance
- ❖ Average coal costs are 6½ cents.
- ❖ Average gas costs - 7½ cents.
- ❖ Average SMR costs - 8½ cents.
- ❖ Average renewable costs - 9½ cents.
 - Can be reduced down to natural gas costs with federal subsidies.
- ❖ At a time when electric utilities are under tremendous pressure to provide cleaner energy and reduce reliance on carbon-based fuels, UAMPS is earnestly investigating nuclear energy options as a safe, clean, emission-free reliable based load supply as part of its
 - Smart Energy Initiative.
 - Small Modular Reactor

She explained that she has been assigned to public relations and wants to present something to each of the UAMPS member cities about twice a year.

PUBLIC HEARING - CONDITIONAL USE FOR BEIFUSS AUTO BODY SHOP

MOTION by Councilmember Ford to open the public hearing to receive public input regarding a Conditional Use for Beifuss Auto Body Shop. Motion seconded by Councilmember Hancock. Motion carries.

Public hearing opened at 7:21 p.m.

Planner Spencer presented the following staff report:

The applicant, Bill Beifuss is seeking approval from the City Council to operate an auto body shop on Utah County parcel #08-038-0004 located at 94 West 100 North in the CC-1, Central Commercial Zone. The parcel is currently owned by L & C Holdings LC and the applicant has entered into a contract with the owner to purchase the property. The existing building on the site was constructed for and used as a car wash, but has been vacant for many years. Due to years of neglect, the site has deteriorated to a point that improvements are necessary to ensure the building is safe and the site is properly maintained.

The applicant is proposing to rebuild damaged vehicles purchased from insurance companies and sell the refurbished vehicles on the site. The building will be renovated to accommodate the auto body and restoration activities within the building and the asphalt area in front (south) of the building will be improved to accommodate the display of the refurbished vehicles as well as employee and patron parking. Outdoor storage of the damaged vehicles will occur behind (north) the building and screened from public view by a sight-obscuring fence. It should be noted that there are residential uses (single family dwellings) located immediately north of the project site and across the street (west).

As indicated in Appendix A of the Zoning Ordinance, automobile and passenger truck sales are classified as a permitted use and auto body work and restoration is a conditional use in the CC-1 Zone. In accordance with Chapter 19.8 of the Zoning Ordinance, the Site Plan for the automobile sales business may be reviewed and approved by staff, provided the applicable regulations of the development ordinances are satisfied. However, approval of a Conditional Use Permit must be granted by the City Council to operate the auto body shop. As with any conditional use, it is the applicant's responsibility to demonstrate to the City Council that any potential negative impacts of the proposed use can be mitigated. Moreover, the City Council may impose reasonable conditions to ensure negative impacts are eliminated or mitigated to the extent possible.

In order to obtain a Conditional Use Permit, the applicant is required to appear before both the Planning Commission and the City Council to discuss the proposed Conditional Use Permit. The Planning Commission considered the request on March 12, 2014. The recommendation of the Planning Commission is included in the recommendation portion of this staff report. A public hearing must be conducted before the City Council makes a final decision on the request. The public hearing has been properly noticed and courtesy notices have been provided to surrounding property owners that indicates the time and location of the City Council meeting.

Analysis

Uses designated as conditional uses require special consideration from the Planning Commission and City Council. These uses may or may not be appropriate in particular locations or without the applicant mitigating potential negative impacts. The Planning Commission and the City Council must evaluate the appropriateness of designated conditional uses on a case by case basis. The Conditional Use Permit procedure allows the City Council to approve, deny, or conditionally approve any request for a Conditional Use Permit based on the criteria found in Chapter 19.13 of the Zoning Ordinance.

The City Council will need to review the proposed conditional use considering the criteria and factors set forth in Chapter 19.13.6. The validity of the permit will be conditioned upon strict

compliance with applicable City ordinances, the approved project plan, and any additional conditions or requirements imposed by the City Council. The City Council shall be the final authority for all applications for Conditional Use Permits. The following factors shall be weighed and considered when determining whether a Conditional Use Permit application should be approved, approved with conditions or denied:

1. Harmony of the request with the general objectives of the General Plan, Zoning Ordinance, Subdivision Ordinance, any other City ordinance and the particular zone in which the request is located.
2. Harmony of the request with existing uses in the neighborhood.
3. Development or lack of development adjacent to the site.
4. Whether or not the request may be injurious to potential development in the vicinity.
5. Present and future requirements for transportation, traffic, water, sewer, and other utilities.
6. Suitability of the specific property for the proposed use.
7. Number of other similar conditional uses in the area and the public need for the conditional use.
8. Economic impact on the neighborhood.
9. Aesthetic impact on the neighborhood.
10. Safeguards to prevent noxious or offensive omissions such as noise, glare, dust, pollutants and odor.
11. Attempts by the applicant to minimize other adverse effects on people and property in the area.
12. Impact of the proposed use on the health, safety and welfare of the City, the area, and persons owning or leasing property in the area.

Following review of the application for consistency with the development ordinances of Payson City and in consideration of the criteria and factors set forth in Chapter 19.13.6, staff would suggest that the following conditions of approval be considered by the City Council.

1. The proposed conditional use is located in a commercial zone, but immediately adjacent to residential uses. Therefore, a primary concern for the City Council will likely be the protection of the residential units in the surrounding area. Staff would suggest the following conditions be imposed to protect adjacent residential uses:
 - a. Auto body businesses are typically noisy, and often create significant dust. The applicant has indicated the hours of operation will be 7:00 a.m. to 7:00 p.m. Staff would suggest that the Conditional Use Permit indicate that auto body restoration activities are restricted to these hours to limit the potential negative impacts on adjacent residential uses.
 - b. Projects with boundaries that adjoin residential uses are subject to use transition regulations. Information will need to be provided that indicates the measures that will be taken to minimize potential impacts on surrounding residential uses. If it is determined that a fence higher than six (6) feet could be beneficial in mitigating potential impacts, a height extension could be granted concurrently with the request for approval of a Conditional Use Permit.
 - c. Except for vehicle sales display, all business operations, including restoration and repair work must be conducted within an enclosed structure.

- d. Staging areas for damaged vehicles must be permanently screened from public view. The applicant is proposing a six (6) foot chain link fence with vinyl slats; however, City ordinance indicates that chain link fencing cannot be used to screen outdoor storage. The fence will need to be constructed of materials used to construct the primary building.
- e. Any use determined by the City Council to create a nuisance as defined in the Zoning Ordinance, such as noise, dust, odor, or debris will not be allowed in conjunction with the Conditional Use Permit.
- 2. The restoration and sales business is limited to automobile and passenger trucks. Farm equipment, heavy machinery, unused and discarded equipment, etc. is not allowed on the site. Furthermore, the dismantling of wrecked or decommissioned vehicles for usable parts, scrap metal, or metal recycling is not allowed (i.e. wrecking yard, salvage yard).
- 3. The applicant is proposing a paint booth within the building. Information will need to be provided on the location and type of venting and filtering system that will be installed. Any rooftop equipment will need to be properly screened from public view.
- 4. Because of the many chemicals and solvents used in auto body restoration, the applicant will need to provide a list of chemicals (MSDS list) that will be stored or used on the site. Pre-treatment of wastewater or containment of materials may be required depending on the type of products used.
- 5. Site and security lighting must be designed to provide adequate lighting while minimizing light pollution onto surrounding properties, particularly residential areas.
- 6. The building is located in the Historic Downtown area and the City Council has imposed certain design criteria for buildings in this district. At a minimum, a prominent entrance feature will need to be provided through the use of dormers, porch ways, colors, textures, and other features intended to identify the entrance. Furthermore, all utility equipment and mechanical appurtenances will need to be concealed from public view.
- 7. A majority of the site contains impervious cover (i.e. building and asphalt) with limited areas for project landscaping. Staff would suggest the existing landscaping areas remain intact and be protected from removal to accommodate future overflow parking or storage areas. Providing additional impervious cover will require modifications to the on-site storm water system.
- 8. The building plans for the proposed building renovation will need to be reviewed by the Building Inspector and the Fire Chief to ensure that the requirements of the adopted building and fire codes are satisfied. The applicant will need to coordinate with the appropriate officials to complete the proper inspections and submit payment for any required review fees.
- 9. Review and approval of the Conditional Use Permit should not be construed as approval of project signage. A separate application (sign permit) must be submitted and all project signage will need to satisfy the regulations of Chapter 19.15 of the Payson City Zoning Ordinance.
- 10. The storage of inoperable vehicles can result in the collection of debris, rodent infestation and other impacts that could affect surrounding properties. The applicant will need to provide information about the amount of time a vehicle will be retained on site and any measures intended to reduce the impact on surrounding properties.

Site Plan Review

In accordance with Chapter 19.8 of the Payson City Zoning Ordinance, permitted uses in the commercial and industrial zones may be approved administratively by staff, provided the

applicable regulations of the development ordinances are satisfied. Staff has completed a review of the Site Plan for the Beifuss Auto Sales and Auto Body business and has notified the applicant of any required changes to ensure compliance with City ordinances. Staff will continue to work with the applicant to address the conditions of Site Plan approval. The applicant will be required to improve the site in accordance with the approved site plan. All improvements, including project landscaping will need to be installed by the applicant, and inspected and approved by Payson City prior to the issuance of an occupancy permit.

These items represent the issues staff has identified following a review of the applicable ordinances and resolutions of Payson City and the Conditional Use Criteria established in Chapter 19.13 of the Zoning Ordinance. If the items above are satisfied, staff would suggest that the site will be improved in a manner consistent with the regulations of Payson City.

Recommendation

On March 12, 2014, the Planning Commission reviewed the request and recommended the City Council approve the request contingent upon the satisfaction of staff conditions and that solutions be identified for screening of outdoor storage (fencing) and the water line requirement.

Councilmember Skinner wondered if it was going to be a sales business as well as repair, and he wanted to make sure he didn't plan to sell after 7:00 p.m. Planner Spencer said that he was planning to sell and we would have to clarify the time with Mr. Beifuss.

Bill Beifuss said that there are a couple of issues he is concerned with. The need for a sliding gate for access to the back and the only thing they can find is a chain-link sliding gate with slats and then on the visible west side he would match the building with a brick fence. Also on the north they would like to replace the existing chain-link with new and also chain-link along the east.

The other issue Mr. Beifuss has is that the carwash has a large waterline supplying it and the city wants him to replace that, and he doesn't understand the reasoning. Planner Spencer explained that the Water Department inspected it and felt it needed to be updated. Public Works Director Jockumsen said the line is galvanized and that is why they want it replaced.

Mr. Beifuss stated the body shop will only employ two people, and then he and his son will sell. He said he does want to go home by 7 p.m. so the time is correct.

Planner Spencer read two emails she received:

"My name is Dean R. Clement and I live just north of the proposed site for the auto body shop I own 2 homes here. I would not be opposed to an auto sales lot on the site however; I would be opposed to auto body & paint work being performed at the site. The reason for the opposition is the fumes produced from the paint and chemicals vented and blowing into the primarily residential area to the north of the site. I am also involved with property located directly north of Harmon's GMC in Provo and the fumes from their body shop can be overpowering especially when the wind or breeze comes from the south which is often however; in the case of Harmon's

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they were there first. In this case we are here first and the residents north of the site should not be exposed to the fumes & chemicals.

Thank you for your consideration,

Dean R. Clement"

"We won't be able to attend the meeting concerning the conditional use permit for the body shop/auto sales lot, where the car wash now stands vacant.

Speaking for CNAP, LC on the corner of 89 North 100 West, we approve the proposal as long as they improve the property and not let it go to pot. A nice looking, well-kept auto lot will be much nicer than what it looks like now. It would be nice if they removed the two trees next to the sidewalk on the South side. The trees are messy and it would improve visibility for the lot owner.

Thank you,

Curt Paulson
CNAP, LC"

Receiving no further input MOTION by Councilmember Phillips to close the public hearing. Motion seconded by Councilmember Ford. Motion carries.

Public hearing closed at 7:40 p.m.

Councilmember Hardy wondered about paint fumes. Planner Spencer said there are some specific requirements to take care of paint fumes. Mr. Beifuss said the new paint is going more water base, they have filters and vents. Councilmember Hardy said we have other paint booths around the city and wondered if we received complaints on those and Planner Spencer wasn't aware of any.

Councilmember Hancock said first business is for the Council to approve conditional use, and then it is up to staff to make sure they are completed.

Councilmember Hancock doesn't feel that chain-link would last long enough and didn't think it looks good. Mr. Beifuss said there is industrial type fencing that would make a difference.

Councilmember Hancock wondered if there was a way to include in the conditional use that a fence of that sort be watched and kept in good repair. His biggest issue is the fence and he doesn't believe we have enough certainty about the fencing. Planner Spencer felt we might be able to enforce the upkeep with nuisance ordinance.

Councilmember Ford suggested chain-link with a living fence.

Councilmember Skinner felt if we allow chain-link and it be kept in good repair, he doesn't know if he feels good about requiring both slats and a hedge.

MOTION by Councilmember Hancock to approve the conditional use request with the conditions proposed by staff, which does include the new waterline, and modifications that we agree to the brick fence on the west side of the property but also agree to industrial grade chain-link with slats and a hedge planted for the rest of the storage area, noting that the owner has agreed to maintain the fence. Motion seconded by Councilmember Phillips. Voting aye: Ford, Hancock, Hardy, Phillips, and Skinner. Motion carries.

DISCUSSION REGARDING REFUNDING OF 2006 SALES TAX BONDS AND 2006 SEWER BONDS

Manager Tuckett explained that Johnathan Ward from Zions Bank contacted him and indicated that we may be in a good position to refund the 2006 Sales Tax Bonds and the 2006 Sewer Revenue Bonds. His original analysis is that we could save approximately \$30,000 per year for the next 13 years.

Mr. Ward said there is an opportunity for a bond refunding savings at this time. If we were to have refunded these bonds on March 19th there would be \$8.4 Million refinancing 3.05% and result in savings \$310,000 in net present value savings over the term of the bonds. There are things that need to be done before we can refinance, so obviously couldn't do it the same day we looked. Since the 19th interest rates have raised. We can lock in an interest rate with a purchaser and take advantage of the rates where they are instead of where they are going, which means we don't have to spend the time and money going to the market, and also not lose the prepay option.

Consensus of the Council was to place the parameters resolution on the Council agenda for April 16th. Manager Tuckett said that we would have to advertise before the parameters resolution is approved.

PROPOSED AMENDMENTS TO HERITAGE VILLAGE DEVELOPMENT AGREEMENT

Planner Spencer explained that the applicant, Byron Bastian is requesting approval from the City Council to amend the Development Agreement for the Heritage Village Subdivision, an active adult community located at approximately 1150 South 1100 West in the R-1-9, Residential Zone. It is proposed that the landscaping plan be amended to incorporate xeriscape materials between the units, to modify the type of amenities in the private park, and to amend the Agreement to alter the style of window treatments required to maintain a craftsman architectural design.

1. *Landscaping.* There is approximately ten (10) feet between the building pads throughout the development. As approved, the landscaping plan indicates grass will be planted and maintained between the units. In an effort to conserve water, the applicant is requesting approval to amend the landscaping plan to allow xeriscape materials to be used, similar to the picture to the right. Staff is supportive of this request not only for the purpose of water conservation, but also to avoid water damage to the



exterior walls of the units due to overspray of the sprinkling systems and potential flooding in the window wells. Moreover, staff is concerned that grass may not grow in this area due to lack of sunlight within this narrow shaded area. All other landscaping requirements (i.e. trees, shrubs, perennials) as required in Attachment C of the Development Agreement will remain as previously adopted.

2. *Project Amenities.* The Development Agreement contemplates a bocce ball court in the private park for use by the residents of the development. Several buyers in the project have requested a putting green be provided, rather than the bocce ball court. This amenity will be privately owned, maintained by the homeowner's association, and used only by those in the development. However, because the amenity is included in the Development Agreement, the amendment must be approved by the City Council.
3. *Window Treatments.* The Development Agreement for the Heritage Village project was amended last year at the request of the previous property owner (Central Bank) and the new owner, Heritage Builders LLC. At that time, the applicant (Heritage Builders LLC) requested the architectural style of the dwellings in the development be changed from a *bungalow* style to a *craftsman* style. The City Council was supportive of this request, provided the architectural elements of the *craftsman* style are incorporated into the design of each dwelling. The design elements required for each dwelling are included in Section 16 of the Development Agreement. A primary feature in a *craftsman* style dwelling is the use of multiple pane windows and partially paned doors. The applicant is requesting the Development Agreement be amended to allow picture (non-grid) windows instead of multi-pane windows.



Byron Bastian presented the renderings when they first got approval, but as they have been building they would like that middle window on the bay window a picture window without the grids. He didn't realize they weren't following the development agreement because he was going off the renderings presented.

He also said they would like to see if there could be some flexibility to have a putting green instead of Bache ball.

MOTION by Councilmember Phillips to allow the proposed changes to allow the flexibility on

the window and the project amenities. Motion seconded by Councilmember Skinner.

Councilmember Hancock said he doesn't like window treatments, so it is just a matter of taste. Councilmember Ford felt that they could have the option to have grids or none on the windows and Mr. Bastian agreed.

Voting aye: Councilmembers: Ford, Hancock, Hardy, Phillips, and Skinner. Motion carries.

PROPOSED PROJECTS FOR 2014 MUNICIPAL RECREATION GRANT

Planner Spencer explained that Utah County has imposed a tax on restaurants throughout the County to create a funding source for recreation and tourism in Utah County. Although much of the money has been appropriated for existing projects throughout Utah County, there are some funds available for communities to use for qualified projects.

Payson City is eligible to apply for a grant in an amount equal to \$14,331.45 (this amount includes money we did not use last year). To ensure eligibility, the project must involve the development or construction of tourism, recreation, cultural, or convention facilities. Staff has identified three (3) projects that may qualify under the program guidelines. Staff is requesting approval from the City Council for one of the following projects:

1. Purchase new Christmas decorations and lights for Main Street.
2. Purchase new tables and chairs for Gladstan Golf Course and possibly the Peteetneet Museum and Cultural Arts Center.
3. Purchase and install an electronic sign at Centennial Park (Wagon Wheel Park) located at Main Street and 100 North.

As a requirement of the grant, the City must upfront the costs associated with the project and subsequently submit proof of payment to Utah County for reimbursement. The City account used to cover the initial cost of the improvements will be identified following project eligibility from the Utah County Attorney's office. All reimbursement claims must be submitted by October 31, 2014.

The deadline for submission of applications is Friday, May 2, 2014. Staff is requesting approval from the City Council to submit an application for restaurant tax funding to assist the City in the improvement of municipal facilities/programs and authorization for the Mayor to sign the application.

MOTION by Councilmember Phillips to apply for the grant and use \$10,000 for table and chairs at golf course and the remaining \$4,000 towards Christmas lights if they are eligible and if not use it for chairs at Peteetneet. Motion seconded by Councilmember Ford. Motion carries.

Councilmember Hardy feels we need to do advertising and something about the sign we now have.

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Councilmember Ford said we have many businesses in town that already have electronic signs and will advertise community events for us. She would also like to see Christmas lights downtown.

BREAK

Council took a break and reconvened at 9:00 p.m.

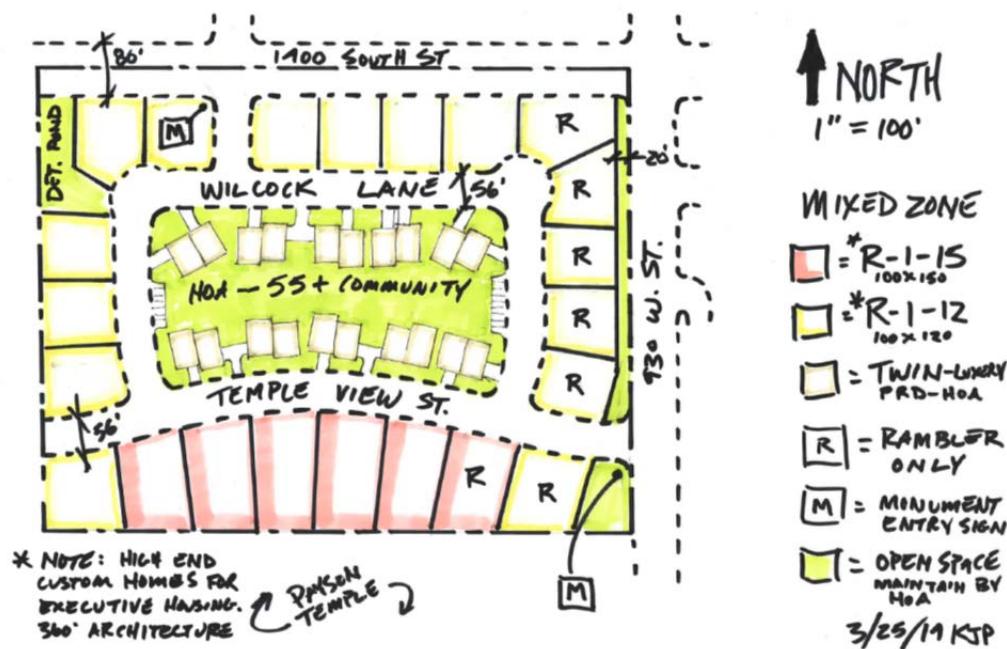
WORK SESSION – FUTURE DEVELOPMENT NEAR LDS TEMPLE

Planner Spencer introduced Kevin Peterson, representing the Wilcock Family and Greg Magleby who has been working with the LDS Church on their property. They explained that staff recently met with these representatives of the Wilcock family and the LDS Church to discuss the future development pattern for the property located immediately north of the Payson, Utah LDS Temple. Staff has expressed to the applicant the type of development that has been discussed with the City Council in the past.

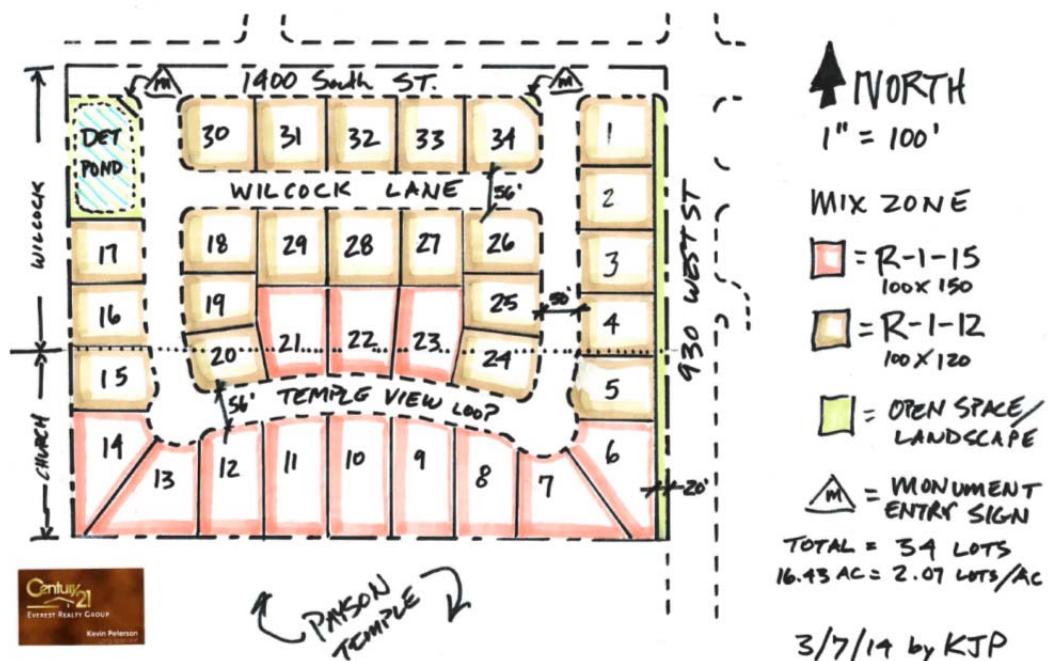
Study of the South Meadows planning area has commenced, but the specific plan has not been completed. While working with Fregonese Associates on a land use plan for the study area, it was proposed that the neighborhoods surrounding the temple should accommodate “large lot” residential housing. The term “large lot” was not defined by Fregonese Associates; however, based on an evaluation of the existing neighborhoods near the site and the Market Opportunity Analysis prepared by RCLCO, the City Council has indicated that the parcels near the temple should be developed to accommodate single family dwellings on lots approximately 1/3 acre in size. The RCLCO study further suggests that this area should be designed to accommodate *executive housing*, a finding shared by the City Council.

The technical details of the project will be addressed through the development review process. However, the property owners would like additional guidance on parcel size and type of housing product. A representative of the Wilcock family has prepared two (2) conceptual layouts for discussion purposes. The layout encompasses the 9.82 acres owned by Wilcock and the 6.62 acres owned by the LDS Church.

The first conceptual layout that will be presented by the applicant consists of single family dwelling lots on the perimeter of the property and a 55+ community with twin home structures in the center of the development. The written request provided by the applicant provides project details and justification of the request. There is already a 55+ community in the immediate vicinity. The Heritage Village development is located north and west of the Wilcock property and consists of five (95) units. Staff is concerned that the housing market will not support an additional twenty (20) units.



The second conceptual layout consists of a single family dwelling on 1/3 acre lots adjacent to the temple site with 12,000 square foot lots on the remaining portions of the property. The proposed R-1-12 zoning would also provide a transition to existing R-1-12 zoning in the Winegar Estates Subdivision.



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Beyond the lot size and lot configuration, the applicant is seeking ideas from the City Council as to what design elements that should be incorporated into the dwelling units to achieve the goal of providing executive housing in this location. The applicant has included some suggestions in the written request. To achieve our goal of accommodating executive housing in Payson, design criteria will need to be established to address building architecture, finished floor area, design treatments, building materials, etc. These elements are necessary to ensure high quality construction and an attractive neighborhood.

The property owners recognize the benefits of working together on the development layout and the design criteria for the proposed dwelling units. However, the property owners have different timelines in which they would like to develop their property. The Wilcock family would like to move forward now while the LDS Church does not plan to develop or sell the property until the temple is completed in 2015. This could present challenges in preparing a development layout that encompasses both parcels. To ensure the development layout and housing product is consistent with the vision of the City Council; staff would suggest that any zone change request be accompanied by the development layout and project details.

Mr. Peterson and Mr. Magelby presented their ideas for development in the area: curvier-linear design of the roads and gradually elevating the homes going to the north.

Discussion was held regarding planned trails, Lateral 20 and the possibility of piping that, lot sizes and larger lots needed in Payson, the price of executive housing and what is expected as executive housing, and needed design guidelines.

ADJOURNMENT

MOTION by Councilmember Phillips to adjourn. Motion seconded by Councilmember Hancock. Motion carries.

Council adjourned at 9:55 p.m.