**City Council Staff Report **

**August 20, 2025**

**REQUEST**

The applicant, Richard Wells, on behalf of 590 Main LLC, is requesting approval from the city council for the NC Neighborhood Commercial Overlay, zoning designation. The property for which the request is being sought is located on existing Utah County Parcel #08:139:0001 at 590 South Main Street. With the approval of this overlay the applicant seeks to use the property as an office space.

**BACKGROUND AND PROJECT DESCRIPTION**

The property at 590 South Main Street was formerly the Family History Center for the Church of Jesus Christ of Latter-Day Saints. It is a unique property that was owned by the church since 1987 and perhaps longer. Like other properties in downtown Payson this property has very little onsite parking. Perpendicular parking is available on 600 South immediately adjacent to the parcel. The parcel is approximately 0.16 acres.

The applicant seeks the NC Neighborhood Commercial Overlay designation to allow for this property to be used as office space. It should be noted that a very similar use had been going on at this location while operating as a Family History Center. By placing the NC Neighborhood Commercial Overlay designation on this property it opens the property up to a variety of light commercial uses (see below).

[***13.14.180.2 Permitted, Conditional And Accessory Uses***](https://payson.municipalcodeonline.com/book?type=ordinances#name=13.14.180.2_Permitted,_Conditional_And_Accessory_Uses)

*The following uses are allowed in the NC-1 Zone. If a use is not listed below, the use is not allowed in the zone. The uses listed are meant to be specific and narrowly defined. If there is any question of whether the use is appropriate, the applicant will be required to process a Zoning Ordinance amendment in conjunction with the request.*

1. *Business and management consulting services*
2. *Travel agencies and arrangement services*
3. *Insurance and real estate services*
4. *Art, crafts and hobby stores*
5. *Local government structures*
6. *Florists*
7. *Gifts and souvenirs shops*
8. *Beauty and barber services*
9. *Health spas*
10. *Physician and dental services*
11. *Chiropractic, massage therapy and osteopath*
12. *Legal services and adoption agencies*
13. *Accounting, auditing and bookkeeping*
14. *Interior design studios, not to include warehousing*
15. *Structures for fruit, vegetable, and flower sales*

**Project Name:**

Neighborhood Commercial Overlay @ Old Family History Center

**Applicant:**

Richard Wells

**Owners:**

590 Main LLC

**Location:**

590 S. Main Street

**Current Zone:**

R-1-9, Residential Zone

**Zone Change Request:**

NC-1, Neighborhood Commercial Overlay Zone

**Attachments:**

* Aerial Map
* Street View Images
* Example of a cross-gutter drainage

A diagram of a plot

Description automatically generated

Staff is comfortable with all the above stated uses potentially being done on this location, provided infrastructure, utilities and parking are properly addressed. Staff have discussed potential use with the applicant and have agreed to some needed allowances and improvements to provide a positive recommendation for approval of this request. Requested items are broken down by departments as follows.

**Development Services:**

* Parking is a concern on this property like many within the downtown area. This parcel only has enough space for one parking stall. However with the recommended cross gutter improvements the applicant will be able to use perpendicular onstreet parking for their use. This has traditionally been used in this manner for many years and can be seen elsewhere within the city.

**Public Works Department:**

* Staff will require the installation of a cross-gutter along 600 South and the repair of any asphalt that is needed with the cross-gutter installation.

**APPROVAL PROCESS**

The applicant is seeking approval for the above stated overlay designation.

Upon recommendation of the planning commission and approval by the city council the applicant must proceed through the administrative staff process which would include installation of public infrastructure and the building permit process. The applicant may be required to bond for any public improvements for improvement of the site. The applicant has obtained a positive recommendation from the planning commission at the July 23, 2025, meeting. They now seek approval from the city council for this same request.

**ANALYSIS**

**A close-up of a map

AI-generated content may be incorrect.**Approval of a zoning overlay is a legislative city council process that requires a public hearing by the planning commission. After overlay designations are approved then the public improvements will need to be installed, and the building permit can be applied for.

Planning Commission should determine if this site is appropriate for the NC-1 Neighborhood Commercial Overlay zone. If appropriate, then the planning commission should advance a positive recommendation for approval to the city council.

Staff have completed their review of this request for compliance with all applicable city codes and regulations. The applicant shall be required to work with staff to resolve all issues related to improvement of the site.

**FINDINGS**

The property at this location has traditionally been used for a similar office style work. It is located near the center of the city and is zoned R-1-9, Residential zone. The following findings identify this site as a suitable location for the requested overlay designation.

* The property has been used for very similar uses in the past.
* The property is near city services and the downtown area; it would be a fitting location for neighborhood commercial activities.
* The applicant would be required to install curb and cross gutter system and sidewalk along the 600 South portion of their property.
* Staff feels comfortable about any use permitted within the NC-1 Neighborhood Commercial Overlay being done at this site subject to appropriate site conditions being met.

**RECOMMENDATION**

The applicant is seeking the NC Neighborhood Commercial Overlay zoning designation for property located at 590 South Main Street. The city council should determine whether the applicant has adequately addressed the regulations of the land use and development ordinances, especially the NC Neighborhood Commercial Overlay, zone section. The city council may do the following for this land use application being considered:

1. Remand the request back to staff for further review or with direction to provide additional information. This action should be taken if it is determined that there is not enough information provided by the applicant for the city council to make a well-informed decision.
2. **Staff Recommendation:** Grant approval of the NC Neighborhood Commercial Overlay zoning designation. Conditioned upon the staff recommendations for parking and the installation of the cross-gutter along 600 South.
3. Deny the NC Neighborhood Commercial Overlay zoning designation on this site. This action should be taken if the city council determines the applicant is unwilling or unable to satisfy the regulations of the Payson City Municipal Code and the land use goals of the city council.