

walk and the snow is piled up. It is pretty hazardous. He questioned if there is a plan for pedestrian traffic to access the Payson side of the road.

Commissioner Cowan stated he expressed this same concern with the Ridgestone Condos. There is no pedestrian access across I-15. The city is aware of it, and he hopes something can be done about it. Starting a petition from the residents in the area may be some help. The roads and bridge are controlled by UDOT. Payson City can only express concerns.

Commissioner Beecher stated a walking bridge would have to be installed by UDOT. The city could fund it and approach UDOT.

6. Review Items

6.1 PUBLIC HEARING – Amendment to the Payson City Zoning Map that will affect Utah County Parcel 30-065-0076 located on the southwest corner of the intersection of 1130 South and 1700 West. The parcel is currently zoned A-5-H, Annexation Holding Zone and it is proposed that the zone be changed to the RMF-10, Multi-Family Residential Zone (7:05 p.m.)

MOTION: Commissioner Warner – To open the public hearings for items 6.1 and 6.2.

Motion seconded by Commissioner Billings. Those voting yes: Kirk Beecher, Adam Billings, Ryan Frisby, Taresa Hiatt, Blair Warner. The motion carried.

Staff Presentation:

Jill Spencer stated the Spring Creek Townhomes project is west of I-15 near the Ridgestone Condos. The zone change is from the A-5-H, Annexation Holding Zone to the RMF-10, Multi-Family Residential Zone. The zone request is consistent with the South Meadows Area Specific Plan and is a legislative action of the city council. The preliminary plat is consistent with the RMF-10 Zone and the standards and specification plans of Payson City. The applicant has requested modifications and waivers from the ordinance requirements. The applicant is requesting a density of 10-units per acre with 53 units. The open space requirement has been met at 30 % of the project area. Off street parking, building design, and project amenities have been provided. The buildings are two-story townhomes with eight residential buildings. The design and use of materials must be consistent with the RMF Zone. The project layout and design is a self-contained residential community with placement of residential structures and amenities. The applicant is requesting approval of an alternate street cross section with 24 feet of asphalt, which would be private roads with sidewalks on one side. The utilities will also be private and maintained by the HOA, which must be approved by the city council. The off-street parking ordinance requires two parking stalls with one being covered. Visitor parking has been provided. The applicant is requesting to waive the RV parking and storage, which would be offsite and not within the development. Landscaping designs have been provided. Project amenities include a clubhouse with indoor amenities, splash pad, sport court, playground area including equipment, picnic areas with tables, and BBQ facilities. Specific information is still required for the clubhouse including indoor amenities. Compliance with city regulations include satisfying site planning, engineering, public utilities, and land-use transition. A list of revisions has been provided to the applicant. Project CC&R's and HOA bylaws will need to be provided. A development agreement will be created giving the city enforcement power for the private streets,

utilities, etc. The requested modifications and waivers include reducing the review fees for subdivision approval, modifying the street cross-section for private streets including utilities, changes to sidewalks, a waiver for on-site RV parking and storage, a waiver of installation of the sewer main line in 1130 South, and allowing acreage needed for storm water facilities to be included in the open space calculations. A motion must address the modifications and waivers requested by the applicant, and the planning commission should include findings for the recommendation to the city council. The new RMF zone does not allow vinyl or aluminum siding, but hardy board siding would be allowed.

Applicant Presentation:

Evan Nixon stated the layout was changed from 55 units to 53 units. He is proposing additional changes including the end units on each building be one-story or 1.5-story units and potentially 11 units may have only one-car garages instead of two-car garages. The driveways would still be large enough to park a vehicle. The open space and drainage waiver deals with the 100-year storm being retained on site, and the storm drain design does that with a series of retention ponds. Each of those ponds include an underground drain field to infiltrate into the ground. The basins along the south and west have a side slope of 9 to 1 or 5 to 1 with a maximum depth of 1 to 1.25 feet. The basins are designed for a 100-year, 24-hour storm. The surface water would be gone before the storm ends or in less than 24 hours so there won't be any standing water. The center basin has a side slope of 12 to 1, which is pretty flat, with a maximum depth of 1.5 feet. He feels these areas can be used as open space for the residents there to use. He is proposing to change the picnic and playground areas. The pavilion will be attached to the clubhouse with access to the kitchen. There will be single picnic tables and BBQ areas scattered throughout the central project area. This project will be a step up from the Ridgestone Condos. The square footage for the two-story units is 1,864 square feet finished with an unfinished basement of 700 square feet. The Ridgestone Condos are around 1,200 to 1,300 square feet. The small planter strips in the front yards will not have sod, but each area includes one tree with 3-4 bushes or ornamental grass and wood or bark mulch. This will be maintained by the HOA. There is twelve feet of limited common area on the back of the units. He is looking at an option to not have fencing on the south and west sides.

Commissioner Cowan stated his concerns with the width of the streets and lack of RV parking. Most Utah residents like to have an RV, trailer, boat, etc. He is concerned with keeping the streets clear for emergency vehicle access.

Evan Nixon stated the road widths are 24-feet wide with curb and gutter. With this width it is obvious that street parking is not allowed. The plan is to have signs at each entrance and red curb or colored concrete curb. The streets and curves all meet emergency vehicle and waste management access. RV parking would not be allowed in the driveways according to the CC&R's. An RV would have to fit in the garage or stored off site. There is a storage facility on Utah Avenue west of the freeway less than two miles away. He has looked at many facilities throughout the valley and many do not have RV storage. It is an eyesore with those that do have RV parking. The one-story units are for marketing so a master bedroom can be on the main floor. The end units are 35 feet wide verses 25 feet on the other units. There are a couple different floor plans that can accommodate those one-story units.

Commissioner Beecher questioned the drainage being adequate and most of the storage is underground. He questioned the load that will put on basements and if drains and pumps will be needed. Water impacts the area differently when stored underground than it does on the surface.

Evan Nixon stated the city engineer has the same concerns. His geotechnical engineer, IGES, has addressed the drainage facilities within 20 feet of foundations. If there is surface water or an underground component that intersects with the basements, a liner will be installed. Many of them are less than 20 feet from the drainage areas so additional waterproofing will be added to the foundation. It doesn't matter whether it's surface or underground water, the values are the same. The geotechnical engineer agreed a 2-1 surface is adequate. Percolation tests were conducted in four locations.

Commissioner Beecher stated a 24-foot lane is essentially an island in a parking lot. There is always someone who parks on the street.

Evan Nixon stated the width of the street makes a difference. The minimum distance between the back of sidewalk to the building is 21 feet. Those without sidewalk on their side will cross the street and use the sidewalk. The intent is they will cross the road in front of their home. This has a lot more sidewalk than most developments in the county.

Commissioner Frisby questioned the reduction of fees.

Evan Nixon explained that if this were a standard subdivision there would be 20 to 21 lots with a similar amount of streets and utilities. He will propose to the city council one lot fee per every two units.

Jill Spencer stated fees never cover the staff review costs, publications, etc. These fees have not been waived in the past. The Apartments at the Depot with 168 units paid per unit. The code allows an applicant to ask the council for a waiver.

Public Comment:

Rudy Ekins stated he lives ½ mile to the southwest of this development. Snow removal is a concern; where will all the snow be put. It could be pushed in the wash. From 1130 South to 1950 West, the street is about 18 feet wide. With snow there is just enough room for one vehicle to drive. He doesn't think any of the drains are adequate. The perc test was done last summer, which was very dry. In 1983 he had geysers shooting six inches in the air in his basement, which is only two feet deep. One hundred yards to the west is Spring Creek, which is the level of the ground water. Basements shouldn't be deeper than two feet.

Verlyn Ekins stated she has lived here for over 40 years. When the power is out, the sump pumps don't work. She is concerned with the width of the roads when there are horse trailer and tractors hauling hay. Turning on 1130 South is difficult. She has gone into the ditch dodging a car. The road is too small to have condos coming onto it with trucks going by. All the children will be on the main drag waiting for the school bus. She doesn't understand why it's such a push, push, push. The area doesn't have the infrastructure to cover that many units. The streets are not wide enough. She understands the developer is trying to make a living. She is trying to make a living as well.

Jill Spencer stated the city has not discussed any road improvements in this area. Developer will have to widen and improve his frontage. 1130 South is proposed to be a collector road.

Evan Nixon stated the width of 1130 South is 18 feet and it will be widened to 30 feet of asphalt. On 1700 West there will be about 8 feet of asphalt added.

Diana Johnson stated she drives down 1130 South all the time. If this development occurs, it makes sense to reduce the number of units and make wider roads to allow access for emergency vehicles. 1700 West needs to be wider.

Paul Simonson stated he lives next door to the west. He has concerns with the retention water. The proposal has a 24-inch storm drain going down 1130 South that won't be used because it ends at his property. The retention ponds are located down the fence line along his fence. Those ponds will pick up the dog feces and waste and deposit it along his fence line. His well is 100 feet from the retention ponds. The water will inundate his property so he is using his property for retention. He has a basement and used a sump pump when the area was flood irrigated. His home is within 25 feet of this property. The retention plan is not appropriate for the area when there are wells in the area. The 1130 South street will be the construction entrance instead of using merging signs on 1700 West. Dry Creek won't be developed and will have to be covered. He sees their RV parking accumulating at the dead end on the road space. He uses his well for culinary and livestock. He is concerned about excavation close to his trees. The precast fence around the property will be installed in the second phase, which is unfair. He is concerned about access to homes during construction.

Bill Beck stated he owns property in the area. Discussions were held at planning meetings about single-family dwellings and nice homes for the area around the LDS Temple. We are getting away from that, and he doesn't know why. There could be 25 homes put in this area with easy access and cleanup. He hopes this type of housing development is not something the planning commission wants to do.

Kristy Beck stated she lives on this road and has had lots of trouble. You can't have a basement out here. She attended meetings for the Ridgestone Condos and opposed those. If you pull the police reports, you'd see they are called out every single night. It is too much high density for both this and Ridgestone. The Ridgestone Condos were to be owner occupied and is now transient. It is a nightmare for the Taylor Elementary. It will become a transient area. If possible, single-family homes is the way Payson City should go. The area needs to stay rural and agricultural. She doesn't see any ADA requirements being addressed.

Ava Simonson stated she is not against the condos if done right. It looks like a nicer plan. The situation with the wells and septic tanks needs to be resolved. Closing the entrance on 1130 South and using 1700 West would alleviate congestion and traffic. The purpose shouldn't be to try to get the most condos in there, but just have a nice development.

Larry Brown stated he has lived in the area for 40 years. He has a four-foot basement with a sump pump. There is a water problem that needs to be addressed. Dry Creek is only half full now but runs really high. Any blockage and the entire area is flooded. There are trees growing in it

and hasn't been cleaned for years. The other creek is full now. The water problems need to be addressed.

Evan Nixon stated the ADA requirements don't apply to the actual units but the area around. There will be ADA ramps, etc. at the corners and sidewalks. The single-story units will be graded to allow an ADA ramp if needed. The HOA and CC&R's will state 25% of the units can be rentals. The other units will be owner occupied. This will be policed by the HOA.

MOTION: Commissioner Beecher – To close the public hearings for both issues. Motion seconded by Commissioner Warner. Those voting yes: Kirk Beecher, Adam Billings, Ryan Frisby, Taresa Hiatt, Harold Nichols, Blair Warner. The motion carried.

Commission Discussion:

Commissioner Nichols has concerns with the HOA being able to enforce the rental verses owner-occupied units.

Commissioner Cowan stated he has concerns about the water issues, retention, and water table issues. He feels there needs to be more study.

Commissioner Beecher stated this area was slated in the South Meadows Plan to be 10-units per acre and was approved by the city council and adopted. This area based on the studies for the South Meadows area needed to have higher density due to possible transportation hubs, education facilities, and businesses in the area. It is reasonable that this be rezoned to what the plan for the South Meadows area indicated. He explained that all additional storm water has to be retained on the site according the state law and city code. What has historically fallen on the land and drained off can do the same. After development all new water has to be retained from roofs, hard surfaces, etc. it can filtrate into the ground. Cannot leave the site as a stream. Has to evaporate or sit on surface or percolate.

Commissioner Hiatt stated the hard part is the roads. She drives the road in her tractor and no one can pass. The diesel semis coming from the south from the quarry don't slow down until they get to the condos. The city may have to widen the road. She has concerns with the children walking. There must be a way to develop that is safe. The canal hasn't been cleaned out. Basements deeper than 6 feet will get flooded every time. She doesn't want to see the development go in and then have it all flooded. It's a good development, but the road and water issues have to be addressed. People are looking for townhomes like this, and it's a wonderful thing for Payson.

Commissioner Billings agrees with the flooding concerns. This is the lowest part in the valley. If recommended to the council, the water table and drainage issues need to be addressed. The developer has shown he is meeting the road requirements.

Commissioner Frisby stated the roads may not be ideal, but they will be better than they are now. He has a concern with snow removal.

MOTION: Commissioner Beecher – To recommend to the city council to change the zoning from the A-5-H Zone to the RMF-10, Multi-Family Residential Zone, which is consistent

with the land use goals and objectives of the city council and as outlined in the South Meadows Plan. Motion seconded by Commissioner Frisby. Those voting yes: Kirk Beecher, Adam Billings, Ryan Frisby, Taresa Hiatt, Blair Warner. Those voting no: Harold Nichols. The motion carried.

6.2 PUBLIC HEARING - Request for Preliminary Plan approval of the proposed Spring Creek Townhomes development arranged on Utah County Parcel 30-065-0076. The development consists of fifty-three (53) townhome units in the proposed RMF-10 Zone

MOTION: Commissioner Beecher – To remand back to staff to address drainage, fencing, location adjacent to existing wells, and road issues. Motion seconded by Commissioner Warner. Those voting yes: Kirk Beecher, Adam Billings, Ryan Frisby, Taresa Hiatt, Harold Nichols, Blair Warner. The motion carried.

(5-minute break)

6.3 PUBLIC HEARING – Request for use of the I-O, Infill Overlay Zone to reduce the lot area requirements of the R-2-75, Residential Zone for Lot 2 of the proposed Schramm Subdivision located at 530 West 400 South (9:03 p.m.)

MOTION: Commissioner Nichols – To open the public hearings for items 6.3 and 6.4. Motion seconded by Commissioner Warner. Those voting yes: Kirk Beecher, Ryan Frisby, Taresa Hiatt, Harold Nichols, Blair Warner. The motion carried. (Commissioner Billings not present)

Staff Presentation:

Kyle Deans stated the applicant is requesting to apply the Infill Overlay Zone and for preliminary plan approval. On 400 South and 500 West, there are two existing homes on one parcel of land. The request is to be subdivided the parcel. Normally a subdivision of three lots or less is approved by planning commission only. However, the preliminary plan will go to the city council because the city council addresses the Infill Overlay Zone. The overlay zone is *designed to encourage infill development that is compatible and consistent with existing uses, provided that adequate infrastructure is in place to serve any proposed development.* The purpose and objectives of the zone includes, but is not limited to, allowing orderly development, encouraging reinvestment, stabilizing property values, fostering community pride, promoting development that enhances existing structures, strengthening the economy and improving the quality of life. The proposal shows that lot 1 will meet all the underlying requirements of the R-2-75 Zone. Lot 2 does not meet the requirements of the lot square footage and front setback requirements, which is why they are requesting the Infill Overlay Zone. The parcel will be split down the existing fence line. The only concerns from staff were the front setback and square footage of lot 2. The home on lot 2 home was built in 1930's and the second home was built in the 1970's. If the use continues, the home could be rebuilt within one year if damaged.

Commission Discussion:

Commissioner Beecher stated the driveway and parking area for lot 1 is shown on the preliminary plat but not shown for lot 2. The west side of lot 1 appears to have been used as an easement to access the lot/neighbor to the north. If this continues it needs to be memorialized on