

CITY COUNCIL AGENDA REQUEST FORM

DATE OF COUNCIL MEETING: June 7, 2017

WHO IS REQUESTING: Jill Spencer, City Planner

TELEPHONE NUMBER: (801) 465-5233

TITLE OF ITEM FOR AGENDA: Request for Modifications to the Off-Street Parking and Setback Requirements of the CC-1 Zone

LENGTH OF TIME REQUESTING: 15 Minutes

DETAILED REASON FOR REQUEST & EXPLANATION:

The applicant, Barton Lund is requesting approval from the City Council to modify the off-street parking and setback requirements for the Q90 Office Building proposed on Utah County Parcel 08-020-0007 located at 91 South 100 East in the CC-1, Central Commercial Zone. The proposed business is a permitted use in the CC-1 Zone and therefore the project may be approved administratively by staff, provided the Site Plan application satisfies the applicable regulations of the Payson City Municipal Code. The applicant is requesting modifications to the ordinance regulations which cannot be approved by staff; therefore, the modifications must be considered by the City Council.

Off-Street Parking

The proposed business requires twenty-six (26) off-street parking spaces. The Site Plan indicates thirteen (13) off-street parking stalls and a request for nine (9) parking stalls to be accommodated within the public right-of-way (4 angled parking stalls along 100 East and 5 parallel parking stalls along 100 South). Staff is supportive of the on-street parking and is willing to approve the request contingent upon the owner's willingness to maintain unobstructed clear view areas at the intersection of 100 South and 100 East and at the entrance to the project. The applicant will need to obtain approval from the City Council to reduce the number of required parking stalls for the project from 26 stalls to 22 stalls.

Section 19.4.10 of Title 19, Zoning Ordinance allows the City Council to reduce the amount of required parking spaces if the applicant can demonstrate the required number of parking stalls is unnecessary for the proposed use and any possible future use of the building. The applicant has provided a written explanation of the request and justification for the modification.

Last week the applicant contacted staff with some proposed changes to the Site Plan. The original application, and the proposal staff was prepared to approve, includes a request to construct a two-story above grade office building with a basement for business storage. Due to various issues outlined in the applicant's letter, it is now proposed that the basement be eliminated and all three-stories accommodated above grade. Office uses will occur on the first and second story with business storage on the third floor. Staff would recommend that if the parking requirement is modified (reduced) that a Certificate of Present Condition be recorded indicating that additional parking will be required if the storage area is converted to business space or used as residential apartments.

Setback Requirement

The rear setback in the CC-1, Central Commercial Zone is twenty (20) feet, unless it can be clearly demonstrated to the City Council that a reduced setback will not cause a negative impact on the adjacent

property (Section 19.6.11.6). The applicant is proposing a rear setback of 7 feet 4 inches. Prior to the recent amendment to the number of stories above grade, staff was generally supportive of the proposed reduction in the setback requirement with the implementation of various land use transition methods, including the installation of a solid fence and columnar trees along the east property line. However, with the proposed change to have three-stories above grade, there will be two-stories that will have direct line-of-sight to the residential properties. Staff is concerned that placing a three-story building this close to the existing residential structure will negatively impact the adjacent residential uses by reducing privacy, solar access, and other general livability conditions.

The applicant has provided 3 options for consideration by the City Council. Option 1 is the preferred choice of the applicant while Option 2 is preferred by the planning staff to avoid potential negative impacts on the adjacent residential uses. The City Council will need to determine if the applicant has clearly demonstrated that the reduction in the setback requirement will not cause a negative impact on the adjacent properties or if the twenty (20) foot rear setback should be maintained.