

PAYSON CITY  
PLANNING COMMISSION MEETING  
Payson City Center, 439 W Utah Avenue, Payson UT 84651  
Wednesday, June 14, 2017 7:00 p.m.

CONDUCTING Blair Warner, Vice Chair

COMMISSIONERS Kirk Beecher, Adam Billings (7:05 p.m.), Ryan Frisby, Taresa Hiatt, Harold Nichols

EXCUSED John Cowan

STAFF Jill Spencer, City Planner  
Daniel Jensen, Planner II  
Kim Holindrake, Deputy Recorder

CITY COUNCIL Linda Carter

OTHERS Andrade Christensen - PL 52 LLC, Ludean Haskell, David Haskell, Wade Haskell, Mike Jedin, Alice Rutledge, Walt Johnson, Greg Hunt – PL 52 LLC, Jody Hancock, Brian Christiansen, Annette Isaac, Chris Vest – Salem Irrigation Canal Co., Ruth Clayson, Michael Watson – Wealth Follows Worth, Susan Colyar

1. Call to Order

This meeting of the Planning Commission of Payson City, Utah, having been properly noticed, was called to order at 7:01 p.m.

2. Roll Call

Four commissioners present.

3. Invocation/Inspirational Thought

Invocation given by Commissioner Frisby.

4. Consent Agenda

4.1 Approval of minutes for the regular meeting of May 10, 2017

**MOTION: Commissioner Beecher – To approve the minutes from the May 10th meeting.**

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

5. Public Forum

No public comment.

6. Review Items

- 6.1 PUBLIC HEARING - Amendment to the Payson City Zoning Map that will affect Utah County Parcel 30-050-0094 located near the intersection of 1300 East and Salem Canal Road. The parcel is currently zoned R-1-A, Residential-Agriculture and it is proposed that the zone be changed to the R-1-9, Residential (7:03 p.m.)

**MOTION: Commissioner Hiatt – To open the public hearing for 6.1 and 6.2.** Motion seconded by Commissioner Beecher. Those voting yes: Kirk Beecher, Ryan Frisby, Taresa Hiatt, Blair Warner. The motion carried.

Staff Presentation:

Jill Spencer stated this project is the Ashlee Ridge Subdivision at 1300 East and Salem Canal Road. There is an existing home on the property on lot 1. There are features unique to the project site that include irrigation facilities, completing roadway improvements, connecting and upgrading the existing dwelling to city services, satisfying setback requirements of the existing buildings, accommodating private utility facilities including a gas line, and confirming animal rights. The layout consists of 26 lots and is currently in the R-1-A, Residential-Agriculture Zone. The request is to rezone to the R-1-9, Residential Zone. The project also needs to be consistent with the East Side Comprehensive Plan, which includes the type of lot size and new housing product. The commission could recommend and the city council could approve a different zone for the project. Subdivision approval includes preliminary and final with the commission only reviewing the preliminary plan. Also a development agreement is needed. The lot sizes range from 10,549 square feet to 20,802 square feet excluding lot 1. The developer is requesting 90-foot frontages with larger lots and is located in the traditional neighborhood of the East Side Comprehensive Plan, which is between 1/4 and 1/3 acre lots. It is intended to be a transition between the existing development pattern to the west and the future township neighborhood to the east, which is not annexed. Staff continues to work with the applicant on needed revisions. It is proposed that all improvements be done except for the piping and roadway improvements along the Salem Canal because of the irrigation season. The development agreement will include the reduction in frontage width from 100 feet to 90 feet and the housing product and design.

Applicant Presentation:

Andrade Christensen stated this will be a nice addition to the city. The lot sizes average 11,000 plus square feet. They are working with a developer who purchase the subdivision and build the homes.

Public Comments:

Ivan Haskell stated this ground is the most prolific farm ground in the county, but there is no one to farm it. A big problem is the homes won't fit those lots. With the setbacks and lot sizes, you could build a 12,000 square-foot home but not a 14,000 square-foot home. Years ago the west side was determined to be an A-10. If this goes to an A-9, it will set a precedence for the whole valley. He would like to see the A-10. He questioned covering the Salem Canal, which has been open since 1873. Cement was installed about 25 year ago. Another problem is the bridges aren't handling the current traffic.

Ludean Haskell stated she owns Haskell Meadows east of the proposed development. She has owned the property for over 40 years. Subdivision bring in uncontrolled changes to surrounding property owners, may cause adjustments to their property, and sometimes unexpected expenses. The map does not show the survey property line. She doesn't know where the exact property line is between her

property and the proposed subdivision. She questioned if the fence is the property line. If the livestock fence is taken out, the developer needs to replace it. She questioned if some of the trees and brush would need to be removed, which would change the landscape and disrupt the use of the irrigation ditch. This ditch is a major service to farmers and catches runoff during irrigation. The ditch by a subdivision usually needs to be piped for safety. She questioned the plan for the irrigation ditch. Machinery is stored on her property when not in use. She is concerned with children playing in this area. She would appreciate the developer meeting with her and the neighbors to discuss these concerns.

David Haskell stated there is a cement ditch on the south side of this property that feeds most of the other ditches. There is also a lateral ditch on the east and south of those properties feeding water north to those fields. Flood irrigation water is also collected from those fields. It is a concern where those ditches lie and what the developer plans to do with those ditches. If the lateral ditch needs to be covered, it needs some openings so wastewater can be collected.

Wade Haskell stated his concern is this will disrupt their way of living farm wise. They are accustomed to larger property sizes and less noise. He is against rezoning to smaller lots. He feels Payson doesn't have much vision of the city in 30 years. We are not making a town that is desirable and attractive in the future. Payson will become everyone's wrong side of the tracks. We keep downsizing properties. The town hasn't branded itself as anything. He would like to see the city branded as a nice place to live with nice properties, amenities, and walking trails. He agrees with those who have spoken.

Mike Jedin stated he heard a rumor that the Payson sanitation district is at capacity or near capacity. There have been some concerns with the smell of sewage. He questioned if the sanitation on the west side is at capacity, how will it take care of this project. He questioned the city ordinances concerning the height of homes. People bought in this area to enjoy the scenic view of the mountains.

Jill Spencer stated staff has heard some concerns with the sewer lines being a little flat, and there are some smells associated with it. There is ample capacity in the city sewer system and the sewer plant. The city looking at upgrading the sewer plant because of EPA regulations. She can get additional information on the smell issue.

Alice Rutledge stated she moved here because it was a beautiful area. If she had known a subdivision was coming, she would not have bought the home. She understands building a subdivision and development possibilities, but there are other areas for building. She doesn't want to see this area destroyed. It will ruin the area. She loves the area because of the view and children feel safe.

Chris Vest stated he is concerned with the lateral ditch along the east side of the property. The canal company needs right-of-way for this lateral so they can work on it if needed. He would like to meet with developer.

Susan Colyar stated she is concerned with the roadway. Vehicles on 2300 West have to stop to allow cars to pass because there is not enough room. It is the same along the canal road. She will lose her view.

Nathan Fisk stated he has concerns about the current infrastructure in place. The roads are not well maintained for snow removal and pot holes develop rapidly. Increasing the traffic without improving

the infrastructure will cause problems. There is no lighting by the hospital or in this subdivision area. There is general improvement that needs to take place on Salem Canal Road and 1300 East before any additional development occurs. He objects to rezoning based on those principles.

Sarah Warren stated her concern with development would be the long-term plan for the area. They are showing beautiful homes, but they don't fit into the existing landscape. The city needs to think long term on how it all fits together. She understands development is going to happen.

Walt Johnson stated his concern with the conditions of roads between county and Payson. The city and county need to get together and decide who will take ownership of the roads. Developments come in, roads are widened, and lighting is put in. On Salem Canal Road the irrigation pipe runs under the ditch to Seaman's corner until the county boundary. Some things need to be worked out between the city and county for the road to be properly developed. He has concerns with police coverage and speeding because it's the outside edge of Payson. There are no speed signs except at the north and south ends of the road. There has been a lot of talk about development of the area. Unfortunately, he hasn't seen many citizens attending meetings in the past. Staff and residents spent three years developing the East Side Development Plan, which has been on record since 2009. It is available on the city's website. Development will come; residents are satisfied because they already live there. They don't want to see others develop their land. They just want to see the animals and the pretty view. We have the right to develop and move on in life. On the sewage question, Elk Ridge and Woodland Hills feed into our sewer, which is the big problem. This is a development of 25 homes, which won't increase the flow that much. Our ditches are for water transportation. Drainage water actually erodes the pipe, they sink, and don't flow right. They have talked to the county about improving the roads, but they don't want to work with them. He understands the frustrations. The widening of the road is developer driven. There is planned unity and purpose to the area. The easements are in place.

Jill Spencer read an email from Doris Adams. *I have one concern and it is traffic flow. I realize the developer will widen the road (1300 E) from Salem Canal Road to the end of the development. Unfortunately, the rest of the road down to 10300 South is a narrow county road. Traffic has to choose to either go east or west on 10300 South. Eastward on 10300 South is also a narrow county road. Hopefully the city or developer has studied the increased traffic that will result with 25 new homes in the area. Hopefully these homes would not be allowed to add apartments that would result in even greater residential density. I have a rental home next to me and the last 2 occupants have invited other non-family individuals to live with them. I am unsure if they rent to these individuals, but they have had at times 7 vehicles parked at their home. So I am aware that the number of people residing at each home cannot be zoned. It appears to me that the main access in the out of the area will be Salem Canal Road, east or west. The city has posted the speed limit at 25 miles an hour and has a painted double line in the center of the road. The county has no road lines and has a sign posting speed limit at 30 miles an hour. Adherence to the speed limit will be critical for all of us to get on and off Salem Canal Road. I doubt that communicating with the county about these fairly easy to resolve issues is something the developer is required to do. Currently Salam Canal Road can have a traffic jam at the intersection with the Charter School and the traffic going and coming from Elk Ridge. This development would increase these occurrences. This is an area that busses the children to school. Hopefully the city has evaluated access for emergency responders, police and fire, and continue to be available to protect my home. Hopefully the city will plan and address these issues with the developers. You decide what is best off the city and its residents.*

Greg Hunt stated as a developer he understands the concerns. He grew up in a small towns and has seen a lot of changes. This property was annexed into the city intending to be developed. It is the property owner's right to develop, and they want to move forward. As far as the rezone, the East Side Comprehensive Plan is in place with lot sizes in this area being 1/4 to 1/3 acre. He is asking for the R-1-9 so as not to have very large lots. The lots by the LDS Temple are large and currently there are only four homes built. If lots are too large, the cost exceeds what people can handle. The homes they showed have an optional third car garage and fit on an 82-foot width lot. They know these homes will fit on the lots and meet the setbacks. The minimum side setback is eight feet for a total of 16 feet between homes. The height of homes will not exceed the city ordinance, which is 35 feet high. The long-term plan in place transitions from what currently exists. They are trying to have a balance. This is what the market is asking for with 3,200 to 3,500 square-foot homes. He has talked with Chris Vest on the ditch. The development will move forward pretty fast with infrastructure complete in six months and building homes over two years.

Andrade Christensen stated the ditch on the east side is not on their property and should stay the same.

Jody Hancock stated 1300 South is the access to Loafer View Drive. She questioned the plan for construction vehicles when the road is not wide enough for two cars. She concerned when Payson says the road is county, and the county doesn't care. This needs to be addressed before any additional traffic comes.

Jill Spencer stated she will take comments to the city engineer for construction routes. The preconstruction meeting will address construction routes, traffic control, signage, and safety.

Annette Isaac stated her father was born and raised in Payson. Her mother and father would be very happy with what will be done with their property. Her father would have loved to see Payson flourish. He loved this property for his children to inherit and to see it is developed in a beautiful way that benefits Payson. They have owned this property for 70 years. There was no one around when he first moved here. It is very hard to see change but change bring progress. They found with change comes wonderful blessings and good neighbors. It's hard to see the view lost but look at the wonderful people this will bring. We deserve to have beautiful subdivisions for families that are safe and clean. She loves Payson and wouldn't do anything to destroy Payson. It will bring a tax base that may help with road improvements. It will be developed one way or another.

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

Commission Discussion:

Commissioner Hiatt stated people want to move to these bigger lots who currently live in Payson but these bigger lots aren't available. Payson is losing people because they are going elsewhere. Payson needs these larger lot developments because it brings people with spendable income that then brings businesses.

Commissioner Billings stated compared to the neighboring subdivision, it's not a lot of change. He likes the diversity in frontage. He wants to make sure the finding is noted that the R-1-9 is being

allowed because the lots are larger so someone doesn't come later and want the R-1-9 Zone when it was allowed here.

Commissioner Beecher stated the zone change to R-1-9 doesn't mean a lot in this situation because the lots are bigger than an R-1-10. The only difference is frontage, but it accommodates the same size home. It meets the East Side Comprehensive Plan. The zone change meets all the requirements. All the lots meet the frontage requirements and exceed the acreage requirements of an R-1-10. The road sizes and lots sizes all look good. The irrigation issues need to be addressed properly. The preliminary plat meets all the requirements. The developer is not responsible for surface water from other properties; just their own. Property owners are responsible for their own surface water.

**MOTION: Commissioner Beecher – To recommend to the city council approval of the zone change from the R-1-A, Residential-Agriculture Zone to the R-1-9, Residential Zone with the finding that the justification is that the lots proposed for the preliminary plat of Ashlee Ridge residential subdivision are all of the same size or bigger that would be required in an R-1-10 zone, which is the adjacent zone to the west.** Motion seconded by Commissioner Billings. Those voting yes: Kirk Beecher, Adam Billings, Ryan Frisby, Taresa Hiatt, Blair Warner. The motion carried.

- 6.2 PUBLIC HEARING - Request for Preliminary Plan approval of the proposed Ashlee Ridge Subdivision arranged on Utah County Parcel 30-050-0094. The development consists of twenty-six (26) single family dwelling lots in the proposed R-1-9 Zone (

**MOTION: Commissioner Frisby – To recommend to the city council approval of the preliminary plat following staff recommendations and to consult with the city engineer on clarification of the sewer line sizes to ensure flow is not being restricted or other issues and to open up a discussion with the county to improve 1300 East to the north.** Motion seconded by Commissioner Beecher. Those voting yes: Kirk Beecher, Adam Billings, Ryan Frisby, Taresa Hiatt, Blair Warner. The motion carried.

Commissioner Billings asked staff to look into the concerns with policing.

(five-minute recess)

- 6.3 PUBLIC HEARING - Request for use of the RMO-1 Overlay Zone to construct a twin home structure on Utah County Parcel 08-045-0024 located on the southeast corner of the intersection of 300 North and 300 East in the R-1-75, Residential Zone (8:36 p.m.)

**MOTION: Commissioner Beecher – To open both public hearings.** Motion seconded by Commissioner Hiatt. Those voting yes: Kirk Beecher, Adam Billings, Ryan Frisby, Taresa Hiatt, Blair Warner. The motion carried.

Staff Presentation:

Jill spencer stated this request is for two parcels of land with a road between, which is 300 East. Plat A is on the southeast corner of 300 North and 300 East, and the request is for the RMO-1, Overlay Zone and a twin home structure. The underlying zone is the R-1-75. The conditions of the RMO-1 zone are compatibility with the surrounding uses, design elements, two off-street parking stalls with one covered for each unit, landscaping for all areas not used for building or parking with a

landscaping plan, and separate utilities for each unit. The commission needs to determine if fencing is necessary. Plat B is on the southwest corner of 300 North and 300 East for a single-family home. There is an existing home on this site. The underlying zone is the R-1-75. Both plats must comply with city regulations including curb, gutter, and sidewalk, separate utilities, and inspection of the existing services with upgrades if necessary for the existing home. Both plats fall in Zone B of the FEMA flood plain where a flood plain permit is required with a building permit. Other items include transfer of water rights, a performance guarantee, payment of fees, a preconstruction meeting, and a demolition of structures with the final plat.

**Applicant Presentation:**

Michael Watson stated his business specializes in infill and urban development. Their goal is to turn these lots into something nice that is compatible with the neighborhood and neighbors. He has talked to close to 20 families in the area to gather input. The intent is to build owner-occupied properties. The neighbors are supportive of development with no tenants and no churches. The proposal meets all the requirements of the RMO-1 Overlay Zone. It meets or exceeds the values of the surrounding homes with brick or stone fronts, wanes cote on the sides with stucco, duel pain windows, and two-car garages. A vinyl fence will separate the lot lines. Plat A is a twin home not a duplex. The intent is to be owner occupied for all homes. He wants to proceed as quickly as possible.

**Public Comment:**

Ruth Clayson stated she was concerned with a church there but they aren't doing a church. She likes the design, and it compliments her home. She supports the project, and it will be nice to have the empty lots with something that is maintained. The reason the twin home lot was never built on was because a proposal with the eight-plexes didn't meet the parking code, but the city approved it. At that time the citizens were very concerned and took the city to court. The judge was furious because it hadn't met the requirements, and the city is supposed to protect the citizens.

**MOTION: Commissioner Hiatt – To close the public hearings for 6.3 and 6.4.** Motion seconded by Commissioner Beecher. Those voting yes: Kirk Beecher, Adam Billings, Ryan Frisby, Taresa Hiatt, Blair Warner. The motion carried.

**Commission Discussion:**

Commissioner Beecher stated plat B is very simple. He had concerns with the twin home, but there is a triplex around the corner. It is allowed in the city. He questioned fencing along the south side.

Jill Spencer clarified that there is no fence along the back. There is fencing on the property line to separate the two yards. Lot 2 of plat A will sewer from the back yard to access 300 East. Lot 1 of plat B will sewer through the back as well.

Commissioner Hiatt stated she appreciates the developer talking to all the neighbors to calm fears.

**MOTION: Commissioner Billings – To recommend approval to the city council the zone change to the RMO-1, Overlay Zone for plat A and to approve the preliminary plan for plats A and B as long as they meet staff conditions and consider any findings.** Motion seconded by Commissioner Hiatt. Those voting yes: Kirk Beecher, Adam Billings, Ryan Frisby, Taresa Hiatt, Blair Warner. The motion carried.

- 6.4 PUBLIC HEARING – Request for Preliminary Plan approval of Plat A and Plat B of the MWKB Subdivision arranged on Utah County Parcels 08-045-0024 and 08-044-0003. Plat A consists of two (2) lots to accommodate a twin home structure. Plat B consists of two (2) single family dwelling lots, one of which contains an existing dwelling

This item was addressed with item 6.3.

7. Commission and Staff Reports (9:02 p.m.)

New Staff

Daniel Jensen, Planner II, was introduced. He worked for Provo City in planning and zoning and also in the court.

Vision of Down Town Update

Staff is working on gathering information for the vision of down town. It will be brought back to the commission in the future.

General Plan

Funds for the general plan are still in the proposed budget. Staff will start working on a consultant and a strategy to involve the community with a reasonable time line.

Project Updates

Staff will have a project update out within the week.

8. Adjournment

**MOTION: Commissioner Beecher – To adjourn the meeting.** Motion seconded by Commissioner Hiatt. Those voting yes: Kirk Beecher, Adam Billings, Ryan Frisby, Taresa Hiatt, Blair Warner. The motion carried.

The meeting adjourned at 9:15 p.m.

/s/ Kim E. Holindrake  
Kim E. Holindrake, Deputy City Recorder