

PAYSON CITY
PLANNING COMMISSION MEETING
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, September 27, 2017 7:00 p.m.

CONDUCTING John Cowan, Chair

COMMISSIONERS Adam Billings (7:07 p.m.), Ryan Frisby, Taresa Hiatt, Harold Nichols

EXCUSED Kirk Beecher

STAFF Jill Spencer, City Planner
Daniel Jensen, Planner II
Kim E. Holindrake, Deputy Recorder/Admin. Asst.
Mark Sorenson, City Attorney

OTHERS Cameron Johnson, Douglas Lamb, Julie Blaney, Clinton Johnson, Jerry Robinson, John Wilson, Alan Hurst, Ryan Jensen, Jesse Guthrie, Carol Pulver, Joshua Thompson, Steve McCauley, Jason Knight, John Smiley – Heritage Builders, Gary Sanford, Dale Munger, Dave Adams, Jerry Pickett, Jon Barton, Frank Carlson, Don Almeida, Sharon Cleveland, Ken Martin, Mark DeHart, Heather Carlson, Lee Finley, Nick Coles, Ronald Daughs, Paul Jacobson, Byron Bastian, Dee DeHart

1. Call to Order

This meeting of the Planning Commission of Payson City, Utah, having been properly noticed, was called to order at 7:05 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 September 27, 2017

MOTION: Commissioner Nichols – To accept the minutes from the meeting. Motion seconded by Commissioner Frisby. Those voting yes – Adam Billings, John Cowan, Ryan Frisby, Taresa Hiatt, Harold Nichols. The motion carried.

5. Public Forum

No public comments.

6. Review Items

6.1 PUBLIC HEARING – Request for a conditional use permit to operate an auto body and restoration business on Utah County Parcel 08:057:0012 located at 438 South 100 West in the GC-1, General Commercial Zone (7:09 p.m.)

Staff Presentation:

Daniel Jensen reported this is a conditional use permit at 438 South 100 West for an auto body shop in the GC-1 zone. Previously the business was a retail auto care. Currently the applicant is operating a used car sales business and wants to add the auto body shop. He had a conditional use permit a few blocks from this site on Utah Avenue. The site plan includes an existing building with a few modifications inside the building. The parking will remain the same, which requires sufficient parking for inventory, employee, and patrons. The city may impose conditions to ensure unique detrimental impacts will be mitigated. Proposed conditions include an opaque screening fence, hours of operation restrictions, enclosed structure for restoration/repair work and storage, no street parking, screened roof-top/exterior equipment, limited to passenger vehicles - no heavy equipment, wrecking yard, or salvage yard, chemical listing and pretreatment, shielded lighting, and bonding.

Applicant Presentation:

Cameron Johnson stated he has been operating his business for three years. He salvages vehicles, repairs them, and then sells them. It often requires the vehicles to be painted. There are ten parking spaces. He reserve three to five for the sale of the vehicles and a couple for customers. He also does windshield repairs, rock chip repairs, and tire sales, which is all done indoors. He is required by the state to have and maintain an insurance bond. The hours of operation would be about 9 a.m. to 7 p.m. He himself may be inside the building after those hours. There is some chain link fencing there already. He will only be using the paved portion in the back. He doesn't tow in many vehicles and will not take in more vehicles than he has space.

MOTION: Commissioner Nichols – To go into the public hearing. Motion seconded by Commissioner Billings. Those voting yes – Adam Billings, John Cowan, Ryan Frisby, Taresa Hiatt, Harold Nichols. The motion carried.

Public Hearing:

Douglas Lamb stated this summer there was a wind that turned a metal shed over on his car with \$6,600 in damage. He spoke to Mr. Johnson who rebuilt the entire car. You can't tell a difference from when it was brand new. This is an addition we need in town.

Julie Blaney states she lives across the street and is in favor of it. Mr. Johnson has been cleaning up the property and improving it. He came around and met the neighbors. He is considerate and will be a very good neighbor. She is excited for him to come.

Clinton Johnson stated he came down to help his brother move to the new location. They have been working very hard to get this business running. His brother is a hard worker and will be good for the community. The building is very well insulated with block walls and steel construction. He clarified there is an eight-foot wood fence on the north, bob wire on the back, and chain link and vinyl on the south. The paint he uses is very different and doesn't smell.

MOTION: Commissioner Billings – To close the public hearing. Motion seconded by Commissioner Frisby. Those voting yes – Adam Billings, John Cowan, Ryan Frisby, Taresa Hiatt, Harold Nichols. The motion carried.

Commission Discussion:

Commissioner Billings stated the street is on an incline and questioned if there could be parking on the street.

Commissioner Frisby declared for the record that he has had some business dealing with Payson Auto body.

Commissioner Nichols stated he doesn't feel a screening fence is necessary if restoration is done in enclosed areas. He suggested that the hours of operation include the doors being closed and not include work between 10 p.m. and 6 a.m.

Daniel Jensen clarified the opaque fence is to alleviate resident concerns in the area with outdoor storage in the back. The fence is one measure to reduce light, sound, and visual pollutants for this and future businesses. Residents could also put up their own fence. Restrictions for fencing and outdoor storage need to be addressed for future businesses as well. Based on the discussion if the building expands or the business expands into the rear, the opaque screening fence may be required. One of the requirements is that the business is conducted within the building. The conditional use runs with the land. Hours of operation could also be addressed with no working after a certain hour unless the bay doors are closed. The street is very narrow and not a safe place to park. He clarified that it is a state highway so on-street parking is not allowed.

MOTION: Commissioner Billings - To recommend approval to the city council the conditional use permit for the auto body with the proposed conditions and with the condition if the back of the lot is developed beyond where it is now then, further opaque fencing is considered and required. In addition, the hours of operation be working hours and not during 10 p.m. to 6 a.m. the business is limited to passenger vehicles only. Motion seconded by Commissioner Nichols. Those voting yes – Adam Billings, John Cowan, Ryan Frisby, Taresa Hiatt, Harold Nichols. The motion carried.

- 6.2 PUBLIC HEARING – Request for use of the RMO-1, Two-Family Residential Overlay Zone on Utah County Parcels 08:160:0014, 08:160:0011, 08:160:0006, and 08:160:0001 located south of 500 North between 400 East and 500 East (7:49 p.m.)

Staff Presentation:

Daniel Jensen stated the application is to apply the RMO-1 Planned Residential Community (PRC) overlay in the R-1-75 zone located at 500 North between 400 East and 500 East. The Planned Residential Community is an infill tool to allow odd-shaped parcels to develop in a way compatible with the neighborhood. It allows a mix of single-family and duplex/twin homes with the average density at 60% of the per unit requirements in the zone. There are strict architectural requirements such as building form/design, materials, orientation, and garage locations. There are common space and landscaping requirements as well as community design requirements and private roadways. The conceptual plan will not be approved at this time. The single-family homes face the street and the

multi-family homes are interior. One concern from the neighbors was off-street parking so three additional parking spaces have been added since the packet went out. The project includes 14 units with four single-family and five twin homes/duplexes, 28 garage spaces with 14 additional off-street parking spaces, adherence to architectural, density, and all other requirements of the RMO-1 PRC overlay, and the common space connects to the existing trail. Staff recommends a finding that the proposed layout, density, and renderings in the concept plans are harmonious with the neighborhood and general plan. There is an existing fence along the west side of the creek offsite of this property. The trail would be dedicated to the city.

Applicant Presentation:

Jerry Robinson stated the renderings show the required elements such as porches or strong entry element, hardy-plank siding, offset between the buildings, bay windows, roof pitches, and stucco/siding/brick. The design may change but open space is required. The garages are located in the back of the buildings. The connection to the trail is required and is 10-feet wide with a concrete surface. The area around the trail will be landscaped and maintained by the HOA. This concept plan makes the most sense and meets the requirements. His first concept included 18 units, but he met with the neighbors who had concerns about the number of units and parking. The project is now reduced to 14 units with additional parking.

MOTION: Commissioner Frisby – To open the public hearing on item 6.2 Motion seconded by Commissioner Hiatt. Those voting yes – Adam Billings, John Cowan, Ryan Frisby, Taresa Hiatt, Harold Nichols. The motion carried.

Public Hearing:

John Wilson stated he is baffled that the staff believes this is similar to the neighborhood. Property normally for one home now has six units. The Cowan subdivision directly north was welcomed. At that time, the planning commission said they could do a PRD but couldn't just throw in density that doesn't make sense. The subdivision behind McDonalds has 10 twin home lots and 35 single-family lots without an overlay. If the same ratio were used, this property would have five twin-home lots and four single-family lots. He looked at some of these overlays in the city. The one at 800 South and 630 West only has one sidewalk on one side of the road, it's trashy, and the lots are not kept. The project near Gary's Meats has no sidewalk. There is a fair amount of green space in this project, but there is a pond right in the middle. He doesn't see this project is conducive to the neighborhood. He suggested doing something that looks like the self-help homes project.

Allen Hurst stated he owns the property to the southeast of the project. He agrees with Mr. Wilson. It doesn't really match the neighborhood. The drawing looks good, but there isn't enough space. He has a garden and all those children will be in his garden. He questioned if there is a proposal for fence. Otherwise, he will have to do it himself. He asked about street lighting and the light pollution it might cause.

Ryan Jensen stated he lives a half block to the north. He agrees with Mr. Wilson. This is cramming a lot in a small space. He can see two homes but not six. Personally, he likes having land to take care of himself as yard and a garden, and others would appreciate the same. Foot traffic from the road to the north can be an issue as well.

Jesse Guthrie stated he lives north of the project. The access to the six homes will come right into his driveway, which is many people coming out in the morning. The foot traffic is also a concern.

Carol Pulver stated he downsized by taking out two twin homes (Cloward property) only because the property is no longer in this plan. That is why it was reduced. Her concern is on the six homes on the single piece of property. She is not sure of the depth and width of the property, but her home is 100 feet wide for a single-family home. This property is only 140 feet wide for three homes. Six homes is too many.

Joshua Thompson stated the proposal is for a finding for the overlay and not the layout. There are some concerns. As mentioned, it is a lot of vehicles. The connection to the school is a major thoroughfare for hundreds of kids at the end of the school day. He is in favor of the finding. Payson is growing and this highly dense plan is not necessarily a bad plan. The point of the overlay is a higher density. Following the overlay, a plan is then addressed. The applicant has worked with the community and many would like to see it pursued. He submitted a petition with five names supporting the overlay.

Steve McCauley stated he lives across from the northwest entrance to the neighborhood. There is a lot of foot traffic, and this is a lot of homes. He is concerned about snow removal and where the snow will be pushed. The property is only two acres for 14 homes. The property to the east, Cowan Corner, has 13 homes on just over three acres. The homes will be five to ten feet apart. He doesn't like the traffic coming onto 500 North and many kids walk that street.

Jason Knight stated the concept is interesting but he has concerns. Cowan Corner has 14 homes and you could touch your neighbor. He feels more study needs to be done. He is concerned with property values to the existing homes, traffic, and the density.

Jerry Robinson stated the ones most affected are those to the north and they are the ones who have signed the petition. He is planning to install a permanent six-foot fence to protect neighbors, street lighting is up to the city requirements, and the detention pond is grass as well as a 100-year storm event. The RMO-1 zone change was recently passed and this layout was used as the example to show how positive the RMO zone can be. The snow is pushed into the open space areas. The homes are separated 16 feet, 8 feet, 26 feet, and 18 feet apart.

MOTION: Commissioner Billings – To close the public hearing. Motion seconded by Commissioner Nichols. Those voting yes – Adam Billings, John Cowan, Ryan Frisby, Taresa Hiatt, Harold Nichols. The motion carried.

Commission Discussion:

Commissioner Cowan stated a lot of the discussion has been on the proposed development and not the RMO-1 Zone change, which is the issue tonight. It could be developed as proposed or another development.

Commissioner Billings stated he agrees with much of what has been said regarding traffic and the interior paths. There is nothing considering the outside paths on the road. It is closer to a school and in the future, we are looking at more mixed communities like this. He is in favor of approving the RMO-1 Overlay Zone.

Commissioner Frisby stated the RMO-1 Zone creates an issue with access. A few months back, the city was opposed to 24-foot wide streets. The RMO creates high density. The property can still be developed and have better access for public safety. This is high density in a small space. He is concerned the RMO would be approved, and then the developer could do whatever he wants.

Commissioner Nichols stated he is torn because he is intrigued by the design, open space, and setup. Where the self-help homes are built is pretty standard. He likes the idea of being able to create this design.

Daniel Jensen stated the maximum density in the RMO-1 is 60% of the density allowed in the base zone. Currently the proposal is at 5,307 square feet per unit, which is higher than the base zone requires. This is a planned residential community in the RMO-1 Zone. Applying the overly for a duplex would be 4,500 square feet per unit. There is no density bonus with this proposal. This is a new zone and the first time used. The street light shielding is addressed within this ordinance. This is a tool for infill development. It is not like a condominium project where there are private roads that operate similar to public roads. There is no way for there to be through roads, which is why the streets are narrow. These really aren't streets; they are accesses to the garages. Cars would be moving quite slowly. The R-1-75 would have a traditional cul-de-sac. This design creates common space. The fire chief has reviewed this concept plan and signed off on it.

Jill Spencer stated moving forward the commission would address the proposed density of 14 units, private access ways to the units, porches accessing common open space, and alleys to access garages. The details would be taken care of in the next step when the developer goes through the subdivision process. The RMO doesn't waive or modify any regulation of the ordinance. These elements are addressed with the findings.

Commissioner Cowan stated the Cowan Corner subdivision has turned out to be a nice subdivision. This is a different concept. It doesn't appear the density potential would change with the application of the RMO-1 Overlay Zone.

MOTION: Commissioner Frisby – To deny recommendation of the use of the RMO-1 Overlay Zone based off the density it would allow that it would not be conducive to the neighborhood and Payson. Motion seconded by Commissioner Billings. Those voting yes – Ryan Frisby, Adam Billings, John Cowan. Those voting no – Taresa Hiatt, Harold Nichols. The motion fails.

MOTION: Commissioner Hiatt – To remand back to staff for more information. The city is headed this way. She doesn't like the way the roads are coming in and worries about little kids especially by the school zone. Maybe if the entrance came in another way and both entrance weren't on the same road. Motion seconded by Commissioner Nichols. Those voting yes – John Cowan, Ryan Frisby, Taresa Hiatt, Harold Nichols. Those voting no – Adam Billings. The motion passes.

Further Discussion:

The commission would like the density, traffic pattern, safety, and access to the school addressed.

Commissioner Hiatt stated she it's a really good idea but doesn't like that you can't go through to get out.

6.3 PUBLIC HEARING – Amendment to the Payson City Zoning Map that will affect Utah County Parcels 30-066-0027 and 30-066-0010 (portion) located at approximately 1300 South and 1150 West. The parcels are currently zoned A-5-H, Annexation Holding Zone and it is proposed that the zone be changed to the R-1-9, Residential Zone (8:55 p.m.)

Staff Presentation:

Jill Spencer stated this land use application is for a zone change and preliminary plan approval. Staff has received a lot of response from the neighborhood. The commission only reviews the preliminary plan. The project consists of 5.75 acres at 1300 South and 1150 West. Currently there are two phases of Heritage Village, which is an active adult community approved in 2007 with some redesigns in 2013. The proposal is for a third phase of the Heritage Village Active Adult Community consisting of 24 single-family lots south of the current phases. This third phase includes a trail connection and pavilion. The zone change request is from the A-5-H, which is an interim zone, to the R-1-9, which is consistent with the underlying zone to the north and consistent with the South Meadows Area Specific Plan, which is four units per acre. The planned residential development proposal allows some flexibility in the layout and design of the development. The applicant is requesting a density increase of four units as well as some modifications and waivers. The commission needs to determine if the amenity package warrants the four additional units. The density calculates to 3.5 units per acre, which allows a base density equal to 20 units. The specific plan allows four unites per acre for a total of 22 units. Density bonuses allows for a total of four additional units. The dwelling and project features are to be consistent with the previous phases. The arterial status road of 1400 South will be completed, which filters traffic west to Turf Farm Road. The housing product and materials will continue from the previous phases. A lot of xeriscape is throughout the previous phases and will be continued. Currently fencing is a decorative concrete wall on the west property line with tan vinyl and decorative columns, which will continue in this phase. Project amenities include building design materials, pavilion, fencing, landscaping, and others items that will be presented by the applicant. Staff has reviewed the project proposal and changes have been submitted to the applicant. The ordinance requires projects of 20 units or larger to have RV parking. RV parking was prohibited in their CC&R's. They are requesting to waive the RV parking, to use rolled curb, to remove sidewalk on one side of the street, and to modify the fencing on 1400 South. The ordinance requires a six-foot concrete or decorative fence along a collector street. A development agreement will be required.

Applicant Presentation:

John Smiley stated they are asking for two additional lots for a total of 24 lots. He read an email from Renata Kuchenthal, who is a resident in Heritage Village stating, *I have reviewed the proposal and are in favor of adding the 24 new homes for these reasons. Progress will happen so if they don't build someone else will. I want the same 55 plus environment in our neighborhood with the same style one-story homes with basements versus a two-story home that block the view. I am in favor of more homes contributing to the HOA dues, more common grounds and park areas, and a fourth entrance and exit to the development.* Their plan is to replicate what has been occurring to the north. Their density bonuses include limited water use for a 2% density bonus, consistent lighting pattern for a 2% bonus, concrete fencing upgrade behind lots 22 to 15 along the west property line for a 2% bonus, housing designs up to a 10% bonus, consistent design theme for a 5% bonus, and recreation up to 10% may be 1% or 2% for pavilion. This adds up in excess of 20% and 10% is needed to go

from 22 units to 24 units. They feel they meet the requirements. They are building a good caliber of home with consistent architecture and high curb appeal. They cannot use the clubhouse, pickle ball, and other amenities for the density bonus in this phase. They understand there is always those who don't want it in their backyard. People need to realize everyone moved into someone's backyard. They have been up front with the community about their desires to expand Heritage Village. The seller discloser that all buyers signed states the project will expand and the CC&R's allow and address the expansion. He clarified the recreation amenity in this phase is the pavilion.

Mark Sorensen clarified the upgrade in density is four units so the density bonus needs to calculate up to four units.

MOTION: Commissioner Hiatt – To open the public hearing for 6.3 and 6.4. Motion seconded by Commissioner Frisby. Those voting yes – Adam Billings, John Cowan, Ryan Frisby, Taresa Hiatt, Harold Nichols. The motion carried.

Public Hearing:

Gary Sanford stated he moved into Heritage Village where it is nice for the elderly to get out and walk during the day in a community setting. There are no sidewalks on both sides of the streets so residents walk on the street side because they feel it is safer than crossing with walkers and wheel chairs. His concerns include more traffic with 24 additional homes especially along 1150 West and 1400 South, outside residents use their streets as a shortcut to Walmart and the freeway, vehicles travel over 25 miles per hour with elderly people walking slowly who can't move fast, the clubhouse isn't large enough to accommodate HOA meetings let alone additional residents from phase 3, no sidewalks in phase 3 doesn't allow for safe walking for the elderly, some homes share driveways, and additional homes on 1400 South causes even more traffic. He recommends lots 23A and 24A be replaced with a clubhouse with a kitchen, bathrooms, and a large meeting space to accommodate all the residents in Heritage Village and the west boundary have a concrete fence.

Dale Munger stated the Heritage Village community has worked hard to create and maintain a strong sense of community and supportive neighborhood. They hold social gatherings and HOA meetings to foster this strong sense of community. Phases 1 and 2 were approved with amenities to accommodate the 93 lots in those phases. The current clubhouse barely provides the needed space. With the addition of phase 3, the clubhouse will be woefully undersized. He is not opposed to residential development but is opposed to the expansion without expanding the clubhouse meeting area. He proposed two options, i.e. expand the current clubhouse by 30% or create a separate HOA for the additional 24 new homes.

Dave Adams stated 1150 West is a main thoroughfare for access as well as construction equipment. He has been looking forward to the light at the end of the tunnel with the completion of phase 2. He was never told about phase 3 as mentioned tonight. If approved, he requests that construction equipment enter from the south and not be permitted through the north. The construction creates a lot of dirt on their homes. He is against the proposal; but if built, there has to be some concessions.

Jerry Pickett stated he is definitely opposed to the additional 24 units. He is concerned that the clubhouse is over the maximum capacity allowed now. It is a fire hazard. He questioned who would police the clubhouse to ensure the other residents didn't use it. His other concern is the traffic. When first approved, this was going to be a gated community; but it didn't happen. It's now a speedway as

a shortcut to Walmart and I-15. There is no sidewalk in front of his house so he has to walk in the road. Additional traffic will complicate the problem. The HOA is one of the worst HOA's that could exist because it doesn't provide the services they are paying for. There is no snow removal or lawn maintenance. He hopes it isn't approved.

Jon Barton stated he agrees with many of the comments. He believes the development will go ahead. He is concerned with the clubhouse use and traffic. Cars travel by his home at 60 miles per hour. He would recommend speed bumps at all the entrances and the area posted at 15 miles per hour.

Frank Carlson stated he agrees with the clubhouse comments. He feels he was misled because he was told the clubhouse would be used only by phase 1 and 2. The clubhouse is over capacity now. He suggested a good solution is for lots 23 and 24 be a clubhouse for any further expansion. He believes there will be a phase 4 and 5. He suggested that this approval process be slowed down significantly. Heritage Village is growing at a rapid rate, and builder has not kept up their promises in cleaning up the messes. He has been promised over and over and over again that they would replace a fence post they broke, which was broke two years and four months ago. The basements are being flooded, and the builder is not correcting the lack of drainage. Time is needed to work these problems out. A second clubhouse should be considered to accommodate people.

Don Almeida stated he has built several medical and dental facilities so he understand this process. He doesn't want to hear all the negatives. A builder can't be everyone's builder. His concern is with traffic, which the city may have to address it on 800 South. No one wants to leave the temple along 930 West and try to get onto 800 South. The builder's trucks will use 1400 South. He recommended looking at a traffic light at 930 West at 800 South. He has been happy with the builder. He is for the development because someone else could come in and do something they don't like.

Mark Sorensen stated the city has held discussions with UDOT for a signal at 930 West and 800 South, but it hasn't been warranted. In addition, public streets cannot be gated.

Jill Spencer stated long-range planning is done regarding streets, but development comes a parcel at a time. At the time of approval, the developer showed the need for only one sidewalk on the streets in Heritage Village. This phase has no sidewalks on either street side.

Sharon Cleveland stated she is so pleased with the builder who has been very upfront with the possibility of adding these five acres. She is sad to see our view of the beautiful sod farms go. The property is going to be developed. She trusts these developers to do a good job.

Ken Martin stated he has served as a city councilman over a planning commission. He feels the commission has heard enough and should ask for more information before a decision. He doesn't think development will stop. The owner has the right to sell and have a great builder.

MOTION: Commissioner Hiatt – To extend the time from 10:00 p.m. to 10:30 p.m. to allow people to give their input. Motion seconded by Commissioner Nichols. Those voting yes – Adam Billings, John Cowan, Ryan Frisby, Taresa Hiatt, Harold Nichols. The motion carried.

Mark DeHart thanked the commission for their time and the good neighbors who have moved in. Excellent homes were built and excellent people moved in. A pattern was set, and phase 3 would be

more of the same with good people moving into the area and a benefit to Payson. Knowing the quality of the developer, they are the only ones they have considered selling too. They have a quality product and bring quality people. He is approaching retirement. There will come a time when that ground is either developed or the crop will change. It would be better to have a proven developer proceed and know what the outcome is.

Heather Carlson stated she understands there will need to be more development before a signal light is warranted. No one here tonight will be alive at that time. She questioned that this could have been a gated community. Residents are out with walkers and vehicles go very fast. It is unsafe. If it takes a fatality to get what they need, it's not good. Maybe it should change to a gated community.

Lee Finley stated he supports much of what has been said. The development is messy. The sidewalks are a problem as well as the traffic. White vinyl fences are a high maintenance item and a cost to the HOA. He would like to see the stone fences.

Nick Coles stated he has three years on a planning commission and eight years on city council Colorado. The only subdivision he really opposed was a subdivision with sidewalks on one side of the road. He walks this subdivision, and it's not a great idea. There are more houses but in a community such as this is the wrong way to go. One item not mentioned is phase 2 is not built out. We are really talking about 36 to 38 new homes from this point forward. He is not against the subdivision; it's a great idea. They are great builders. He suggested this phase not have amenities, but other phases would have to have them.

Ronald Daughs stated he is happy so far in the community. It's going to be developed and why not have it similar to what is there now. There may be a way to cut down on the use of the clubhouse that is there now. Other development designs could include duplexes or a more dense population and families with worse traffic. He is in favor of developing the way the developers have it.

Paul Jacobson stated there are some residents over 90 years old that go out and walk in the subdivision. Traffic and the speed of traffic is a concern. He suggested posting it at 15 miles per hour and have the cops write tickets instead of installing speed bumps. When he first moved into the subdivision, there was a placard in the clubhouse meeting area stating the maximum occupancy is 100 people. Once phases 1 and 2 are built out, there will be 186 people. There is no way to accommodate an HOA meeting or gathering even now. With phase 3, it's even worse. He would be in favor of building another clubhouse in phase 3 to accommodate the 234 people in all three phases. The R-1-9 Zone allows for two-story homes. He asked that the builder not be allowed to build two-story homes. There are some in phases 1 and 2 who would like RV parking. There is a need for more sidewalks.

Jill Spencer read three comments she received. Penny Adams is concerned with unresolved warranties on some of the homes, the clubhouse not being large enough for additional units, and there is not enough personal space surrounding the homes. Dennis Davis is concerned about the added traffic created by phase 3, sidewalks not on both sides of the streets causing seniors to walk in the street; speeding through the subdivision, the clubhouse is too small for meetings and activities, and gating 1130 South. Joyce Morton is concerned with increased traffic and speed of vehicles through the development, the safety of residents who don't move as quickly, the clubhouse doesn't accommodate large gatherings as depicted on the website, and the pavilion for phase 3 is more like a

small gazebo. She asked the commission to carefully consider the decision and the people it will affect.

Byron Bastion stated many of the concerns seems to be traffic. As a builder, he can't control traffic. Traffic control is through the city's police department. He is not making it hazardous for the community. The clubhouse is not designed to fit everyone inside at one time. It is for family gatherings. He spoke to 15 residents today who all signed a letter saying they want to continue with phase 3 and see more people. They want it to continue with the same style of homes and keep the property values up. Someone will develop this property. He is just trying to keep the community nice.

Dee DeHart stated she was one who didn't want development. Now she looks at what could have been missed. It has been a good community, and the builder has been great. The dirt in the community is probably from her farming. It is a wonderful development.

MOTION: Commissioner Hiatt – To close the public hearing for 6.3 and 6.4. Motion seconded by Commissioner Billings. Those voting yes – Adam Billings, John Cowan, Ryan Frisby, Taresa Hiatt, Harold Nichols. The motion carried.

Commission Discussion:

Commissioner Cowan stated sidewalks on both sides of the road are appropriate. The clubhouse is an important issue. The sharing of driveways is a concern. Traffic is not the developer's responsibility but the responsibility of Payson City. Traffic enforcement probably needs to be increased in the area. He suggested that residents sign a petition to UDOT for a traffic light at 800 South and 930 West. He is in favor of this development. It is a good development but some things need to be addressed.

Commissioner Frisby stated he has no issue with the rezoning. He would like to see a masonry fence and not vinyl. Amenities needs to be addressed by the city council. No RV parking fits with the current development to north. There may be a need for additional amenities. The HOA it not a city issue as to who does or doesn't get in. Construction access would be addressed at the preconstruction meeting. He questioned the gated community concept. He is not a fan of the way the trail goes through. The city council should address the density bonus.

Jill Spencer stated that the community was not anticipated to be gated at the beginning. Later it was requested but there were obstacles they couldn't overcome. If gated the streets become the private and the HOA becomes responsible for all repairs and snow removal. There are a number of issues to create a gated community.

Commissioner Hiatt agrees with having sidewalks on both sides. She hears praise about the developer but suggested they get the broken fence post fixed as well as any other problems. It will make the community happy. She likes the idea of the development.

Commissioner Billings agrees with sidewalks on both sides of the street but doesn't know how to fix it. He lives in a community with sidewalk on one side and it isn't good. He suggested resolving the clubhouse issue by working on group organization and having group leaders. He suggested that the city invest in cameras for traffic enforcement.

John Smiley clarified that the space in front of the homes is the limited common area and the driveways would be located somewhere in that area. The driveways do not overlap.

Commissioner Nichols stated sidewalks is his concern as well.

MOTION: Commissioner Hiatt - To recommend approval of the zone change from the A-5-H to the R-1-9 residential zone, which includes 30:066:0027 and 03:066:0010 changing to the R-1-9. Motion seconded by Commissioner Nichols. Those voting yes – Adam Billings, John Cowan, Ryan Frisby, Taresa Hiatt, Harold Nichols. The motion carried.

6.4 PUBLIC HEARING – Request for Preliminary Plan approval of Plat E of the Heritage Village development arranged on Utah County Parcels 30-066-0027 and 30-066-0010 (portion). The development consists of twenty-four (24) single-family dwelling pads in the proposed R-1-9 Zone

MOTION: Commissioner Frisby - To recommend approval with the conditions that fencing requirements be held to city standards, that the city council seriously require sidewalks in the new subdivision, and any other additional staff recommendations. Motion seconded by Commissioner Hiatt. Those voting yes – Adam Billings, John Cowan, Ryan Frisby, Taresa Hiatt, Harold Nichols. The motion carried.

7. Commission and Staff Reports

No reports.

8. Adjournment

MOTION: Commissioner Hiatt – To adjourn the meeting. Motion seconded by Commissioner Nichols. Those voting yes – Adam Billings, John Cowan, Ryan Frisby, Taresa Hiatt, Harold Nichols. The motion carried.

The meeting adjourned at 10:39 p.m.

Kim E. Holindrake, Deputy City Recorder