

PAYSON CITY
PLANNING COMMISSION MEETING
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, November 8, 2017 7:00 p.m.

CONDUCTING John Cowan, Chair

COMMISSIONERS Kirk Beecher, Ryan Frisby, Taresa Hiatt

EXCUSED Adam Billings, Harold Nichols

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

OTHERS Guy Newton, Jim Mortensen, Chris Kilmer, Jose Carreno, Robert Mills, Sharon Morrill, Karen Kilmer

1. Call to Order

This meeting of the Planning Commission of Payson City, Utah, having been properly noticed, was called to order at 7:00 p.m.

2. Roll Call

Four commissioners present.

3. Invocation/Inspirational Thought

Invocation given by Commissioner Beecher.

4. Consent Agenda

4.1 Approval of minutes for the regular meeting of October 25, 2017

MOTION: Commissioner Frisby – To approve the minutes from the previous meeting of October 25, 2017. Motion seconded by Commissioner Beecher. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Taresa Hiatt. The motion carried.

5. Public Forum

No public comments.

6. Review Items

6.1 PUBLIC HEARING – Request for preliminary and final approval of the Qualcon Subdivision arranged on Utah County Parcels 08:123:0028 and 08:123:0029 located on the northwest corner of the intersection of 700 South and 400 West. The subdivision consists of two (2) single-family dwelling lots in the R-1-9, Residential Zone (7:04 p.m.)

Staff Presentation:

Daniel Jensen reviewed the Qualcon Subdivision. This a two-lot subdivision at 700 South and 400 West in the R-1-9 Zone. The final approval is with the commission. The property was divided around 2001 without completing the approval process. In 2012, the southern lot was sold to Mr. Johnson who would like to build a new single-family home. The existing home and proposed lots meet the requirements of the zone. Installation of curb, gutter, and sidewalk is required as well as inspection of existing utility lines with upgrades if needed. Any other requirements in the staff report would need to be completed also.

MOTION: Commissioner Hiatt – To open the public hearing for item 6.1. Motion seconded by Commissioner Beecher. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Taresa Hiatt. The motion carried.

Public Hearing:

Guy Newton stated he lives north of the existing home. He questioned which direction the new home would face because coming off the hill isn't safe. It would be wise to access the home from down the hill.

MOTION: Commissioner Beecher – To close the public hearing for item 6.1. Motion seconded by Commissioner Hiatt. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Taresa Hiatt. The motion carried.

MOTION: Commissioner Frisby – To approve the Qualcon Subdivision as long as it meets staff conditions as the subdivision would be conducive and it fits with the surrounding areas. Motion seconded by Commissioner Beecher. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Taresa Hiatt. The motion carried.

- 6.2 PUBLIC HEARING – Request for preliminary and final approval of Plat G of the Payson Business Park Subdivision arranged on Utah County Parcels 30:062:0050, 30:062:0051, 49:313:0020, and 49:313:0023 located in the Payson Business Park. The subdivision consists of seven (7) commercial/industrial building lots in the BPD, Business Park Development Zone (7:16 p.m.)

Staff Presentation:

Jill Spencer stated this is for the Payson Business Park Plat G located between 800 South and Utah Avenue west of I-15. The property is owned by the Payson City Redevelopment Agency. The process will subdivide the three current parcels. A buyer is interested in the northern parcel once it is split with a small portion remaining as open space. Site plan approval would then be required for building.

Beecher vacation of Plat D and open space needs to be identified as such.

MOTION: Commissioner Frisby – To open the public hearing for item 6.2. Motion seconded by Commissioner Hiatt. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Taresa Hiatt. The motion carried.

Public Hearing:

Jim Mortensen stated he owns the property next to lot 1. He originally sold the property to the city with a promise to keep this buffer for the existing home. He would request to buy the property if it is ever sold.

MOTION: Commissioner Hiatt – To close the public hearing for item 6.2. Motion seconded by Commissioner Frisby. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Taresa Hiatt. The motion carried.

Commission Discussion:

Commissioner Beecher stated the common area needed to be identified as such. In addition, the vacation of lot 14 plat D is not shown on the plat.

MOTION: Commissioner Beecher – To recommend to the city council approval of Plat G of the Payson Business Park Subdivision with a recommendations to staff to add to the plat to clarify lot 1 as common area only and the vacation of lot 14 is missing on the plat. Motion seconded by Commissioner Hiatt. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Taresa Hiatt. The motion carried.

- 6.3 PUBLIC HEARING – Request for approval to extend the municipal boundaries to encompass the parcels included in the proposed DAE Annexation. The annexation consists of five (5) parcels containing 213 acres located east of Arrowhead Trail between approximately 1000 North and 1400 North (7:28 p.m.)

Staff Presentation:

Jill Spencer reviewed the DAE Annexation that consists of five parcels containing 213 acres located east of Arrowhead Trail between approximately 1000 North and 1400 North. All the property owners signed the petition. The annexation was accepted by the city council and certified by the city recorder, which begins the protest period. No protests were filed. A letter was sent to the annexation sponsor for additional information. A notice of pending annexation was sent to all property owners within the annexation area. The applicant prepared a specific plan for the area. Currently the property is mostly pastureland; there is no existing habitable structures. The existing uses will continue following annexation as well as a proposal by the sponsor to develop 71 acres. The proposed zoning includes the P-C Planned Community or Specific Plan with an underlying zone of R-1-A. Staff addressed a couple issues with property owners that included access from the Mitchell property to a landlocked parcel located in Salem and access to the Horn property. The specific plan includes existing and proposed utility systems, proposed land uses, environmental hazards, transportation and circulation, and coordination with neighboring projects. These items will also be addressed in the annexation agreement. The proposal includes a general land use layout. Water, sewer, and pressurized irrigation will be the most difficult utilities to get to the property. The city wants to see a regional sewer lift station in the area and not separate development lift stations.

Applicant Presentation:

Jeff Anderson stated there are four major property owners and all signed the petition for annexation.

MOTION: Commissioner Beecher – To open the public hearing for item 6.3. Motion seconded by Commissioner Frisby. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Taresa Hiatt. The motion carried.

Public Hearing:

Chris Kilmer stated in his world the land would never be developed. It should come in Payson before Salem. He would like to see it have low density. It will become an entry point to Payson and be something special. The less number of people on the property the lower the sewer needs.

MOTION: Commissioner Frisby – To close the public hearing for item 6.3. Motion seconded by Commissioner Beecher. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Taresa Hiatt. The motion carried.

Commission Discussion:

Jill Spencer explained the A-5 Zone is agricultural on five-acre lots. The R-1-A Zone is a residential zone allowing agricultural on one-acre lots. The P-C Zone was created specifically for the Bamberger Ranch, which was a very large area for multiple land uses and was market driven and market based. It works well with large annexations. The applicants is looking to develop within a year.

Commissioner Beecher stated his recommendation is to go with the specific plan and the R-1-A Zone. He sees it as the most advantageous for the area. The P-C Zone doesn't quite fit.

MOTION: Commissioner Beecher - To recommend to the city council to approve the DAE Annexation with the specific plan and designated underlying zone of the R-1-A subject to staff recommendations and city and state code. Motion seconded by Commissioner Frisby. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Taresa Hiatt. The motion carried.

- 6.4 PUBLIC HEARING – Request by Jerry Robinson for use of the RMO-1, Two-Family Residential Overlay Zone on Utah County Parcel 30:069:0129 located east of 930 West at approximately 1150 South. The applicant is requesting approval of the overlay zone to accommodate ten (10) single-family dwellings on the subject parcel (8:02 p.m.)

Staff Presentation:

Jill Spender stated the challenges to developing this property are the dry creek channel running through the property, it is surround by development, 930 West is a collector class street with limited access, and city ordinance doesn't allow more than 10 units on one point of ingress/egress. The applicant is looking for approval of the overlay zone at this time. If approved, he will then move forward with the subdivision. The project includes 10 single-family homes. The applicant has chosen the planned residential community in order to require the design guidelines for building homes. The applicant has addressed project utilities and access for the public, safety vehicles, and garbage trucks. Subdivision ordinance and city utility standards must still be met. The applicant has submitted housing products. The homes will be slab on grade with no basements because of flood potential.

Applicant Presentation:

Jerry Robinson stated the homes will be raised above the flood zone and are single-level living designs. Guest parking and a fire turnaround is included. There is close to 4.5 parking spaces per unit. An HOA will maintain the open space areas. The homes include prominent fronts, no blank walls, and garages are set back. There is no aluminum or vinyl siding. The average lot size is 10,200 square feet, which is larger than the neighbors. The layout fits well in the neighborhood. The setbacks are the same as a

traditional subdivision. There is an onsite retention pond to keep water on site. This will be a beautiful addition to the community.

MOTION: Commissioner Hiatt – To open the public hearing for item 6.4. Motion seconded by Commissioner Beecher. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Taresa Hiatt. The motion carried.

Public Hearing:

Jose Carreno stated if the property were raised two feet, the water would go toward him. He asked if another drainage could be added between the fences. He has a basement as well as other neighbors. When it rains, the water sits at the three homes to the north. He would like to see a new fence between the properties. He and neighbors have trees on their backyards and doesn't want problems when leaves fall on their property.

Chris Kilmer stated this property is the low spot in the neighborhood. The swale on the back will have a ditch and the open area will be a big berm. When you add the contours, it doesn't look as nice. There is a bend at 880 West where there is curve and run off from the roads. The water puddles here and the road is broken up. The city has an opportunity to create something good. He feels the houses are too close together and doesn't fit the neighborhood. He is concerned with fire access and flooding. He asked the city to address the problems and concerns instead of just making things work. This is a perfect area for a city park. In addition, most homes in the area are a single level while these will be two level with residents staring into the neighboring backyards.

Jill Spencer received an email from Carolyn Duncan who stated, *this will be a mistake. The current zones were put in place for a good reason. Her property value would go down. Flood control would be affected negatively and taking out the canal will cause flooding to all homes in the area. The area is overly congested and the traffic on 930 West is out of control. Water, sewer, and irrigation is maxed out now. There is plenty of room in other areas. Without good planning, we will soon look like a tent city for low income. There is a large berm along the back side of her property to prevent flooding. She is not in favor of the development.*

Jill Spencer also received an email from Megan Banks with items that were addressed by staff.

Robert Mills stated as a planner he applauds the applicant. This is a great example of taking the same number of traditional lots and clustering the homes with usable open space. It is a benefit to the community because it still allows access to the trail, which that is maintained by the HOA.

Sharon Morrill stated she is concerned that her water drains to this property. She questioned if she will now be expected to retain her water. She signed the petition but should have waited. She would love to see a park here, but it is a good plan.

Karen Kilmer questioned if the RMO include just having one entrance.

Jerry Robinson stated a swale would be created in the backyards to keep 100% of the water on their property. The property will be brought up about 2.5 feet to be six inches above the floodplain. The retention basin will be as deep as the city engineer requires. He could spread the homes out but then

there wouldn't be any open space. The homes are one level with living space in the attic, which isn't the same as a two-story home.

MOTION: Commissioner Frisby – To close the public hearing for item 6.4. Motion seconded by Commissioner Hiatt. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Taresa Hiatt. The motion carried.

Commission Discussion:

Commissioner Cowan stated there is a federal law that prohibits people allowing water to run from their property to another. The design will have to include this. There are some issues to be resolved with the subdivision. The question before the commission is the RMO-1 Overlay Zone and not the subdivision.

Jill Spencer stated staff may need to look at any existing drainage issues to ensure they are addressed. Even a traditional subdivision would only need one access. The subdivision process will also have a public hearing.

Commissioner Beecher stated this is a good use for this land. With limited access off 930 West, a single point of access is good. The proposal enhances the area. The drainage issues will need to be worked out with the subdivision.

Commissioner Hiatt agreed. This area will be for those reducing to a smaller house and who don't want to take care of yards. It is a good use of the ground.

MOTION: Commissioner Beecher – To recommend to the city council approval of the RMO-1 Overlay Zone for this area. Approval is contingent upon meeting the requirements of Section 19.6.8 and other appropriate conditions, and the property be developed contingent upon and consistent with all the regulations of the underlying zones and everything that goes with this area as it relates to the subdivision when the subdivision is developed. Motion seconded by Commissioner Hiatt. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Taresa Hiatt. The motion carried.

7. Commission and Staff Reports

Planning and development updates went out.

There is only one meeting in November and December.

The annual dinner will be on the first meeting date in January.

The city noticed the vacancy on the commission, received four applications, and will address it next week.

There will be a presentation and discussion regarding development to the south/east of the city at the city council meeting on December 6 for any commissioners who want to attend.

8. Adjournment

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

The meeting adjourned at 9:06 p.m.

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