

PAYSON CITY
PLANNING COMMISSION MEETING
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, March 28, 2018 7:00 p.m.

CONDUCTING John Cowan, Chair

COMMISSIONERS Kirk Beecher, Ryan Frisby, Harold Nichols

EXCUSED Adam Billings

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

OTHERS Sandra Clayton, Todd Phillips – Wasatch Mental Health, Maralyn Mecham,
Dorothy James, Alice Hoole, Brent Johnson, Mike DeMarco – Salisbury
Homes, Bob Elder, James Farrer, Cregg Jacobson

1. Call to Order

This meeting of the Planning Commission of Payson City, Utah, having been properly noticed, was called to order at 7:04 p.m.

2. Roll Call

Four commissioners present.

3. Invocation/Inspirational Thought

Invocation given by Commissioner Nichols.

4. Consent Agenda

4.1 Approval of minutes for the regular meeting of March 14, 2018

MOTION: Commissioner Frisby – To approve the minutes from the previous meeting. Motion seconded by Commissioner Nichols. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Harold Nichols. The motion carried.

5. Public Forum

No public comments.

6. Review Items

6.1 PUBLIC HEARING – Request to amend the Payson City Zoning Map that will affect Utah County Parcels 30:029:0029, 30:029:0099, 30:029:0121, 30:029:0126, and the parcels in

the Mountain View Estates development located west of 1140 East between 100 North and 400 North. The property is currently zoned GC-1, General Commercial and A-5-H, Annexation Holding Zone and proposed to change to the I-1, Light Industrial and R-1-7.5, Residential.

Staff Presentation:

Jill Spencer stated upon review of the request staff found another zone change in the immediate area that needed to be changed from commercial to residential. Staff reached out to the Mountain View Estates residents to change their property from commercial to residential. The current zones of the proposed area include the GC-1 General Commercial and A-5-H Annexation Holding Zone. The proposed zone changes are to I-1 Light Industrial Zone and R-1-7.5, Residential Zone. SR-198 will maintain a commercial area. Mountain View Estates is classified as non-conforming uses because it is residential in a commercial zone. The property owners are being taxed as residential property, which was verified with the county. A benefit to being in a residential zone is they are not limited on the use of their property. The applicant wants to expand the storage units to the west of the zone change area. Once the zone is changed, any uses are allowed in that zone. The applicant is willing to deed restrict the property so it can only be used for storage units. The type of residential community for the residential area is proposed as a 55+ community, and the applicant is willing to deed restrict the property. The applicant has met with the residents either individually or collectively. The Hone property will remain undeveloped at this time.

Applicant Presentation:

Scott Phillips stated he is willing to install a fence or architectural building along the west boundary. The old wood fence would be removed. A building would be about 10 feet high. There will not be a connection of 300 North and 330 North.

MOTION: Commissioner Beecher – To open the public hearing for the zoning map change.

Motion seconded by Commissioner Frisby. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Harold Nichols. The motion carried.

Public Hearing:

Sandra Clayton questioned if a fence is built behind the condos, how high it could be. She questioned who will be responsible for the road next to the mental health building and when it will be installed. She has concerns with the sewer because they have a lift station. She would like a larger sewer.

Commissioner Cowan stated typically a fence is limited to six feet and may go higher with an exception. It would be shorter where traffic enters. With regards to the road, the city hasn't seen a proposal for development yet so that question can't be answered at this time. A requirement for residential development doesn't allow more than 10 units on a single entrance. The current development there exceeds that number. Roads will be required to connect.

Jill Spencer stated with the Wasatch Mental Health building a regional sewer lift station was installed, which will be owned and maintained by Payson City. The city engineer would need to answer the question on how to get their private lift station to the regional lift station. The city street master plan shows 400 North as an arterial status street that will extend and create an east-west corridor. The north main interchange shows a new belt route coming off the freeway to provide another connection so there are some additional roadways in the area.

Todd Phillips clarified the road was built on the east side of the building, which will continue through. UDOT won't allow an additional access between the two current roads.

Maralyn Mecham stated the Wasatch Mental Health building has destroyed her view of the mountain. She questioned how many more buildings would be built in that area.

Commissioner Beecher stated there are three additional lots adjacent to the highway.

Dorothy James questioned if there is an easement on either side of the fence. She lived in another area where there was three feet you couldn't put anything in there.

Alice Hoole questioned if there were space between the fence and building where kids can run around and around.

Scott Phillips stated there is no space between the fence and residential property.

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

MOTION: Commissioner Beecher – To recommend to the city council approval of the zone change for parcels 30:029:0029, 30:029:0099, 30:029:0121, 30:029:0126 owned by Phillips Development with the first two portions (30:029:0029 and 30:029:0099) from GC-1 General Commercial to I-1 Industrial including the triangular shaped portion of parcel 30:029:0121 to I-1 Industrial; the two lower portions of 30:029:0029 and 30:029:0099 to stay as GC-1; the remaining portion of 30:029:0121 and parcel 30:029:0126 to the R-1-7.5; and all parcels in the Mountain View Estates development will be changed to R-1-7.5 with the deed restrictions as proposed by the property owner for both the commercial area and residential area. Motion seconded by Commissioner Frisby. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Harold Nichols. The motion carried.

- 6.2 PUBLIC HEARING – Request for approval of the RMO-1, Two-Family Residential Overlay Zone and Preliminary Plan of the Qualcon Subdivision, Plat B, to construct a twin home on Utah County Parcel 08:123:0029 located on the northwest corner of the intersection of 700 South and 400 West in the R-1-9 Residential Zone. (7:38 p.m.)

Staff Presentation:

Daniel Jensen stated the property was previously subdivided into two lots. The applicant is requesting the RMO-1 overlay to build a twin home on lot 2, which will become plat B. There is a significant slope on the property, which requires a grading plan and engineering. The minimum lots size is 5,400 square feet, and the lots exceed the minimum the zoning requirements. This is the time for the planning commission to apply any conditions such as fencing type or materials for the homes. Curb, gutter, and sidewalk were required with the original plat.

Council Discussion:

Commissioner Beecher questioned the driveway approach for both lots is the same access.

Jill Spencer stated correct, there is an access easement and a combined driveway approach.

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

Public Hearing:
No public comments.

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

Applicant Presentation:

Brent Johnson stated he could do a duplex or twin home. There is not enough area for two single-family homes. He has built a lot of homes and twin homes on slope lots so it isn't an issue. It will make the area much nicer. He personally likes the twin homes because they are individually owned where a duplex is usually rented.

MOTION: Commissioner Frisby – To recommend approval of the RMO-1 Overlay Zone for the parcel on item 6.2 with the condition it meets all staff requirements for the development of the property and staff conditions that meet the objectives of the land use goals of the city. Motion seconded by Commissioner Nichols. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Harold Nichols. The motion carried.

MOTION: Commissioner Beecher – To recommend the preliminary plan to the city council for approval with meeting the same staff conditions of the RMO-1 Overlay Zone and that the conditions proposed by staff would lead to the satisfaction of the goals and objectives and land use goals of city. Motion seconded by Commissioner Nichols. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Harold Nichols. The motion carried.

- 6.3 PUBLIC HEARING – Request by Salisbury Homes for approval of modifications to the Springside Meadows Development, a planned residential development located generally east of SR-198 and west of the High Line Canal between 1800 South and 2000 South. The subdivision consists of 257 dwelling units. (7:57 p.m.)

Staff Presentation:

Jill Spencer stated this is a large development, and the applicant wants to get the project moving again. The preliminary layout was approved last year. The property falls in the Mower Addition Annexation with a specific plan and annexation agreement from 2003. The density range was between 327 to 449 units, which has been reduced. The previous approval in 2017 included 85 townhomes and 167 single-family dwellings with 5.77 acres of public use. The modifications increases the density by five units with direct access to arterial streets for 33 units. The applicant has looked at multiple ways to keep access off the arterial streets. They looked at private drives, but it reduced the size of the lots considerably. The proposal is to incorporate a circular driveway designed to prevent backing onto the street to the extent possible. Staff reviewed a development in St. George

with a similar design. The phasing remains the same. A primary component of the specific plan is varying neighborhoods, product type, price point, and different housing options. The items to be addressed with the final plat include engineering and technical details, RV parking and storage, open space, trail system, irrigation facilities, and slope stabilization. A development agreement will be prepared as well as an extension of utility services agreement. The planning commission will review the final plats by phase because the engineering is not available at this time. The applicant's timeline includes approval by spring 2018, installation of the off-site sewer line that has begun, and construction of dwellings the summer/fall of 2018. The townhome phase has a typical residential road width of 40 feet through the middle, and the interior streets will be 30 feet of asphalt. There is a small reduction in green space for the townhomes because of the additional units.

Applicant Presentation:

Mike DeMarco stated the open space in the townhomes area now has wider roads and still has a centralized park. He is using a different product for the townhomes that is working well. All the connectivity in the single-family works better with better traffic flow. The private drives had created a challenge because of snow removal with the HOA. The single-family homes could have a front or side-load garage. Residents will be encourage to enter the street forward.

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

Public Hearing:

Bob Elder stated he represents his mother who owns 11 acres adjacent to the very east end. He is concerned primarily how it will develop out. The city general plan shows a minor arterial that is Main Street and appears to turn on 120 South and makes a bend. He reviewed the general street plan, which goes south to Spring Lake. He is concerned the extension heading south goes into his mother's property and questions how it would impact the property.

Jill Spencer clarified originally the Mower property was a part of the development. As staff looked at connectivity to those properties to the south, the topography includes a lot of springs and wet area. It was determined from that point to the south, the road will continue as a residential road to prevent land-locking parcels.

James Farrer questioned how the sidewalks and paths continue and the plans for access flowing through the development.

Jill Spencer stated the trails master plan includes a trail corridor along the High Line Canal with connectors from Main Street. Sidewalks are a part of the pedestrian system, and are on both sides of the streets throughout the development. No more than 10 units are allowed on one point of ingress and egress. The main traffic flow is highway to arterial to school.

Cregg Jacobson stated he doesn't want to give up property for the trail along the High Line Canal. A sidewalk through the lots from 1800 South to the east would be great. He questioned if the large lots that are almost an acre would have animal rights.

Jill Spencer stated that connection from 1800 South is on the plan. The zoning is R-1-A and has some small animal rights.

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

MOTION: Commissioner Frisby – To recommend to the city council approval of the modifications to the Springside Meadows subdivision specifically the increased density, access to arterial streets, with conditions it meets all staff recommendations and that the final plat be brought back before the planning commission for final review, and any other conditions of the 2017 approval stand as is. Motion seconded by Commissioner Beecher. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Harold Nichols. The motion carried.

6.4 PUBLIC HEARING – Proposed amendments to Title 19, Zoning Ordinance, Title 20, Subdivision Ordinance, and the Standard Specifications and Standard Plans. (8:42 p.m.)

Staff Presentation:

Kent Fowden reviewed the changes to the standard street cross sections for the city's standards and specifications. This adds a sub-local, multifamily designation of 30 feet of asphalt. Residential is a 66-foot right-of-way, a collector is a 76-foot right-of-way, and an arterial is an 86-foot right-of-way. In the proposal, it addresses infill lots and mountain hillside zones and the A-5-H with different standard cross sections of 24 and 20 feet. The multifamily cross section can only be used for 10 units per acre or higher. The A-5-H and infill lots and mountain hillside cross sections are only for these uses and are private roads in those two zones. There has been a lot of discussion through the years in developments with tight cross sections in multifamily developments. This is a good balance for the city and developments. One caveat under thickness, it designates a 3.5 or 5-inch asphalt mat at the time of development and then a slurry seal. Staff found the current requirement left a window of opportunity for bankruptcies with the city holding the bag for the 1-inch overlay. The city requires a type 1 or type 2 aggregate seal coat. The sidewalk is included in the right-of-way because it has become a maintenance battle and issue.

Commission Discussion:

Commissioner Beecher stated including the sidewalk always cuts into the asphalt. On the local family roads, there is only 15 feet of asphalt from the centerline. Consequently, residents can't park on those roads and allow room to get past. He suggested using a rolled gutter instead of high back so a vehicle can get off the road.

Jill Spencer stated Dominion Energy approached the city with a concern about getting all the private utilities in the current right-of-way. The city engineer met with all the private utility providers and reviewed the current standards. Those utility companies noted there is a ten-foot utility easement but five feet of it is sidewalk. Also, the street designation for infill lots and mountain hillside zones and the A-5-H should state varies instead of N/A.

Kent Fowden stated this cross section is trying to balance everything from those meetings with the utility companies. He can address the rolled gutter with the city engineer. These changes spider web into other sections of title 20.

Commissioner Cowan questioned in the older portions of town there are a lot of dangerous irrigation ditches and wondered if those would ever be replaced.

Kent Fowden stated staff conducted an inventory last winter of the old parts of town. There are 43.5 miles of curb, gutter, and square irrigation ditches. It equates to about a 10-million-dollar issue. Staff tries to eliminate them with small projects.

MOTION: Commissioner Beecher – To open the public hearing on the standards and plans only. Motion seconded by Commissioner Frisby. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Harold Nichols. The motion carried.

Public Hearing:
No public comment.

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

MOTION: Commissioner Beecher – To recommend to the city council approval of the standard street cross section as proposed with the recommended changes of rolled curb on the sub-local multifamily roads and varies in the right-of-way dimension for the infill lots and the A-5-H. Motion seconded by Commissioner Nichols. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Harold Nichols. The motion carried.

Daniel Jensen discussed proposed amendments with the commission.

- Flag Poles – The city sign ordinance defines promotional signs that includes banners and the definition of banner includes flags. Banners are allowed for 180 days in commercial and industrial zones with a maximum of two with size restrictions. It is stated that flags that distract from the architectural features of the project are highly discouraged and may not be allowed. The sign ordinance exempts any official flag, pennant, or insignia of any nation, state, city, or other political unit. Currently there are no standards in residential zones. Staff reviewed other city standards. Staff developed two options. Items 1, 3, 4, and 5 are the same and item 2 changes.
 1. A flagpole solely to display state, national, or other civic flags, is permitted in all zones.
 3. A flagpole shall not be located in a manner that may cause a safety hazard. The flag may not extend beyond the property line of the lot on which the flagpole is located.
 4. A “flag” is a fabric, banner, or bunting containing colors, patterns, emblems, or symbols.
 5. A flag used to display commercial symbols or advertising is restricted to 15 feet and shall be flown in tandem with a state or national flag.

Option A

2. The maximum height of a flagpole shall be:
 - a. 35 feet in residential zones
 - b. 50 feet in non-residential or mixed use zones.

Option B

2. The maximum height of a flagpole shall be the maximum height allowed for any structure in the zone where the flag is located. For purposes of this section, the maximum height allowed for any structure is the maximum height exclusive of any conditional use or special exceptions or permissions for building height.

Other cities allowed flagpoles with special exceptions or conditions as well as engineering and design being required.

Discussion to require structural engineering unless a standard product purchased off the shelf. Flagpoles are not specifically addressed in the building code. Through research, a typical pole height is 25 to 35 feet. Anything beyond 35 feet would require engineering. Above 35 feet would only be allowed in Industrial Zones.

- S-1 Highway Commercial Transition Area – This zone is currently the I-15 south interchange and north interchange. Currently section 19.6.14.14, Transition into Residential Areas, requires a 300-foot transition area with different standards in the S-1 Zone. Permitted uses include professional and business services, single-story buildings no greater than 6,000 square feet, childcare centers and preschool facilities, restaurants with no drive-through facilities, and financial, insurance, and real estate services. Conditional uses include retail and personal service businesses no greater than 2,500 square feet and restaurants with drive-through facilities. Other limitations include limited business hours, lighting and noise, placement of structures, and screening. At 600 North looking east, the street width is 65 feet between the S-1 Zone and residential. From building to building, it's about 100 feet. Other areas near Walmart and the theaters have about 200 feet.

Proposed code amendments may include a landscaped buffer with trees and ground cover, barrier walls, restrictions on loading docks, delivery pickup areas, trash containers, drive throughs, mechanical equipment screening, and light shielding. Expand permitted uses in all S-1 Zones with conditional uses including items such as amusement parks, public assemblies, and drive-through restaurant.

Option A – The setback at 150 feet from a residential zone would have a maximum building height of 35 feet. Additional height could be added at a ratio of one additional vertical foot of building height to every two feet of horizontal distance from the nearest setback line.

Option B – Modify the existing code to expand the uses to all allowed in the S-1 Zone and choose a distance and height.

Option C - Same as Option B plus a 300-foot transition area with all uses allowed in the S-1 Zone and adding residential with mixed-use development.

Discussion that the challenge is development proposals on the fringes of the commercial areas with multiple-story buildings right next to residential. Staff would rather keep the current zones and apply the transitional area with the zone. The consensus of the commission is Option B with the transitional height.

- Central Commercial – Staff met with the property owners in downtown. Currently there is a residential cap in the CC-1 Zone restricting residential to the second story, basements, and a percentage. The process required to establish residential in these areas required the application of the AD-O Overlay Zone. The proposal is to keep the second story and basements in order to keep the business feel of the downtown area, but remove the limit, AD-O Overlay, and the number of units would be limited by parking. Design guidelines would need to be developed. Currently consignment stores or secondhand merchants are not permitted. Staff proposed allowing consignment stores that are limited to retail uses.

7. Commission and Staff Reports

No reports.

8. Adjournment

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

This meeting adjourned at 9:55 p.m.

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