

PAYSON CITY
PLANNING COMMISSION MEETING
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, April 11, 2018 7:00 p.m.

CONDUCTING John Cowan, Chair

COMMISSIONERS Kirk Beecher, Adam Billings, Ryan Frisby, Kathy Marzan, Robert Mills,
Harold Nichols

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

OTHERS Dave Gardner, Trent Beesley, Brian Gabler

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

Seven commissioners present.

3. Invocation/Inspirational Thought

Invocation given by Commissioner Nichols.

4. New Business

4.1 Introduction of Recently Appointed Commissioners

Commissioner Cowan stated he has been on the planning commission about 25 years and lived in Payson all his life.

Commissioner Mills stated he moved to Payson about six months ago and loves it here. He moved from Hawaii but was originally from Utah. He is a planner by profession.

Commissioner Nichols stated he has been on the planning commission for about eight years. He has lived in Payson for 18 years

Commissioner Frisby stated he just began his second term on the planning commission. He was born and raised in Payson and owns a business here in Payson.

Commissioner Beecher stated he is a civil engineer by trade and just began his second term on the planning commission.

Commissioner Billings stated he has lived in Payson about 3.5 years. He is an instructor of the deaf. He is finishing his first term on the planning commission.

Commissioner Marzan stated she has been a Payson resident three years but has lived in Utah County almost her whole life. She is an IT business analyst.

4.2 Selection of Planning Commission Chair and Vice Chair (7:04 p.m.)

MOTION: Commissioner Nichols – To nominate John Cowan as chair. Motion seconded by Commissioner Beecher. Those voting yes – Kirk Beecher, Adam Billings, John Cowan, Ryan Frisby, Robert Mills, Kathy Marzan, Harold Nichols. The motion carried.

MOTION: Commissioner Frisby – To nominate Kirk Beecher as vice chair. Motion seconded by Commissioner Billings. Those voting yes – Kirk Beecher, Adam Billings, John Cowan, Ryan Frisby, Robert Mills, Kathy Marzan, Harold Nichols. The motion carried.

4.3 Review of Planning Commission Bylaws and Rules of Procedure for Consideration of Amendment (7:06 p.m.)

Jill Spencer stated the commission reviews the bylaws annually every April for consideration of any amendments. Staff is not proposing any amendments at this time.

MOTION: Commissioner Beecher – To adopt the planning commission bylaws of Payson City as currently outlined and drafted. Motion seconded by Commissioner Frisby. Those voting yes – Kirk Beecher, Adam Billings, John Cowan, Ryan Frisby, Robert Mills, Kathy Marzan, Harold Nichols. The motion carried.

5. Consent Agenda

5.1 Approval of minutes for the regular meeting of March 28, 2018

MOTION: Commissioner Frisby – To approve the minutes from the previous meeting of March 28, 2018. Motion seconded by Commissioner Nichols. Those voting yes – Kirk Beecher, Adam Billings, John Cowan, Ryan Frisby, Robert Mills, Kathy Marzan, Harold Nichols. The motion carried.

6. Public Forum (7:08 p.m.)

No comments.

7. Review Items

7.1 PUBLIC HEARING – Request by Terry Harward for Preliminary Plan approval of Phases 1-5 of the Villages at Arrowhead Park, a planned residential development located west of Arrowhead Trail at approximately 1500 North. Phases 1-3 consist of 50 single-family dwelling lots and Phases 4-5 contain 65 townhome units totaling 115 units.

Staff Presentation:

Jill Spencer stated the northern boundary and 2200 West is the division between Payson City and Salem City. Payson City recently annexed 220 acres for residential development just south on the east side of Arrowhead Trail Road, which is a major arterial road. There hasn't been a lot of development interest in this area over the years, but staff is seeing a lot of development concepts for this area recently. Staff has been looking at utilities in the area and connecting properties while still considering sensitive land issues such as wetlands. This property was annexed in 2003 with a specific plan including densities, a utility services extension agreement, and an annexation agreement. The

density range is 632 to 838 units. The project currently totals 654 units. The Bamberger Ranch Specific Plan includes 750 acres to the southwest and relates to this project for access, road connection, utilities, land use, and density. The project has a variety of neighborhoods with a variety of housing options, income levels, and a potential commercial site. Features unique to the site include wetlands, the Beer Creek Channel, extension of city services, postponement of connection to the pressurized irrigation system, relocation of transmission lines, a regional lift station, roadway improvements, coordination with irrigation companies, agricultural uses, relinquishing animal rights, and coordination with Salem City. Salem City will be building a wastewater treatment plant to the north. Development begins with the central area of the concept plan. Phases are limited to 10 units when only one access is available. The project layout and design includes 50 single-family units and 65 townhome units totaling 115 units at this time. Other items of consideration include housing product, amenities, and compliance with city regulations. Amenities throughout the project include pavilions, BBQ facilities, picnic areas, playground equipment, and boardwalks with benches along the trails. The applicant is requesting modifications and waivers that include a modified street cross-sections in the townhome areas and the bridge crossings over the wetlands, a waiver of the RV parking, and a modified 50-foot no build requirement along the Beer Creek corridor. This project is not included in the FEMA maps.

The commission brought up concerns regarding a satellite fire department, ground water levels, Beer Creek flows, utility upgrades by the city, road widths with 30 feet of asphalt, and emergency vehicle access.

Applicant Presentation:

Dave Gardner stated the phasing plan makes it easier for financing and coordinating with builders. He understands only ten units can be built on a single access. The road modification includes taking the parking off the road to minimize the impact when crossing the wetlands over the bridge. The Beer Creek Canal runs year round. The 50-foot setback waiver is for the lots that back onto the Beer Creek Canal. A wrought iron fence will be installed along the single-family back lot line along the Beer Creek Canal. There is room along the multi-family and Beer Creek Canal to modify the slope. There will be a decorative solid fence along the Arrowhead Trail Road. He feels RV parking is just a place to collect clutter. The draft CC&R's will restrict RV parking on the streets except possibly in the single-family neighborhoods behind the front setback. Each housing product will have an HOA and then a master association, which has been successful in other areas. He conducted two water table tests with one in the spring and one in the fall that showed the average water table at eight feet. Some areas were two to three feet. His intent is to do basements. The water table on each lot may have to be tested. Lots may be built up as much as the sewer would allow.

MOTION: Commissioner Billings – To open the public hearing. Motion seconded by Commissioner Beecher. Those voting yes – Kirk Beecher, Adam Billings, John Cowan, Ryan Frisby, Robert Mills, Kathy Marzan, Harold Nichols. The motion carried.

Public Hearing:

No public comments.

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

Commission Discussion:

Commissioner Mills stated questioned if the city had a block length limitation because one street has over 900 feet of straight of way. The density for the entire area is about 650 units. He questioned if developers are ever required to meet the minimums. He has observed single-family homes go in and then the multi-housing causes concerns. He believes having a mix of units is very important. He questioned the 50-foot no build requirement and if it allows a home within the 50 feet.

Commissioner Cowan questioned if the city defers the connection to the pressurized irrigation, will a bond be required make sure it happens. He has mixed feelings on the RV parking. It becomes a place that collects junk, or RV's are actually parked there.

Commissioner Nichols stated he has RV parking in his neighborhood and the HOA handles it very well. He questioned allowing RV parking for the single-family lots. He is concerned the multi-family doesn't have a place for RV's.

Commissioner Frisby questioned the load on the culinary system providing indoor and outdoor water without the pressurized irrigation system. He confirmed there is about 80 acres of wetland that is considered open space and questioned providing useable open space. Because the development is so far away from everything, there has to be a place for RV parking. The HOA would have to do the enforcement. He doesn't have a concern with the street cross section over wetlands. The single family can accommodate an RV pad, but the multifamily needs a place.

Commissioner Beecher stated the narrower crossings are a great way to handle the wetlands. The travel lane is still adequate. He suggested widening the garage-side setback in the single-family areas to accommodate RV parking.

Commissioner Billings questioned the RV parking requirements. He questioned areas to push snow removal.

Jill Spencer stated the applicant has worked closely with the city engineer on the water infrastructure and demands. Useable open space for passive and active recreation is provided. There are guidelines for block length; but because of crossing limitations, staff has allowed the block lengths. The plan is a work in progress. It could change from multi-family to single-family units based on the market. This is the proposal at this time. One primary goals of the specific plan and annexation agreement is varying neighborhoods. The city does have a huge problem with RV's and vehicles parked on the street. RV parking is addressed on a case-by-case basis. Two recently approved developments required a wider setback on the garage side to accommodate an RV pad. It can be addressed from phase to phase. The 50-foot no build requirement allows a lot to be within the 50 feet. The area is for flooding and access, but the single-family lots are high above the water line.

Trent Beesley stated there is a significant amount of useable open space. He clarified there is a cap of 400 units before the pressurized irrigation has to be connected. Snow push out areas have been provided. They anticipate 30 to 40 unit sales per year with a two-year absorption for these phases.

Dave Gardner stated they have places in future phases to accommodate RV parking if required, but not in the single-family areas. RV parking could also be built on the commercial corner.

Brian Gabler stated they would be increasing the capacity of the creek opposite the single-family lots so no lots will be affected by flooding.

MOTION: Commissioner Beecher – To recommend approval of the request (Villages at Arrowhead Park Preliminary Plan) contingent upon the satisfaction of conditions with the following modifications: the modified street cross sections through the townhome area for the private roads as indicated on the drawings, and the modification of the road over the wetlands area as shown, RV parking be waived in the single-family phases as long as the setback on garage side is to the maximum, looking at possible RV parking in the townhome area, recommend approval of the fifty-foot no build requirements with modifications to Beer Creek on the northwest side to increase the capacity and flatten the slope opposite of the single-family homes, that the phasing plan with the provision it still meet the rest of the requirements including no more than 10 buildings on a single point of entry, the housing product as outlined in the proposal, and the amenities included as laid out to be adequate for phases 1 through 5.

Motion seconded by Commissioner Nichols.

Discussion regarding the type of fencing along the single-family lots and Beer Creek.

Dave Gardner stated this fence along the creek will be wrought iron

Those voting yes – Kirk Beecher, Adam Billings, John Cowan, Ryan Frisby, Robert Mills, Kathy Marzan, Harold Nichols. The motion carried.

7.2 PUBLIC HEARING – Proposed amendments to Title 19, Zoning Ordinance, Title 20, Subdivision Ordinance, and the Standard Specifications and Standard Plans. (8:43 p.m.)

Staff Presentation:

Daniel Jensen review the proposed amendments for Title 19 and Title 20, which were discussed at the last commission meeting.

Flagpoles

The proposal allows a flagpole solely to display state, national, or other civic flags and is permitted in all zones. The maximum height of a flagpole shall be thirty-five feet in all zones except the I-1, I-2, and BPD Zones. A permit is required for installation of any flagpole. There is no permit fee flagpoles under 35 feet in height. 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. A flag is a fabric, banner, or bunting containing colors, patterns, emblems, or symbols. The sign ordinance will address flags in the commercial zones. The standard it furthers the purpose and intent of the zoning ordinance and is consistent with the general plan.

Discussion regarding restricting offensive wording and symbols. Flags over 35 feet require a stamped, engineered plan. Exempting the commercial zones, public facility zones, parks, and schools. Also flags on top of buildings. Flags attached to a building are addressed in another part of the code.

MOTION: Commissioner Beecher – To open the public hearing. Motion seconded by Commissioner Marzan. Those voting yes – Kirk Beecher, Adam Billings, John Cowan, Ryan Frisby, Robert Mills, Kathy Marzan, Harold Nichols. The motion carried.

Public Hearing:
No public comments.

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

MOTION: Commissioner Frisby – To recommend to the city council approval of the flagpole ordinance as outlined and adding the S-1 Zone, engineered plans over thirty-five feet, exempting schools and public facilities from the requirements, and removing #5. Motion seconded by Commissioner Marzan. Those voting yes – Kirk Beecher, Adam Billings, John Cowan, Ryan Frisby, Robert Mills, Kathy Marzan, Harold Nichols. The motion carried.

S-1 Highway Commercial Transition Area

The transition area is located at both freeway interchanges on both sides and includes a variety of uses. Currently there is a 300-foot transition area with permitted uses such as single-story buildings under 6,000 square feet and conditional uses including retail, personal service businesses, and drive through businesses under 2,500 square feet. The concern is it's too restrictive and encumbering potential development in those areas. The purpose of the amendments is to streamline for better development while still protecting the residential areas surrounding those areas. The amendments include reducing the transition area to 150 feet with a maximum building height of 35 feet. All permitted and conditional uses in the transition area shall be the same as those in the S-1 Zone with the exception that any use categorized under amusement park or public assemblies and any restaurant with a drive through shall be a conditionals use. Also included is a 10-foot landscaped buffer and a barrier wall if there is a driveway behind the front setback line or a parking lot with four stalls within 30 feet of the property line. There are restrictions on loading docks, delivery pickup areas, trash containers, and a drive through.

Discussion included concerns with workers in commercial buildings peering down into residential homes, limitations on commercial users, issues with a drive through and the setback from residential, drive through setbacks can be onerous to the commercial businesses, and protecting the residents next to commercial.

MOTION: Commissioner Billings – To open the public hearing. Motion seconded by Commissioner Nichols. Those voting yes – Kirk Beecher, Adam Billings, John Cowan, Ryan Frisby, Robert Mills, Kathy Marzan, Harold Nichols. The motion carried.

Public Hearing:
No public comments.

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

Further discussion on loading docks and pick up areas at a 50-foot setback, trash containers at a 25-foot setback, and potentially a drive through with a conditional use permit. Discussion regarding noise emitting signs and a double drive through. The commission would like to see some drive-through examples.

MOTION: Commissioner Mills – To remand back to staff for further study and bring back at their convenience. Motion seconded by Commissioner Nichols. Those voting yes – Kirk Beecher, Adam Billings, John Cowan, Ryan Frisby, Robert Mills, Kathy Marzan, Harold Nichols. The motion carried.

8. Commission and Staff Reports

No reports.

9. Adjournment

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

This meeting adjourned at 9:35 p.m.

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