

PAYSON CITY  
PLANNING COMMISSION MEETING  
Payson City Center, 439 W Utah Avenue, Payson UT 84651  
Wednesday, April 25, 2018 7:00 p.m.

CONDUCTING            Kirk Beecher, Vice Chair

COMMISSIONERS      Kirk Beecher, Adam Billings, Kathy Marzan, Robert Mills, Harold Nichols  
(7:12 p.m.)

EXCUSED              John Cowan, Ryan Frisby

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

OTHERS                Mike DeMarco – Salisbury Homes

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 Billings.

4. Consent Agenda

4.1 Approval of minutes for the regular meeting of April 11, 2018

**MOTION: Commissioner Billings – To approve the minutes from the last meeting, which was April 11.** Motion seconded by Commissioner Mills. Those voting yes – Kirk Beecher, Adam Billings, Robert Mills, Kathy Marzan, Harold Nichols. The motion carried.

5. Public Forum

No comments.

6. Review Items

6.1 Review and recommendation on the Final Plat for Springside Meadows Subdivision, Plat E, located at approximately 1800 South and Main Street

Jill Spencer stated this is Springside Meadows, Plat E, consisting of 23 single-family homes by Salisbury Homes. The development is part of the mower annexation. The project includes traditional housing with specific styles and materials. The council mentioned trying to move the garages from the front of the homes. The city can encourage this but can't require it. The council would like to move toward with this concept in the future. Items of discussion include RV parking and storage. Preliminary approval stated RV parking would be addressed phase by phase. The applicant requests that RV parking be on each individual lot with an increased garage-side setback. The housing product and exterior materials include hard surface materials with engineered wood siding to enhance architectural features. Existing irrigation facilities traverse the development, and the applicant is in contact with those entities. City services and utilities extend through the full project phase. Two points of ingress and egress are required with 10 lots or more. Vinyl fencing is proposed along Main Street as a continuation of the existing fence. Open space and the public trail system will be completed with each phases. The last item is the satisfaction of staff conditions.

#### Commission Discussion:

Mike DeMarco answered several questions from the commissioners. The portion of Main Street in this phase will be installed according to city standards. The wider garage side setback is on the plat with a specified distance for an RV pad. He met with the Highline Canal Company and Jim Mower on the ditches. The Mower lines are already capped and reconnected. The High Line Canal is aware of everything. Phases G, H, I, and L will be completed next to provide secondary access and to take care of the irrigation lines. He has permission to manipulate the irrigation lines according to plans submitted by the responsible irrigation entities. An existing pond will be abandoned. He has met with UDOT several times regarding entrances and the development. Realistically the project could be completed this year. Everything underground will be done this year. They will work with the city on the fence along Main Street. Fencing is a personal preference to a resident. He is not planning to change any of the fencing to the north. There will be a temporary turn around at the end of Main Street with this phase.

Jill Spencer stated there is flexibility in lot sizes and frontage width because this is a planned residential development.

Mike DeMarco stated the lots east of the townhomes are considered patio lots, which will accommodate two-story homes. The market is changing and buyers don't want yards. Sidewalks continue through the development on both sides of the public streets.

**MOTION: Commissioner Billings – To recommend approval to the city council the final plat for Springside Meadows, Plat E, located at 1800 South and Main Street including the considerations listed - RV parking and storage on site, housing product and exterior materials, existing irrigation facilities, extension of the city services and utilities, two points of ingress/egress, project fencing along Main Street continuing to match the vinyl fencing with concrete columns, open space and public trails system installed with future phases, and staff conditions.** Motion seconded by Commissioner Nichols. Those voting yes – Kirk Beecher, Adam Billings, Robert Mills, Kathy Marzan, Harold Nichols. The motion carried.

#### 6.2 Review and recommendation on proposed amendments to Title 19, Zoning Ordinance and Title 20, Subdivision Ordinance (7:46 p.m.)

Daniel Jensen reviewed the amendments to the S-1 Highway Commercial Zone, which is located at two interchanges. The current code transition area wasn't working. At the previous meeting, the commission discussed reducing the 300-foot transition area to 150 feet with a maximum building height at 35 feet, expanding permitted uses to all permitted uses allowed with a few becoming conditional uses, and retaining conditional uses. The discussion left off with drive throughs. The commission needs to determine what constitutes a drive through, where it begins and ends, and what disruptive items need mitigating. He reviewed drive throughs in other cities and the distance from the drive through to the residential property line.

- Burger King in Springville - 48 feet
- Sonic Burger in Springville - 65 feet
- Carl's Jr. in Spanish Fork - 75 feet
- Stan's Drive-In in Salem – estimated at 20 feet
- McDonalds in Payson - 55 feet with a parking buffer, landscaping and a canal. He stood 93 feet from the drive through and could hear what was being ordered.
- Taco Time in Payson – zero feet
- Taco Bell in Provo - 6 feet
- Del Taco in Orem – 35 feet
- Burger King in Orem – 45 feet
- Wendy's in Orem on Center Street - 73 feet with a road in between and a landscape buffer
- Sonic burger in Riverton - 34 feet.
- Farr's in Payson - 30 feet

The proposed amendments are written with the drive through at 50 feet including the landscape buffer. The commission can discuss and make changes. A drive through is still a conditional use. The distance could focus on the location of the sound emitting device.

#### Commission Discussion:

Commissioner Beecher stated a 10-foot buffer, 19-foot stall, and 24-foot lane is 53 feet. This would be the bare minimum to do something useful with the property. The city would be very very onerous to a developer to require sound continuation. Based on the examples, he is good with 50 feet.

Commissioner Nichols questioned if there is a way to write the code only allowing certain types of commercial within a certain distance. State within a certain distance, there can't be a drive through. A resident may understand there is commercial next to them but not that there could be a drive through. He wants to protect the residents and avoid having it happen again like Farr's. It also lowers property value.

Daniel Jensen stated it can be tied the 150-foot area or restricted with no drive throughs within a certain distance, Part of the question and based on our experience, would Farr's be allowed now.

Commissioner Billings stated if this had been in place, Farr's would have worked something out and done something different.

Commissioner Beecher stated he sees it at trying to do something that helps both the resident and the commercial development. It considers the residents by putting in a buffer. Residents will have a problem no matter what it is even a car just driving by. This ordinance wouldn't change the Farr's

site one bit. The city can't just ban the first 150 feet for the commercial developer. The 50-foot setback gives an adequate buffer.

Commissioner Mills questioned what the greatest impacts are that a drive-through restaurant creates. To him it's the noise emitting speaker and potential light pollution. He would rather craft the ordinance specifically mitigating the impacts of those things. He is hesitant to say the drive through has to be a certain number of feet. He would rather mitigate the real impact, which is the speaker portion. Include the visual of the transition area showing the 150 feet.

Commissioner Beecher stated he would go as far as requiring the speaker portion to be 65 feet. This puts the parking lot, driveway, drive through, and a buffer all before the speaker. You will still hear it at 150 feet and something at 300 feet. We need to ask if we are hurting the commercial developer.

Daniel Jensen stated a potential solution instead of saying drive through could say all drive through windows and speakers have to be at 65 feet. The conditional use can look at light pollution, etc.

Commissioner Marzan stated she borders Farr's. Her concern is more about building height. She prefers a speaker box further away at 65 feet and the window at 50 feet.

Commissioner Mills asked that the picture of the transition height be included in the ordinance.

**MOTION: Commissioner Nichols – To recommend approval of the proposed ordinance 19.6.14.14 Transition Into Residential Areas as written with modification that for the conditional use add if there is a drive through the sound emitting box be at least 65 feet from the property line and the pickup window at 50 feet and remove drive through from #4.** Motion seconded by Commissioner Mills. Those voting yes – Kirk Beecher, Adam Billings, Robert Mills, Kathy Marzan, Harold Nichols. The motion carried.

#### 7. Discussion Regarding Impending Ordinance Amendments (8:21 p.m.)

Daniel Jensen reviewed impending ordinance amendments, which are the most pressing at this time. Following this other zones will be tackled to address transition zones. A larger issue will be infill areas.

- CC-1 Zone - Discussed previously and is on the immediate radar to allow buildings with more residential on upper the floors as well as changing some land use codes. Also changes to differentiate between Historic Main Street and surrounding streets.
- RMO-1 - Two projects have been submitted with a third coming. Some minor modification for clarification.
- Fencing – Needs to be redone.
- FEMA Overlay - This isn't used. It should be changed to the model ordinance of FEMA.
- Business Park Development – Includes changes to signs, design standards, and incorporating trails. These requirements have been previously regulated through an agreement.
- Legislative Updates – The code needs to be brought into compliance from legislative changes.
- RV Parking Standards.

#### 8. Land Use Training

No training conducted.

9. Commission and Staff Reports (8:28 p.m.)

Commissioner Beecher stated the steering committee began the strategic planning meetings yesterday morning. Developing the vision and the general overly will be first to occur and then the individual plans will come such as water, sewer, and roads. There will be three or four open houses and neighborhood meetings. The committee is a very diverse group, and the community is well represented. The commission will get the entire proposal at the end and make a recommendation to the council.

Jill Spencer stated they toured the city beginning downtown and then the older neighborhoods. There are areas with no curb, gutter, or sidewalk, some areas have power above ground and under the ground, and exposed ditches. There are many differences neighborhood by neighborhood. The general plan is not just about future growth but the community as a whole. The city needs to address revitalization and redevelopment of areas in the plans and ordinances. There is a lot of interest in maintaining the downtown and developing more interest and more residential. Most of the general plan updates will begin in the fall.

10. Adjournment

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

This meeting adjourned at 8:45 p.m.

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