

# Payson City Planning Commission Staff Report

## April 24, 2019

Zone Change: RMF-20

### Background:

**Project Name:** The Depot Rezone

**Location:** 331 W 900 North

**Current Zone:** S-1, Highway Commercial

**Requested Zone:** RMF-20 (Residential Multi-Family, 20 units per acre)

**Applicant:** Walkera Development LC

**Utah County Parcel #:** 37:292:0004

**Acres:** 5.35

### Approval Process:

Approvals Requested:

Approval Process:

Zone Change (Site Plan approval at future date)

Planning Commission Recommendation

Public hearing at Planning Commission

Notices were sent to all neighbors within 500 feet

City Council final approval

Development Review Committee:

Planning Commission:

City Council:

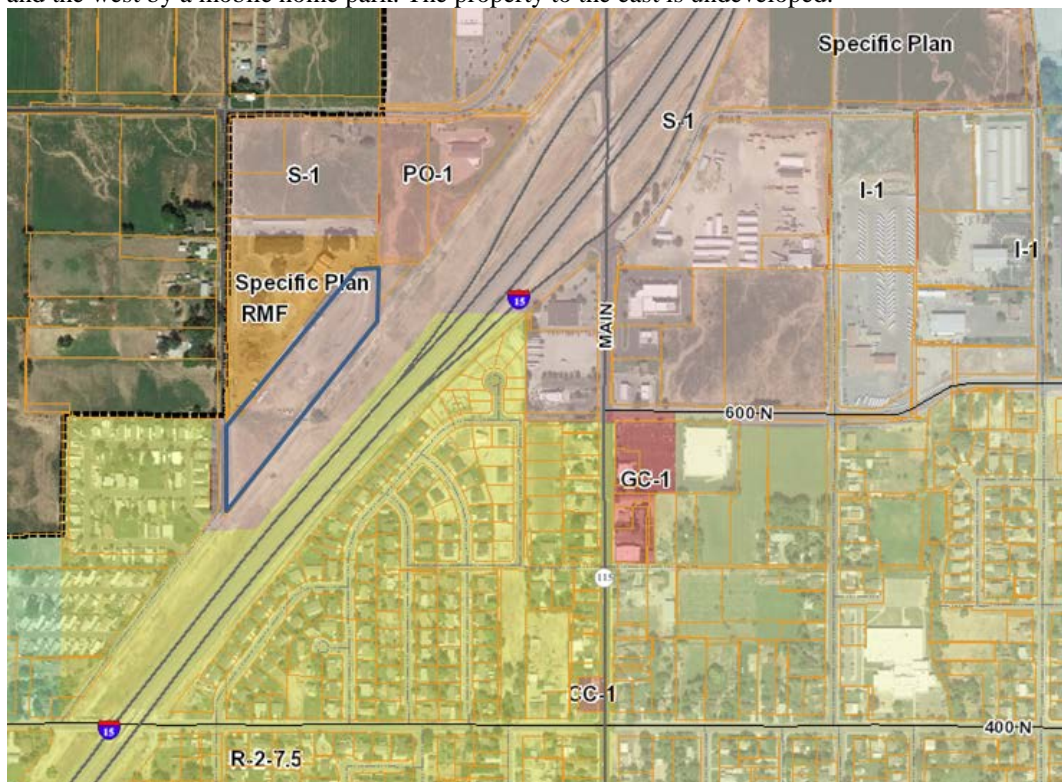
Technical and Administrative Review

Recommendation to City Council

Approve or Deny (Administrative Action)

### Current Conditions:

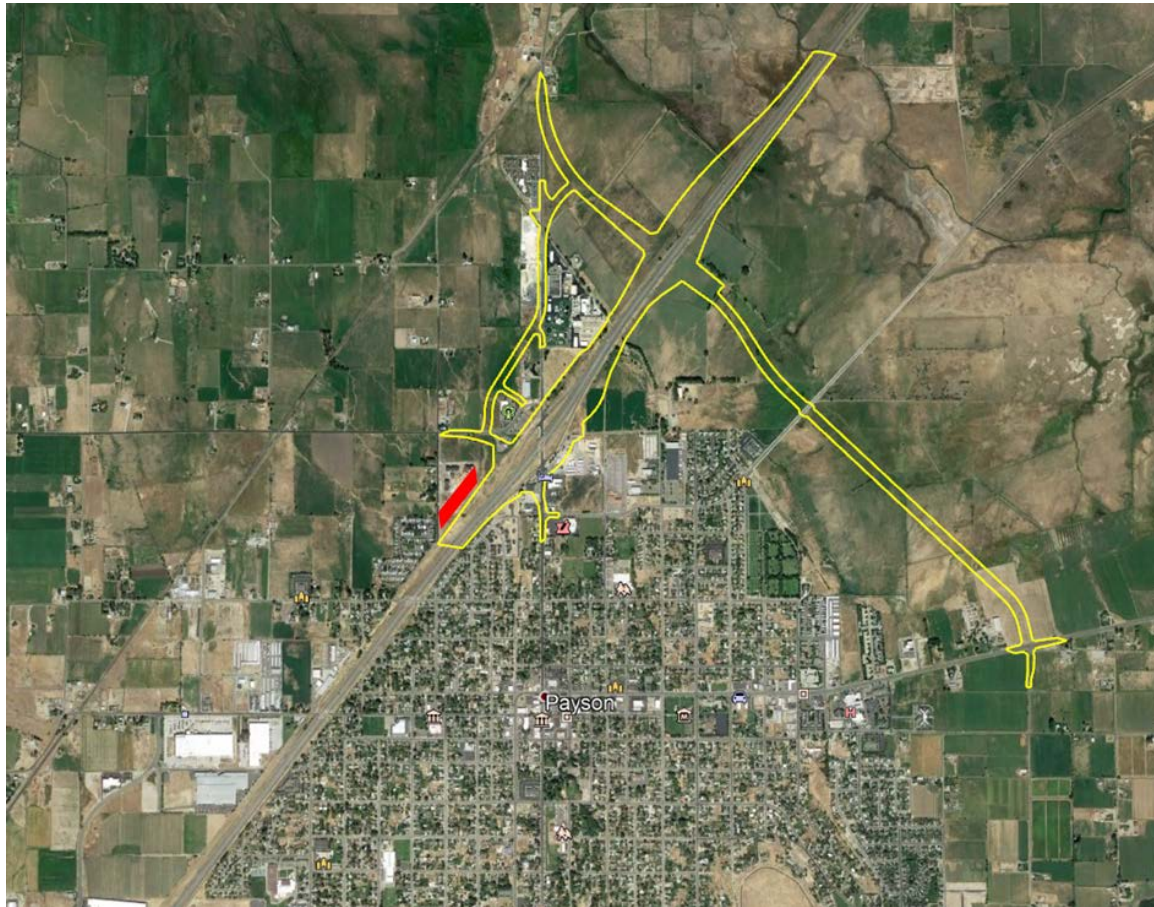
The proposed zone change applies solely to lot 4 of The Depot—outlined below in blue. To the north of the lot is The Depot apartments. The apartment complex consists of 168 market-rate apartment units in the RMF-20 zone. The RMF-20 zone allows a maximum density of twenty units per acre. To property is bordered to the south by I-15 and the west by a mobile home park. The property to the east is undeveloped.



**Zone Requirements and Analysis:**

The RMF-20 (Residential Multi-Family) Zone permits attached multi-family units, as either apartments or condominiums, at a density of twenty (20) units per acre. The intention of the applicant is to continue a development like The Depot as a future phase. The phase will present some challenges, specifically relating to access and connectivity, but this will be addressed at the site plan level.

The property's location—sandwiched between The Depot and I-15, and near an interchange and a future high density node to the north—result in the continuation of apartments as being an appropriate land use. The new configuration of Payson Main Street will bring the reconfigured road closer to the Apartments at the Depot and will likely bring a signalized intersection to the north of the apartments. From there, access to UVU campus and frontrunner up north and the freeway and grocery store to the east will be quick and decrease the impact on local traffic compared to an equivalent number of units placed further away from these large draws. Additionally, the expansion of American Way up north will facilitate traffic moving North-South without impacting local neighborhoods. However, as of now, the layout of the community in this area, makes this more of an auto-centric commuter development.

**General Plan**

This land use is consistent with the existing general plan. This is also consistent with the ongoing discussions for the general plan update. The applicant also argues that, while there does not appear to be any rent control on the property and the units will be market rate—the apartments will be more affordable than many alternatives, and thereby provide additional affordable housing that the city needs. This is consistent with studies that have been shared and discussions that have occurred during our ongoing general plan update.

## **Standard of Review**

Under Payson City Code 19.2.8, the Planning Commission and City Council have broad discretion to amend the zone map. The decision is legislative. For a legislative action, the land use authority has broad discretion in balancing private conduct against the public health, safety and general welfare of the community. Because the City Council has great deference in how the community grows, the Council may approve, amend and approve, or deny the land use application. Any modifications to project density, layout and design, housing product, and any other similar land use and development considerations should be addressed at this time.

Once the zone is approved, the applicant will still need to meet all zoning, planning, building, fire, and other regulations, but the land use authority and staff may not reject a project that meets all applicable regulations. Regulations include items such access points, connectivity, roadway improvements, utilities, architecture, landscaping, and any other development regulation. In addition to city, state, and national regulations, this property is restricted by a development agreement, which provides additional regulations.

The Planning Commission and City Council may require additional information in order to make a well-informed decision.

## **Recommendation**

The Planning Commission may:

1. Recommend approval, contingent on meeting all requirements, including redlines, if any. The Planning Commission should select this option if the proposal is consistent with City Code, the General Plan, advances the land use goals of the city, and is not detrimental to the health, safety, and welfare of the city.
2. Remand to staff for further review. The Planning Commission should select this option if it is determined that the applicant has not provided enough information for Council to formulate and forward a well-informed recommendation to the City Council.
3. Deny the request. The Planning Commission should select this option if it is determined that the proposed development does not meet the requirements of the zone.

Each recommendation of the Planning Commission should include findings that indicate reasonable conclusions for their recommendation.