

Guy Larson stated he is working on a 180-acre plan for his property out west. When his property annexed, he thought he had two building permits because he has two wells. His nephew wants to build a house out near the abandoned red house. The lane serviced the red house, but people keep telling him it's a private lane. It was a county road and later changed to a private lane.

Tony Larson stated a private lane doesn't make sense because there are other property owners along the lane.

John Cowan suggested looking at the property on the county records to determine ownership.

6. Review Items

- 6.1 PUBLIC HEARING – Preliminary plan and final plat for West Mountain Sunset Subdivision (2 lots) arranged on parcel 29:012:0021 at or near 790 South and 2450 West. (TO BE TABLED)
- 6.2 PUBLIC HEARING – Preliminary plan and final plat for Red Bridge Meadows Subdivision (2 lots) arranged on parcels 29:012:0022 and 29:012:0023 at or near 790 South and 2450 West. (TO BE TABLED)
- 6.4 PUBLIC HEARING – Request to extend the municipal boundaries to encompass the parcels included in the proposed Holdaway-Pleasant Flats Annexation. The annexation consists of three (3) parcels containing approximately 39.38 acres along with portions of existing roadways for a total annexation area of 43.61 acres and is located adjacent to and south of SR-198 extending to 100 South and between 1300 East and 1500 East.

**MOTION: Commissioner Beecher – To table items 6.1, 6.2, and 6.4.** Motion seconded by Commissioner Marzan. Those voting yes – Kirk Beecher, Adam Billings, John Cowan, Ryan Frisby, Kathy Marzan, Harold Nichols. The motion carried.

- 6.3 PUBLIC HEARING – Preliminary plan and final plat approval for Payson Gateway Subdivision arranged on Utah County Parcels 30:057:0011, 30:057:0013, 30:057:0014, and 30:057:0015 located on the northwest corner of the intersection of 800 South and 800 West. (7:09 p.m.)

Staff Presentation:

Jill Spencer stated this is a commercial five-lot subdivision. The property is currently used as the Orchard Hills ballfields. The property was sold to Black Watch Payson LLC years ago. Through an agreement, the city continues to use the ballfields until they are relocated to 800 South and Main Street. They have received commercial interest to develop the property and now feel it's time to move forward. The zone change from residential to commercial occurred last year. Tonight is to address the five-lot subdivision. The planning commission holds the public hearing. There may be future division of land in the future. If the use is permitted in the zone, the city staff approves the site plan administratively. The planning commission and city council addresses conditional uses. An application has been submitted for phase 1A, which is lot 2. Several global items need to be addressed early in the process even though smaller phases are proposed such as an overall utility plan, access plan, and retention plan. Access to 800 South is created at 930 West, which may become a signalized intersection in the future. Driveways are not allowed to access 800 South so a temporary

interior access will be created along the north side of lots 2, 3, and 4. The commercial will be phased while the ballfields are still in use. If the applicant meets all the requirements of the ordinance, they should not be denied approval of the project. Staff requests approval with staff conditions, ordinance requirements, and any additional conditions.

#### Council Discussion:

Commissioner Marzan questioned whether drive throughs are a conditional or permitted use.

Commissioner Beecher stated the applicant is probably unsure of the layout of the remaining lots but questioned why 930 West isn't shown connecting to the north on the plat. This makes the plat incomplete and implies that the road won't be there. His preference is to have the dedication on the plat and changed later. They are doing phase 1A but it actually extends onto lot 5 with the temporary access, retention, and additional parking. The plat shows the shared access easement between lots 1, 2, and 3 when it is actually between lots 2, 3, 4 and 5.

Jill Spencer clarified that drive throughs are allowed but conditional only within a certain distance of residential. A drive through is allowed with this proposed phase. The 930 West road alignment needs to be included in the commission's recommendation. Once the ballfields are relocated, additional phases can be completed.

#### Applicant Presentation:

Cody Brazell stated the timing is unsure, but there is commercial interest. Moving the fields is dependent on getting tenants.

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

#### Public Hearing:

David Welton stated he lives across 800 South from the project. The traffic on 800 South is so busy. He wants to make sure there would be no other access from the project onto 800 South other than 930 West. The school traffic is heavy between 3 and 6 p.m. He avoids the area during that time.

Commissioner Cowan clarified UDOT will not allow additional access off 800 South.

Kendahl Titcomb stated he lives to the north east across from trailer park. His concern is safety. The corner of 800 West and 800 South is extremely busy. There are children crossing continuously between noon and 4 p.m. There needs to be a lighted pedestrian access or pedestrian signal. Others have difficulty crossing as well throughout the day. He questioned if traffic noise would be addressed when phase 2 comes into play. Noise pollution needs to be addressed especially after 10 p.m.

Commissioner Cowan stated he travels 800 South several times a day. If driving the speed limit, you are obstructing traffic. He urged the police to patrol more heavily.

Jill Spencer stated 900 West and the 800 South crossing is a safe walking route to the schools. The police chief has been in contact with UDOT regarding the area. The city needs to explore additional pedestrian facilities. The light and noise pollution is a global issue. This was brought up during the

zone change as well. The ordinance requires a land-use transition plan to minimize any impacts on adjacent properties.

Whitney Hathaway stated she lives on 800 West and will be impacted by the access right across from her driveway. She questioned if there will be a buffer between the residential and commercial to help with light pollution and car pollution such as a tree line. She is also concerned about the children's safety.

Sheila Craghead stated she lives on 800 South across from the project. The corner of 780 West and 800 South is a big concern. There is a school crossing guard on 800 South up by the church with a school zone sign that slows traffic down. Then there is an end-school-zone sign so traffic speeds up. Less than 50 feet after, there is a school zone for 800 West. The end-school-zone sign should be located further down 800 South to extend the zone and keep the traffic slowed down. Additional speed limit signs are needed on 800 South

Commissioner Beecher stated there might be regulations in place under the Manual on Uniform Traffic Control Devices (MUTCD) that require the school zone to be a certain length.

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

Further Discussion:

Jill Spencer clarified that the city can address the MUTCD regulations and traffic issues by letting UDOT know of the concerns so they can evaluate it. UDOT determines what can be implemented. Staff meets with the UDOT Region 3 director quarterly to discuss transportations issued throughout the entire community. The city's development engineer has calculated the traffic that will be generated by this development, which was given to UDOT. The city is taking a proactive approach on transportation issues.

Commissioner Cowan likes the idea of a landscape buffer and shielding parking lot lights to shield residential. The school zones need to be addressed with UDOT to ensure the safety of the children.

Commissioner Beecher questioned if the east access easement between lots 3 and 4 is a right in, right out.

Cody Brazell stated he's no sure at this point. UDOT only allowed two accesses, 930 West and 830 West. They are required to have an acceleration lane and deceleration lane.

**MOTION: Commissioner Beecher – To recommend to the city council the Payson Gateway Subdivision, Plat A, as long as it meets staff conditions and the rules that are consistent with the land use and development ordinances of the city and also take into consideration the other issues brought up as commissioners tonight regarding traffic control, plat issues, and others.** Motion seconded by Commissioner Nichols. Those voting yes – Kirk Beecher, Adam Billings, John Cowan, Ryan Frisby, Kathy Marzan, Harold Nichols. The motion carried.

7. Commission and Staff Reports (7:51 p.m.)