

PAYSON CITY  
PLANNING COMMISSION MEETING  
Payson City Center, 439 W Utah Avenue, Payson UT 84651  
Wednesday, August 28, 2019 7:00 p.m.

CONDUCTING            John Cowan

COMMISSIONERS      Kirk Beecher, John Cowan, Ryan Frisby, Kathy Marzan, Tyler Moore

EXCUSED                Robert Mills

ABSENT                 Adam Billings

STAFF                    Jill Spencer, City Planner  
                             Daniel Jensen, Planner II  
                             Kim E. Holindrake, City Recorder  
                             Kevin Stinson, Admin Assistant

OTHERS                 Randy Jaspersen, Jeff Southard

1. Call to Order

This meeting of the Planning Commission of Payson City, Utah, having been properly noticed, was called to order at 7:16 p.m.

2. Roll Call

Five commissioners present.

3. Invocation/Inspirational Thought

Invocation given by Commissioner Frisby

4. Consent Agenda

4.1 Approval of minutes for the regular meeting of July 31, 2019

**MOTION: Commissioner Frisby - To approve the consent agenda.** Motion seconded by Commissioner Marzan Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Kathy Marzan, Tyler Moore. The motion carried.

5. Public Forum

No public comments.

6. Review Items

6.1 PUBLIC HEARING – Request for preliminary and final approval of the proposed Nielsen Acres Subdivision, a two lot subdivision arranged on Utah County Parcel 08:063:0003 located at 377 South 400 West in the R-2-7.5, Residential Zone.

Staff Presentation:

Daniel Jensen reviewed April Nielson’s request for a flag lot. This is a lot with 0.57 acres. The proposal is for two lots. Staff if confident change can be made with minimal impact to the neighbors. All easements are clear and staff recommends approval contingent upon meeting all the requirements.

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

Public Hearing:

Daniel Jensen stated he spoke with a neighbor who requested that a 6 foot fence be installed.

Randy Jaspersen stated the sewer line connection might be a problem. He does not want the line going across his property to connect. Elevation of the home to allow the sewer to function properly might be a problem. Staff is aware of the concern and will do further research although it looks like everything will be fine without the needed elevation.

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

**MOTION: Commissioner Marzan - To approve the preliminary and final plat of the Nielson Acres Subdivision with staff comments.** Motion seconded by Commissioner Beecher. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Kathy Marzan, Tyler Moore. The motion carried.

6.2 PUBLIC HEARING - Request by Jeff Southard to amend Title 19, Zoning Ordinance of Payson City Code to create a Senior Housing Facility overlay to permit senior housing in the PO-1, Professional Office and GC-1, General Commercial zones.

Staff Presentation:

Daniel Jensen reviewed the purposed code amendments to create a senior facility in the South Haven Farms area. This is an overlay that will allow for 55+ community, 2.5-5 acres, 30 units per acre, cap of 3 adults per unit, allowed in PO-1 and GC-1, parking ratio is 1.4 stalls per unit, RV may be allowed, maximum height is consistent with what is allowed in base zone, unified ownership. Staff recommends that it be applied to PO-1 zone only not GC-1. This code is very similar to a code written in Lindon. The applicant is increasing the parking stall from the Lindon project. Staff recommends a height cap. Staff does not feel it is necessary to be a unified ownership.

Applicant Presentation:

Jeff Southard stated this will be slightly different architecture than Lindon because it is South Haven Farms and they want a more Farm feel to it, but keep a similar quality and look. We would be fine if

this is only applied to the PO1 Zone. They are looking to develop three super pads now and wait for the fourth until the parkway comes through. The goal is to keep these long term for him and his investors. Overlays are ideal for them because it is options that can be applied but can be denied by the council. This meets affordable house – rents range from \$600 - \$1250 in Lindon and will be similar in Payson. Parking can be shared with the other buildings in the location. Some buildings need parking at different hours of the day. They are looking at how to share the parking spaces. They overlay will only be applied to their section of the project.

Parking Traffic studies in SLC shows they need less than 1 per unit. 1 stalls per unit was done in Lindon and it was not enough. Lindon used 1.25 stalls per unit. They are requesting 1.4 stalls per unit. There will be zero RV parking need in senior section in Lindon, multi-family section can be needed. They will also add dog parks and barbeque parks.

They will be fine with deed restricted – this is legal discrimination. HOPA says 20% of the tenants do not need to meet the 55+ requirements. HOPA was not included because they like the idea that all tenants meet the 55+ requirements. It is a community built for this age group.

Building Height is 54 feet from ground level to the peak of the roof with four stories.

They are looking for brick farm house look.

These are smaller 600-1100 square foot apartment at a lower economic level. They will not have RVs and therefore they are not planning on RV Parking. They will provide storage units that can be rented 8 foot by 8 foot.

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

Public Hearing:  
No public comment

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

Commission Discussion:

Chairman Cowan stated he was concerned how it is written. He recommends that GC-1 is removed for the proposal. If this is allowed in GC1 there will be less commercial development. Payson needs more taxes from commercial business. This needs to be limited in how many of these developments are allowed. He believes that for this overlay RV storage is not needed.

Commissioner Beecher stated we need to limit how many developers can build this. We do not want several of these side by side. We need more commercial. He recognized that parking is a problem to visitors. Unified ownership is the better option.

Commissioner Moore stated area medium income will be nice to keep the cost low. Commissioner Beecher does not want that in the ordinance because market value is fair.

Daniel Jensen stated the ordinance can be revised with GC-1 removed, add a buffer area and have it ready for review on the 11<sup>th</sup> along with the additional discussed changes.

**MOTION: Commissioner Beecher - To remand it back to staff for some changes and correction and look at it at the next meeting.** Motion seconded by Commissioner Frisby. Those voting yes – Kirk Beecher, Adam Billings, John Cowan, Ryan Frisby, Kathy Marzan, Robert Mills, Tyler Moore. The motion carried.

6.3 PUBLIC HEARING – Proposed amendments to Title 19, Zoning Ordinance, including Appendix A; Title 20, Subdivision Ordinance and Payson City Development Guidelines.

Staff Presentation:

Jill Spencer stated this is not designated to one parcel of land, but we are looking at a parcel to understand the project. We are looking at a transition areas to support business owner and protect residential uses. It is a request to modify setbacks allowed in BDP zones.

This ordinance will modify the buffer zones between land uses to help mitigate concerns. Setback line of 30 feet to property line or 100 feet to the existing structure. We want to protect the residents and maximize the business land. This will apply to only the current residential structures. If the resident wants to add on or build more sheds, that will be allowed.

This will be looked at case by case. There was some discussion about making this set back 25 feet to conform to other ordinances. Ordinances changes to the front setback will remain a 30 feet, side setback will be reduced to 10 feet for industrial next to industrial. Corner lots will have 20 foot setback. The setback transition between zones will can be reduced to 10 feet if the nearest residential building 100 feet from the proposed building. This is only for properties that are adjacent to residential zones.

All setbacks are subject to the regulations to the adopted building and fire codes.

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

Public Hearing:

No public comment

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

**MOTION: Commissioner Frisby - To recommend approval change to the ordinance as outlined with the adjustment to move the setback to 25 feet.** Motion seconded by Commissioner Moore. Those voting yes – Kirk Beecher, John Cowan, Ryan Frisby, Kathy Marzan, Tyler Moore. The motion carried.

7. Commission and Staff Reports

Chairman Cowan commented that the townhomes on 1700 have a problem with the residents backing out to the street. It was a mistake. We need to look at this better in the future.

Jill Spencer clarified that when the roads are done 1700 will not be the main road. 800 S will be the main through road and will take most of the traffic and semi-truck traffic.

8. Adjournment

**MOTION: Commissioner Beecher – To adjourn.** Motion seconded by Commissioner Marzan. Those voting yes Kirk Beecher, John Cowan, Ryan Frisby, Kathy Marzan, Tyler Moore. The motion carried.

This meeting adjourned at 8:39 p.m.

/s/ Kevin Stinson  
Kevin Stinson, Administrative Assistant