

PAYSON CITY
COUNCIL MEETING, REDEVELOPMENT AGENCY, AND WORK SESSIONS
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, March 18, 2020

CONDUCTING William R. Wright, Mayor

ELECTED OFFICIALS Linda Carter, Brett Christensen*, Taresa Hiatt*, Brian Hulet*, Doug Welton*, William R. Wright

STAFF PRESENT David Tuckett, City Manager
Mark Sorenson, City Attorney
Kim E. Holindrake, City Recorder
Jill Spencer, City Planner*
Travis Jockumsen, City Engineer/Public Works Director*
Daniel Jensen, Planner II*

OTHERS Tim Kriser, Jimmy Zufelt*, Terry Harward*, Rob McNeel*

(This meeting was held via remote conferencing through Zoom Video Communications. Participants identified with a * were not physically at the Payson City Center.)

William R. Wright, Mayor, called this meeting of the City Council of Payson City, Utah, to order at 6:05 p.m. The meeting was properly noticed.

MOTION: Councilmember Hulet – To table the work sessions and item F. Motion seconded by Councilmember Carter. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton. The motion carried.

A. WORK SESSION

1. Discussion regarding Public Improvement Districts (PID's)

Item tabled.

B. PRAYER & PLEDGE OF ALLEGIANCE (6:00 p.m.)

Prayer offered by Tim Kriser.

Pledge of Allegiance led by Mark Sorenson.

C. CONSENT AGENDA

1. Approval of the March 4, 2020 City Council Meeting Minutes

MOTION: Councilmember Hulet – To approve the consent agenda. Motion seconded by Councilmember Carter. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton. The motion carried.

D. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. Public Forum

No public comments.

2. Staff and Council Reports

Staff Reports

No staff reports.

Council Reports

Councilmember Hulet thanked the staff, city council, and mayor for responding quickly to the Coronavirus to keep everyone safe as well as those working to keep the city utilities up and running.

Councilmember Carter is thankful that everything is kind of under control and that no damage was caused in the city by the earthquake.

Councilmember Welton thanked the city for its response. He encouraged the city to get its emergency plan digitized and on line. He spoke the Chief Spencer regarding this.

3. Scout Attendance Certificates

No scouts present.

E. ACTION ITEMS

1. Resolution – JT Valley Annexation petition for consideration of acceptance and further review located at approximately 2000 South and 650 West consisting of 14.87 (6:11 p.m.)

Staff Presentation:

Jill Spencer reviewed the JT Valley Annexation consisting of almost 15 acres encompassing four parcels located south of the city adjacent to the Springside Meadows development. Jeff and Terrie Zeeman are the annexation sponsors. The Olivers have not signed the petition, but the petition still qualifies with the regulations outlined in state code. Staff has reviewed and addressed the minimum requirements. If accepted for further review, staff will review the entire annexation petition with applicable state code requirements as well as Chapter 19.12 of the Payson City Code. The applicant is requesting the A-5-H, Holding Zone designation. She clarified that the applicant is not interested in immediate development but wants to be in the city at this time. The applicant wants to build a shop behind one of the existing homes, which is not allowed in the county. The city ordinance only encourages annexations of at least 100-acres. The ordinance uses “encourages” because in some instances it needs to be smaller. Staff is comfortable with this petition because the sewer trunk line serving the Springside Development can service this area.

MOTION: Councilmember Hulet – To approve the (resolution) annexation petition to further the process for annexation and allow staff to review. Motion seconded by Councilmember Hiatt.

A roll call vote was taken as follows and the motion carried.

Yes - Linda Carter

Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Brian Hulet
Yes - Doug Welton

2. Preliminary Plan and Final Plat for Villages at Arrowhead Park, Plats I, J, & K, located west of Arrowhead Trail and 1500 North (6:20 p.m.)

Staff Presentation:

Jill Spencer stated the applicants are moving forward with additional phases (9, 10, and 11) in the Villages at Arrowhead Park with Plats I, J, and K. Phases 1-3 include detached single-family homes, phase 4 includes townhomes, phases 5, 6, and 7 have been approved for detached single-family homes but may be modified. These phases total 135 single family homes and 80 townhome units. Phases 9 and 10 include 43 single-family homes, and phase 11 includes 90 condominium units. The entire project totals 396 units with the ability of 654 units in the development. The applicant is requesting some modifications and waivers including a modified street cross-section for plats I and J, a waiver of RV parking and storage on all plats, and modified setbacks for plats I and J. The perimeter streets are all public, and the interior streets are private. The modified street section is only for the private streets and private alleys providing access to the rear-load garages. Plats I and J have building pads with common open space, which is the request for the modified setbacks, which includes at least 10 feet between the units. The townhomes in Plat I will be built by Richmond American Homes and include varying architectural features, colors, and materials. The applicant has provided design criteria and architectural features on all sides. There is typical landscaping of the front yards and between structures. Plat J is all detached single-family homes that will be built by Fieldstone Homes. These will be pad sites surrounded by common area with the unit fronts facing landscape areas. Various walkways have been incorporated throughout the development. The applicant has provided design standards. Plat K is the condominium project located adjacent to Salem City across from 1750 West. The amenities have been centralized for the use of these residents with walkways for common area access. These are four-story buildings totaling 90 units. Amenities include a playground, basketball court, pavilion, dog park, and benches. The parking meets the requirements including covered and uncovered parking with 2.25 stalls per unit. Staff will prepare the development agreement following approval, which will include housing product, amenity package, setback waivers (if approved), alternate street cross section (if approved), enforcement of parking, snow removal, and RV storage waiver (if approved). Currently, staff is reviewing the landscaping and fencing plans, final plat application materials, condominium plat, title report, latest revisions, modifications and waivers, and the design standards for each phase. Staff is looking for final direction from the council prior to finalizing the development agreement. A public hearing was conducted with the planning commission. The planning commission recommended approval with conditions, and the applicant has addressed those specific conditions. Staff recommends approval.

Council Discussion:

Councilmember Hiatt questioned if there is a place/space (6' x 8') inside or outside for residents to store stuff such as bikes, summer/winter clothing, toys, etc. Condos usually have a place in the basement or enclosed outside storage area for residents to store stuff. This may need to be addressed in the future. She questioned if the condo regulations could address the number of rentals or something put in the purchase contract.

Councilmember Carter stated that there are storage units at The Depot. She has concerns with the four-level buildings and people having to walk up three flights of stairs.

Jill Spencer stated she is not aware of any storage areas in plat K, which the city doesn't currently require. The challenge with the RMF Zone (The Depot) requires a number of garage units, which are becoming storage units and causing problems with off-street parking. Staff will be bringing this to the council to address in the future.

Councilmember Hulet would like condos to provide charging stations to encourage electric car use. Large projects any more have these.

Applicant Presentation:

Jimmy Zufelt stated there are two different bike racks at each building located under the stair cases, which can be locked. Beyond that, the development proposed across the street in Salem has a substantial component of storage units. Otherwise, there isn't a good adequate place for additional site storage. This is a condo project with the intent to sell them to individual owners/users, which some units may be rented. The HOA will have regulation on the number of units to have renters, which will be about 30%. The project has covered parking, no exterior storage, and professionally maintained landscape so you won't be able to tell the rental or home-owned units. They can't completely outlaw rentals. They are marketing to families and homeowners. Two of the five buildings are only three stories with three bedrooms and two bathrooms, which are more family oriented. The average buyer is between 21 and 35. He is willing to look at charging stations as a development-wide opportunity.

Terry Harward stated they are concerned about rentals as the city. It's not to their advantage to get into that direction. They are hard pressed with discrimination as to the right of what a buyer can do, but they can regulate what it looks like, how clean it is, and how well it's maintained.

MOTION: Councilmember Hulet – To approve the preliminary plan and final plat for phases 9, 10, and 11 (Plats I, J and K) for the Villages at Arrowhead Park with the modification of the street cross section, modified setbacks for plats I & J, the condominium plat K including the amenities package, the housing product for each phase, waiving the RV parking and storage, and with staff findings. Motion seconded by Councilmember Hiatt. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton. The motion carried.

3. Preliminary Plan and Final Plat for Pine Ridge Apartments located at 614 North 400 West in the RMF-20, Multi-Family Residential Zone consisting of 100 units

Staff Presentation:

Daniel Jensen stated this project is on lot 4 (5.38 acres) of The Depot in the RMF-20 Zone and includes 100 apartments. The building elevations are similar to The Depot with distinct characteristics such as roof pitch. The amenities include a clubhouse of at least 1,000 square feet, a pool, play structure, and shelter, which is a little different from what is required. The planning commission continued this item in January to address changes to the side elevations for the main apartment buildings, submit elevations of the townhomes, provide additional information about fencing, resolve all easement issues, and install bike racks. The applicant has added a pop-out with additional masonry material, bike racks, and Simtech fencing along the side, which is easier to clean if tagged. The applicant has worked with the Power Department for an access easement. The

planning commission was supportive of waiving RV parking with signage to prohibit on-street parking, the swimming pool instead of the sports court, and bike racks.

Council Discussion:

Councilmember Hulet questioned the pool instead of the sports court when the pool will take away from the city's pool attendance.

Councilmember Welton stated Payson has a great pool but can't handle all the capacity from the residents.

Applicant Presentation:

Garrett Seely stated the pool is a preference because people like living around a pool as opposed to a sport court. This pool size doesn't require a life guard and is surrounded by a six-foot, clear-view fence. Access is only through the clubhouse. The depth goes from zero entry to five feet. The fencing along I-15 is the Simtech product that can be easily cleaned if tagged. It is guaranteed for 50 years, wind resistant, and puncture proof. The panels are easily replaced and more user friendly for an HOA. Nothing will block the sound from I-15 because it's 15 feet above this development. Improvements down the road with FrontRunner and Main Street could encourage UDOT to install a sound wall. In discussing storage, each unit has storage outside in the hallway. There is also covered and uncovered parking.

MOTION: Councilmember Hulet – To approve the Pine Ridge preliminary plan and final plat for lot 4 of The Depot, waive the RV parking but require signage for no parking on the street, exchange the pool for the sports court, require bike racks, and all conditions and findings of staff. Motion seconded by Councilmember Carter. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton. The motion carried.

4. Request to amend the approval of the RMO-1, Planned Residential Community Overlay located north of 1130 South between 1100 West and Turf Farm Rd (1270 West) to reduce the number of single-family dwellings and increase the number of two-family dwellings (7:08 p.m.)

Staff Presentation:

Daniel Jensen stated this is an amendment to the Wall Overlay from 1.5 years ago. The proposed changes are minor with everything else being consistent with the previous approval. The applicant is looking at only the Wall property and not the three city-owned lots. This is a legislative action regarding density, layout, and housing product. The preliminary plan and final plat will come later. The RMO-1 Planned Residential Community Overlay is an infill tool using a mix of single-family homes and twin homes. It is slightly denser than the base zone with strict architectural requirements. There is common space, landscaping requirements, community design requirements, and an alternative street cross section. The original layout included one existing single-family home, six new single-family homes, and twelve twin homes with an alley-loading product. The new layout removes the private alley on the west side in favor of backyard open space and introduces garages and driveways on 1130 South and 1050 South. The layout exchanges four single-family homes for twin homes. However, the recommendation from the planning commission was to approve the new driveways and garages for rear yard/landscaping and exchange the two single-family homes for twin homes on the west side. However, on the southeast side the planning commission recommend the twin homes be returned to single-family homes for transition with future development to the

east. So, the main changes include removal of the alleyway in favor of driveways and backyards and the two single-family homes on the west are now twin homes.

Council Discussion:

Councilmember Christensen voiced concerns with 1130 South with many driveways to drop on there. He questioned if it's possible to put those twin homes back to single-family homes, and the adjacent properties could be rotated to exit one west and one east. It is uncertain what will go behind Walmart. The residents in the area will cut down through 1130 South. He proposed twitching units 26-29 to single-family to reduce cars by 50%. He would like Nestor Gallo to run a traffic count.

Daniel Jensen stated this issue was discussed extensively at planning commission, who recognized it's a difficult decision. Their concerns were driveways backing on 1130 South and curb cuts; and balancing with the potential for reduced traffic once a light is installed at 930 West. There was also a safety concern with a rear loaded alley causing kids to play in the front yards. The planning commission ultimately recommending approval of the plan. If the Council feels differently, they can decide against the recommendation. Currently, there are homes that back onto 1130 South.

Councilmember Welton stated he isn't sure the new traffic light will reduce usage on 1130 South because residents cut down through. Residents on the south and southeast side of town use 1400 South and then 930 West. Additional residents in the Salisbury Development puts more vehicles on 1400 South.

Councilmember Hulet agreed with flipping the homes on lot 24 and 25 by 90 degrees.

Applicant Presentation:

Rob McNeel stated they will be very careful in choosing landscaping so there are no big trees in the front for security when backing out from garages. The biggest concern was either having people back onto 1130 South or have kids playing on 1130 South. The driveways are 25 feet in length. He is willing to discuss turning 24 and 25 to 1150 West.

Daniel Jensen stated staff doesn't have a lot of concerns with the line of sight.

Travis Jockumsen clarified that 930 West is a busier road and completely lined with cars past Winegar Estates. It is classified as a residential road, not a collector. Staff has discussed this issue extensively.

MOTION: Councilmember Christensen – To approve the overlay for this subdivision with staff approval of driveways and rotating the two houses on lots 24 and 25 and possibly the home on lot 23. Motion seconded by Councilmember Carter. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton. The motion carried.

5. Ordinance – Creation of new Payson City Code, Title 24, Flood Damage Prevention

Staff Presentation:

Travis Jockumsen stated the State requires the city to submit its Flood Damage Prevention Ordinance. Because the current ordinance is very outdated, he reached out to FEMA and created a

new ordinance. Adoption will create a new title (Title 24) and will be taken out of the Subdivision Ordinance at a future meeting.

MOTION: Councilmember Christensen – To approve the (ordinance) Flood Damage Prevention Ordinance (Title 24). Motion seconded by Councilmember Hulet. A roll call vote was taken as follows and the motion carried.

Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Brian Hulet
Yes - Doug Welton

F. OTHER

1. Discussion regarding deferral agreements

Item tabled.

G. ADJOURN TO REDEVELOPMENT AGENCY

MOTION: Councilmember Christensen – To adjourn to Redevelopment Agency. Motion seconded by Councilmember Carter. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton. The motion carried.

1. Resolution – Real estate purchase contract regarding property in the Business Park

Staff Presentation:

Dave Tuckett stated this contract is to repurchase parcel #3 in the Business Park for \$215,000, which is approximately two acres. The city will have 60 days to close. The owner wanted to waive restrictions to have it built on within a certain time, which can be addressed with an addendum.

MOTION: Director Hulet - To approve (resolution) the real estate purchase contract as written. Motion seconded by Director Christensen. A roll call vote was taken as follows and the motion carried.

Yes - Linda Carter
Yes - Brett Christensen
Yes - Taresa Hiatt
Yes - Brian Hulet
Yes - Doug Welton

H. ADJOURNMENT OF REDEVELOPMENT AGENCY

MOTION: Director Hulet – To adjourn from Redevelopment Agency. Motion seconded by Director Welton. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton. The motion carried.

I. WORK SESSION

1. Fiscal Year 2020-2021 Budget

Item tabled.

J. ADJOURNMENT

MOTION: Councilmember Christensen – To adjourn. Motion seconded by Councilmember Carter. Those voting yes: Linda Carter, Brett Christensen, Taresa Hiatt, Brian Hulet, Doug Welton. The motion carried.

The meeting adjourned at 7:32 p.m.

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