PAYSON CITY

PLANNING COMMISSION MEETING

Payson City Center, 439 W Utah Avenue, Payson UT 84651

Wednesday, May 27, 2020 7:00 p.m.

Electronic meeting

CONDUCTING Kirk Beecher

COMMISSIONERS Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Blair Warner, Kit Morgan

EXCUSED John Cowan

STAFF Jill Spencer, City Planner

Daniel Jensen, Planner II

Kevin Stinson, Administrative Assistant

1. Call to order

This meeting of the Planning Commission of Payson City, Utah, having been properly noticed, was called to order at 7:00 p.m.

1. Roll Call

6 commissioners present.

1. Invocation/inspirational thought - Invocation given by Commissioner Morgan
2. Consent agenda
   1. Approval of the minutes for the regular meeting on May 13, 2020

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

1. Public Forum

No public comments.

1. Review Items
   1. PUBLIC HEARING – Request Ken Menlove for Preliminary Plan and Final Plat approval for a two lot industrial subdivision, with a new storage unit facility at 820 West Utah Avenue in the I-1 Light Industrial Zone. To be known as the Zelma Storage Subdivision.

Staff Presentation:

Daniel stated this is an administrative process, this is just to see if the applicant has followed the requirements of the code. He reviewed the applicant’s project, elevations, landscaping, sign and designs for the fortress style storage facility. Future access options to other properties were discussed.

Approval is contingent on the City Council approving the conditional use permit next week.

Ken Menlove agrees with what Daniel said. The adjoining property to the southwest did not want to sell, but have recently shown interest in possible selling. If they do the road will be straight.

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

Public Hearing:

Ken - owns the property to the east with the neck down the front. He asked about the width of the road. Also 300 North was not supposed to be a mix of residential and commercial. There was a motion made several years back allowing the change. 300 North will now go through into the grid network. There are buildings on the property lines. It is recommended that he meet with the streets and public work departments to discuss the improvements of the roads on his property.

With the fortress style building there are different set back requirements.

**MOTION: Commissioner Warner- To close the public hearing, item 6.1.** Motion seconded by Commissioner Morgan. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

Commission Discussion: They feel it meets the requirements. Planning commission can make the final decision.

**MOTION: Commissioner Frisby- To approve the Zelma Storage Subdivision on the condition of meeting all staff redlines and contingent of City Council approval of the conditional use permit of the caretaker dwelling.** Motion seconded by Commissioner Marzan. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

* 1. PUBLIC HEARING – Request by Jeff Zeeman to annex property into the municipal boundaries of Payson, Utah. The annexation contains four (4) parcels and 14.87 acres located east of SR-198 at approximately 2100 South (approximately 3600 West and 12100 South, Utah County coordinates). To be known as the JT Valley Annexation.

Staff Presentation:

Jill stated this is located near Spring Lake, just south of the Springside Meadows. The applicant must satisfy Payson and Utah County code.

Jill reviewed information by the County on the history of the property. The parcels have been reconfigured and the annexation will include the parcels as they are currently configured. The annexation meets the requirements for county and city codes. The current out buildings were not researched to see if they had permits when built. They will be considered compliant with the annexation.

The applicant is currently only looking to build an outbuilding.

They are proposing a zoning of A-5-H annexation holding zone. This will be consistent with the general plan.

There will be two public hearings with this annexation. This is a legislative review by the commission so any conditions should be included with the motion.

Commissioner Morgan wanted to know about sewer flow and elevations. Where this is not being developed at this time, staff feels this will be fine to bring into the city.

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

Public Hearing:

Jason Knapp owns the property to the east. How will his property tie into the future roads? There has been considerations with the future connection. Future development will look at connection to all properties.

Jeff and Terry Zeeman said they are looking to build a farm shop that the county will not allow.

Gene Carly owns the land east and south of the Zeeman property. Wants clarification on the zoning.

The applicant has been looking at different options. The A-5-H holding Zone will allow the current homes to remain and allow the remaining property to be agriculture. It will be zoned one unit per 5 acres. Gene will like more of the agriculture density and not like Springside meadows

**MOTION: Commissioner Marzan- To close the public hearing, item 6.2.** Motion seconded by Commissioner Moore. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

Commission Discussion: Payson is growing, he is concerned the sewer will need a lift station. This appears to be consistent with what was done in the past.

**MOTION: Commissioner Morgan- To recommend approval of the JT Valley Annexation, containing 4 lots and 14.87 acres as A-5-H Annex Holding Zone on the condition of meeting all applicable codes.** Motion seconded by Commissioner Marzan. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

* 1. PUBLIC HEARING – Request by Randy Eaves for use of the Neighborhood Commercial Overlay on property at approximately 355 S 100 East, presently owned by Kim and Randy Eaves. The overlay would allow an event center and associated parking within the R-1-9 Residential Zone.

Staff Presentation:

Daniel stated this is an overlay request and a legislative action. This is use specific and not tied to the owner. They cannot change the use or other significant changes. The base zone will remain the same.

This will be labeled as an event center. The plat will need to be amended if this is approved. This is currently zoned residential R-1-9. The 3 lots to the south are owned by the Nebo School district. The Eaves have been working with the school district to lease for them for parking.

Review of the event center floor plan and design.

This runs close to the Peteetneet creek. The city needs to maintain access to the creek. Guest are about 100-150, hours 9 am to 10 pm, with 3 regular employees and event staff. 9-10,000 square feet center with 45-50 stalls. Noise generated from the activities should be considered and how they affect the neighbors. Traffic, access, parking, lighting and signage should be considered. The creek access, cleanliness and safety need to be addresses. They city owns land just to the east of the Eaves. A fences need to be installed to keep guest out of the creek. However this creates a hidden area and a place for trash to build up.

Commission discussion on parking as already being a problem with some events that have already happened, school parking and city event parking. Traffic around the school is already a problem. Landscaping around the parking area needs to be appropriate and considerate to the neighbors.

Kim Eaves stated that parking around the school is a problem. People park all over the properties. Nebo School District lots are going to help ease the problems. Liability is not a real issue. The creek only runs about 30 days out of the year. They would include a designation to people so they do not roam on other properties.

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

Public Hearing:

Daniel read in the following:

Fullmers on the south east. Opposed because, parking, liability along the creek and properties, and noise concerns.

Ben & Jo Lynn Ford, opposed because liability, parking in the neighborhood. They have had problems already with parking from the Eave’s events, including blocking their driveway.

Wes Bott opposed because a busy street, congested street. The school causes too much parking and traffic. The teachers do not use the parking lot and use the street. Safety of the students is at risk. The addition of more traffic increases the problem. The Memorial park is used often and guest to the park often block driveways and roads. The streets and parking are already at capacity the neighborhood can stand.

Pam the Eaves are considerate to the neighbor’s. She feels that she will be impacted the most. Wildlife often go through the area and it will impact the wildlife if there are fences. She does not think it will be a problems. They don’t have any problems with the events.

Kim Eaves says they are putting half a million dollars into the parking lots to help with the parking problem. Randy Eaves said that if they do not approve the overlay, the parking will not be improved at all.

**MOTION: Commissioner Marzan- To close the public hearing, item 6.3.** Motion seconded by Commissioner Frisby. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

Commission Discussion:

Discussion about it being an asset to the area, although parking will be a problem. Having the teachers park the new parking lot will take up the parking stalls. This will add more concerns, traffic and lighting to the neighbors. Fence requirements.

**MOTION: Commissioner Frisby- To recommend approval of the Neighborhood Commercial Overlay Zone on properties in question with it meeting all staff redlines and conditions. The City Council needs to look at potential at requiring a fence.** Motion seconded by Commissioner Marzan. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Blair Warner. Those voting no – Commissioner Morgan.

* 1. PUBLIC HEARING – Request by Payson City to amend Payson City Code Title 19 (Zoning), Title 20 (Subdivision), and the Payson City Development Guidelines.

Staff Presentation:

Daniel talked about title 19 annexation changes. The public hearing is to be held only once. State code requires a public hearing at city council. They rest is to clarify the language.

Title 20 in regards to access in developments. Almost all staff have reviewed the changes, except the Fire Chief. Discussion on the access and conditions of exceptions with topography and timing of the development. Fire code will need to be met. Access needs to be placed with future development in mind.

Block length limits and widths discussed on setting a standard.

Street names will be on the grid number system and not names.

Jill talked about sewer pipe flow capacity tests.

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

Public Hearing: no public comment

**MOTION: Commissioner Morgan- To extend the public hearing to the next meeting, item 6.4.** Motion seconded by Commissioner Marzan. Those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

Commission Discussion:

Annexation seems okay

Block length and grid layout, find out more information from the DRC and fire Marshall and where the length is measured from. Recommend measure it from the center line.

The number of units with egress.

Sewer guidelines seem valid

1. Commission and Staff Reports and Training
2. Adjournment

**MOTION: Commissioner Moore– To adjourn.** Motion seconded by Commissioner Mazan. Those voting yes Kirk Beecher, Ryan Frisby, Kathy Marzan, Kit Morgan, Tyler Moore, Blair Warner. The motion carried.

This meeting adjourned at 9:38 p.m.

Kevin Stinson, Administrative Assistant