PAYSON CITY

PLANNING COMMISSION MEETING

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

Wednesday, July 22, 2020 7:00 p.m.

Electronic meeting

CONDUCTING Kirk Beecher

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

EXCUSED John Cowan

STAFF Jill Spencer, Planner

Daniel Jensen, Planner II

Kevin Stinson

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

Six commissioners present.

1. Invocation/Inspirational Thought – Invocation given by Commissioner Warner.
2. Consent agenda
   1. Approval of the minutes for the regular meeting on July 8, 2020

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

1. Public Forum

No public Forum

1. Review Items
   1. PUBLIC HEARING - Request by Jay Larsen for preliminary and final approval of the proposed AFFCU Subdivision, Plat B and the extension of the private Growers Grove Boulevard. The subdivision consists of two lots arranged on Utah County Parcel 34:595:0002 located at 919 S. Turf Farm Road (1270 West) in the S-1, Special Highway Service Zone.

Staff Presentation:

Jill Stated the property we are talking about is next to Walmart and the applicant would like to separate this into two lots. This will also include a private road for the second lot out to Turf Farm Road. City code requires that any new development have frontage of a public road or a private road that is approved by the city council. The private road in necessary so that the back lot is not land locked.

The applicant has received redlines. They are working on them, but have not completed all of them yet. Staff asks that the redline corrections are included in the motion. Utilities are ownership and maintenance responsibility of the owner, with exception of culinary water line up to the meter.

This is a private road and maintenance of the road needs to be addressed.

Jay Larsen said they are still working on the cross access with their attorneys and engineers. They are working on the redlines.

Commission Discussion: It looks straight forward. No issues or concerns as long as the redlines are completed.

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

Public Hearing: No public comment

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

**MOTION: Commissioner Frisby- To recommend preliminary and final approval of the AFFCU Subdivision and the extension of the private Growers Grove Boulevard on the condition of meeting all staff redlines and city codes.** Motion seconded by Commissioner Morgan. A roll call vote was taken with those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Kit Morgan, Blair Warner. The motion carried.

* 1. PUBLIC HEARING – Request by Rob McNeel for preliminary approval of the Iron Horse Subdivision, Plat A. The subdivision consists of 28 lots arranged on Utah County Parcels 43:025:0005; 49:310:0001; 49:310:0002; 49:310:0003 located north of 1130 South at approximately 1200 West.

Staff Presentation:

Daniel stated this was 33 lots due to a legal dispute that was cleared up. This is a mostly twin homes and some single homes. The cul-de-sac on 1000 South will change to a through street. This meets the design standards and includes a play area on 1050 S.

The overlay was already approved in several other public meetings. Tonight is an administrative action to make sure it meets the ordinance requirements. The public comment is only to address if this meets the ordinance, not if it should be done, that was done with the overlay approval. Daniel reviewed the different proposals and meetings and the history of the project as it was presented to the public and approved. The 3 lots to the south west were added after different issues were cleared up. This is in a flood zone.

Rob McNeal mentioned that the Hansens to the east have agreed to allow the turn around on the north east. This will need to be in writing and he is working on it.

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

Public Hearing: Marie Mitchell has a concern with the units on 1130 south.

1. Can they build if it is in a regulatory flood way?
2. Does the City have any intentions the adding a draining system along 1130 S?
3. Is there any chance to widening 1130 S and channeling or covering the creek to take it out of the flood zone?
4. Building is allow as long as it is meets the requirements of the flood plan.
5. She will need to talk to the city engineer.
6. No plans at this time.

Sue Robinson is concerned that the lot behind her home will drain into her home.

The development is responsible for drainage from the lots. The drainage will be kept on the property.

What will be done with the electrical easements?

They will be address with the electrical department

What good are laws if the city can change them to suit their needs?

The city has the ability to change the laws through the process with planning commission and city council. We have public hearings and they vote on it. This location followed the public process over several years. The ordinance for the RMO-1 was drafted and approved about three years ago. The next process was applying the overlay to this property. It went through the public process with city council and commission. The process was over multiple meetings.

The public was opposed to this and the city did it anyway. They did not listen to the public.

They public wanted the safety of the road addressed and the city did not address this.

Commissioner Marzan stated that this development will widen the road and include sidewalk, curb and gutter. This will make road safer. The concerns of the public have been addressed by this development and the safety issues have been taken care of.

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

Commission Discussion:

This does meet the code and has been discussed over several month. We need the written agreement for the turn around with the land owner Hansens.

**MOTION: Commissioner Morgan- To recommend preliminary approval of the Iron Horse Subdivision, Plat A as discussed and on the condition of meeting all staff redlines and city codes and a written agreement with the adjacent property owner for the turn around.** Motion seconded by Commissioner Marzan. A roll call vote was taken with those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Kit Morgan, Blair Warner. The motion carried.

* 1. ACTION ITEM - Request by Jeff Barnes to vacate Lot 6 and Lot 7 of the Apex Storage Subdivision, Plat A and create a new Plat B that combines the lots into one larger parcel.

Staff Presentation:

Jill stated this is to combining two lots into one. Jeff Barnes in looking to combine the lots and expand his business across the two lots and build a new building. The commission is the land use authority on this decision. Jeff has met the requirements.

Commission Discussion: This is straight forward. They appear to have followed the rules.

**MOTION: Commissioner Warner- To approve the request to vacate Lot 6 and Lot 7 of the Apex Storage Subdivision, Plat A and create a new Plat B pending the review and addressing the details needed before it can be recorded.** Motion seconded by Commissioner Morgan. A roll call vote was taken with those voting yes – Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Kit Morgan, Blair Warner. The motion carried.

1. Commission and Staff Reports and Training

Discussion on a hybrid commission meeting in the future. Some concerns with physical distancing. Overall the hybrid idea is a good idea to get more participation from the public.

Logistics still need to be worked out. Commissioner Moore said he can help manage the zoom portion of the meeting so that staff can focus on their duties.

Daniel will be taking another job opportunity.

No reports or training.

1. Adjournment

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

This meeting adjourned at 7:58 p.m.

Kevin Stinson, Administrative Assistant