

Planning Commission Staff Report

December 9, 2020

**Project Name:**

Elm Hollow Overlay and
Subdivision

Applicant:

Michael DeMarco,
representing owners

Owners:

Michael DeMarco, Rod
Schramm, Taris Schramm,
Rusty Schramm

Location:

532-554 West 100 North

Current Zone:

R-2-7.5

REQUEST

The applicant Michael DeMarco, representing himself and three other property owners, is requesting a recommendation of approval from the planning commission and final approval from the city council for the proposed Elm Hollow Subdivision arranged on existing Utah County Parcels 08:087:0027, 08:087:0028, and 08:027:0029 (total 1.49 acres). To allow this, the applicant is also requesting approval of an RMO-1 Two-family Residential Overlay to permit a Planned Residential Community (PRC) on these parcels. The total number of proposed infill units is ten (10), in addition to the three (3) existing houses in the proposed subdivision for a total of thirteen (13) units. The existing units are single-family homes and the proposed infill units are twin homes.

BACKGROUND AND PROJECT DESCRIPTION

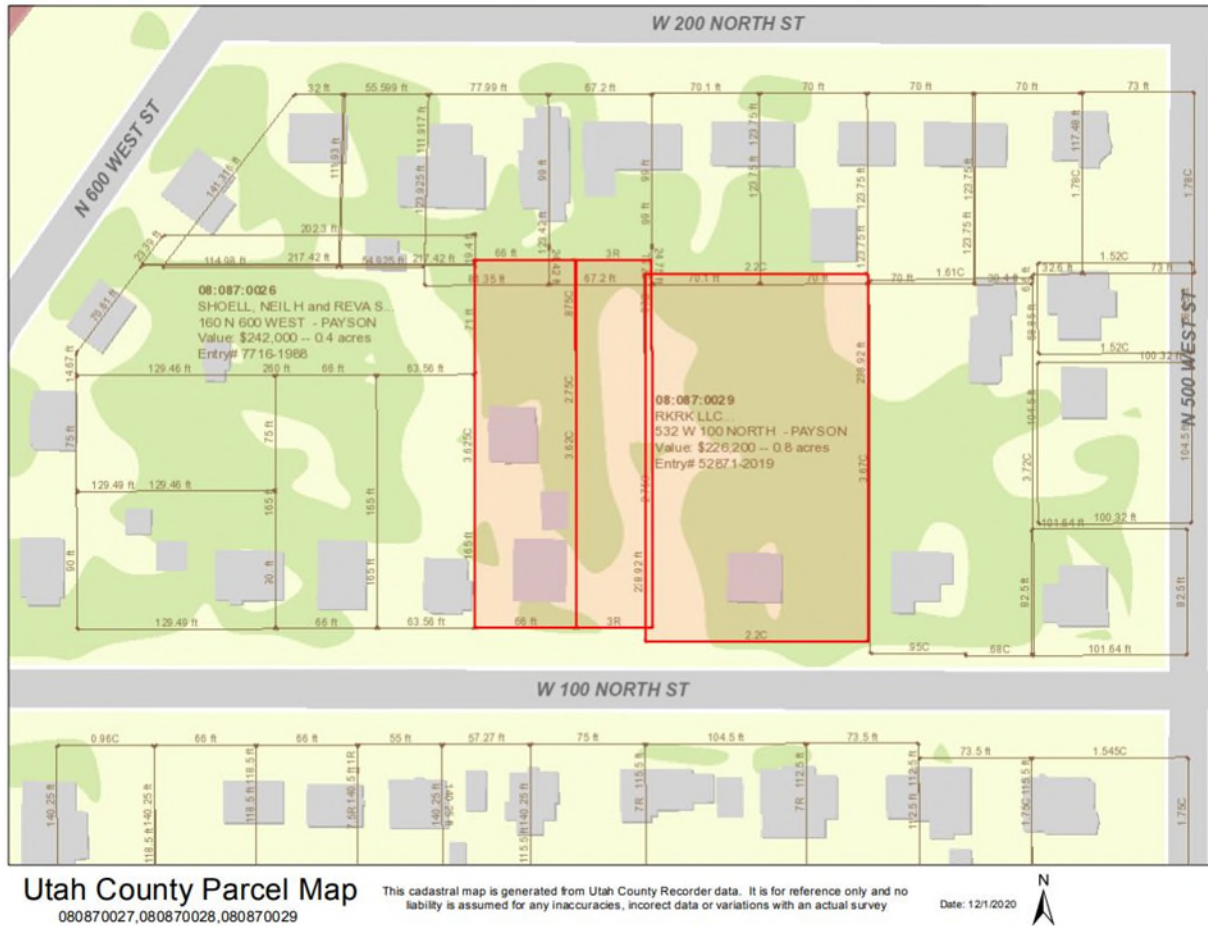
This is an infill development project located along the north side of 100 North between 500 and 600 West. This project is utilizing the PRC provision to add density to the area and more fully utilize existing open space. Access to the development is proposed between the existing houses at 532 and 550 West with entry from 100 North. The proposal consists of five twin homes and three existing single-family homes that are surrounded by shared open space.

As this property is in the R-2-7.5 Zone, it is in an area where infill development is encouraged. The existing lots are far larger than the average lot size in the area; therefore, this property is a viable option for development within a PRC.

APPROVAL PROCESS

The applicant is seeking approval for two separate applications that have been submitted concurrently. The first is the RMO-1 Overlay, which allows twin homes in the R-2-7.5 Zone. The second is the Elm Hollow Subdivision Preliminary Plan, which establishes the Planned Residential Community in this area.

Upon approval of the Preliminary Plan, the applicant will need to submit an application for a Final Plat that is in accordance with Payson City regulations. The Final Plat will need to be signed and recorded with Utah County before the applicant can proceed with the construction process.



ANALYSIS

The purpose of the RMO-1 Two-family Residential Overlay is “to provide desirable and attractive neighborhoods by implementing infill principles to support efficient use of existing infrastructure, increase economic viability, improve neighborhood safety, and enhance neighborhood character.” The planning commission and city council should consider the purpose of the zone when reviewing these applications and determine if what is proposed fulfills that purpose as outlined.

Approval of an overlay is a legislative action of the city council. The planning commission is under no obligation to recommend approval and the city council is under no obligation to approve the overlay request. Although approval of a subdivision is an administrative action, the approval of Elm Hollow in particular hinges upon approval of the RMO-1 Overlay. Without it, this infill development cannot take place. The overlay process allows the planning commission and city council to review infill projects on a case-by-case basis. If desired, the planning commission and city council can work with the applicant to modify the layout of infill development projects before recommending approval of the overlay.

The proposed PRC is in the R-2-7.5 Zone. Under Section 19.6.8 of Title 19, the maximum density in this zone is 4,500 square feet per unit, excluding street space. As this is a maximum allowable density, the commission and council are permitted to reduce allowed density if they believe that will more fully mesh with the existing neighborhood and surrounding area.

If approval of the overlay is granted, the applicant will be eligible for a recommendation for subdivision approval. The subdivision will need to meet all the requirements of the underlying zone (R-2-7.5) as well as the overlay (RMO-1).

Staff have completed their review of this project for compliance with all applicable city codes and regulations. Staff have determined that modifications will be required to bring this proposal into full compliance and are requesting that the applicant addresses redlines provided by the DRC. Completion of redline items may be a condition of approval.



RECOMMENDATION

The applicant is seeking approval of an overlay request and a Preliminary Plan for the proposed Elm Hollow Overlay and Subdivision, a Planned Residential Community in the R-2-7.5, Residential Zone. The planning commission will need to determine if the proposal is consistent with the purposes of the overlay and whether or not the applicant has adequately addressed the regulations of the land use and development ordinances. Following a public hearing to receive public comment, the planning commission may do the following for each land use application being considered:

1. Remand the request back to staff for further review or with direction to provide additional information. This action should be taken if it is determined that there is not enough information provided by the applicant for the planning commission to make a well-informed recommendation.
2. Recommend approval contingent upon the satisfaction of staff suggestions and any additional conditions formulated from public comment. Staff would suggest that if the planning commission recommends approval with the conditions proposed by staff, the subdivision would satisfy the regulations of the land use and development ordinances as well as the land use goals and objectives of the city council.
3. Recommend denial of the proposal. This action should be taken if the planning commission determines the applicant is unwilling or unable to satisfy the regulations of the Payson City Municipal Code and the land use goals of the city council.

Each recommendation of the planning commission should include findings that indicate reasonable conclusions for their recommendation.