

PAYSON CITY  
PLANNING COMMISSION MEETING  
Payson City Center, 439 W Utah Avenue, Payson UT 84651  
Wednesday, January 13, 2021 6:30 p.m.

CONDUCTING            Kirk Beecher

COMMISSIONERS      Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore (6:46 pm), Blair Warner

EXCUSED                John Cowan, Kit Morgan

STAFF                    Jill Spencer, City Planner  
                              Chris Van Aken, City 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 6:30 p.m.

2. Roll Call

Four commissioners present.

3. Invocation/Inspirational Thought – given by Commissioner Beecher.

4. Consent agenda

4.1 Approval of the minutes for the regular meeting on December 9, 2020

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

5. Public Forum

No public comments.

6. Review Items

6.1 PUBLIC HEARING - Request by Sheila Michaelis, for approval of the MU-1, Mixed Use Overlay to accommodate a high density mixed use development in the S-1, Special Highway Service Zone. The Red Bridge Village development is located at approximately 800 South and 1700 West and includes 1,000 residential apartments and 185,000 square feet of non-residential building area.

Staff Presentation: Jill state that this is a project that is continue to evolve. It is a large project. The number of residential units and non-residential space has changed recently. This is a project that includes 100 acres that will be built in phases. The applicant has developed a master plan with sub-projects. There are 10.25 acres that is owned by Payson City. The overlay will cover about 50 acres. The applicant would like to provide a walkable mixed use urban center is close to MTECH, commercial, residential, employment center and transportation centers.

MTECH is the anchor of this development. This will have commercial, residential, trails, transit. They are wanting to work with UTA to provide some kind of transportation, but the transportation is not finalized. There has been a lot of progress, but the transportation has not is still a lot to do.

MTECH and the applicant has established a land and parking agreement. The applicant entered into a Memorandum of Understanding (MOU) on what is needed to move forward. Public Improvement (PID) are significant and need to take place in order provide services for this project.

There are additional studies that are contemplated for this process. What is being proposed is different than what is in the specific plan. It will need to be amended. The Specific Plan calls for additional modeling to be completed for the additional buildable space. Payson City's long range transportation plan indicates that 800 South will extend out to West Mountain. There is a transportation study underway for this, but the findings or the alinement of the roadway until June.

In 2019 the City Council approved phase one of the Red Bridge village. It is located on the southwest corner of the overall development. A comparison with what was approved and the new proposal shows that there are significant changes. It the applicant moves forward with the new proposal then it will make the 2019 approval null and void because it is not consistent with the approved plan.

\*\*\*6:46 Tyler Moore Joined the meeting

In 2019 we did not have an ordinance that would accommodate a large mix use development. Staff has been working with the other agencies over the past several months to create an ordinance that will allow a mix use development. This was recently approved by the Council and the applicant is using that for this project.

There will need to be some Zone changes for this development and possibly additional overlays. Before construction the engineering will need to be completed and preliminary and final development plan approval will need to be granted.

There is an engineer packet that was included in the commission packet that will need to be addressed before approval.

The staff use several planning tools to see if the proposal is consistent with the current codes and long range land use of the city of Payson City. The City just completed a two year effort to update our General Plan. The location we are talking about is designated as a Transit Oriented Development.

The applicant and city have had meetings with UTA on what type of transit can be brought to Payson. There has not been a commitment from UTA on this development, but UTA is doing a study on whether or not to develop down to Santaquin. There has not been a commitment from UTA and because of this Red Bridge is being proposed as a mixed use project and not a transit orient development.

The next tool is the Specific plan. In 2016 the South Meadows Specific Plan was adopted. The land uses anticipated in this area were a university. This area was originally looked at as being used by UVU and about 30 acres. UVU will not be coming to this location. MTECH is now looking at coming here and will be only using about 13 acres for their campus.

There will be an extension of commercial uses. There will be 20 acres to the acres and roads, trails etc. Public and staff can together to make this plan. There was an economic study that was done to ensure a balance on economic development. Road sizes were considered to address traffic flows. Utilities were looked at on who would be responsible to install them and pay for them. Site constraints were looked at including wetland, flood plans and water ways.

The applicant is only requesting the overlay at this time for a planning frame work. They have not done any detailed engineering for the sub projects.

The project size is about 100 acres and we are only looking at about 50 acres.

We have split this out into different areas.

Area A is 170 units with 212,476 square feet of residential space and 16,000 square feet of commercial space.

Area B is 484 units with 547,486 square feet of residential space and 233,046 square feet of commercial space.

Area C is 187 units with 206,195 square feet of residential space and 43,393 square feet of commercial space.

The MTECH building is about 300,000 square feet, but we have not received confirmation from MTECH.

The applicant is required to have certain amenities. We will need additional information on this before the next stage of the application.

The applicant wants this area to be walk able and easy to get around and get to transit and shopping.

Staff has found that the mixed use is supported for the TOD. Currently we do not the transit part yet, so this is being considered a high density development. The MOU states that the Specific Plan must be amended before any approvals are granted. The applicant feel that there is enough information provided with this application that will address any items that will need to be amended in the Specific Plan.

The applicant has done a market analysis to determine how many units and units sizes can be supported in the Payson community. We require that 50% of the ground floor be commercial along the primary arteries.

Residential density

Area B has the highest density with 24-42 units to the acre. The applicant is asking that the council overall project density, not just the sub projects in the area.

They are proposing studio apartment with 1, 2 and 3 bedroom apartments.

Open Space requirement and landscaping cannot be addressed at this point, but it must satisfy the ordinance. The open space needs to be clearly defines on what areas can contribute to meet these requirements.

Three parking studies have been completed. The council has approved the WCG study to be use for this project.

Infrastructures and utilities are still being worked on with the applicant. The overlay does not wave or modify any adopted codes of the city. There are additional modeling and analysis needs to be done on the infrastructure. Any costs associated with installing the system for this development shall be borne by the applicant with no financial participation by Payson City.

Improvement plans are not part of the overlay review. They are not approved as a part of the overlay review and will need additional review.

Design standards need to be prepared and put in place. The design booklet is in the works, but has not been approved.

If the overlay is approved the duration of the overlay approval is only valid for one year. They applicant is requesting that the approval be granted for two years with the possibility of extensions.

Staff has some recommendation.

Area A is not properly zoned and cannot be applied to the overlay. Staff is asking that area A be excluded from any recommendation.

Area B is the core of the project. It is the applicant responsibility that the criteria outlined in the overly ordinance is met. The applicant needs to demonstrate the appropriate balance of land use and this layout is preferable to the approved Specific Plan for the area.

Area C is being recommended to maintain commercial is with no residential. This area is located near the freeway and needs to preserve that area for traditional commercial uses that you would see around freeway interchanges that are vital to the residents and success of the community.

If this is approved, the next step is a preliminary plan. These will be completed phase by phase and must satisfy Payson City code and development guidelines and address the redlines in the engineering staff report.

Applicant's Comments:

Jerry Robinson want to connect MTECH and a transit stop. They want to do that by not just pathway but by meeting the criteria that both want. UTA is looking for density, a walkable community and customers. MTECH provides those customers.

Jerry talked about the details of the building shapes, colors, and materials.

Jerry is asking for the higher density because they are donating the land to MTECH  
Why would anyone give 13 acres of prime land without a tradeoff? By removing the MTECH portion out of the mix they are closer to 15 units per acre average.

The Specific Plan had anticipated UVU going on this site. He is trying to stay with the original spirit of the Specific Plan. We have to keep our eye on the prize, which is MTECH and UTA. His plan will bring them to Payson.

Jerry is excluding commercial areas because UTA requirements are 25 dwelling unit within a quarter acre. We are at 15, he is hoping that the campus will make up the difference. His goal is to attract MTECH and UTA. He is giving free land and are asking for the density to pay for it. If you build it they will come. He is sure that if they don't give the density why should they come.

Units are studios to 3 bedrooms. They may have some micro-units. The dominate units are 2 bedrooms.

The studio-units are 470 square feet. This is for the person that does not want to share with a roommate. It does not have a separate bedroom. His experience in other communities, these rent before other units because people can have privacy.

#### 1 bedroom

We can have large rooms without having to make the units bigger. None of them have furnace or water heaters because they have central water and central heat.

#### 2 bedroom

This is similar to the other, but with two bedrooms. It is a generous living unit.

#### 3 bedroom

1200 square feet. Everything is scaled up, not just adding another bedroom.

#### Mix

The first building will have 1-2 % of the studio units as a test to see if there is a demand. These are not the micro-units. The micro-units are much smaller. Big cities have micro-units that are much smaller.

1 bedroom 30 %

2 bedroom 40 %

3 bedroom 15-20 %

He is not proposing micro units, only studios. They will only build half a dozen of them to see if there is a demand and then they might not build any more.

Commissioner Frisby asked for projects that have the studio apartments that they can use for reference. Jerry did one in Salt Lake. In the buildings that they have them, the studios rented before the two bedroom units. People wanted the privacy.

Commissioner Frisby asked what smaller communities similar to Payson have these units.

Jerry said no, his thought was that we would have students at MTECH. They are the same demographics that are renting these smaller units. They will share a dormitory room. It is the age group. When you have a school you are more likely to have 20 year olds that want privacy. They are wanting to build a few to test the market.

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

Public Hearing:

Public Questions

What is the time frame for the project? The project will take time. The PID will need to be in place. He is wanting to start designing buildings in the next month or two.

Is the layout set in stone? The streams and trails are set in stone. The density is set in stone with higher density to the north and less dense to the south. The MTECH site is set and the open space on the south will be the same. Commercial on the North.

John Colman lives close to where this going to be built. If the transit is not approved will the density go down and what about parking?

We do not have a commitment from UTA. We had to create a new overlay. The density would be more if the TOD was for sure. This can move forward as proposed regardless if UTA comes in. If UTA does come in, the applicant can apply for higher density in the future.

Eric Reed own the property to the left. Are there plans of a sound wall to separate? Most of these details will be discussed in future plans. Jerry said that the train will be louder than the development. Eric is concerned more for privacy than noise. Jerry said this will be talked about in the future. He can imagine a fence along the tracks. Jerry stated the building along the tracks will be townhomes and not apartments. This will be around 100 units.

Will 1130 south be cut off at the tracks?

There is a farm access there, but nothing approved by union pacific. There will be a crossing somewhere, but it is undecided yet.

Comment by Amy wants to know if there is a plan to make 800 South wider to accommodate the greater traffic. There are meetings planned with UDOT to review the needs of the interchange.

Jill read in some emails

Cherl Brown. She is concerned about the impact to her property to the south. This new plan shows more density than what was originally proposed. The amount of units proposed are not practical. They are opposed to that many units in such a small space and is not what Payson needs.

David Johnson stated that area B is the focus because area A is not zoned correctly. Why don't we rezone this?

Staff separated the land into different areas because of the different concerns in the different places. Area A is not compliant and does not meet the requirements. Another problem is that the street plans are not complete yet for 800 South. 800 South has a development study in the works. The staff does

not want to have something approved that will have to be changed or a building taken down once we know where the road will extend out to. It is also not zoned correctly for this kind of development. Staff is recommending that area A be removed from this until the studies can be completed. This development is not dependent on the UTA development.

Veronica Succer lives close. She is not against new development. She is against high density developments and apartments. She once lived in neighborhood that had high density. It brought frustration and many people leaving or renting out their homes to transient people that are not long term people of the city. They did not put in the infrastructure needed. She is very concerned about the one lane roads. There is already a congestion problem. She is concerned about the nearly 1000 apartments that will increase traffic. There is not enough parking for them on the proposed plan. She is concerned about the increase in crime and noise that is always a given with these types of developments. Please consider the local community and the changes to our lives that this will cause. Don't allow high density. Please consider to scale back on this development.

Weston Jarvis is building a new development north of area C. We want area C to remain commercial. This will be more of a benefit to the City. As more commercial comes in there is more tax payer's dollars.

Weston has already invested in a building and site for his business that is regulated by state code. He cannot be within 600 feet of residential.

Dan Hurbert asked if we anticipate the UTA running parallel to 800 south, would it not be better closer to the higher density on the east end? What plans and are there for amenities?

Jerry said that once the UTA location is finalized they can shift the buildings as needed.

Jerry reviewed the amenities including, 10 square feet of clubhouse space for every unit. If we have 1200 units that is a 12,000 square foot club house. They decided to split the clubhouse into two different buildings. One will be more for the clubs, the other will be weight rooms, pickle ball courts and swimming pools, tennis courts. Swimming pools might be in both. There will be reciprocal rights. There will be sub-projects with picnic areas and playgrounds and open space. There will be 3 football fields of open space clustered together. There will be on the west side a playground area around a half acre, a trail system about 2 miles long. The upper park of area B will have gathering rooms, places for people to have a barbeque, outdoor patio areas, playground areas. Children cannot be expected to walk 1000 feet to play on a playground.

Barbara Level asked if this is development housing geared towards students?

Jerry said partially, but the dominate user is not students. Many of the students at MTECH come for the day and leave. We cannot possibly justify this many residential units for just students at MTECH. It will not even be close. In the lower areas will be families, the single people will be in the high density along 800 South. Students are not the predominate part at all.

Bernie T Morris said he objects to this development because

1. There are no studies of land use, migratory bird patterns and wildlife residing there. There need to be open green space and ours is disappearing at an alarming rate.
2. The shear amount of water that will be needed to run this. Utah is already in a drought.
3. Extreme traffic increase.

Jerry said that children that grow up and get married, where will they live? Some people say we need to spread them across ¼ acres lots. Or we can concentrate them in developments like this one. If we concentrate them you are making a smaller environmental impact. Is it better to spread the same number of people of more land with more streets? The same number of cars spread over more space. Anytime we can help people ride UTA it means there are that many fewer cars polluting the air across the Wasatch front.

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

Commission Discussion: Commission Marzan wants to remove area C because Mr. Jarvis is already in construction of his building and this would force him out. She has concerns about the density. There is no guarantee that UTA will be coming and if we approve this we are at a risk of having huge high density without parking, without guarantee of people having transportation. We are not Salt Lake City, we are Payson. The growth will not be this huge in this area.

Commission Moore agrees. Our only chance at being a UTA stop is not dependent on this development. If UTA goes to Santaquin, then Payson will still have this stop. This development will not make UTA come right away.

Commissioner Frisby. He appreciates the time and effort and engineering studies that was put in for the South Meadow plan. This is a change from that plan. To modify the South Meadows Plan, we need more time and effort and similar studies done before we can make a decision this big that will make such an impact on Payson.

Commission Warner sees that 800 south is an area that will be a good way for the city to get tax revenue. It is better that businesses pay the tax revenue instead of the residents in their taxes. The applicant has been responsive to the ideas and ordinances laid out by the city. MTECH is a shoe in and will come. It relies on the state legislature and when they will give them the money.

At one point we thought we would have rails in the city by 2025. That did not happen yet, but for sure will come. What will happen if we build this high density housing before UTA or MTECH come? What happens if we have high density housing and it never comes?

This is a highly complex project.

The density is reasonable for what he has proposed if MTECH and UTA come.

Commissioner Marzan stated that for the last several months, applicants have been putting a lot of pressure on planning and other people in the city and bringing things to them that have not been fully flushed out and asking them to make recommendations. She is tired of it. This is an example of it. There are a lot of missing pieces that have not been addressed and should be addressed before any recommendations is made. She strongly suggests that we remand it back or else she would suggest denying it.

Jill stated that if there is anything that they feel is incomplete or needs additional evaluation, if they choose to remand, it is helpful to staff and the applicant to understand what those items are so they can focus on them.



Jerry stated that the parking is based on UTA not coming. UTA will not come if we don't give them a reason. MTECH will be guaranteed once the plats are recorded, it is an agreement.

Commissioner Beecher stated that there are some good thing that have been talked about. He recommends that area A and C be excluded. The MOU states that the specific plan would have to be revised before any action because it does not match. We need a traffic study on 800 South before we go any further. Based on his understanding MTECH will come if it is approved. He recommends that this is remanded.

Commissioner Frisby does not want this back in 30 or 60 days. This will take a long time to amend the Specific Plan.

The planning commission has not seen this until a week ago and then they keep getting changes. There are many moving parts that need to be taken care of before they can wrap their head around it.

Jill stated the applicant believes they have met the spirit of the plan approved in 2016. There are additional items that need to be provided in each area.

Jerry stated that there is a cap placed on the square footage and units. Jill commented that there may be adjustments to meet Payson City code.

Commissioner Warner stated that we need the MOU and traffic study. Do we favor this at all or is this something we think should happen. If we do not like this at all we need to end it or if we do like it we need to help them move forward. He likes the idea and thinks we need to help them move forward.

Commissioner Frisby thinks this is not the general idea of where we want to go. This need to be more in line with the south meadows plan and the change will be drastic enough that we will need a whole new application. In the absence of the UVU College is there a better use that high density housing? Are there other options that we have not considered? This seems rushed and pushed.

Commissioner Marzan agrees that MTECH is a great idea and it will be a benefit to our community. The non guarantee of the transportation is a sticking point for her.

Commissioner Warner stated that in other communities when they develop with commercial it is coming with mixed use and we need to follow the current model.

**MOTION: Commissioner Frisby- Based on what we know and don't know and the amount of holes we don't have answers to, he recommend city council to deny the overlay zone at this time.** Motion seconded by Commissioner Marzan. A roll call vote was taken with those voting yes – Ryan Frisby, Kathy Marzan. Those voting no – Kirk Beecher, Tyler Moore, Blair Warner. The motion failed.

**MOTION: Commissioner Warner- To remand the motion back to staff so that the MOU can be revised as needed. That the answers and information to the questions of engineering that are appropriate to this proposal. Hopefully we get information from the study of the future of 800 South, letting us understand what is going to happen and should happen.** Motion seconded by

Commissioner Moore. A roll call vote was taken with those voting yes – Kirk Beecher, Tyler Moore, Blair Warner. Those voting no –Ryan Frisby, Kathy Marzan. The motion carried.

6.2 DISCUSSION ITEM – Review of Title 19 Appendix A, Standard Land Uses.

Item is passed on to another meeting

7. Commission and Staff Reports and Training

7.1 How is the new time working out? All are in favor of the new time.

7.2 Discussion on the Commission dinner.

The Commission is leaning to forgoing the party until another time because of COVID.

Discussion on a creating a gateway to the community on north Main street.

8. Adjournment

**MOTION: Commissioner Warner– To adjourn.** Motion seconded by Commissioner Marzan.

Those voting yes Kirk Beecher, Ryan Frisby, Kathy Marzan, Tyler Moore, Blair Warner. The motion carried.

This meeting adjourned at 9:12p.m.

---

Kevin Stinson, Administrative Assistant