

Planning Commission Staff Report

March 24, 2021

**Applicant:**

Andy Spencer, representing owner

Owner:

Pay Ball LLC

Location:

Approx. 850 South 800 West

Zone:

S-1, Special Highway Service

ATTACHMENTS:

1. Locator Map
2. Payson Gateway Plat A (recorded)
3. Payson Gateway Plat B (proposed)
4. Payson Gateway Overall Site Exhibit

REQUEST

Request for preliminary plan and final plat approval of the Payson Gateway Subdivision Plat B, a two-lot subdivision arranged on Utah County Parcel 49:915:0003.

BACKGROUND AND PROJECT DESCRIPTION

Payson Gateway Subdivision Plat B includes a division of one parcel into two parcels which in accordance with Utah Code constitutes a subdivision of property. The property is included in Payson Gateway Subdivision Plat A (Lot 3) and the public improvements along 800 South have been completed. Because the applicant is requesting an additional commercial lot, subdivision approval is necessary.

There are no permanent structures on the property; however there are existing storm water facilities on the site that will be moved to another location within the larger project area. The applicant has identified short- and long-term solutions for accommodating the existing volume of storm water captured on the site as the Payson Gateway project further develops.

The applicant has provided a concept plan for the property to show the general layout of the commercial development. This is conceptual only and may change to accommodate specific users. It is likely that residents, property owners, and even commissioners will have questions regarding the proposed layout and potential commercial businesses. The applicant will attend the meeting to address the questions and concerns of the public.

APPROVAL PROCESS

The division is proposed as a traditional subdivision in accordance with Title 20, Subdivision Ordinance and Section 19.6.16 of Title 19, Zoning Ordinance. The planning commission is the land use authority for minor subdivisions (three lots or less) and the standard of review is administrative. In other words, the planning commission and will be final authority on this application and approval should not be withheld if the application satisfies the applicable requirements of the Payson City Code.

The applicant is only requesting subdivision approval at this time. Because the end user(s) has not be identified, some items that would typically be addressed in conjunction with subdivision approval will be addressed during the site plan process and prior to the commencement of construction. Items such as off-street parking, pedestrian connectivity, architectural design, landscaping, transfer of water, and performance guarantee will be addressed at the time of site plan. It is the responsibility of the applicant to ensure the requirements of the land use ordinances are adequately addressed.

The planning commission is required to hold a public hearing and consider public input prior to reaching a decision. The public hearing was advertised in the newspaper for a minimum of fourteen (14) days, notice has been posted as required by Utah Code and City Code, and property owners within two hundred fifty (250) feet of the proposed subdivision have been notified of the public hearing.

EVALUATION

The property is located in the S-1, Special Highway Service Zone, established to support commercial and shopping opportunities in the city. The proposed subdivision satisfies the minimum zoning requirements (lot area, frontage) of the underlying zone; therefore, the division of land may occur as currently configured.

The development review committee (DRC) has reviewed the land use application, supporting documentation, and project drawings for compliance with city ordinances and standards. The applicant has been given a list of conditions that need to be addressed prior to final plat approval, recordation, or construction as required by ordinance. Staff will continue to work with the applicant to ensure the minimum requirements are addressed.

The following is a list of items that need to be addressed and/or acknowledged by the applicant:

- The applicant is proposing to subdivide a portion of a larger project. In accordance with Section 19.6.16.3 of the Payson City Code, all projects must be at least one (1) acre in size. Because Lot 302 is proposed to be less than one acre in size, improvement of the parcel must be consistent with the overall project design. To maintain compliance with City ordinance, the layout of the lots must create a positive functional relationship with other buildings in the project and building design, colors and materials must be complementary to other buildings within the project.
- Any unresolved issues raised by the DRC staff and documented on the redline drawings and planning review dated March 15, 2021.
- Project drawings (preliminary plan, construction drawings, final plat) must be consistent with the adopted ordinances and the improvements completed consistent with the specifications of Payson City. Each lot must have access to municipal services, including drinking water, pressurized irrigation, wastewater, and power service. Connection and impact fees will be assessed at the time of issuance of a building permit.
- The project will be completed in phases; however, there are global issues that need to be addressed early in the process.
 - Development of the site must be completed in a manner consistent with the terms of the development agreement between Payson City and Woodbury Corporation.
 - 800 South is an arterial status street with limited access points. Internal access and circulation will be critical to provide adequate ingress/egress to each lot in the development. Easement agreements will be required to address cross-connection access, utilities, and maintenance.
 - Safe pedestrian facilities and crossings must be designed and implemented throughout the entire development. The pedestrian plan will need to address connections to trails, sidewalks and lot-to-lot access.
- The following items will need to be addressed at the time of site plan approval for each phase.
 - Complete the transfer of adequate water consistent with Title 10, Water Ordinance of the Payson City Municipal Code.
 - Provide a performance guarantee in the form of a cash bond or irrevocable letter of credit for completing project improvements. The applicant will also need to submit, in cash, an amount consistent with the fee schedule of Payson City that will be used to cover testing and inspection fees.
 - Schedule and conduct a pre-construction meeting with the City Engineer prior to the installation of project improvements. Construction standards, geotechnical requirements, Storm Water Pollution Protection Plan (SWPPP) regulations, traffic control, project schedules, and other improvement related issues will be discussed at the meeting.

RECOMMENDATION

As an applicant requesting approval of a traditional subdivision, Andy Spencer is entitled to subdivide the property consistent with the regulations of Utah Code and the Payson City Code. Finding the proposed subdivision is consistent with the land use and economic goals established in the Payson City General Plan and satisfaction of staff conditions will ensure compliance with the regulations of the land use and development ordinances, staff would suggest the planning commission approve the request.

The planning commission may require additional information in order to make a well-informed decision. Any motion of the planning commission should include findings that indicate reasonable conclusions for their motion.