**Planning Commission Staff Report**

**May 24, 2023**

**REQUEST**

The applicant, Tyler Horan is requesting preliminary plan approval for the Hiatt Creek Plat B Subdivision. The subdivision consists of 11.82 acres of land on Utah County Parcel 29:023:0048 within the RMF-10, Residential Multi-Family Zone. The subdivision consists of 100 single-family attached townhome style housing units.

**BACKGROUND AND PROJECT DESCRIPTION**

The owner Hawkmoon Holdings has submitted several renditions of a preliminary plan over the past two and a half years. The initial submittal included plat B and C and was a total of 149 attached and detached single family housing units on a total of 20.49 acres. The portion that is now plat B consisted of 90 townhome housing units on a total of 9.94 acres.

This area is part of the South Meadows Area Specific Plan. This plan was created to apply the principles and goals of the General Plan on a more focused scale and to a more exact level.

A zone change request for RMF-10 was requested and approved for Utah County Parcel 29:023:0048 on March 2, 2022. The applicant previously brought this request to the planning commission in July 2021. At that time, the request was remanded back to staff because the western half of the property showed a density level of 3 units/acre in the South Meadows Plan. Since then, the applicant has divided the property through an exemption in state code that allows them to bypass the normal subdivision process (Utah Code 10-9a-103(65)(c)(v). As such, the March 2, 2022 request was for the eastern parcel (28:023:0048) while the previous request in July of 2021 was for the eastern *half* of the un-subdivided parcel.

In March of 2022 the applicant submitted a revised plat B that consisted of 100 townhome style housing units on a total of 13 acres. In September of 2022 the applicant revised plat B, this time it included 100 townhome style housing units on a total of 11.82 acres. This number of lots, configuration and total acreage is what presently exists in the applicant’s request.

The applicant seeks to use a storm retention area as part of the required open space. This is permissible under **13.14.070.13 Open Space** subsection of the RMF Multi-Family Residential Zone section of the Payson City Code (see below).

[***13.14.070.13 Open Space***](https://payson.municipalcodeonline.com/book?type=ordinances#name=13.14.070.13_Open_Space)

*In general, the acreage set aside for storm water facilities should not be used toward the open space requirement. However, depending on the location, size, design, access and usability of the storm water facility the City Council* *may, but is not obligated to, allow the acreage to be used to satisfy the open space requirement. At a minimum, the storm water basin must satisfy the following:*

1. *Placed in a centralized location within the project or reasonably connected to other project amenities.*
2. *The slope of the basin cannot be steeper than 5:1.*

**Project Name:**

Hiatt Creek Plat B Preliminary Plan

**Applicant:**

Tyler Horan

**Owner:**

Hawkmoon Holdings LLC

**Location:**

1130 S 1950 W

**Existing Zone:**

RMF-10, Residential Multi Family Zone

**Attachments:**

* Vicinity Map
* Preliminary Plan
* Landscaping & Amenities
* Storm Facility to be Used as Open Space
* Housing Product

1. *The size of the basin and adjacent landscaped area must be at least ten (10) percent of the required open space requirement.*
2. *The landscaping treatments must be suitable for use by the residents of the project and include amenities as deemed appropriate.*

**APPROVAL PROCESS**

The applicant has submitted a complete application as outlined in Title 12 of Payson City Code. Nearby property owners have been sent courtesy notices and public notices have been posted in accordance with the Utah Code. As staff have reviewed this application, we have found no encumbrances that would prevent the applicant from making the request for preliminary plan approval contingent upon city council approving an onsite storm water facility as part of the required open space within the RMF, Residential Multi-Family Zone.

**ANALYSIS**

Staff have completed a review of the proposal and have deemed it ready for further review by the planning commission and city council so that a final administrative decision can be made. It should be noted that final approval for this request is an administrative action by the city council. This request, however, is contingent upon additional approval from the city council for storm water facilities to be used as open space (see details above).

**RECOMMENDATION**

The applicant is seeking a recommendation for approval of the Hiatt Creek Plat B preliminary plan. Following a public hearing to receive public input, the planning commission shall provide a recommendation to the city council.

* **Staff Recommendation:** A positive recommendation for approval of the Hiatt Creek Plat B preliminary plan. This recommendation for approval is contingent upon the applicant addressing all redlines and further upon approval of the city council in granting the use of a storm water facility as part of the required open space.
* If it is determined by the planning commission to not be appropriate, then commission should forward a negative recommendation to the city council.
* Alternatively, the commission may choose to remand this item back to staff for further review. This should be done with clear direction to staff and the applicant on what is incomplete or inaccurate.

Any motion of the planning commission should include findings that indicate reasonable conclusions for the recommendation that will be forwarded to the city council.