

TOWN OF PAYSON
PLANNING AND ZONING COMMISSION
MINUTES OF THE PUBLIC MEETING
July 10, 2006

CALL TO ORDER - 4:00 p.m.

ROLL CALL

PRESENT: Jere Jarrell, James Scheidt, Barbara Underwood, Mark Waldrop, Hal Baas, and Russell Goddard.

ABSENT/EXCUSED: Kevin Sokol.

STAFF PRESENT: Jerry Owen, Ray Erlandsen, Sheila DeSchaaf, Tim Wright, and Chris Floyd.

A. APPROVAL OF MINUTES

- 1. Public Meeting 06-05-06 Pages 1-4

Motion: Approve the minutes as submitted.
Moved by James Scheidt, seconded by Russell Goddard.

Vote: Motion carried 6 - 0
Yes: Jere Jarrell, James Scheidt, Barbara Underwood, Mark Waldrop, Hal Baas, and Russell Goddard.

B. PUBLIC COMMENTS - Comments concerning items not on the agenda. Note: Those wishing to address the Planning and Zoning Commission during this time need not request permission in advance. Action taken as a result of public questions and comments shall be limited to directing staff to study the matter or rescheduling the matter and decision at a later date. There shall be no discussion regarding any issues presented.

There were no public comments.

C. SCHEDULED HEARING(S)

- 1. **CUP-150-06** Conditional Use Permit Request **Filed by:** Payson Plaza Shopping Center, LLC **Location:** 107 East Highway 260 **Purpose:** To consider the allowance of outside display and sales of merchandise in conjunction with a fine art, craft, farmers and business marketplace.

This item has been withdrawn.

- 2. **CUP-151-06** Conditional Use Permit Request **Filed by:** Wendy L. Irizarry **Location:** 408 South Decision Pine **Purpose:** To consider the allowance of a guest quarters use with kitchen facilities in a R1 zoning district.

Sheila DeSchaaf, Planning Specialist, summarized the staff report.

Staff recommendation is to approve with the following conditions:

1. That the proposed guest quarters use shall be for servants or non-paying guest only and shall not be utilized for lease or renting.
2. That the proposed guest quarters use shall be connected to the Northern Gila County Sanitary District prior to issuance of a Certificate of Occupancy.
3. That the length of this Conditional Use Permit shall run concurrent with the use of this property. That is, as long as this property is used for a single family residence with a detached, guest quarters use, then the use permit is applicable. Change in uses or additional uses shall require approval through the CUP process.
4. Town Staff shall record the Application, the P & Z Commission motion, and the required conditions, to assure that subsequent owners of this property shall be informed of the conditions in conjunction with the guest quarters and Conditional Use Permit.
5. Failure to comply with conditions one (1) thru three (3) above shall be grounds for zoning citations and possible revocation of the Conditional Use Permit. If alleged violations of the conditions of this CUP are brought to the attention of the Community Development Department, with a 24 hour notification to the property owner, a zoning inspection shall be allowed at the guest quarters. If violations of the conditions of this CUP persist, a request for review may be brought before the P & Z Commission at the discretion of the Zoning Administrator.

The Commission asked questions which were answered by staff.

Chairman Jarrell opened the public hearing.

Chairamn Jarrell closed the public hearing.

Motion: Approve CUP-151-06, guest quarters, with the recommendations as stated by staff.

Moved by Russell Goddard, seconded by Barbara Underwood.

Vote: Motion carried 6 - 0

Yes: Jere Jarrell, James Scheidt, Barbara Underwood, Mark Waldrop, Hal Baas, and Russell Goddard.

3. **CUP-152-06** Conditional Use Permit Request **Filed by:** James & Lori Johnson
Location: 913 North Mud Springs Road **Purpose:** To consider the allowance

of a guest quarters use with kitchen facilities in a R1 zoning district.

Sheila DeSchaaf, Planning Specialist, summarized the staff report.

Staff recommends approval with the following conditions:

1. That the proposed guest quarters use shall be for servants or non-paying guests only and shall not be utilized for lease or renting.
2. The sanitation system for the proposed guest quarters shall be approved by the Gila County Health Department prior to issuance of a building permit.
3. That the length of this Conditional Use Permit shall run concurrent with the use of this property. That is, as long as this property is used for a single family residence with a detached, guest quarters use, then the use permit is applicable. Change in uses or additional uses shall require approval through the CUP process.
4. Town Staff shall record the Application, the P & Z Commission motion, and the required conditions, to assure that subsequent owners of this property shall be informed of the conditions in conjunction with the guest quarters and Conditional Use Permit.
5. Failure to comply with conditions one (1) thru three (3) above shall be grounds for zoning citations and possible revocation of the Conditional Use Permit. If alleged violations of the conditions of this CUP are brought to the attention of the Community Development Department, with a 24 hour notification to the property owner, a zoning inspection shall be allowed at the guest quarters. If violations of the conditions of this CUP persist, a request for review may be brought before the P & Z Commission at the discretion of the Zoning Administrator.

The Commission discussed the septic/sewer situation. It was mentioned that the Gila County Health Department governs septic systems.

Chairman Jarrell opened the public hearing.

Robert Henley asked if our code would allow 2 septic, if required by the Health Department. Jerry Owen, Community Development Director, replied that he felt this could be handled with one septic but that it was up to the County Health Department. Tim Wright, Deputy Town Attorney, commented that our codes do not regulate septic systems.

Mr. Thompson stated that he was opposed to the guest quarters because he felt that one septic system could not support 2 residences.

Chairman Jarrell closed the public hearing.

Motion: Disapproval of CUP-152-06, for a guest quarters, at 913 North Mud Springs Road, APN 302-40-037F. After a brief discussion of the motion, the question was called and the vote taken.

Moved by James Scheidt, seconded by Russell Goddard.

Vote: Motion carried 4 - 2

Yes: James Scheidt, Mark Waldrop, Hal Baas, and Russell Goddard.

No: Jere Jarrell, and Barbara Underwood.

4. **S-127-06** Preliminary Plat Request (East Gateway Phase 2) **Filed by:** Jeff & Debra Vaughn **Location:** 1200 East Frontier Street **Purpose:** To determine how a request for the Preliminary Plat of East Gateway Phase 2 Subdivision shall be recommended to Town Council.

Ray Erlandsen, Zoning Administrator, summarized the staff report.

Findings of Fact:

1. The proposed 6 lot subdivision can be designed to meet district and subdivision standards, if compliance with all conditions are met.
2. With the additional ERU's provided in the attached agreement, this project is in compliance with the Town water policies.
3. The proposed 6 lot subdivision could be compatible with existing zoning districts.

Staff recommends approval of S-127-06 with the following conditions:

1. The final plat shall be in substantial compliance with this preliminary plat.
2. The existing "Access and Public Utility Easement" shall be dedicated to the public as part of South Ridgeway Lane with the East Gateway Phase 2 Final Plat.
3. A Hillside Lot Analysis shall be submitted for this project. It appears that at least lots 20, 21 & 24 are hillside lots.
4. Applications for grading permits on individual lots shall comply with Unified Development Code provisions to minimize loss of vegetation outside the building footprint.

Questions were asked by the Commission which were answered by staff.

Chairman Jarrell opened the public hearing.

Ralph Bossert, of Tetra Tech, stated that the Frontier Street improvements are in

the process. He said some drainage easements have been created and there is a culvert that goes under the road adjacent to lot 21.

There was discussion regarding the drainage and the stockpiles of dirt during construction of the road improvements.

Chairman Jarrell closed the public hearing.

Motion: Recommend approval to the Town Council of S-127-06, a Preliminary Plat for the proposed East Gateway Phase 2 Subdivision; consisting of a portion of Tax Parcel 304-01-004G, currently addressed as 1200 East Frontier Street, with the following conditions that were read, 1-4.

Moved by Barbara Underwood, seconded by Mark Waldrop.

Vote: Motion carried 6 - 0

Yes: Jere Jarrell, James Scheidt, Barbara Underwood, Mark Waldrop, Hal Baas, and Russell Goddard.

5. **S-128-06** Preliminary Plat Request (Ponderosa Heights) **Filed by:** Ponderosa Heights, LLC **Location:** 1701 North Beeline Highway **Purpose:** To determine how a request for the Preliminary Plat of Ponderosa Heights Subdivision shall be recommended to Town Council.

Ray Erlandsen, Zoning Administrator, summarized the staff report.

Findings of Fact:

1. The proposed 121 lot subdivision can be designed to meet district and subdivision standards, if compliance with all conditions are met.
2. With the additional ERU's provided in the attached agreement, this project is in compliance with the Town water policies.
3. The proposed 121 lot subdivision could be compatible with existing zoning districts.

Staff recommends approval of S-128-06 with the following conditions:

1. The final plat shall be in substantial compliance with the preliminary plat as submitted.
2. Developer to provide all subdivision improvements, including storm water detention in accordance with Town of Payson Standards.
3. The developer shall obtain the appropriate easements from the adjacent property owner for the utility line extensions prior to Final Plat approval.

4. A minimum 8" water line shall be extended from the proposed 8" water line at the east end of the proposed Roundup Road to connect with the existing water line on Tyler Parkway.
5. The water system for the overall development shall be connected to the existing water lines on Tyler Parkway and Luke Drive. Pressure Reducing Valves shall be appropriately located and installed between the two pressure zones wherever the water lines cross the pressure zone interface.
6. Based on the Hillside Slope analysis submitted, Note 12 on the Preliminary Plat shall be revised as follows. This note shall also be included on the final plat. *"Lots 48, 50-58 inclusive, 60-62 inclusive, 65, 67, 76 and 77 are Hillside Lots and require an engineered grading and drainage plan in accordance with the Town of Payson Hillside Ordinance in Section 15-07-002H of the Unified Development Code."*
7. A Record of Survey extending the project site to East Tyler Parkway shall be recorded prior to Council approval of the Preliminary Plat.
8. This development shall provide full street, utility and other necessary improvements to connect with East Roundup Road to East Tyler Parkway with Phase 2A development.
9. Note 4 of the Preliminary Plat shall be revised as follows and included on the Final Subdivision Plat: *"All maintenance and repair of storm water and drainage facilities in this development, within or with out a drainage easement, is the responsibility of the property owner where the storm water or drainage facility is loacted. However, the Town of Payson, or other public agencies having jurisdiction, possess right of access for clearing, cleaning, or channelizing, if not properly maintained by the property owner. All funds expended for this maintenance and/or repair by the Town of Payson will be charged to the individual property owner."*
10. The developer shall provide an appropriate water supply for this project.
11. This Preliminary Plat is based on the assumption that the infrastructure for the Ponderosa Acres Subdivision will be constructed prior to the construction of the Ponderosa Heights Phase 2 subdivision. The Ponderosa Acres Subdivision infrastructure construction shall be completed and accepted by the Town of Payson prior to final acceptance of any improvements within the Ponderosa Heights Phase 2 Subdivision.
12. The developer of this subdivision shall be responsible for any damage caused to public facilities on East Tyler Parkway or East Roundup Road during the construction of this subdivision as determined by the Public Works Engineer. All

repairs for any such damage shall be completed prior to final acceptance of any improvements within the Ponderosa Heights Phase 2 Subdivision.

13. This development shall provide full street, utility and other necessary improvements to connect with the existing improvements of East Luke Drive. The roadway and utility connection to East Luke Drive shall be included in Phase 2-D.

14. 4' wide sidewalks shall be provided on both sides of East Roundup Road from the east property line of the commercial zoning to East Tyler Parkway. 5' wide sidewalks shall be provided on one side on all other streets.

15. Applications for grading permits on individual lots shall comply with Unified Development Code provisions to minimize loss of vegetation outside the building footprint.

There was discussion on proposed condition #9 regarding how to notify property owners of this condition.

Questions were asked by the Commission which were answered by staff.

Jerry Owen, Community Development Director, stated that the Town is requesting a connection to East Luke Drive.

Chairman Jarrell opened the public hearing.

A citizen was concerned about the tree removal and the clean up of the property. It was mentioned that this was a Fire Department project.

Bruce Hatfield asked how his street would end, would he be required to hook up to sewer, and the water source for this project. He was informed that he wouldn't be required to hook up to sewer and it was suggested that a 1' Non-Vehicular Access Easement be established on the southern boundary of this project.

Hal Baas moved that S-128-06 be postponed until the next regular meeting of the Planning and Zoning Commission. The purpose of the postponement is to allow staff and/or members of the Commission to follow through, to clean up the many comments, changes, concerns expressed.

The motion died due to a lack of a second.

Motion: Recommend approval to Town Council of S-128-06, a Preliminary Plat for the proposed Ponderosa Heights Phase 2 Subdivision; consisting of a portion of Tax Parcel 304-35-004A, currently addressed as 1701 North Beeline Highway, with the following 16 conditions that were read and modified. The modifications are as follows:

8. This development shall provide full street, utility and other necessary improvements to connect East Roundup Road with East Tyler Parkway with Phase 2A development.

Numbers 13, 14, 15, and 16 were renumbered to 12, 13,14, and 15.

The new #14 now reads, '4' wide sidewalks shall be provided on both sides of East Roundup Road from the east property line of the commercial zoning to East Tyler Parkway. 5' wide sidewalks shall be provided on one side on all other streets. All ADA requirements to be met on all sidewalks.'

Added a #16 which reads, 'A 1' Non-Vehicular Access Easement be established on the south boundary along the Payson Air Park Plat B.'

Moved by Barbara Underwood, seconded by James Scheidt.

Vote: Motion carried 5 - 1

Yes: Jere Jarrell, James Scheidt, Barbara Underwood, Mark Waldrop, and Russell Goddard.

No: Hal Baas.

D. SCHEDULED DISCUSSION/POSSIBLE ACTION

1. Discussion on tracking water usage.

Jerry Owen, Community Development Director, stated that both Russell and Hal have requested this item be on the agenda. It was suggested that two (2) Commission members meet with staff and Buzz then bring a report back to the Commission. There was discussion on how to approach the water issue.

E. REQUESTS TO STAFF FOR THE PLACEMENT OF ITEMS ON FUTURE PLANNING & ZONING COMMISSION AGENDAS

How to get information to a buyer of a piece of property for example maintenance and repair of storm water and drainage facilities.

What is the status of the Design Review Committee. Jerry Owen, Community Development Director, stated that the Council approved an ordinance, that is in effect, which makes the Community Development Director the responsible party with an appeal process to the P & Z Commission. This item needs to be added to a future agenda.

Strengthen the CUP process for guest quarters including time limits for servants.

Discuss criteria for sewer hook ups.

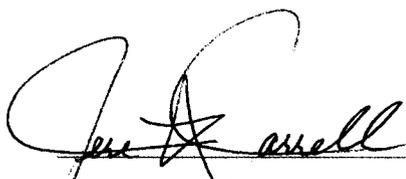
Traffic impact on existing roadways during construction of new developments.

F. INFORMATION TO COMMISSION (Not for Discussion)

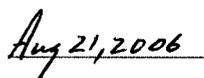
1. July 24, 2006, P & Z Meeting Tentative Agenda:

No items scheduled at this time.

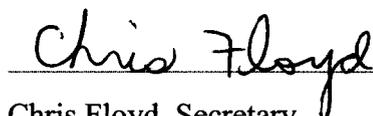
ADJOURNMENT - 6:17 p.m.



Jere Jarrell, Chairman



Approved



Chris Floyd, Secretary