

**TOWN OF PAYSON  
PLANNING AND ZONING COMMISSION  
MINUTES OF THE PUBLIC MEETING  
May 14, 2007**

**CALL TO ORDER - 3:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PRESENT:** Jere Jarrell, Mark Waldrop, Hal Baas, Russell Goddard, and Joel Mona.

**ABSENT:** James Scheidt, and Gary Bedsworth

**STAFF PRESENT:** Jerry Owen, Community Development Director, Ray Erlandsen, Zoning Administrator, Sheila DeSchaaf, Planning Specialist, LaRon Garrett, Town Engineer, Tim Wright, Deputy Town Attorney, and Chris Floyd, Secretary.

- A. CONSENT AGENDA:** All items listed on the agenda with an asterisk (\*) are considered by the Commission to be routine in nature and will be enacted by one motion. There will be no separate discussion of those items unless a Commissioner or a member of the public so requests, in which event, the item will be removed from the Consent Agenda and will be considered in its normal sequence on the main Agenda.

Vice-Chairman Baas removed all items from the Consent Agenda.

**B. APPROVAL OF MINUTES**

1. Special Meeting 03-31-07 Page 3026
2. Public Meeting 04-09-07 Pages 1 to 8

The minutes were approved as submitted.

- C. 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.

**D. SCHEDULED HEARING(S)**

1. CUP-158-07 Conditional Use Permit  
Filed by: William & Suzanne Rabold, property owner  
Kevin Sokol, authorized agent  
Location: 305 South Friendly Glen  
Purpose: A request to allow a guest quarters use with cooking facilities in a R1-12 PAD zoning district.

Sheila DeSchaaf, Planning Specialist, summarized the staff report.

Staff recommends approval with the following conditions:

1. That the proposed guest quarters with kitchen facilities use shall be by family members, servants or non-paying guests only and shall not be leased or rented.
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 quarter's use, then the use permit is applicable. Change in uses or additional uses shall require approval through the CUP process.
4. Failure to comply with the above conditions 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.

Vice-Chairman Baas opened the public hearing.

Vice-Chairman Baas closed the public hearing.

Vice-Chairman Baas commented regarding the accuracy and completeness of the application.

Motion: Approve CUP-158-07 a request filed by Bill & Suzanne Rabold to allow detached guest quarters use with cooking facilities at 305 South Friendly Glen, APN 302-43-031, subject to the conditions that were read by staff.

Moved by Jere Jarrell, seconded by Mark Waldrop.

Vote: Motion carried 5 - 0

Yes: Jere Jarrell, Mark Waldrop, Hal Baas, Russell Goddard, and Joel Mona.

Absent: James Scheidt, and Gary Bedsworth.

Item D.2 was taken out of order (CUP-159-07).

2. S-137-07 Preliminary Plat Request  
Filed by: Chris & Gina Perkes, property owners  
Location: 500 South Rim Club Parkway  
Purpose: To determine how a request for the preliminary plat of a 20 unit single-family residential subdivision shall be recommended to Town Council.

Ray Erlandsen, Zoning Administrator, summarized the staff report.

Staff recommends approval with the following conditions:

1. The final plat shall be in substantial conformance with the preliminary plat as submitted.
2. That the applicant comply with all standard Town of Payson development requirements.
3. If a subdivision sign is planned, a sign easement shall be created on the lot where the subdivision sign will be placed.
4. That the improvement plans indicate the number and location of water valves and fire hydrants necessary to meet Water and Fire Department requirements.
5. That the final plat be submitted within 12 months of Council approval of the preliminary plat.
6. The developer shall provide sanitary sewer facilities in accordance with Northern Gila County Sanitary District requirements and be annexed into the District prior to Council approval of the Final Plat.
7. The pathway along South Rim Club Parkway shall be detached from the roadway improvement by at least eight feet.
8. The slopes along South Rim Club Parkway shall be a maximum of 2:1.
9. That all other provisions of the Unified Development Code be met.

Any other conditions the Commission deems necessary.

The Commission asked questions, which were answered by staff.

Ralph Bossert, Tetra Tech, stated that they concurred with staff recommendations and have already submitted a request to the Sanitary District for annexation of this project.

Jere Jarrell questioned the drainage in the area, which was answered by Mr. Bossert.

Vice-Chairman Baas opened the public hearing.

Vice-Chairman Baas closed the public hearing.

Motion: Recommend to the Town Council approval of S-137-07, a Preliminary Plat request for a 20 lot subdivision on 11.01 acres at 500 South Rim Club Parkway, APN 304-01-331B, with the conditions that have been read by staff.

Moved by Jere Jarrell, seconded by Russell Goddard.

Vote: Motion carried 5 - 0

Yes: Jere Jarrell, Mark Waldrop, Hal Baas, Russell Goddard, and Joel Mona.

Absent: James Scheidt, and Gary Bedsworth.

3. S-139-07 Preliminary Plat Request  
 Filed by: Hawksnest Partners LLC, property owners; William Clayton, representative  
 Location: 210 West Longhorn Road  
 Purpose: To determine how a request for preliminary plat approval of a commercial

condominium subdivision shall be recommended to Town Council.

Sheila DeSchaaf, Planning Specialist, summarized the staff report.

Staff recommends approval with the following conditions:

1. The final plat shall be in substantial conformance with the preliminary plat as submitted.
2. The subtitle shall include reference to being a "Re-Subdivision of the east 175 feet of Lot 1 of Payson Industrial Park, Gila County Recorder Map No. 627".
3. A title report shall be provided prior to Council consideration of the preliminary plat.
4. The applicant/developer shall provide adequate sanitary facilities in accordance with requirements of the Northern Gila County Sanitary District.
5. General note #5 on the preliminary plat shall be amended to read as follows, on the final plat: "The Property Owner's Association shall be responsible for maintenance and repair of all drainage detention facilities, including those within "common owned tracts" and on the individual lots. The property owners shall permit personnel to inspect the detention facilities and repair them as necessary. The Property Owner's Association shall retain a Registered Civil Engineer, or other personnel as approved by the Town of Payson Engineering Department, to provide annual inspection of all detention facilities and provide a report to the Town of Payson Engineer."
6. That the applicant/developer comply with all standard Town of Payson development requirements.
7. The final plat shall be submitted within 12 months of Council approval of the preliminary plat.
8. That minor corrections to data tables be made prior to Town Council consideration of the preliminary plat.

Any other conditions the Commission deems necessary.

The Commission asked questions, which were answered by staff.

There was some concern regarding the reduced front setback to save a large ponderosa pine on the rear of the property.

Vice-Chairman Baas opened the public hearing.

Glen Groenke stated that regarding setbacks he was concerned about a precedent being set for future development.

Jason Phillimore, Tetra Tech, supports the decision that was made for reducing the setback.

Mark Waldrop also supports the decision for saving the tree by reducing the setback.

Vice-Chairman Baas closed the public hearing.

Motion: Recommend to the Town Council approval of S-139-07, with recommendations as stated by staff, approval of an 8 unit industrial condominium located on 0.8 acre at 210 West Longhorn Road, APN 304-56-001A.  
Moved by Russell Goddard, seconded by Joel Mona.

Vote: Motion carried 5 - 0

Yes: Jere Jarrell, Mark Waldrop, Hal Baas, Russell Goddard, and Joel Mona.

Absent: James Scheidt, and Gary Bedsworth.

4. P-325-06 Unified Development Code Amendment  
Filed by: Community Development Department  
Location: All of Payson  
Purpose: To modify provisions affecting planned area development (PAD).

Jerry Owen, Community Development Director, summarized the staff report. This proposed PAD would be an actual zoning district and not an overlay. It would also be site plan specific. There is a concern because of no minimum lot size.

The Commission asked questions, which were answered by staff. Several recommended changes were made.

Vice-Chairman Baas opened the public hearing.

Barbara Underwood felt that it was good plan. It does allow flexibility and gives the Town more direction.

Vice-Chairman Baas closed the public hearing.

Vice-Chairman Baas commented that he is in favor of this plan but still had a few concerns with some of the wording.

Russell Goddard felt that this would be a difficult zoning to obtain because there will be a lot of information required at the beginning of the process which will help in the decision making.

Jere Jarrell asked if this zoning would address off-site improvements, to which Jerry Owen replied that he would look into it.

The Commission directed staff to bring this item back at the June 11 meeting, with the recommended changes.

5. P-338-07 Unified Development Code Amendment  
Filed by: Community Development Department  
Location: All of Payson  
Purpose: To modify provisions affecting prohibited and temporary signs.

Jerry Owen, Community Development Director, summarized the staff report regarding revisions to the temporary sign regulations. The proposed changes would allow certain temporary signs for a short duration. It also would allow up to four (4) temporary

directional signs on private property and town right-of-way provided the sign was less than four square feet in size.

The Commission asked questions, which were answered by staff.

Jere Jarrell commented that he doesn't agree with #6 for Temporary Directional Signs. He did agree with the other suggested changes.

Vice-Chairman Baas opened the public hearing.

Several members of the audience commented on the proposed changes to the sign code. A suggestion was made that there be some type of fine. Also mentioned was the sign study that has been approved.

Vice-Chairman Baas closed the public hearing.

Joel Mona stated that he agreed with Mr. Jarrell that too many signs on the right-of-way looks blighted.

Jerry Owen, Community Development Director, gave a brief overview of the purpose for the upcoming sign study.

Vice-Chairman Baas reopened the public hearing for anything new.

Jeannie Langham commented that the sign plan should be more comprehensive, to make the Town look better, safer, and the signage more appropriate.

Vice-Chairman Baas closed the public hearing again.

Motion: Recommend to the Town Council approval of the amendment of 15-05-003 as provided to us with the exception of the total deletion of the new paragraph six (6).  
Moved by Jere Jarrell, seconded by Joel Mona.

Vote: Motion carried 4 - 1

Yes: Jere Jarrell, Mark Waldrop, Hal Baas, and Joel Mona.

No: Russell Goddard.

Absent: James Scheidt, and Gary Bedsworth.

Vice-Chairman Baas suggested that when staff forwards this to Council that it include the consideration of fines.

6. CUP-159-07 Conditional Use Permit  
Filed by: Payson Beeline LLC, property owners  
Giant Industries Arizona Inc & K Engineering & Design, authorized agents  
Zygmunt Kwasnica, representative  
Location: 2010 North Beeline Highway  
Purpose: A request to allow a convenience market with gasoline sales and outside display and storage of merchandise or equipment use in a C-2 zoning district.

Ray Erlandsen, Zoning Administrator, summarized the staff report.

Staff recommends approval with the following conditions:

1. The site plan shall be in substantial conformance with the Preliminary Site Plan, dated January 11, 2005.
2. Development shall be subject to Design Review, Unified Development Code, Building and Engineering regulations in place at time of building permit application including the new detention requirements.
3. Northern Gila County Sanitary District approval must be received prior to issuance of a building permit.
4. This CUP is valid if within one year from the date of approval, all necessary building permits have been issued, to allow commencement of the conditional use; and the approved use has been established.
5. A signed agreement with Home Depot for shared access must be submitted prior to issuance of certificate of occupancy.
6. The length of this conditional use permit shall run concurrent with the use of this property. Expansion of the approved use, change in uses, or additional uses shall be subject to review and approval by the Planning and Zoning Commission if not expressly permitted in the C-2 zoning district.
7. The applicant plans and procedures must demonstrate compliance with Town Water Department requirements prior to issuance of the building permit.
8. Failure to comply with the above conditions shall be grounds for zoning citations and possible revocation of the Conditional Use Permit.
9. Outside storage/display areas must be shown and addressed as part of the design review application.

Any other conditions the Commission deems necessary.

Mr. Erlandsen noted that the approval or disapproval of the conditional use permit application is subject to a 30 day appeal period.

The Commission asked questions, which were answered by staff.

Vice-Chairman Baas opened the public hearing.

Joel Mona asked the applicant about the letter from the Sanitary District regarding their facility on Highway 260. Roger Burton, from Giant, stated that he was looking into the issues.

Russell Goddard stated that there was a memo from the Town Water Department also regarding the Giant facility on Highway 260. Mr. Burton stated that he would also look into the issues with the Water Department.

Several members of the audience voiced concerns with traffic, drainage, increased sewer usage, trash, the outside display of merchandise, and lighting.

There was a brief discussion regarding the process for citizen notification.

Vice-Chairman Baas closed the public hearing.

Russell Goddard commented on the drainage and the use of the property. Mr. Goddard stated that he didn't have a problem with the overall project.

Joel Mona stated that the overall location of the gas station is good. He also felt that some of the engineering issues could be addressed.

Jere Jarrell moved to approve CUP-159-07, a request to allow a convenience market with gasoline sales, and outside display or storage of merchandise or equipment use at 2010 North Beeline Highway subject to the conditions listed in the staff report with modifications to #2 to include the change in the potential retention basin, if required; #5 to change certificate of occupancy to building permit; #9 that outside storage and display area be limited to the ice machine and propane tank and subject to and addressed as part of the Design Review process; and #4 to delete 'to allow commencement of the conditional use; and the approved use has been established'.

Motion failed due to lack of a second.

Jere Jarrell moved, seconded by Russell Goddard, to table this item until the next meeting and give time for Mr. Burton to contact the Town of Payson and the Sanitary District to work out the difficulties and to respond back to us and that it be back before the Commission at that time.

**Motion carried 5-0.**

**E. SCHEDULED DISCUSSION/POSSIBLE ACTION**

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

**G. INFORMATION TO COMMISSION (Not for Discussion)**

1. June 11, 2007, P & Z Meeting Tentative Agenda:

a. P-339-07 801 N. Graham Ranch Road Rezone R1-175 to R1-90

Ray Erlandsen, Zoning Administrator, noted that there would be a meeting on June 11 since several items were tabled at this meeting.

**ADJOURNMENT - 6:10 p.m.**

*Hal Baas*

Hal Baas, Vice-Chairman

*✓*

Approved

*Chris Floyd*

Chris Floyd, Secretary