

TOWN OF PAYSON  
PLANNING AND ZONING COMMISSION  
MINUTES OF THE PUBLIC MEETING  
March 6, 2006

**CALL TO ORDER - 4:00 p.m.**

**ROLL CALL**

PRESENT: Jere Jarrell, James Scheidt, Barbara Underwood, Hal Baas, Kevin Sokol, and Russell Goddard.

ABSENT/EXCUSED: Mark Waldrop.

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

**A. APPROVAL OF MINUTES**

- 1. Public Meeting 02-06-06 Pages 1 - 4

Chairman Jarrell recognized these as being approved as submitted to the Commission.

**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.**

No public comments.

**C. SCHEDULED HEARING(S)**

Chairman Jarrell took items C.3, 5, & 6 out of order.

- 1. **CUP-132-05** Conditional Use Permit Review **Filed by:** Community Development Department **Location:** 805 North Beeline Highway **Purpose:** To review this Conditional Use Permit as directed by Council.

Ray Erlandsen, Zoning Administrator, summarized the staff report. He stated that staff had not received any complaints regarding this CUP.

Staff recommends that the Commission extend CUP-132-05 with the ten (10) conditions listed in the staff report.

Chairman Jarrell opened the public hearing.

The Commission asked questions which were answered by staff.

Chairman Jarrell closed the public hearing.

Motion: To extend CUP-132-05, the allowance of outdoor display and sales of handcrafted 'Cat Condo' furniture in a C-2 zoning district located at 805 North Beeline Highway with Gila County Tax Parcel Number 302-66-309A, with the following conditions:

1. The outside display and sales of handcrafted 'Cat Condo' furniture use is allowed only in the area as specified on the attached site map.
  2. The display and sales will be operated only within the hours of 8:00 a.m. to 8:00 p.m.
  3. The outside display and sales shall not cause pedestrian circulation problems.
  4. The outside display and sales shall not cause traffic circulation problems or line of sight problems.
  5. Handouts, signage and other materials, associated with the outside display and sales, shall not cause litter problems.
  6. Signage associated with this display and sales is restricted to this property location. Note: offsite signage and fixed aerial displays (balloons and similar with advertisement) are prohibited by the Unified Development Code.
  7. A copy of the approved Conditional Use Permit (CUP-132-05) shall be kept on site and shall be available to Town of Payson personnel as well as other affected agencies. (ie: Police Department, Community Development Staff, Fire Department, ADOT, etc.)
  8. Change in uses or additional uses shall require approval through the applicable zoning process. (ie. CUP, Zone Change, Subdivision, etc.)
  9. The length of this CUP is granted concurrent with the property owners permission for Mr. Winn to utilize this property for the sales and display of handcrafted 'Cat Condo' furniture. If Mr. Winn discontinues the sales and display of handcrafted 'Cat Condo' furniture or the use of this location is no longer allowed by the property owner, this Conditional Use Permit is void.
- Moved by James Scheidt, seconded by Russell Goddard.

Vote: Motion carried 6 - 0

Yes: Jere Jarrell, James Scheidt, Barbara Underwood, Hal Baas, Kevin Sokol, and Russell Goddard.

2. **CUP-140-05** Conditional Use Permit Request **Filed by:** Alvalee Sears, property owner **Location:** 307 S. Bassett Lane **Purpose:** To consider the allowance of three additional protected persons in a residential facility.

Ray Erlandsen, Zoning Administrator, summarized the staff report.

Staff recommends that CUP-140-05 be approved with conditions. Mr. Erlandsen stated that staff recommends additional wording on condition #3 to include 'except for special events'.

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

Chairman Jarrell opened the public hearing.

Mr. Sears explained to the Commission that Steps House sole goal is recovering for alcoholics and drug addicts. Steps House has been in existence for five years. Mr. Sears stated that he had reviewed the tape of the previous meeting of the Commission that involved Steps House and heard the concerns of the neighbors. Since then they have contacted or have tried to contact the neighbors that had issues and explained to them the situation, with that the concerns seem to have been satisfied. Mr. Sears also explained how the rules for Steps House were formulated.

There was discussion regarding the staff at Steps House, client turnover, and safety concerns in the neighborhood.

Chairman Jarrell closed the public hearing.

There were several suggested additions to the conditions.

Motion: Approve CUP-140-05, a request to allow three additional protected persons in a residential facility, in a R1-10-MH zoning district at 307 South Bassett Lane, being a portion of Lot 2 of the Russell Subdivision in Payson, Arizona, Gila County Tax Parcel Number 304-04-202G, with the following conditions:

1. That no more than a total of nine protected persons and two staff members shall reside in this residential facility.
2. A person holding a valid and relevant medical, behavioral health, counseling or treatment license pursuant to Title 32, Arizona Revised Statutes, shall certify that the non-staff persons residing in the residential facilities are protected persons under federal fair housing laws.
3. That no more than six vehicles shall be parked on the premises at one time except for special events.
4. 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 residential facility accommodating no more than nine protected persons and two staff members, then the use permit is applicable. Change in uses or additional uses shall require approval through the CUP process.
5. No persons, that are required to register as a sex offender, pursuant to Title 13, Chapter 38 Article 3 of the Arizona Revised Statutes, shall be permitted to reside

in this residential facility.

6. The Step House Center for Healing and the Payson House Rules, which are 3 pages, submitted with the amended application on file, shall not be substantially changed. This condition does not apply to the fees portion of such rules.

7. 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 Conditional Use Permit.

8. Failure to comply with conditions one (1) thru six (6) 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 property. 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.

Moved by James Scheidt, seconded by Russell Goddard.

Vote: Motion carried 6 - 0

Yes: Jere Jarrell, James Scheidt, Barbara Underwood, Hal Baas, Kevin Sokol, and Russell Goddard.

- 3. **S-122-06** Preliminary Plat Request ("Chaparral Highlands") **Filed by:** Chaparral Highlands, LLC; property owner, Michael Mustacci, representative **Location:** 1109 N. Karen Way **Purpose:** To determine how this request for a Preliminary Plat review of a 19 lot single family residential and 1 tract subdivision will be recommended to Council.

Sheila DeSchaaf, Code Compliance Officer, summarized the staff report.

Finding of Facts:

- 1. Compliance with the Town's zoning standards for a R1-10 District has been demonstrated.
- 2. The proposed subdivision could be compatible with the topography and adjacent property uses if compliance with all conditions are met.

Staff recommends approval of S-122-06.

Questions were asked by the Commission and answered by staff and the applicant's representative.

Chairman Jarrell opened the public hearing.

Ralph Bossert, applicant representative, gave an overview of the proposed subdivision and addressed some of the concerns that the Commission had.

Chairman Jarrell closed the public hearing.

Motion: Recommend to the Town Council approval of S-122-06, a Preliminary Plat for the proposed Chaparral Highlands subdivision; consisting of Tax Parcel 302-23-006A, currently addressed as 1109 North Karen Way, with the following conditions:

1. Karen Way may be dedicated as a public road if the public roadway right of way and required improvements are extended west to the existing full width public roadway at the San Gianni Hills Subdivision. The developer will need to coordinate with the other property owners between this development and San Gianni Hills to accomplish this dedication. Otherwise, Karen Way will still need to be improved to public standards but will remain private.
2. The gate shall be equipped with an 'Opticom' receiver for emergency vehicle access.
3. The developer shall submit a hillside analysis showing which lots are Hillside Lots. A note shall be included on the final plat stating that the Hillside Lots shall be graded in accordance with the Town of Payson Hillside Requirements.
4. Developer shall provide storm water detention in accordance with Town of Payson Standards.
5. The 8" water line needs to be extended from the existing water line at the east side of the San Gianni Hills Subdivision across the frontage of this property and on the interior of this project to feed any fire hydrants.
6. The Final Plat shall be amended to reflect the correct Assessor Parcel Number and the final plat will note that only site built homes will be allowed in this subdivision.
7. All lot dimensions must be depicted on the final plat.
8. The final plat shall be in substantial conformance with the site plan as submitted.
9. Parcel 302-23-006A must be properly annexed into the Northern Gila County Sanitary District prior to approval of the final plat.  
Moved by Barbara Underwood, seconded by Kevin Sokol.

Vote: Motion carried 5 - 1

Yes: Jere Jarrell, James Scheidt, Barbara Underwood, Kevin Sokol, and Russell Goddard.

No: Hal Baas.

4. **CUP-144-06** Conditional Use Permit Request **Filed by:** L. Bruce & Dianne V. James, property owners **Location:** 208 S. Rim Club Drive **Purpose:** To consider the allowance of a detached guest quarters use with kitchen facilities in a R1-12 PAD zoning district.

Kevin Sokol recused himself from the discussion on CUP-144-06. Mr. Sokol is the contractor for this project.

Ray Erlandsen, Zoning Administrator, summarized the staff report.

Staff recommends approval of CUP-144-06 with the following five (5) 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. 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.

Chairman Jarrell opened the public hearing.

There were no comments or questions, therefore, Chairman Jarrell closed the public hearing.

Motion: Approve CUP-144-06, a request to allow a detached guest quarters with kitchen facilities use on the property at 208 South Rim Club Drive, being Lot 37 of the Rim Golf Club Phase One Subdivision, Payson, Arizona tax parcel 302-43-037, with the following conditions one (1) thru five (5) as listed on page 5 of the staff report.

Moved by James Scheidt, seconded by Hal Baas.

Vote: Motion carried 5 - 0

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

Abstained: Kevin Sokol.

5. **CUP-143-06** Conditional Use Permit Request **Filed by:** Nancy Edwards, property owner **Location:** 807 N. Whitehouse Drive **Purpose:** To consider the allowance of a detached guest quarters use with kitchen facilities in a R1-90 zoning district.

Ray Erlandsen, Zoning Administrator, summarized the staff report.

Staff recommends approval of CUP-143-06 with the following five (5) conditions:

1. That the proposed guest quarters use shall be for servants or non-paying guests only and shall not be leased or rented.
2. That the septic system for the proposed guest quarters use 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.

Chairman Jarrell opened the public hearing.

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

Chairman Jarrell closed the public hearing.

Motion: Approve CUP-143-06, a request to allow a detached guest quarters use on the property at 807 North Whitehouse Drive, Payson, Arizona, with tax parcel number 302-38-256A, with the following conditions as on page five (5) of the staff report with #2 being amended to read as follows: 'That the septic system for the proposed guest quarters use shall be approved by the Gila County Health Department and notice given to the Northern Gila County Sanitary District.' Moved by Barbara Underwood, seconded by Russell Goddard.

Vote: Motion carried 6 - 0

Yes: Jere Jarrell, James Scheidt, Barbara Underwood, Hal Baas, Kevin Sokol, and Russell Goddard.

Hal Baas and Barbara Underwood left the meeting at 6:27p.m.

- 6. **P-322-06** Amend the Unified Development Code (UDC) **Filed by:** Community Development Department **Location:** The amendment could affect all properties in the Town of Payson which qualify under the design review requirements. **Purpose:** To revise the Unified Development Code (UDC) by amending the Design Review portions of the UDC to establish a Council appointed Design Review Board for the Town of Payson.

No action was taken on this item.

**D. SCHEDULED DISCUSSION / POSSIBLE ACTION**

- 1. Mail boxes at Community Development Department for P & Z Commissioners

Jerry Owen, Community Development Director, commented that staff would like to set up mail boxes for the Commission in the Community Development Department. The Commission could pick up their packets for meetings and other informational items they could receive.

The Commission will be notified when the mail boxes are in place.

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

Staff was requested to review with the Northern Gila County Sanitary District the requirements for sewer hook-up.

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

- 1. March 20, 2006 P & Z Meeting Tentative Agenda:

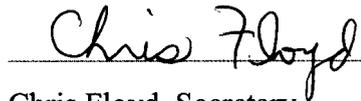
CUP-145-06	102 W. Roundup Rd.	Outside storage of equipment & materials
S-123-06	1701 N. Beeline Hwy	Preliminary Plat "Ponderosa Acres" 17 lots and 3 tracts

Chairman Jarrell noted that there is a meeting of the Airport Board on March 22, 2006, regarding property near the airport and the proposed amendment to the Payson General Plan for same.

**ADJOURNMENT - 6:34 p.m.**

  
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Jere Jarrell, Chairman

Mar 27, 2006  
Approved

  
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Chris Floyd, Secretary