

TOWN OF PAYSON  
PLANNING AND ZONING COMMISSION  
MINUTES OF THE PUBLIC MEETING  
May 8, 2006

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

**ROLL CALL**

PRESENT: James Scheidt, Barbara Underwood, Mark Waldrop, Hal Baas, Russell Goddard, and Kevin Sokol.

ABSENT/EXCUSED: Jere Jarrell.

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

**A. APPROVAL OF MINUTES**

1. Public Meeting 04-10-06 Pages 1 - 8

The minutes stand as added.

**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-131-05** Conditional Use Permit Request **Filed by:** Giant Industries  
**Location:** 2010 North Beeline Highway **Purpose:** To consider an extension of this expired CUP

Ray Erlandsen, Zoning Administrator, summarized the staff report regarding the CUP extension request. There have been no major changes from the original submittal. Mr. Erlandsen noted that additional requirements have been proposed.

Staff recommends approval of the extension with the additional requirements of:

1. All outdoor lighting shall be fully shielded so that the source of the illumination is not visible from public areas or neighboring properties.
2. All plans submitted must meet current design review requirements.

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3. This extension expires after September 28, 2006, and no further extensions shall be granted.

Vice-Chairman Scheidt opened the public hearing.

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

LaRon Garrett, Public Works Engineer, commented that ADOT was doing a traffic study at the intersection of N. Beeline Highway and Houston Mesa Road. As an additional condition, Mr. Garrett suggested that if it was determined that a traffic control device was needed that Giant would share in the cost.

Motion: Approve an extension for CUP-131-05, a request to allow gasoline sales in conjunction with a convenience store in a C-2 zoning district, with the following additional conditions as read; 1, 2, & 3, by Ray and to add a number 4 which would read; 'If ADOT determines that a traffic control device is necessary at the intersection of Highway 87 and Houston Mesa Road, within three (3) years of the date of this CUP extension, the developer shall pay their pro rata share of the cost of said traffic control device.' (For clarification - the original conditions will still apply to this extension.)

Moved by Barbara Underwood, seconded by Russell Goddard.

Vote: Motion carried 6 - 0

Yes: James Scheidt, Barbara Underwood, Mark Waldrop, Hal Baas, Russell Goddard, and Kevin Sokol.

2. **CUP-148-06** Conditional Use Permit Request **Filed by:** Paul & Lidia Hanc  
**Location:** 821 West Sierra Circle **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 of CUP-148-06 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. That the proposed guest quarters use shall be approved by 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 an attached 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.

Vice-Chairman Scheidt opened the public hearing.

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

Motion: Approve CUP-148-06, a request to allow an attached guest quarters with kitchen facilities use on R1-8 zoned property at 821 West Sierra Circle, being Lot 22 of the Woodhill Unit One Subdivision, tax parcel 302-90-022, with the conditions as read by staff.

Moved by Russell Goddard, seconded by Mark Waldrop.

Vote: Motion carried 6 - 0

Yes: James Scheidt, Barbara Underwood, Mark Waldrop, Hal Baas, Russell Goddard, and Kevin Sokol.

3. **CUP-149-06** Conditional Use Permit Request **Filed by:** The Canavest Group  
**Location:** 902, 904, 906 North Autumn Sage Court **Purpose:** To consider the allowance of model homes in conjunction with the Wildflower Ridge Amended #2 Subdivision.

Ray Erlandsen, Zoning Administrator, summarized the staff report.

Findings of Fact:

1. Compliance with the Town's zoning standards can be demonstrated.
2. The proposed model homes use could be compatible with the topography and adjacent property uses.

Staff recommends approval of CUP-149-06 with the following conditions:

1. The model homes shall not be used for residential (habitation) or accessory commercial (storage of materials, accessory offices, etc.) uses while displayed as models. Residential use could be allowed if the unit is no longer utilized as a

model home.

2. Public parking will not be allowed at the model homes. Customers shall park off-site and be driven by Wildflower Ridge employees to the model homes.
3. Prior to the issuance of Certificates of Occupancy, the Public Works Department and Fire Department shall confirm that an all weather road and adequate fire suppression facilities are available for servicing the intended lots.
4. Any violations of the specified conditions shall suspend approval for those portions of the Conditional Use Permit affected and shall be citable as if the Conditional Use Permit had not been granted for such use.
5. Failure to comply with the above conditions will be grounds for possible revocation of the Conditional Use Permit. If violations of the conditions of this CUP become a problem, then a request for review may be brought before the P & Z Commission, at the discretion of the Zoning Administrator.
6. The length of this Conditional Use Permit shall be a maximum of three years from the date of the Certificate of Occupancy.

Vice-Chairman Scheidt opened the public hearing.

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

Vice-Chairman Scheidt closed the public hearing.

Motion: Approve CUP-149-06, a request to utilize 3 existing dwelling units as model homes, being Lots 9, 11, and 12 of the Wildflower Ridge Subdivision, tax parcels 302-87-659, 302-87-661, and 302-87-662, with the conditions as read by staff.

Moved by Kevin Sokol, seconded by Russell Goddard.

Vote: Motion carried 6 - 0

Yes: James Scheidt, Barbara Underwood, Mark Waldrop, Hal Baas, Russell Goddard, and Kevin Sokol.

4. **S-125-06 Preliminary Plat Request (Bonita Pines Condominiums) Filed by:** Blackstone Homes, LLC **Location:** 305-309 South Ponderosa Street **Purpose:** To determine how a request for the Preliminary Plat of Bonita Pines Subdivision shall be recommended to Town Council.

Sheila DeSchaaf, Planning Specialist, summarized the staff report.

Staff recommends approval of S-125-06 with the eight (8) conditions listed on page 5 of the staff report.

Vice-Chairman Scheidt opened the public hearing.

Jason Phillimore, applicant representative, stated that he felt this was a good project as it offered a buffer from the residential to the east and the commercial to the west, that the UDC standards could be met, and that staff recommendations were appropriate for this project.

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

Jeanie Langham, from the audience, commented that she felt this was a good project. She had a few comments regarding design review. Jerry Owen, Community Development Director, stated that this project would be subject to the design review ordinance.

There was discussion regarding the required parking spaces.

Motion: Recommend approval of S-125-06, a Preliminary Plat for Bonita Pines, a condominium subdivision consisting of 26 residential units and two tracts, with the following conditions:

1. The final plat shall be in substantial conformance with the site plan as submitted.
2. All lot dimensions must be depicted on the final plat.
3. A 'typical' unit plans shall be depicted on the final plat.
4. The development shall provide a minimum of a 16.5 foot half street from the center of the existing pavement to the back of the new curb along Ponderosa Street.
5. A 5' sidewalk shall be installed on the east side of Ponderosa Street across the frontage of this project.
6. The final plans shall include appropriate storm water conveyance and detention facilities in accordance with Town of Payson requirements. These plans shall be acceptable to the Town of Payson Engineering Department prior to approval of the final plat.
7. The proposed 8" water line shall be connected to the existing water line at the intersection of Bonita and Ponderosa.
8. The following note shall be added to the Final Plat:

*'The developer has not provided the Town with a new water supply for the 26 proposed units and therefore upon installation of a water meter, such units shall be subject to all of the Town's then existing Water Development Fees.'*

9. There shall be 49 parking spaces required for this development.  
Moved by Barbara Underwood, seconded by Russell Goddard.

Vote: Motion carried 6 - 0

Yes: James Scheidt, Barbara Underwood, Mark Waldrop, Hal Baas, Russell Goddard, and Kevin Sokol.

5. **S-126-06** Preliminary Plat Request (Manzanita Hills Phase Six) **Filed by:** Manzanita Hills Six, LLC **Location:** 100 North Fawn Drive **Purpose:** To determine how a request for the Preliminary Plat of Manzanita Hills Phase Six Subdivision shall be recommended to Town Council.

Ray Erlandsen, Zoning Administrator, summarized the staff report.

Findings of Fact:

1. The proposed 14 lot subdivision can be designed to meet district and subdivision standards.
2. With the additional ERU's provided in the attached agreement, this project is in compliance with the Water Resources Element of the General Plan.
3. The proposed 14 lot subdivision could be compatible with existing zoning districts.

Staff recommends approval of S-126-06 with the following 12 conditions:

1. The future right of way for Green Valley Parkway shall be dedicated concurrent with the final plat.
2. The existing Green Valley Parkway right of way shall be abandoned concurrent with the final plat.
3. The existing cul-de-sac bubble at the south end of Fawn Drive shall be abandoned concurrent with the final plat.
4. The developer shall place funds in escrow with the Town of Payson for the construction of North Fawn Drive between the new roadway and Green Valley Parkway and Green Valley Parkway within this development, including appropriate utilities, prior to approval of the final plat. The amount of these funds shall be based on the estimated cost of these improvements at the time of final plat approval, and shall be approved by the Public Works Engineer.

5. The improvement plans and subdivision plat shall comply with the Town of Payson Standards for roadway and intersection design, off-site improvements, easements, grading, drainage, paving, water facilities, sewer facilities and computer closure; and shall be prepared by an Arizona Registered Engineer.
6. Prior to Final Plat submittal, the street name(s) in the Manzanita Hills Phase Six subdivision shall be approved by the Public Works Engineer and the Zoning Administrator.
7. Prior to Final Plat approval, the developer shall provide an acceptable water system design report and improvement plans.
8. Prior to Final Plat approval, the developer shall provide a sanitary facilities design report and improvement plans acceptable to the Northern Gila County Sanitary District.
9. No grading will take place prior to obtaining a grading permit. Grading will be limited to areas approved by the Public Works Engineer.
10. A 1' Non-Vehicular Access Easement (NVAE) shall be designated on the final plat on the frontage of all lots and the detention basin on North Fawn Drive and the future Green Valley Parkway.
11. The "Site Data" note on the submitted preliminary plan is incorrect and shall be deleted from the final plat.
12. If any of the above conditions cannot be met or the applicant does not have an approved Final Plat within one year from the date of Council approval, then the preliminary plat expires."

Vice-Chairman Scheidt opened the public hearing.

Ralph Bossert, applicant representative, stated that they concurred with all the conditions suggested by staff. He suggested an additional condition for consideration. The additional condition would be to include the detention basin as a tract, with added amenities, and separate it from lot 14.

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

A citizen had several comments regarding this project.

Vice-Chairman Scheidt closed the public hearing.

Motion: Recommend to the Council approval of S-126-06, a request for the

Preliminary Plat of proposed Manzanita Hills Phase Six Subdivision, with the conditions as read prior and the changes that were just made by staff. *The changes included adding a line at the end of conditions 2 and 3 which states pursuant to UDC Section 15-09-016. Also adding conditions 13 and 14 which are as follows:*

*13. The developer shall separate the detention basin from lot 14 and shall submit a site plan including amenities for placement in the detention basin for the use of the property owners, prior to submission of the preliminary plat to the Council.*

*14. The following note shall be added to the preliminary and final plats:*

*The developer has provided the Town with a new water source for **thirteen** lots pursuant to agreements adopted by Resolution 2052 and Resolution 2098. If a water meter is installed upon any of these lots within five (5) years of April 18, 2005, such lot shall be subject to the town's then existing Storage Tank Recapture Fee, but exempt from the Town's then existing Water Supply Recapture Fee and Technical Studies Recapture Fee. If a water meter is not installed upon one of these lots within five (5) years of April 18, 2005, upon installation of a water meter, such lot shall be subject to all of the Town's then existing Water Development Fees. The developer has not provided the Town with a new water supply for **one** lot(s) and therefore upon installation of a water meter, such lots shall be subject to all of the Town's then existing Water Development Fees. Note - A water meter may only be installed following the issuance of a building permit.*  
Moved by Russell Goddard, seconded by Kevin Sokol.

Vote: Motion carried 6 - 0

Yes: James Scheidt, Barbara Underwood, Mark Waldrop, Hal Baas, Russell Goddard, and Kevin Sokol.

**D. SCHEDULED DISCUSSION/POSSIBLE ACTION**

**No items at this time.**

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

Hal Baas has requested that research be done on the origination and intent of the animal corridor section of the General Plan and propose some criteria to be considered for future applications.

Staff will work on a system for tracking the water credits.

Hal Baas also requested that discussion regarding criteria for minutes be placed on the next agenda.

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

1. May 22, 2006, P & Z Meeting Tentative Agenda:
  - a. S-124-06 Preliminary Plat Mazatzal Mountain Air Park Unit Four - North Earhart Parkway
  - b. P-324-06 General Plan Amend. from Employment to Rural Residential - for 51 acres North of Airport
  - c. P-325-06 Amend UDC Sections 15-06 (Minor Land Divisions), 15-07 (Subdivisions), 15-08 (Administration), 15-09 (Procedures), 15-11 (Definitions), & 15-12 (Tables & Charts)

Vice-Chairman Scheidt commented that he would not be present for the next Planning & Zoning Commission meeting scheduled for May 22, 2006.

**ADJOURNMENT - 6:25 p.m.**

Barbara Underwood  
*acting chairman*  
 James Scheidt, Vice-Chairman

5-22-06  
 Approved

Chris Floyd  
 Chris Floyd, Secretary