

**TOWN OF PAYSON
PLANNING AND ZONING COMMISSION
MINUTES OF THE PUBLIC MEETING
September 10, 2007**

CALL TO ORDER - 3:04 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Jere Jarrell, James Scheidt, Mark Waldrop, Hal Baas, Russell Goddard, Joel Mona, and Gary Bedsworth.

ABSENT: None

STAFF PRESENT: Ray Erlandsen, Zoning Administrator, Jerry Owen, Community Development Director, LaRon Garrett, Town Engineer, Sheila DeSchaaf, Planner II, and Tim Wright, Deputy Town Attorney.

Items 3, 4 and 8 have been pulled.

A. APPROVAL OF MINUTES

1. Public Meeting 08-13-07 Pages 1-5

The minutes were approved as submitted.

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.

Hal Baas stated that regarding the proposed fence requirements he was completely satisfied with the explanation given by Town staff as to why we don't have a current fence regulation, contrary to inferences from a local news commentator.

C. SCHEDULED HEARING(S)

1. CUP-162-07 Conditional Use Permit
Filed by: Town of Payson
Location: 1400 South Beeline Highway
Purpose: To allow the development of a hotel and conference center in R3 and C-2 zoning districts.

Sheila Deschaaf, Planner II, summarized the staff report.

Staff recommends approval with the following conditions:

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1. The use permit shall be valid if, within one year from the date of approval, all necessary building permits have been issued to allow commencement of the conditional use.
2. Development shall be in substantial conformance with the site plan submitted to staff, dated August 23, 2007.
3. The length of this conditional use permit shall run concurrent with the use of this property. Expansion of the approved use, changes in use, or additional uses shall be subject to review and approval by the Planning and Zoning Commission if not expressly permitted in the R-3 or C-2 zoning district.
4. Development shall be subject to approval by the Design Review Board.
5. The developer shall be responsible for extending any needed utility lines from their present location to the site.
6. Developer shall be required to construct a water booster station to supply adequate pressure to development above the 4980' elevation.
7. The legal definition as provided in the lease agreement shall be modified to include the portion of the 40' exception along the west property line upon which the restaurant is encroaching.
8. The alignment of Green Valley Parkway at the north end of the proposed development needs to be reconfigured so that future traffic on Green Valley Parkway can be shifted to the northwest with the hotel traffic turning off.
9. Green Valley Parkway shall be constructed as at least half street improvements (24' wide pavement with curb, gutter, and sidewalk) from the southwest corner of the event center property to its northern terminus.
10. All driveways for two-way traffic must be at least 24' wide and all parking stalls must be at least 9' X 19'.
11. Storm water detention shall be provided in accordance with the Town's requirements. If the Town of Payson purchases property for a regional detention basin adjacent to this property, the developer may use that property to meet his storm water detention needs. If the developer uses this option, he will reimburse the Town for a portion of the land cost (approximately \$75,000 to \$80,000) and shall be responsible for the cost of improvements to provide the required storm water detention volume for the Hotel Conference Center.
12. Engineered paving, grading and drainage plans prepared by an Arizona registered professional shall be required.
13. Development shall comply with all applicable town codes in effect at the time of building permit application.

The Commission asked questions, which were answered by staff.

Chairman Scheidt opened the public hearing.

Bruce Berres, of the Hospitality Support Group, gave an overview of the proposed hotel conference center project.

There was discussion regarding the parking, drainage/detention basin, and the conceptual site plan.

Gary Bedsworth did voice his concerns regarding the parking situation for the proposed project.

Several Commissioners voiced their support of the proposed project.

Chairman Scheidt made several comments regarding the proposed project.

Chairman Scheidt closed the public hearing.

Motion: Approve CUP-162-07 with the conditions as read.
Moved by Joel Mona, seconded by Jere Jarrell.

Vote: Motion carried 5 - 2

Yes: Jere Jarrell, James Scheidt, Mark Waldrop, Russell Goddard, and Joel Mona.

No: Hal Baas, and Gary Bedsworth.

2. CUP-163-07 Conditional Use Permit

Filed by: David and Cleo Hevelone, property owners

Location: 407 South Mud Springs Road

Purpose: To allow more than two customer/clients visits per day in relation to a home-based business in a R1-10-MH zoning district.

Ray Erlandsen, Zoning Administrator, summarized the staff report.

Staff recommends approval with the following conditions:

1. The proposed use of more than two customer/client visits per day shall not create parking problems. That is, all parking associated with this use shall be on the applicant's property.

2. The operation of this home-based business shall not create noise discernable by the human ear at the property line.

3. The hours of operation shall be limited to 8:00 a.m. to 4:00 p.m.

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 single family residence with a home-based business providing dance lessons to more than two customer/client visits per day in connection with that business, then the use permit is applicable. Change in uses or

additional uses shall require approval through the CUP process.

5. 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 dance studio. 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 Scheidt opened the public hearing.

Chairman Scheidt closed the public hearing.

The Commission asked the applicant questions regarding the proposed dance studio, which were answered.

Motion: Approve CUP-163-07, a request filed by David and Cleo Hevelone to allow more than two customer/client visits per day for a home-based business, subject to the conditions prepared by staff with the addition of a five (5) year limitation on the CUP. After a brief discussion of the motion **condition #4** was **rewritten** to read, 'This CUP shall expire after five (5) years with the possibility of a renewal. As long as this property is used for a single-family residence with a home-based business providing dance lessons to more than two customer/client visits per day in connection with that business, then the use permit is applicable. Change in uses or additional uses shall require approval through the CUP process.'

Moved by Jere Jarrell, seconded by Hal Baas.

Vote: Motion carried 7 - 0

Yes: Jere Jarrell, James Scheidt, Mark Waldrop, Hal Baas, Russell Goddard, Joel Mona, and Gary Bedsworth.

3. CUP-164-07 Conditional Use Permit (POSTPONED)
Filed by: DDA Investments, property owner
Location: 200-208 West Cherry Street
Purpose: To allow a maximum of three stories, 35 feet of habitable/occupiable space and a maximum overall height of 45 feet in a R3 zoning district.

This item was postponed.

4. S-143-07 Preliminary Plat (Payson Place) (POSTPONED)
Filed by: DDA Investments, property owner
Location: 200-208 West Cherry Street
Purpose: To determine how a request for the preliminary plat of a 24 unit residential condominium subdivision shall be recommended to Town Council.

This item was postponed.

5. S-142-07 Preliminary Plat (Falcon Lookout Phase 2)
Filed by: Larry and Susan Pew, property owners
Location: 1000 North Falconcrest Drive
Purpose: To determine how a request for the preliminary plat of a 23 lot 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. The Declaration of Covenants, Conditions and Restrictions referenced on the preliminary subdivision plat, the recording information for the CC&R's shall also be included on the final subdivision plat.
3. Building envelopes may only be adjusted if approved by both the Home Owners Association and the Town of Payson. The total area of the building envelope cannot be increased.
4. Per the preliminary plat, the streets in this development are to be private. If a gate is installed for this development it shall be equipped with an "Opticom" or comparable receiver for emergency vehicle access.
5. If a subdivision sign is planned, a sign easement shall be created on the lot where the subdivision sign will be placed.
6. That the applicant comply with all standard Town of Payson development requirements, including fire hydrant placement.
7. A water pressure booster station shall be constructed with this development to provide domestic water service to all lots. It may be desirable to connect Lots 7 and 9-17 in Phase 1 to the booster station. A parallel water line to supply fire protection may be constructed to reduce the requirements of the booster station.
8. This development shall provide storm water retention/detention in accordance with the Town of Payson requirements. Lots 20-32 shall include an underground stormwater detention design with the Hillside Grading Plan, in conformance with the conceptual design and parameters contained in the Falcon Lookout Phase 1 Final Drainage Report.
9. The improvements in the cul-de-sac shall have a minimum radius of 45' to back of curb.
10. Since Falconcrest Drive is a public roadway, the section between the existing pavement and gate for this project shall be constructed to full Town of Payson standards.
11. Falconcrest Drive between this project and Airport Road on the east end is a public roadway and cannot be made into a dead-end by a gate. Therefore, a turnaround shall be

provided at the east end of this project outside the gate similar to the one proposed at the west end. This turnaround shall be dedicated to the Town of Payson.

12. If a gate is installed for this development it shall be equipped with an "Opticom" or comparable approved receiver for emergency vehicle access.

13. 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.

14. The maximum fill slope adjacent to the street is 3:1 and the maximum cut slope adjacent to the street is 2:1. (The detail on the preliminary plat is incorrect.)

15. Revise Note 19 to provide an annual report to Town of Payson "Engineer" not "Public Works Director.

16. A screen wall/separation barrier of approved materials shall be constructed (minimum 4' high) wherever the Falconcrest Drive improvements are within 100 feet of the improvements on Airport Road.

17. A landscape and tree preservation plan shall be submitted with the final plat depicting a minimum of 20 Ponderosa Pine, 10-14' in height to be planted between the two roadways of West Airport Road and Falconcrest Drive.

18. That the applicants submit a written proposal regarding their workforce housing contribution prior to Council consideration of the final plat.

19. The approval of this preliminary plat and final plat is contingent on the construction and final acceptance of the subdivision improvements for Falcon Lookout Phase 1.

20. Approval of the preliminary plat is valid for a period of twelve months from the date of Council approval.

Any other conditions the Commission deems necessary.

The Commission asked questions, which were answered by staff.

There was discussion regarding the drainage and the retention/detention basins.

Ralph Bossert, Tetra Tech, is working with the developer on this project. He stated that they concurred with staff recommendations. Mr. Bossert did address concerns of the Commission.

Gary Bedsworth suggested that an additional recommendation be added that a retention/detention system, in accordance with the Town of Payson requirements, will be put in place before building on each individual lot.

Chairman Scheidt opened the public hearing.

A couple of members of the audience voiced concern regarding the drainage and requested that a bond be put in place.

Ray Erlandsen, Zoning Administrator, commented that recommendation #12 would be deleted and suggested that a new #12 read, 'Any disturbed area for placement of the sewer line on Lots 21, 22, and 23 shall be revegetated to Town standards before final acceptance of improvements.' Also it was suggested adding recommendation #21 to read, 'A retention/detention system for Lots 20-32 in accordance with Town of Payson standards shall be in place on each individual lot prior to approval of a footing inspection.'

There was a discussion regarding the possible requirement of a bond for protection of property.

Chairman Scheidt closed the public hearing.

Motion: Recommend to the Town Council approval of S-142-07, a request for Preliminary Plat approval of Falcon Lookout Phase 2, a 23 lot and 1 tract residential subdivision located on 16.55 acres at 1000 North Falconcrest Drive, a portion of Assessor Parcel Number 302-23-107A with the conditions as listed in the staff report and the additions made, the new #12 and the addition of #21.

Moved by Russell Goddard, seconded by Mark Waldrop.

Vote: Motion carried 5 - 2

Yes: James Scheidt, Mark Waldrop, Russell Goddard, Joel Mona, and Gary Bedsworth.

No: Jere Jarrell, and Hal Baas.

The Commission recessed at 5:50 p.m.

The Commission reconvened at 6:00 p.m. with all Commissioners still present.

6. S-144-07 Preliminary Plat (Rim Ridge Estates)
Filed by: City Creek Development LLC, property owner
Location: 808 East Highway 260
Purpose: To determine how a request for the preliminary plat of a 56 unit residential townhome subdivision shall be recommended to Town Council.

Sheila DeSchaaf, Planner II, 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. Streets shall be named prior to submittal of the final plat.
3. That Mud Springs Road adjacent to the project shall be upgraded to meet Town Standards. This may require additional right of way dedications. Improvements shall be a minimum of 16.5 feet of pavement from the roadway center of the right of way to the back of curb with vertical curb and gutter. It shall also include a minimum 8' wide trail on the

east side of Mud Springs Road in accordance with the Town of Payson Trails Plan. This 8' wide trail shall be offset from the proposed back of curb at least 4 feet.

4. If the development is phase, the loop road that connects Mud Springs to East Highway 260 and the improvements to Mud Springs Road shall be included in Phase One.
5. The developer will contribute their pro rata share of the cost of a traffic control device at Mud Springs and Highway 260, to be payable with Phase One if development is phased.
6. The applicant shall comply with all standard Town of Payson development requirements, including fire hydrant placement.
7. The stub street planned near Tract D shall be posted "No Parking Fire Lane".
8. If a subdivision sign is planned, a sign easement shall be created on the lot or tract where the subdivision sign will be placed.
9. That the final plat be submitted within 12 months of council approval of the preliminary plat.
10. 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.
11. That the applicant submit a written proposal regarding their workforce housing contribution prior to Council consideration of the final plat.
12. That a landscape plan/tree preservation plan be submitted with the final plat improvement plans.
13. That all other provisions of the Unified Development Code be met.

The Commission asked questions, which were answered by staff.

Chairman Scheidt opened the public hearing.

Ralph Bossert, Tetra Tech, is working with the developer on this project. Mr. Bossert did address concerns of the Commission. Mr. Bossert asked if recommendation #4, regarding road improvements, could be revised.

Mr. Schlotman, owner/developer, gave a brief overview of the project.

There was some discussion regarding the road improvements and the secondary access.

Chairman Scheidt closed the public hearing.

Gary Bedsworth suggested that another recommendation be added regarding the swimming pool not being used by the townhome development.

There was discussion regarding the usage of the swimming pool.

Gary Bedsworth withdrew his recommendation.

A member of the audience voiced a concern regarding the setback.

Motion: Recommend to the Town Council approval of S-144-07, a request for preliminary plat approval of Rim Ridge Estates, a 56 lot townhouse subdivision located on 16.29± acres at 808 East Highway 260, Assessor Parcel Numbers 304-07-017E, 304-07-018, and 304-07-019 with the conditions listed in the staff report as they were changed at this meeting. (Recommendation #4 was **amended** to read: "The improvements to Mud Springs Road shall be included in Phase One. The existing road (used for campground access from East Highway 260) shall be paved and extended to connect to the east-west road that extends to North Mud Springs Road with Phase One. The north-south loop road shall be included in the financial assurances for Phase Two, but may be constructed with Phase Three." Moved by Gary Bedsworth, seconded by Russell Goddard.

Vote: Motion carried 7 - 0

Yes: Jere Jarrell, James Scheidt, Mark Waldrop, Hal Baas, Russell Goddard, Joel Mona, and Gary Bedsworth.

7. S-145-07 Preliminary Plat (Ponderosa Heights Phase 1)
Filed by: Ponderosa Heights LLC, property owner
Location: 1601-1801 North Beeline Highway
Purpose: To determine how a request for the preliminary plat of a 17 lot single-family residential subdivision shall be recommended to Town Council.

Ray Erlandsen, Zoning Administrator, explained that the original approval of this preliminary plat had expired. Then Mr. Erlandsen summarized the staff report.

Staff recommends re-approval of this preliminary plat with the following conditions:

1. The final plat shall be in substantial conformance with the preliminary plat as submitted.
2. 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.
3. The developer shall obtain the appropriate easements from the adjacent property owner for the utility line extensions.
4. 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.
5. This property must be properly annexed to the Northern Gila County Sanitary District prior to approval of the final plat.

6. Sewer easements between lots 5-6 and 14-15 shall be identified on the final plat.
7. A 12" water line shall be extended from the existing 12" water line on the east side of Highway 87 to the first street intersection. From there the water lines may be 4", 6", or 8" as appropriate.
8. Developer to provide storm water detention in accordance with Town of Payson Standards.
9. All work required by the Arizona Department of Transportation within their Right of Way, including any additional turn lanes, intersection traffic control, etc. shall be reviewed, approved and permitted by ADOT.
10. 5' sidewalks be required on both sides of that portion of East Roundup Road that bisects the commercial tracts, and 4' sidewalks be required on both sides of that portion of East Roundup Road that will carry traffic through to East Tyler Parkway as the proposed subdivision develops.
11. Applications for grading permits on individual lots shall comply with the UDC Section 15-03-004 Removal or Cutting of Native Trees to minimize loss of vegetation outside building footprint.
12. The final plat improvement plans shall include a landscape/tree preservation plan.
13. That the applicant submit a written proposal regarding their workforce housing contribution prior to Council consideration of the final plat.

The Commission asked questions, which were answered by staff.

There was discussion regarding recommendation #6 and adding lot 7 to the sewer easement.

Ralph Bossert, Tetra Tech, gave a brief overview of the project.

Chairman Scheidt opened the public hearing.

Ralph Bossert, Tetra Tech, questioned what was the tree preservation plan. Jerry Owen, Community Development Director, replied that it should be a cover sheet showing which trees are to remain or be relocated.

The Commission asked questions of the developer, which were answered by Mr. Bossert and the developer.

Motion: Recommend to the Town Council re-approval of S-145-07, a request for Preliminary Plat approval of Ponderosa Heights Phase 1, a 17 lot and 3 tract residential subdivision located on 7.18 acres at 1601-1801 North Beeline Highway, a portion of Assessor Parcel Number 302-35-004A with the conditions listed in the staff report. Moved by Joel Mona, seconded by Mark Waldrop.

Vote: Motion carried 6 - 1

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

No: Gary Bedsworth.

8. P-342-07 UDC Amendment Request (POSTPONED)

Filed by: Town of Payson

Location: All of Payson

Purpose: A request to add Section 15-03-006, Fences, to the Unified Development Code.

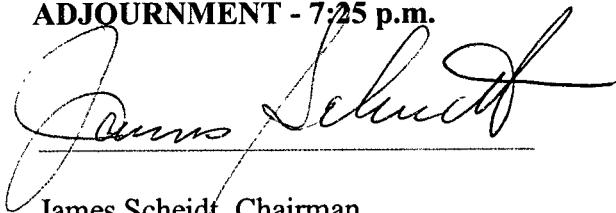
This item was postponed.

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

Joel Mona asked if additional impact fees were consider for guest quarters that receive a Conditional Use Permit. Ray Erlandsen, Zoning Administrator, stated that each agency does review the CUP. It was also noted that a handout was in the works, to be used by the applicant for a CUP regarding guest quarters.

E. DIRECTOR'S COMMENTS

ADJOURNMENT - 7:25 p.m.



James Scheidt, Chairman

12-10-07

Approved



Chris Floyd, Secretary