TOWN OF PAYSON
PLANNING AND ZONING COMMISSION
MINUTES OF THE PUBLIC MEETING
November 10, 2008

CALL TO ORDER - 3:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL
PRESENT: James Scheidt, Hal Baas, Russell Goddard, Joel Mona, Gary Bedsworth, and Lori Meyers.
ABSENT/EXCUSED: Jere Jarrell
STAFF PRESENT: Ray Erlandsen, Acting Community Development Director, Sheila DeSchaaf, Planner II, LaRon Garrett, Public Works Director, Tim Wright, Deputy Town Attorney, and Chris Floyd, Secretary.

A. APPROVAL OF MINUTES

1. Public Meeting 10-13-08 Pages 1-4

   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.

There were no public comments.

C. SCHEDULED HEARING(S)

1. CUP-165-07 Conditional Use Permit Extension Request
   Filed by: Mary Suzanne Malinski, property owner
   Location: 104 West Phoenix Street
   Purpose: Request for a one year extension of a conditional use permit to allow a microbrewery and outdoor commercial recreation use in a C-2 zoning district.

   Sheila DeSchaaf, Planner II, summarized the staff report.

   Staff recommends that condition #1 be revised to read, 'The use permit shall

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be valid if, within two years from the date of approval, all necessary building permits have been issued to allow commencement of the conditional use.

Chairman Baas gave a brief overview of how this Conditional Use Permit was approved. He noted that the only subject before the Commission today was the extension.

Chairman Baas opened the public hearing.

Chairman Baas closed the public hearing.

The Commission asked questions, which were answered by the applicant and the applicant's architect.

Motion: Amend CUP-165-07, Condition #1 as listed in the staff report.
Moved by Gary Bedsworth, seconded by Russell Goddard.

Vote: Motion carried 6 - 0
Yes: James Scheidt, Hal Baas, Russell Goddard, Joel Mona, Gary Bedsworth, and Lori Meyers.

Absent: Jere Jarrell.

2. S-150-08 Preliminary Plat
Filed by: Mogollon Development Group LLC, property owner
Location: 414 & 502 South Ponderosa Street
Purpose: To determine how this request for a Preliminary Plat of a four (4) lot subdivision will be recommended to the Town Council.

Ray Erlandsen, Acting Community Development Director, summarized the staff report.

Staff recommends approval with the following conditions:

1. That the final plat shall be in substantial conformance with the preliminary plat, date stamped September 28, 2008, as submitted.

2. A 10' wide roadway easement across the front of each property is required.

3. Upgrade the west one-half of the street to be a 15' wide strip pavement, prior to recording the final plat.

4. That the final plat be submitted within 12 months of Council approval of the preliminary plat.

5. That the developer provides sanitary sewer facilities in accordance with Northern Gila County Sanitary District requirements, prior to recording the final plat.

6. That all other provisions of the Unified Development Code be met.

The Commission asked questions, which were answered by staff.

Garrett Goldman, Tetra Tech, gave a brief overview of the project.

Chairman Baas opened the public hearing.

Chairman Baas closed the public hearing.

Motion: Recommend to the Town Council approval of S-150-08, a request from Mogollon Development Group LLC for preliminary plat approval of a 4 lot single family residential townhouse subdivision located at 414-502 South Ponderosa Street subject to the conditions listed by the staff, 1-6 with amendments as reported. There was discussion of the motion regarding the replacement of the roofs in later years. The developer stated that probably there would be in the purchase agreement or at some point a deed restriction showing that the roofs are shared equally among two (2) residences.
Moved by James Scheidt, seconded by Joel Mona.

Vote: Motion carried 6 - 0
Yes: James Scheidt, Hal Baas, Russell Goddard, Joel Mona, Gary Bedsworth, and Lori Meyers.

Absent: Jere Jarrell.

3. P-348-08 General Plan Major Amendment
Filed by: Tom Col Investments LLC; Petelin Ventures LLP and Thomas C. Waite; and Pioneer Title Agency Inc., property owners
Location: South and West of the Payson Airport
Purpose: Request to amend the Land Use Element of the Town of Payson General Plan for three parcels consisting of approximately 222 acres.

Ray Erlandsen, Acting Community Development Director, stated that Sheila DeSchaaf, Planner II, would give an overview of the process for a general plan major amendment.

Sheila DeSchaaf, Planner II, gave a brief overview of the process for a general plan major amendment and development of the site. She stated that this request was for an amendment to the Land Use element already adopted by the Town.

Ray Erlandsen, Acting Community Development Director, then summarized the staff report.

Staff recommends approval of either option one which is as submitted by the applicant or option 2 as modified by staff in exhibit 'c'.

Lori Meyers commented that she had read each letter that was submitted but did take exception to a comment that stated this was a done deal. She felt that nothing was a done deal with her.

Chairman Baas made comments regarding the development process and possible rezoning issues.

Gary Bedsworth questioned a possible urban renewal type development that would have a mixture of apartments, homes, businesses, light manufacturing and maybe even a grocery store, where people could walk to a central park facility, how this type of development would fit in a space like this and what current zoning would be required. Sheila DeSchaaf, Planner II, replied that the traditional neighborhood design would fit in the mixed use area as is or could be accomplished with a PAD.

Ray Jones, agent for the property owners, gave a brief overview of the proposed amendment to the general plan. He stated that the proposed amendment was basically to clarify what already exists. Mr. Jones stated that he wasn't trying to change the existing circulation plan.

The Commission asked for clarifications, which were answered by the applicant.

Chairman Baas opened the public hearing.

Several members of the audience voiced their concerns regarding the high density area where the prior map showed open space, the new densities, and the roadway extensions for Sherwood Drive and Wagon Trail which would impact traffic in the area.

Chairman Baas noted for the record that in his opinion this is one of the most professional, impartial, fair, and non-biased Commission this Town has ever enjoyed. He said he didn't think there was any person on this Commission that had any preconceived notions or attitudes.

There was more comments and discussion regarding the increase in traffic, high density next to existing horse property, changing the medium density to low density adjacent to Manzanita Hills, employment areas for economic prosperity for the Town, it was suggested that a strip of low density be placed adjacent to Manzanita Hills, and a request was also made for

disapproval of this proposal and asked that another proposal be brought forward showing no extension of Sherwood Drive.

Chairman Baas closed the public hearing.

Gary Bedsworth read a portion of the current General Plan regarding the Airport Growth Area, which reads: "The Payson Municipal Airport Growth Area is critical to the future of the Town of Payson. The community has limited opportunities for employment growth, other than retail development, and the area around the airport is the only location for this type of land use to occur. Protecting the airport from the encroachment of residential development is critical. Due to market trends, this area has been under pressure to change from employment to residential. It is critical for the Town of Payson to maintain this approximately 222 acres as employment that surrounds the airport.

Over the next 10 years, the Town of Payson must focus its attention on creating jobs that pay a livable wage. The area's quality of life has attracted both people and retail businesses to the area, but the employment sector has been slow to follow. The Payson Municipal Airport is the engine that drives the current and projected airport-related employment within this growth area. Part of Payson's vision is to become a community where you can live, work, and play. The Airport Growth Area provides the opportunity for the Town to attract higher paying jobs so that residents can earn a decent living and be able to continue to live in Payson as the cost of housing continues to escalate.

The Payson Airport Growth Area is intended to be a mixed-use area that includes planned business uses located in a business park environment. The intent of the business park environment is to have landscaping throughout the park setting and have inward focused activities. The type of uses that would be acceptable in this growth area would include a mix of light industrial, professional office, office showrooms, and office warehouses.

Additionally as the Airport Growth Area develops over the next 10 years, providing alternative transportation options to support the employment in the area is critical. The continuation of the pedestrian/bike path system to connect the airport employment area as well as consideration of potential transit connections should be developed as the area continues to grow."

Mr. Bedsworth then commented on our current population and our proposed buildout. He felt that to decrease the employment area from 84.12 acres to 51.31 acres with no commercial seemed to limit the employment and growth opportunities of business and light industrial business in the Town of Payson as we move toward buildout.

Russell Goddard stated that he was an advocate for the employment area but also understands the concerns of the residents that have the horse property and the residents that have low density. He wasn't sure if he was ready to accept this plan as presented but also didn't want to prevent development.

Chairman Baas commented that one option would be to call a special meeting which could be an incorporation of the comments and concerns that were expressed today.

Tim Wright, Deputy Town Attorney, commented that this item was scheduled for the December 11 Council meeting.

There were more comments made by the Commission members regarding the proposed amendment to the General Plan. Joel Mona asked that a condition be placed on the proposal which would be, 'the open space near the east boundary be expanded to approximately 4 acres, approximate dimensions of the open space to be 870' x 200', the additional 2 acres extends the proposed open space to the southwest along Airport Road.' Also a condition that the low density designation to be extended on west edge of Manzanita Hills for at least the width of one lot, approximately 250' wide.

Motion: To disapprove of P-348-08, a request from Ray Jones to Amend the Land Use Element of the Town of Payson General Plan, as outlined in Option One/(Two) of the staff memo.

There was discussion of the motion regarding concerns addressing the employment area, the proposed road extensions, having the applicant consider revising the proposal so it could receive a positive vote to take to Council, open space areas, the possibility of continuing this meeting, and working with applicant to see if proposed conditions would be acceptable. There was more discussion by the applicant and they are not opposed to working on some proposed changes. The question was asked if there would be a possibility of a work study meeting before another meeting to vote on the proposal. It was possible but would be a scheduling issue, plus getting the information together in time would be difficult. After the discussion, the question was called and the vote taken.
Moved by Gary Bedsworth, seconded by Lori Meyers.

Vote: Motion failed 1 - 5
Yes: Gary Bedsworth.
No: James Scheidt, Hal Baas, Russell Goddard, Joel Mona, and Lori Meyers.

Absent: Jere Jarrell.

Gary Bedsworth moved, seconded by Jim Scheidt, to direct staff to schedule a special meeting for November 17, 2008, at 3:00 p.m. to further discuss this

application.

Ray Jones, as the agent for the applicants, stated he was not opposed to coming back before the Commission next week. There was a brief discussion on the motion regarding some of the suggestions made and if the agent thought any of them were feasible at this time. There was also discussion on the placement of Sherwood Drive and the fact that the Town does have an easement for that road.

Motion carried 6-0.

4. P-350-08 Unified Development Code (UDC) Amendment
Filed by: Town of Payson
Location: All of Payson
Purpose: Request from Town staff to amend UDC Section 15-09-005, Temporary Use Permit, by adding subsection (B) (5), requiring an application fee and a permit fee to be paid according to the schedule adopted by the Town Council.

Ray Erlandsen, Acting Community Development Director, summarized the staff report.

The Commission asked questions, which were answered by staff.

Chairman Baas opened the public hearing.

Chairman Baas closed the public hearing.

Motion: Recommend to the Town Council approval of P-350-08, an amendment to the Unified Development Code, Section 15-09-005, Temporary Use Permit, by adding Section 15-09-005 (B) (5) as listed above.
Moved by James Scheidt, seconded by Joel Mona.

Vote: Motion carried 6 - 0
Yes: James Scheidt, Hal Baas, Russell Goddard, Joel Mona, Gary Bedsworth, and Lori Meyers.

Absent: Jere Jarrell.

D. SCHEDULED DISCUSSION/POSSIBLE ACTION
None

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

F. INFORMATION TO COMMISSION (Not for Discussion)

ADJOURNMENT - 6:25 p.m.

Gary Bedsworth 1/12/09
~~Hal Baas~~, Chairman
Vice

1-12-09
7/0

Approved

Chris Floyd

Chris Floyd, Secretary