TOWN OF PAYSON
PLANNING AND ZONING COMMISSION
MINUTES OF THE PUBLIC MEETING
April 13, 2009

Chairman Goddard called the duly published and posted public meeting of the Planning and Zoning Commission to order at 3:00 p.m. in the Council Chambers.

PLEDGE OF ALLEGIANCE

ROLL CALL
PRESENT: Russell Goddard, Joel Mona, James Scheidt, Gary Bedsworth, Lori Meyers, and Jeff Loyd.
ABSENT: 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, Executive Assistant.

A. APPROVAL OF MINUTES

1. Public Meeting 3-9-09 Pages 1-2

   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. P-352-09 Zone Change Request
   Filed by: Nancy C. Edwards, property owner
   Location: 807 North Whitehouse Drive
   Purpose: A zone change request from R1-90 MH to R1-44 to allow for a minor land division to create two separate parcels for the existing dwelling units.

   Sheila DeSchaaf, Planner II, summarized the staff report.

Staff recommends approval with the following conditions:

1. The portion of the newly created frontage that falls within the 14' roadway easement shall be dedicated to the Town of Payson in conjunction with the Minor Land Division/Lot Line Adjustment.

2. The developer shall submit a proposal for affordable/workforce housing contribution prior to Council consideration of the zone change request.

3. If any of the conditions listed above cannot be met or the applicant has not recorded an approved minor land division survey map within two (2) years of the approval date of the zoning change, then the R1-44 zoning may revert to the original R1-90-MH zoning, pending Council action.

The Commission asked questions, which were answered by staff.

Chairman Goddard opened the public hearing.

Penny DeGroot voiced her concern regarding an additional driveway being added to Palmer Drive due to current flooding issues during hard rains.

Sheila DeSchaaf, Planner II, replied that the current code requirement, for any new lot created, is it must have frontage on a dedicated and improved roadway, however, access from this frontage is not required. As of now the access is from Whitehouse.

LaRon Garrett, Public Works Director, recommended that an added stipulation be for a full engineered plan if future access was requested from Palmer Drive.

There was further discussion regarding the possible access from Palmer Drive and flooding during heavy rains.

A new condition #3 was suggested which read, "If vehicular access from Palmer is to be used, sealed plans shall be submitted to and approved by the Town Engineering Department, that assures that additional flooding does not result from such vehicular access."

Chairman Goddard closed the public hearing.

Motion: Recommend to the Town Council approval of P-352-09, a request to rezone a 2.84 acre property located at 807 North Whitehouse Drive from R1-90-MH to R1-44 as depicted on Exhibit A to allow for the future division of this property with the conditions listed in the staff report and the new one added. (Added - If vehicular access from West Palmer Drive is to be used, sealed plans shall be submitted to and approved by the Town Engineering

Department, that assures that additional flooding does not result from such vehicular access.)
Moved by Lori Meyers, seconded by James Scheidt.

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

Absent: Jere Jarrell.

2. P-353-09 Zone Change Request
Filed by: Seven Js LLC, property owner
Location: 200 West Frontier Street
Purpose: A zone change request from R3-MH to C-2 for an existing portion of the Bonanza Square Shopping Center, to accommodate a wider variety of commercial uses within the existing commercial buildings.

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

Staff recommends approval of this request.

Chairman Goddard opened the public hearing.

Chairman Goddard closed the public hearing.

Motion: Recommend to the Town Council approval of P-353-09, a request to rezone the northern 100 feet of the shopping center located at 200 West Frontier Street from R3-MH to C-2 as depicted on Exhibit A of the staff report.
Moved by James Scheidt, seconded by Lori Meyers.

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

Absent: Jere Jarrell.

3. CUP-171-09 Conditional Use Permit
Filed by: Seven Js LLC, property owner; Debra Yeakey, agent
Location: 200 West Frontier Street, Suite 11
Purpose: To allow a pet grooming business.

Sheila DeSchaaf, Planner II, summarized the staff report.

Staff recommends approval with the following conditions:

1. Site shall comply with all Town of Payson development regulations, including water conservation measures.

2. 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 commercial pet grooming business then the use permit is applicable. Change in uses or additional uses shall require approval through the Conditional Use Permit process.

Chairman Goddard opened the public hearing.

Chairman Goddard closed the public hearing.

Ray Erlandsen, Acting Community Development Director, noted that the conditional use permit would still be required if the zone change is approved for C-2 or if the property remains R3-MH.

James Scheidt questioned why the applicant was told she couldn't have a conditional use permit in R3-MH zoning for the pet grooming. Staff replied that if the request for a use permit was appropriate in a R3-MH zoning district then it could be approved by the Commission.

Motion: Approve CUP-171-09, a request to allow pet grooming facilities at 200 West Frontier Street, Suite #11 with the conditions listed in the staff report.
Moved by James Scheidt, seconded by Lori Meyers.

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

Absent: Jere Jarrell.

D. SCHEDULED DISCUSSION/POSSIBLE ACTION

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

F. INFORMATION TO COMMISSION (Not for Discussion)

Ray Erlandsen, Acting Community Development Director, noted that there was a possibility of a May 11 meeting.

ADJOURNMENT - 3:59 p.m.

Russell Goddard, Chairman

5-11-09

Approved

Chris Floyd, Executive Assistant