

**TOWN OF PAYSON  
PLANNING AND ZONING COMMISSION  
MINUTES OF THE PUBLIC MEETING  
July 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 Town Council Chambers.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PRESENT:** James Scheidt, Russell Goddard, Joel Mona, Gary Bedsworth, Lori Meyers, and Jeff Loyd.

**ABSENT:** Jere Jarrell

**STAFF PRESENT:** Ray Erlandsen, Zoning Administrator, Sheila DeSchaaf, Planner II, LaRon Garrett, Town Engineer, Tim Wright, Deputy Town Attorney, and Chris Floyd, Executive Assistant.

**A. APPROVAL OF MINUTES**

1. Public Meeting 6-8-09 Pages 1-8

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-173-09 Conditional Use Permit Request  
Filed by: Payson Community Christian School, property owner  
Location: 500 South Mud Springs Road  
Purpose: To amend a previously approved conditional use permit. The proposed amendment would revise the site plan originally approved; however the use would remain the same.

Ray Erlandsen, Acting Community Development Director, summarized the

staff report.

Staff recommends approval with the following conditions:

1. The development shall be in substantial conformance with the Preliminary Site Plan study, sealed May 14, 2009.
2. A pedestrian connection shall be provided between the sidewalk on Mud Springs Road and the front entrance of the facility.
3. An eight foot high block fence shall be erected on the northwest property line and on the south property line from E&J Estates Lot 4 to 7 to buffer the use from adjoining residential properties.
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 school use, then the use permit is applicable. Change in uses or additional uses shall require approval through the CUP process. The applicant shall be required to follow the provisions of the Unified Development Code for any additional applicable permits prior to proceeding with development or implementation of additional uses for subject property.
5. Only those activities of a curricular or co-curricular nature directly related to the functions of this school will be allowed.
6. Failure to comply with conditions one (1) thru five (5) 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 or Public Works Engineer, with a 24 hour notification to the property owner, an inspection shall be allowed at the school. 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.

Ray Erlandsen, Acting Community Development Director, clarified that the current site plan and the CUP that accompanies it, is valid at this time. The request is to modify the current site and incorporate it into the CUP. He also stated that if the modified site plan were denied today then the current site plan and CUP would still be valid.

The Commission asked questions, which were answered by staff.

Bernie Lieder, architect for the applicant, gave a brief overview of the proposed project.

During Mr. Lieder's presentation the Commission asked questions, which

were answered by the applicant.

Chairman Goddard opened the public hearing.

Several members of the audience voiced their opposition to the proposed revised site plan for the Payson Community Christian School. They were concerned with noise, traffic, and tree removal.

Hummingbird Corazza, speaking for Trey Ryder, requested that a block wall be placed around his property; no trees, shrubs, or vegetation of any kind be removed until all building permits have been approved and issued; a greenbelt; landscaping in phase 1 rather than phase 4; construction of security fencing; time limit on construction noise; no outdoor lighting being left on after 9 p.m. unless for security purposes; prohibit use of outdoor speakers; limit hours of use for the school; limit types of activities on the school property. Ms. Corazza then referenced her own letter requesting 4 conditions be considered; 1) A block fence will be erected on the entire west property line. This will be a concrete block fence 8 feet high; 2) No tree or bush or shrub shall be cut down or removed in any way until all building permits have been approved and issued; 3) Site plan must be moved closer to Mud Springs Road which would impact other residents; 4) The current greenbelt on the west side of the property must remain. No trees or shrubs may be cut or removed on the west side of the property.

Teresa Purtee, School Administrator, clarified information regarding the school.

There was discussion regarding the outdoor lighting, emergency traffic, and block wall on west side of property.

It was clarified that the school has a conditional use permit, with an approved building now and they are requesting approval for a revised site plan.

Sheila DeSchaaf, Planner II, noted that she had received a call from the Catholic church voicing concerns with the runoff from this site. The church did not want a block wall as they desired to keep the pedestrian access open, having development on the school site was beneficial in that it would cut down on off road vehicle traffic.

Commissioner Bedsworth commented that there was one letter received that he felt was a threat to the Commission due to certain comments made within the letter. The writer of the letter replied that she didn't mean the comments that were made and she apologized.

Ralph Bossert, Verde Engineering, stated that when E & J Mountain Estates was developed this property was part of that tract. This was back

when developments were only allowed 20 ERU's so 19 were used for the subdivision and 1 ERU was left. It couldn't be used for residential development but would be all right for a school.

A comment was made that Phase 4 was sitting over an area that flooded during the summer and winter. More comments were also made regarding the notices.

Bernie Lieder stated that once the tree survey was completed the plans could be revised to save as many trees as possible.

Chairman Goddard closed the public hearing.

Chairman Goddard asked Mr. Anderson in the given situation which plan would he prefer the currently approved or the revised plan the Commission was considering today, to which Mr. Anderson replied neither one.

The Commission recessed at 5:10 p.m.

The Commission reconvened at 5:20 p.m. with all Commissioners still present.

Motion: To approve CUP-173-09, a request to amend the site plan for CUP-111-03, a conditional use permit (CUP) approved in 2003, to allow a school use at 500 South Mud Springs Road in a R1-10-MH zoning district, with the conditions as recommended by staff.

There was discussion regarding possible amendments to the motion. There was also discussion about possibly tabling this item to the next meeting.

Commissioner Mona moved, seconded by James Scheidt, to amend the motion by adding the following conditions:

6. No outdoor noise amplification shall be allowed.
  7. The emergency access shall remain locked except when in use by emergency personnel.
  8. No outdoor athletic lighting shall be allowed and all parking lot lighting shall be dark sky compliant.
  9. If the Town Council directs that the school zone on Mud Springs be extended north to include this school, the applicant shall pay all costs associated with such extension.
  10. The applicant shall upon receipt of the tree survey of the north side property take steps to save additional trees where possible.
- Current condition #6 would become condition #11.  
Condition #3 would be replaced with; An eight foot block wall shall be constructed along the property lines where requested by abutting land owners.

Motion carried 6-0 on the amendments.

Moved by Lori Meyers, seconded by James Scheidt.

Vote: Motion carried 5 - 1

Yes: James Scheidt, Joel Mona, Gary Bedsworth, Lori Meyers, and Jeff Loyd.

No: Russell Goddard.

Absent: Jere Jarrell.

2. P-356-09 Zone Change Request  
Filed by: Messinger Mortuaries, property owners  
Location: 900 & 901 South Westerly Road  
Purpose: A zone change request from R3 to C-3 to allow for development of a new Messinger Payson Funeral Home.

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

Staff recommends approval with the following conditions:

1. The development shall be in substantial conformance with the Conceptual Site Plan, dated June 1, 2009.
2. Engineered grading and drainage plans for development of Parcel A shall be submitted and approved prior to issuance of a building permit for Parcel A.
3. A five foot wide sidewalk will be required for the east side of Westerly Road.
4. Improvement plans for a portion of the public trail adjacent to the American Gulch shall be submitted and approved by the Town Engineer prior to commencing trail construction.

The Commission asked questions, which were answered by staff.

Chairman Goddard opened the public hearing.

Dennis Pierce asked if the requested sidewalk would interfere with the parking for his building that is adjacent. LaRon Garrett, Public Works Engineer, replied that the sidewalk wouldn't carry out in front of Mr. Pierce's property.

Chairman Goddard closed the public hearing.

Motion: Recommend to the Town Council approval of P-356-09, a request to rezone the property located at 900 & 901 South Westerly Road from R3 to C-3 as depicted on the Conceptual Site Plan, dated June 1, 2009, with conditions as recommended by staff.

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. P-357-09 Unified Development Code Amendment

Filed by: Town of Payson

Location: Could affect all of Payson

Purpose: A proposed amendment to allow portable storage containers in commercial zoning districts.

Sheila DeSchaaf, Planner II, summarized the staff report.

The Commission asked questions, which were answered by staff.

It was requested that a clause be added that these units were not for residential use or animal use.

Chairman Goddard opened the public hearing.

Bernie Lieder asked if these units would be temporary. The way it has been proposed a permit would be required which would imply they be temporary but the permit could be renewed annually. It was suggested that a 3 year time limit be placed on the allowance of the storage unit.

Jeanie Langham stated she was concerned with the placement of these storage units and company logos being painted on them. Staff replied that the units would have to be screened from view and also couldn't be placed in the front or street side yards.

Chairman Goddard closed the public hearing.

Motion: Recommend to the Town Council approval of P-357-09, an amendment to the Unified Development Code, Section 15-02-003, General Development Standards and Zoning Provisions to allow mobile storage units as prepared by staff and including additional suggestions.

Moved by Joel Mona, 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.

4. P-358-09 Unified Development Code Amendment  
Filed by: Town of Payson  
Location: Could affect all of Payson  
Purpose: A proposed amendment to add the "Historic Main Street" Design Review Area to Part IV, Section 15-02-014, replacing the Green Valley Redevelopment Area Design Review (GVRA).

Sheila DeSchaaf, Planner II, summarized the proposed changes for the design review guidelines for the "Historic Main Street" Payson (previously GVRA).

The Commission asked questions, which were answered by staff.

Chairman Goddard opened the public hearing.

Jeanie Langham voiced some of her concerns regarding the proposed changes to the guidelines, which included minor changes, internally illuminated signs, LRV paint and some of the recently repainted buildings, fonts on signs and landscaping.

Sheila DeSchaaf, Planner II, stated that the Design Review Board's next initiative is the landscaping.

Commissioner Mona stated that he appreciated Ms. Langham's persistence in her vision for making the Town more attractive.

Bernie Lieder, Chairman of the Design Review Board, gave his perspective on how the guidelines were developed.

Chairman Goddard closed the public hearing.

Motion: Recommend to the Town Council approval of P-358-09, an amendment to the Unified Development Code, Section 15-02-014 Design Review Overlay District and Section 15-02-013.F Special Plan District-Green Valley Redevelopment Area, Design Review as outlined in the attached exhibits.

Moved by Joel Mona, 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.

**D. SCHEDULED DISCUSSION/POSSIBLE ACTION**

1. Recommendation to Town Council regarding the draft 87/260 Landscape & Signage guidelines.

Ray Erlandsen, Acting Community Development Director, stated that on June 18, 2009, Angela Dye presented a draft copy of the 87/260 Landscape and Signage Guidelines to the Town Council. This was a presentation only and no action was taken by the Council. Council action is scheduled for the July 23 Council meeting. Mr. Erlandsen commented that staff was looking for recommendations from Boards and Commissions that are affected by these guidelines.

Tim Wright, Deputy Town Attorney, commented that staff was asking Council to approve the general concept of the guidelines and direct staff to develop a program to implement some of the guidelines in the right-of-way.

Sheila DeSchaaf, Planner II, stated that there was substantial focus group input for the guidelines.

Commissioner Meyers gave a brief overview on how the focus group input was used for the guidelines.

Bernie Lieder, Chairman of Design Review Board, stated that he would be asking the Design Review Board if they would be willing to draft the guidelines for Council adoption and consideration. He felt that the study was good but it didn't give any solutions.

Gary Bedsworth left the meeting at 6:50 p.m.

It was the consensus of the Commission that Council should adopt the guidelines and that staff work with the Design Review Board to formulate a program to implement the guidelines.

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

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

1. South Goodnow Road - Minor Amendment to the Land Use Element of the General Plan

Sheila DeSchaaf, Planner II, gave a brief overview of a proposed Minor Amendment to the Land Use Element of the General Plan for South Goodnow Road for the expansion of the Foundation for Senior Living.

**ADJOURNMENT**

6:56 p.m.



Russell Goddard, Chairman

8-10-09

Approved



Chris Floyd, Executive Assistant