

**TOWN OF PAYSON  
PLANNING AND ZONING COMMISSION  
MINUTES OF THE PUBLIC MEETING  
April 6, 2015**

**Chairman Loyd called the duly posted public meeting of the Planning and Zoning Commission to order at 5:00 p.m.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PRESENT:** John Swenson, James Scheidt, Dan Jaeger, Clark Jones, Lori Meyers, Jeff Loyd, and Scott Helmer.

**ABSENT:** None

**STAFF PRESENT:** Sheila DeSchaaf, Planning and Development Director, LaRon Garrett, Assistant Town Manager, Doni Wilbanks, Planning Specialist, Bobby Davis, Economic Development Specialist, Hector Figueroa, Town Attorney, and Chris Floyd, Executive Assistant.

**A. APPROVAL OF MINUTES**

1. Public Meeting 3-2-15 Pages 1-5

Commissioner Scheidt moved, seconded by Commissioner Swenson, to approve the minutes from the March 2, 2015 meeting.

Motion carried 7-0.

- 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.**

Sheila DeSchaaf, Planning and Development Director, introduced the new Town Attorney, Hector Figueroa. Hector Figueroa, Town Attorney, gave an overview of his background.

There were no further comments.

## C. SCHEDULED HEARING(S)

1. A15-002 Abandonment Request  
Filed by: Town of Payson  
Location: 323/325 South Golden Bear Point  
Purpose: To abandon an emergency ingress/egress and drainage easement and a portion of a Public Utility Easement currently existing along the south 20 feet of Lot 21 of Mogollon Village.

LaRon Garrett, Assistant Town Manager, summarized the staff report.

Chairman Loyd asked the applicant the reason for the request. Dan Jaeger explained his reason for requesting the abandonment. He noted that the utilities running through there were not an issue.

Chairman Loyd opened the public hearing.

Chairman Loyd closed the public hearing.

Dan Jaeger recused himself from voting on this request.

Motion: To recommend to the Town Council approval of the abandonment of the emergency ingress and egress easement, the large drainage easement, and the north 6 feet of the public utility easement on Lot 21 and a small portion of Lot 33 of the Mogollon Village Subdivision.

The motion was amended to add A15-002. Commissioner Meyers then re-read the motion to recommend to the Town Council approval of A15-002 abandonment of the emergency ingress and egress easement, the large drainage easement, and the north 6 feet of the public utility easement on Lot 21 and a small portion of Lot 33 of the Mogollon Village Subdivision. Commissioner Scheidt seconded the amendment.

Moved by Lori Meyers, seconded by James Scheidt.

Vote: Motion carried 6 - 0

Yes: John Swenson, James Scheidt, Clark Jones, Lori Meyers, Jeff Loyd, and Scott Helmer.

2. CUP15-001 Conditional Use Permit  
Filed by: Gary and Chiryl Cole Trust, property owners; Steven Cole, applicant/agent  
Location: 908 North Beeline Highway  
Purpose: For a conditional use permit to allow outside sales and display uses on C-2 commercial zoning district property.

Steven Cole, applicant, summarized his request for outside sales area for local produce.

Chairman Loyd asked questions which were answered by the applicant and staff.

Doni Wilbanks, Planning Specialist, read the staff recommendations as follows:

1. Display area shall be limited to the areas depicted on the site plan as submitted, stamped March 10, 2015.
2. Display areas shall not interfere with minimum required parking, pedestrian access or ADA accessibility.
3. All signage associated with the business and proposed outside sales shall comply with all Town of Payson sign regulations.
4. All temporary portable structures and displays shall be maintained in good condition and shall complement the exterior of the store.
5. Fire Department clearance for the tents/canopies shall be obtained prior to recordation of this Conditional Use Permit.
6. That the length of this Conditional Use Permit shall run concurrent with the use of this property. That is, as long as outside display use at 908 North Beeline Highway conforms to the above conditions, this CUP is valid. Change in uses or additional uses shall require approval through the CUP process.
7. Failure to comply with the above six (6) 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. A request for review may be brought before the P & Z Commission at the discretion of the Zoning Administrator.

Sheila DeSchaaf, Planning and Development Director, clarified the signage regarding what will be allowed if the CUP is approved.

The Town Attorney asked if there were any comments from the public which Chairman Loyd replied that there was only a letter from Steven Cole stating there were no negative comments.

Commissioner Scheidt questioned if the outside sales were separate from the store and the reply was in the affirmative.

Chairman Loyd opened the public hearing.

Chairman Loyd closed the public hearing.

Motion: To approve CUP15-001, a request to allow outside display and sales of merchandise in a C-2 zoning district at 908 North Beeline Highway subject to the conditions recommended by staff.

Moved by James Scheidt, seconded by John Swenson.

Vote: Motion carried 7 - 0

Yes: John Swenson, James Scheidt, Dan Jaeger, Clark Jones, Lori Meyers, Jeff Loyd, and Scott Helmer.

3. CUP15-002 Conditional Use Permit  
Filed by: Payson Hotel Investors, LLC, applicant; Brian Laubenthal, agent  
Location: 111 West Longhorn Road  
Purpose: For a conditional use permit to allow a hotel use on C-2 commercial zoning district property.

Brian Laubenthal, applicant, gave an overview of the proposed hotel project. The Commission asked questions which were answered by the applicant and staff.

Chairman Loyd opened the public hearing.

Doug Martin, member of the audience, commented that he was a residential contractor and was looking at building some spec homes in Cottage Creek and he was very concerned with the drainage onto the Cottage Creek property. He is also concerned with lighting.

Commissioner Scheidt commented that his concerns were well taken and would be addressed by staff.

Brian Laubenthal, applicant, stated that the next step would be design review and they would work on these issues.

Commissioner Swenson asked if the design review process would be under the new guidelines to which staff replied in the affirmative. He then asked if the final project would come back to the Commission in which the reply was negative unless there was an appeal of the design review decision. Sheila DeSchaaf, Planning and Development Director, stated that the code allows lighting on the wall of the building but parking lot or site lighting were restricted to 15' overall height within a certain distance of the residential uses.

Chairman Loyd closed the public hearing.

Sheila DeSchaaf, Planning and Development Director, read the staff recommendations as follows:

1. The applicant shall address the drainage, lighting, tree preservation, landscaping, screening/buffering considerations highlighted in this review prior to the submittal of a Design Review application for this project.
2. Development shall be in substantial conformance with the site plan

submitted dated March 21, 2015.

3. 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 hotel use then the use permit is applicable. Change in uses or additional uses may require separate approvals or a modification to this Conditional Use Permit.

Motion: To approve CUP15-002, a request to allow a hotel use on the property located at 111 West Longhorn Road, Assessor Parcel number 304-02-027J and 304-02-027F subject to the conditions recommended by the staff. Commissioner Swenson recommended adding lighting to item #1 of the staff recommendations.

Moved by Clark Jones, seconded by James Scheidt.

Vote: Motion carried 7 - 0

Yes: John Swenson, James Scheidt, Dan Jaeger, Clark Jones, Lori Meyers, Jeff Loyd, and Scott Helmer.

4. P15-003 Amendment to Unified Development Code  
Filed by: Town of Payson  
Location: Could affect all of Payson  
Purpose: To amend the Unified Development Code provisions pertaining to accessory/exempt structures from 144 s.f. to 200 s.f.

Sheila DeSchaaf, Planning and Development Director, summarized the staff report.

Chairman Loyd opened the public hearing.

Chairman Loyd closed the public hearing.

Motion: To recommend to the Town Council approval of P15-003, an amendment to increase the square footage exemption for accessory structures from 144 square feet to 200 square feet as proposed by staff.

Moved by James Scheidt, seconded by Clark Jones.

Vote: Motion carried 7 - 0

Yes: John Swenson, James Scheidt, Dan Jaeger, Clark Jones, Lori Meyers, Jeff Loyd, and Scott Helmer.

**D. SCHEDULED DISCUSSION/POSSIBLE ACTION**

1. There are no items for this section.

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

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

Sheila DeSchaaf, Planning and Development Director, stated that there were two (2) updates which include the amendments to the Design Review process and the Home Occupation standards were approved at the last Council meeting.

Commissioner Scheidt asked staff to complete the standards for multi-family that the Design Review Board had begun working on.

Adjournment - 6:10 p.m.

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Jeff Loyd, Chairman

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Approved

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Chris Floyd, Executive Assistant