

**TOWN OF PAYSON
PLANNING AND ZONING COMMISSION
MINUTES OF THE PUBLIC MEETING
June 6, 2016**

Chairman Jones called the duly 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: Barbara Underwood, Clark Jones, Dan Jaeger, Jennifer Smith, and John Swenson.

ABSENT: Joe Klein

STAFF PRESENT: Sheila DeSchaaf, Planning & Development Director, Doni Wilbanks, Planning Specialist, Trever Fleetham, Planning Technician, Hector Figueroa, Town Attorney, and Silvia Smith, Town Clerk.

A. APPROVAL OF MINUTES

1. Public Meeting 5-2-16 Pages 1-5

Commissioner Swenson moved, seconded by Commissioner Underwood, to approve the minutes as submitted.

Motion carried 5-0.

- 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, clarified for the audience that during the public hearing for CUP16-001 there would be an opportunity for input and comment. The items listed under D which are scheduled discussion/possible action are for Commission discussion only. Ms. DeSchaaf noted that it would be the decision of the Chairman if he would allow someone to speak to those issues during the regular public comment session, otherwise there would be no opportunity when those items come up.

Dan Kealy stated that when Ordinance 784 was passed by the Town Council there were several traffic calming issues. Since these properties are proposed to be sold in blocks he wants to make sure that whatever happens today that all those traffic calming issues are in affect and will be adhered to by whoever develops the property.

C. SCHEDULED HEARING(S)

1. CUP16-001 Conditional Use Permit
Filed by: Geoffrey and Sandi Wolf, property owners
Location: 2003 West Fairway Lane
Purpose: To allow bed and breakfast use in a R1-8 Residential Zoning District.

Sheila DeSchaaf, Planning and Development Director, summarized the staff report. She also addressed items that would be of concern to people in the area. With a property of this size, given the zoning district in which it is located, residence on this property would be allowed a Level Two Home Occupation that allows up to 20 vehicle trips per day. With the proposed four (4) guest rooms generally it would be anticipated that there would be four (4) vehicle trips per day. All of the parking that accommodates that has to be done on the private property and not the street.

Since there is sufficient area to meet all of those stipulations staff recommends approval of this request subject to four (4) conditions:

1. Applicants/owners shall maintain a Town of Payson Business License in compliance with all Level Two Home Occupation requirements of the Unified Development Code.
2. All vehicles associated with the business, including customers and employees, shall only park in the designated parking areas as depicted on the site plan submitted.
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 bed and breakfast use with a maximum of four guest units then the use permit is applicable. Change in use or additional uses may require separate approvals or a modification to this Conditional Use Permit.
4. 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. A request for review may be brought before the P & Z Commission at the discretion of the Zoning Administrator.

Chairman Jones opened the public hearing.

Several members of the audience voiced their concerns regarding traffic on the street and does the use permit run with the property which was addressed by staff.

Commissioner Smith asked staff to explain what other types of uses could be allowed as a level two home occupation. Sheila DeSchaaf, Planning and Development Director, explained that residences in all zoning districts and all single family districts are allowed to use their home for business purposes as long as the primary use of the home remains for residential uses. Then she explained the primary differences between level one (1) and level two (2) is square footage, vehicle trips per day, and number of employees.

There was a lengthy discussion regarding hours of operation, signage, no deliveries, lighting, traffic on the block, possible zone change, additional or change in uses would require the same process as now, and parking on the property.

Commissioner Underwood thanked the audience for being respectful at the microphone and respecting each others comments and concerns.

Commissioner Smith commented that a bed and breakfast is a fairly low impact industry.

Hector Figueroa, Town Attorney, explained how the Commission could respond to this request.

Chairman Jones closed the public hearing.

Motion: To approve CUP16-001, a request to allow a bed and breakfast use in an R1 zoning district at 2003 West Fairway Lane subject to the conditions recommended by staff.

Moved by John Swenson, seconded by Jennifer Smith.

Vote: Motion carried 5 - 0

Yes: Barbara Underwood, Clark Jones, Dan Jaeger, Jennifer Smith, and John Swenson.

Absent: Joe Klein.

D. SCHEDULED DISCUSSION/POSSIBLE ACTION

1. S16-003 - Preliminary Plat (Replat) application for Foothills East subdivision

Sheila DeSchaaf, Planning and Development Director, explained that this was a replat of an existing subdivision that was originally approved in 1999 then she continued by summarizing the staff report. Staff recommends approval with the following conditions:

1. The final plat shall be in substantial conformance with the preliminary plat submitted and shall not exceed a total of 11 lots.
2. A final plat shall be submitted within 12 months of Planning and Zoning Commission approval of this preliminary plat.

Motion: To approve S16-003, a preliminary plat request for an 11-lot single family residential subdivision on 56.27 acres in the 800 block of North Tyler Parkway and North Foothills East Circle subject to the conditions listed in the staff report.

Moved by Jennifer Smith, seconded by Barbara Underwood.

Vote: Motion carried 5 - 0

Yes: Barbara Underwood, Clark Jones, Dan Jaeger, Jennifer Smith, and John Swenson.

Absent: Joe Klein.

2. S16-002 - Preliminary Block Plat application for Montezuma Castle Land Exchange

Sheila DeSchaaf, Planning and Development Director, summarized the staff report. The applicant is requesting to divide the property into 17 different blocks as outlined in their rezoning site plan which was approved in 2010. Ms. DeSchaaf noted that the applicant will have to abide by the conditions of the rezoning and also the conditions that are imposed with this plat.

Staff recommends approval of this preliminary plat subject to the following conditions: (which were read for the record and are attached to the minutes)

Commissioner Smith thanked staff for all their hard work on the staff report and all of the detail.

The Commission asked questions concerning the half streets and other street upgrades which were answered by staff.

Motion: To approve S16-002, a preliminary plat request to create 17 blocks for future development on 219.54 acres in the 1200 block of West Airport Road subject to the conditions listed in the staff report.

Moved by Jennifer Smith, seconded by Barbara Underwood.

Vote: Motion carried 4 - 1

Yes: Barbara Underwood, Clark Jones, Dan Jaeger, and Jennifer Smith.

No: John Swenson.

Absent: Joe Klein.

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 would be a meeting next month. She also noted that all items that were on the Commission's May agenda were approved by Council on June 2, 2016.

Adjournment - 4:46 p.m.

Clark Jones, Chairman

Approved

Chris Floyd, Executive Assistant