

Payson City
Planning Commission Meeting
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, May 8, 2024, 6:00 p.m.

Conducting: Ryan Frisby, Planning Commission Chair

Commissioners: Perry Adams, Rachel Becker, Kirk Beecher, Kevi Heimuli,

Absent: Blair Warner, Camarie Brinkerhoff

Staff: Robert Mills, Development Services Director
Jill Spencer, Senior Planner
Marty Dargel, Planning Technician

Others

1. Call to Order

This meeting of the Planning Commission of Payson, Utah, having been properly noticed, was called to order at 6:00 p.m.

2. Invocation/Inspirational Thought – Commissioner Beecher

3. Consent Agenda

3.1 Approval of minutes for the regular meeting of April 24, 2024.

MOTION: Commissioner Heimuli - To approve the Consent Agenda. Motion seconded by Commissioner Adams. Those voting yes – Perry Adams, Rachel Becker, Kirk Beecher, Ryan Frisby, Kevi Heimuli. The motion carried.

4. Public Forum

No public comment.

5. New Business

5.1 Selection of Planning Commission Chair and Vice Chair

MOTION: Commissioner Beecher – To reappoint Ryan Frisby as Commission Chair. Motion seconded by Commissioner Adams. Those voting yes: Perry Adams, Rachel Becker, Kirk Beecher, Ryan Frisby, Kevi Heimuli. The motion carried.

MOTION: Commissioner Heimuli – To appoint Kirk Beecher as Commission Vice Chair. Motion seconded by Commissioner Adams. Those voting yes: Perry Adams, Rachel Becker, Kirk Beecher, Ryan Frisby, Kevi Heimuli. The motion carried.

5.2 Review of Planning Commission Bylaws and Rules of Procedure

MOTION: Commissioner Heimuli – To accept Planning Commission Bylaws and Rules of Procedure as is. Motion seconded by Commissioner Adams. Those voting yes: Perry Adams, Rachel Becker, Kirk Beecher, Ryan Frisby, Kepi Heimuli. The motion carried.

6. Action Items

6.1 PUBLIC HEARING - Request by Payson City Staff to amend the Annexation Policy Plan Map to include the following additional Utah County Parcels in the Expansion Area Map: 30:009:0041, 30:009:0108, and 29:014:0003.

Staff Presentation:

Staff thanked the public for being here and gave an overview of the Annexation Policy Plan and amendment process. Staff reiterated that this is a multi-step process displaying a checklist indicating where we are in the process. Maps were shown indicating the three parcels proposed to be included and the Expansion Area Map. An extensive study has been done by the applicant and staff have no concerns about this request.

MOTION: Commissioner Beecher – To open the public hearing. Motion seconded by Commissioner Heimuli. Those voting yes: Perry Adams, Rachel Becker, Kirk Beecher, Ryan Frisby, Kepi Heimuli. The motion carried.

Public Comment:

Steve Styler, on behalf of Fieldstone Homes, feels that this will be a benefit to the city. He addressed questions and concerns raised by the commissioners.

Jackie Larson from Spanish Fork questioned why these parcels should be added by Payson and not Salem.

Doris Ruso agreed with prior comments and had concerns regarding traffic and water problems. She questions why Payson is expanding.

MOTION: Commissioner Beecher – To close the public hearing. Motion seconded by Commissioner Heimuli. Those voting yes: Perry Adams, Rachel Becker, Kirk Beecher, Ryan Frisby, Kepi Heimuli. The motion carried.

Commission Discussion:

Staff explained that this is just an amendment to the Expansion Areal Map and there are no actual applications for annexation at the present time. Staff addressed prior questions. Commissioner Heimuli questioned why these parcels should be annexed by Payson and not Salem. Staff explained that Salem has indicated that they do not have the sewer capacity.

MOTION: Commissioner Heimuli – To amend the Annexation Policy Plan Map to include the additional parcels. Motion seconded by Commissioner Beecher. Those voting yes: Perry Adams, Rachel Becker, Kirk Beecher, Ryan Frisby, Kepi Heimuli. The motion carried.

6.2 PUBLIC HEARING - Request by Evolve Building and Development for recommendation of approval of the MU-1, Mixed Use Overlay, zoning designation for the following Utah County Parcels located at approximately 1025 West 800 South: 30:063:0050, 35:354:0012, 35:354:0011, 35:354:0010, 35:354:0009, 35:354:0008, 35:354:0007, 35:354:0006, and 35:354:0005.

Staff Presentation:

Staff gave an overview of the request to apply the MU-1, Mixed Use Overlay, to the above parcels located at approximately 1025 West 800 South, explaining that the applicant desires to add a residential element within their commercial development. Staff further explained that the existing subdivision (Blackhawk Business Center Condominiums Phase One) would need to be amended to consolidate parcels. Maps and displays of the area were shown along with an extensive concept plan. Staff also displayed examples of what could go there with current zoning. Applying the MU-1, Mixed-Use Overlay, is consistent with Payson General Plan. If approved, the applicant would like to develop three-story buildings with commercial office space and / or retail space near the front of the development and multi-family housing in the rear and second and third stories. Staff recommends approval conditioned upon the following: a traffic study, amendment and consolidation of the Blackhawk Business Condominium Plat, appropriate amenities for residents, land use transitions to reduce impact on adjacent residences, appropriate signage and hours of operation for businesses near residential uses, housing product designs and materials that would guarantee what may be developed, and an approved site layout identifying residences, public / private open space, roads, amenities and commercial uses.

Applicant Presentation:

Joe Wilkins and Collin Brinkerhoff with Evolve Building and Development introduced themselves and began their presentation by explaining their desire to build a development that neighboring residences would be happy with. They had neighborhood meetings, with good feedback and have since adjusted their plans according to the requests of the neighbors. Renderings of what they are proposing were displayed and described. Commissioners had questions regarding placement of the covered and uncovered parking, traffic concerns, and number of entrances. Applicants indicated that they are willing to have a traffic study done. Commissioner Heimuli asked if there will be parking stipulations. The applicants stated there will be an HOA to oversee the complex and mixed-use will allow swapped parking from daytime business to residential at night. They feel that the MU-1, Mixed Use Overlay, is a great transition from commercial to residential and makes sense there.

MOTION: Commissioner Beecher – To open the public hearing. Motion seconded by Commissioner Heimuli. Those voting yes: Perry Adams, Rachel Becker, Kirk Beecher, Ryan Frisby, Kepi Heimuli. The motion carried.

Public Comment:

Kent Strong lives in the area and was not aware of any neighborhood meetings. He spoke in opposition not wanting this in his backyard, stating it would block his views. He stated it is not needed in this location and would be better west of the freeway.

Leslie and Jeff Nordin just moved in from Vineyard. They were attracted to the small town feel of Payson. They previously lived in an apartment building and don't like apartment living. They have concerns about the traffic, loud cars, and music. They are opposed to apartments in that location.

Nancy Jones is not a neighbor but doesn't want this and feels there is an extreme amount of high density. She agrees with prior comments.

David Welton is concerned about the traffic problems this would cause.

Adrian Walton would like to see the building go down a level. Three levels would be an eyesore. She is concerned with the traffic that it will be dangerous trying to turn left and for kids. She questions if there will be enough parking for residents.

Kelly Carter questions if egress options are adequate and has concerns that bedrooms will be sublet.

Charlotte Johnson questions if Payson needs this or if it is even wanted.

Kevin and Jenny Stinson spoke in opposition stating the following issues: it doesn't make sense, Farr's just failed and Payson doesn't need more failing businesses, weekend traffic and parking issues, the HOA would not manage it, this violates the clear view code due to Farr's building being too close to the road, it violates page 54 of the General Plan to maintain rural character, egress issues with multi-family housing, it violates vision and sound code of MU-1, the building needs to be oriented towards the street, it doesn't keep the Payson feel, it is not desired, the parcel is too small and is not the right spot for this type of development.

Janalee Carey questions if there are plans for additional fire stations and feels building three stories is a money grab for the developer.

Doris Ruso agrees with prior comments. She never heard of any neighborhood meetings and doesn't think Payson needs more apartments.

Cathy Marzan stated her family shares a property line with this project and that they all took a risk buying next to a commercial property. She has concerns about the height of the buildings, but feels it is better than many other things that could go there. She requests there be a development agreement to address these things. She also suggests that a fence go in first to mitigate noise and dust levels.

Jackie Larson had questions regarding ADA requirements and UDOT permits for this density.

Mark Cruz is a retired police officer, planning commissioner, and mayor. He is opposed to the use of the MU-1 in this area and is concerned with traffic.

Jeff Noyes would like there to be a traffic study done due to there already being backed-up traffic on 800 South. He is concerned about snow removal and emergency vehicle access.

Susan Leavitt spoke in opposition stating she has lived in Payson for 37 years and has previous experience with rezoning invading her residential area that allowed mental health facilities to be too close in proximity. She feels this project needs to go elsewhere.

Collin Brinkerhoff stated that for the neighborhood meetings they knocked on all the neighbors' doors that are directly adjacent to the property and left flyers. They addressed many of the questions raised. They stated that if the HOA is managed properly, which they felt it would be, it would take care of any parking issues.

MOTION: Commissioner Beecher – To close the public hearing. Motion seconded by Commissioner Heimuli. Those voting yes Perry Adams, Rachel Becker, Kirk Beecher, Ryan Frisby, Kepi Heimuli. The motion carried.

Commission Discussion:

Commissioners and staff agreed that a development agreement would be beneficial. Commissioners had some concern that there would be enough of a transition zone to buffer the current residents. They also expressed concern regarding traffic, access points, building height, higher intensity than planned, the number of amenities for residents, and parking. They felt these items needed to be addressed before moving forward. With affordable housing being a concern, they felt condominiums would be beneficial. The question was raised concerning whether the noticing requirements for this public hearing had been met. Staff advised this item to be tabled to enable concerns to be addressed. Staff will notice the public hearing again to ensure requirements have been met.

MOTION: Commissioner Beecher – To table Item 6.2 to a future meeting. Motion seconded by Commissioner Heimuli. Those voting yes: Perry Adams, Rachel Becker, Kirk Beecher, Ryan Frisby, Kepi Heimuli. The motion carried.

7. Commission and Staff Reports and Training

None

8. Adjournment

MOTION: Commissioner Heimuli – To adjourn. Motion seconded by Commissioner Beecher. Those voting yes: Perry Adams, Rachel Becker, Kirk Beecher, Ryan Frisby, Kepi Heimuli. The motion carried.

The meeting adjourned at 7:45 p.m.

/s/ Marty Dargel
Marty Dargel, Planning Technician