

**MINUTES OF THE MEETING OF THE
PLANNING COMMISSION OF GARDEN CITY, UTAH**

The Garden City Planning Commission held a regular scheduled meeting on Wednesday, March 6, 2024, at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Commission Chairperson Kurek opened the meeting at 5:24 p.m.

Town Council Members present:

Dan Kurek, Planning Commission Chair
Kendra Bjoralt, Planning Commission Vice Chair
Amy Ward
Megan Woods
Jared Argyle
Mike Moldenhauer
Travis Eborn

Others Present:

Shalie Argyle	Joy Smedley
Mayor Leonhardt	Michael Taylor
Council Member Menlove	Bess Huefner
Nate Smoot	Norm Mecham
Rose Noorda	
John Curtis	
Teri Eynon	
Jason Foster	
Kent Smedley	

Via Teleconference

Roll Call

Commission Chair Kurek asked for a roll call of Commission Members present: Commission Member Kurek, Commission Member Bjoralt, Commission Member Ward, Commission Member Eborn, Commission Member Woods, Commission Member Moldenhauer, and Commissioner Argyle.

Approval of Minutes

CM Bjoralt made the motion to approve the minutes of the February 7, 2024, Planning Commission Public Hearing. CM Argyle seconded the motion. CM Ward, aye; CM Bjoralt, aye; CM Woods, Aye; CM Argyle, present; CM Moldenhauer, aye. Motion carried.

CM Argyle made the motion to approve the minutes of the February 7, 2024, Planning Commission Meeting. CM Woods seconded the motion. CM Ward, aye; CM Bjoralt, aye; CM Woods, Aye; CM Argyle, present; CM Moldenhauer, aye. Motion carried.

Discussion/Approval of Architectural Standards, Parking and Landscaping for Bear Lake Adventure Center located at 564 W Logan Rd. Mark Smoot

CM Bjoralt stated she may or may not have a conflict of interest, but will still vote.

CC Kurek clarified where the parking is located, which is on the west and south side of the building. CM Argyle asked about the located of the dumpsters, and CC Kurek said he spoke to sanitation and they could either do a small dumpster or they can have a large black can. Nate said the dumpster will probably be on the south east corner of the building. CC Kurek said asphalt is now required for commercial parking. CC Eborn asked if the building can have commercial and residential? CC Kurek explained that in the C1 zone you can have 50% or less residential in a commercial building. Parking needs to be paved so it can be counted.

CM Moldenhauer made the motion to approve the Architectural Standards, Parking and Landscaping for Bear Lake Adventure Center. CM Ward seconded the motion. All in favor and the motion carried.

Discussion/Approval to rezone Water's Edge PUD back to the underlying zone of C1. Located at 50 S Bear Lake Blvd. Teri Eynon, Norm Mecham

CC Kurek said there has to be a purpose to rezone. Norm said he just wants it back to the underlying zone, then they would come back with the plan of what they want to do. CC Kurek said the east side is Beach Development and closer to the Boulevard is a C1 Zone. Norm said a PUD allows for special considerations. Norm said they aren't asking for special considerations and he would just like it back to the original zone. CC Kurek asked about a building plan that he had seen. Norm said they have put that structure on hold. Norm said he would come back with a structure plan once the zone can be changed. Teri said at one point they were planning to stay in the PUD, but easements were not able to be worked out with Chris Shurian.

Norm and Teri handed out a plat map of the easements they were willing to give to Water's Edge to make it work. Norm tried to meet with Water's Edge surveyor and engineer, but they didn't show up. Norm met with his surveyor and located the utilities and easements. He also engaged with Michael from a civil solutions group and came up with a proposal that would work for Norm and Water's Edge. They were not getting answers from Water's Edge. Norm said that in the letter they are expecting Norm to provide planned community amenities, landscape and play areas. Norm believes it would destroy the value of his property.

Norm would sell off the property, but he won't just allow Water's Edge to use it.

Norm explained the history of the Water's Edge PUD, and how the ground was released once it was paid in full. Norm had not released all of the property because it wasn't paid for. Norm said the bank made it subject in the loan that not all the property was released yet. It was found in the Title Report for Cody's Restaurant. Norm said he has been through two foreclosures on this and bankruptcy court. Norm doesn't think it's fair that he has to provide all the amenities for the PUD. Teri and Norm explained what they are willing to do to give Water's Edge what they need for them to get the certificates of occupancy on the units. CC Kurek asked if Water's Edge would still have the required parking. Norm said they will, and not all of the parking has been built yet. Teri said the 7 people that are under contract were promised amenities, but that doesn't need to be Norm's responsibility. Once again, Norm said he would sell the property to Water's Edge.

Water retention was something that needed to be worked out. Norm wanted to talk to the engineer and the drainage, but he wanted to know who was going to pay for it. Norm had his engineer look into the drainage. Teri said all of the water from the parking lot and one building go to the existing tank. Michael (engineer) confirmed that Cody's, the building to the south and one of the condo units does drain into the existing tank. The runoff from the other three condo buildings could run into a shallow gravel sump. Michael said there is no need for interdependency that needs to persist.

CC Kurek said there isn't enough land to keep the condos in the PUD, but Teri said she would sell if they want to keep the PUD. Water's Edge meets the requirements of C1 and doesn't need the PUD.

CM Argyle told Mr. Curtis that it sounds like they could be self-contained, and Mr. Curtis wants to confirm that with his engineer. CM Argyle said, "assuming it does work, are there any other concerns"? Mr. Curtis said if Norm sells another owner could build and block the view from the condos, which would devalue the property. CM Argyle said if that's the concern Water's Edge should buy that property.

CM Moldenhauer said if the PUD is removed, what is the plan for the current pizza place and motel? Norm is looking to sell the property, which will then fall under the C1 Zone. Whoever brings a plan will have to meet the C1 Zone requirements.

Mayor Leonhardt commented and said this is just an overlay or the underlying zone. It's really not a rezone, but removing the PUD overlay.

CM Argyle made a motion to remove the PUD overlay of Water's Edge and revert it back to the original C1 and Beach Development zone.

CM Moldenhauer seconded. All in favor and the motion carried.

Ordinance Discussion:

Ordinance 24-07 - An Ordinance updating the building permit ordinance

CM Argyle asked about section D, and the construction fence.

CM Argyle made a motion to approve Ordinance #24-07, an Ordinance updating the building permit ordinance. CM Eborn seconded. All in favor and the motion carried.

Ordinance 24-08 – An Ordinance updating requirements for a PUD/PRUD

CC Kurek said we need to change this to be approved on Preliminary Plat and Final Plat. Also specify that it will be approved by Planning Commission and Town Council.

CM Bjoralt made a motion to approve Ordinance #24-08 with the flowing adjustment, must be approved by the Planning Commission and Town Council at the time of preliminary and final plat approval. CM Ward seconded. All in favor and the motion carried.

Ordinance 24-09 – An Ordinance updating the height definition

CM Argyle made a motion to approve Ordinance #24-09 with the change in section a, to say, if the grade stake is disturbed anytime throughout the building process, then the height of the structure shall be measured from the lowest point of the structure. CM Bjoralt seconded. All in favor and the motion carried.

Ordinance 24-10 – An Ordinance updating conditional uses in commercial zones

CM Moldenhauer made a motion to approve Ordinance #24-10, an Ordinance updating conditional uses in commercial zones. CM Argyle seconded. All in favor and the motion carried.

Ordinance 24-11 – An Ordinance adding storage shed to definitions

CM Bjoralt made a motion to approve Ordinance #24-11, with the following addition, not classified for human habitation or occupancy and is intended as per its original design and construction to be primarily used to store personal property. CM Eborn seconded. All in favor and the motion carried.

Ordinance 24-12 – An Ordinance updating PUD/PRUD development plan requirements

CM Argyle made a motion to approve Ordinance #24-12, an Ordinance updating PUD/PRUD development plan requirements. CM Woods seconded. All in favor and the motion carried.

Training

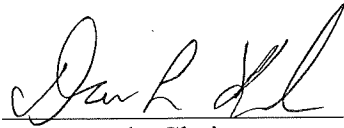
Planning Commission members completed the Annual Ethics Pledge.

Miscellaneous

Adjournment

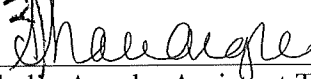
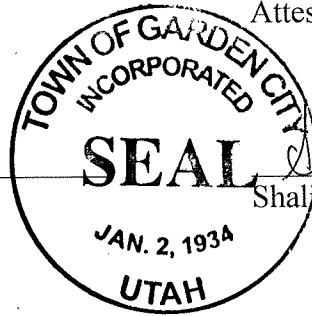
There being no further business, Commission Member Argyle made the motion to adjourn the meeting at 6:49 p.m. Commission Member Woods seconded the motion. All in favor and the motion carried.

APPROVED:



Dan Kurek, Chairman

Attest:



Shalie Argyle, Assistant Town Clerk