

**MINUTES OF
THE PUBLIC HEARING OF
THE PLANNING COMMISSION OF
GARDEN CITY, UTAH**

The Garden City Planning Commission held a Public Hearing on Wednesday, February 3, 2016 at the Garden City Lakeview Building, located at 69 N. Paradise Parkway, Building C. Commission Chair Lance Bourne opened the meeting at 4:30 p.m.

Planning Commission Members Present:

Jim Stone
Susann House
Joey Stocking
Lance Bourne
Jim DeGroot
Tom Stevens
DeWayne Gifford

Others Present:

Sharlene Millard	Jared Larsen
William & Carol Strong	Chris Shurian
Brian Balls	Glen Gillies
Anita Weston	Randall Knight
Darin Pugmire	Ken Hansen
Bob Peterson	George Peart
Norm Mecham	

ROLL CALL

Commission Chair Bourne asked for a Roll Call: Commission Chair Bourne, Commission Member Stone, Commission Member House, Commission Member Stevens, Commission Member DeGroot, Commission Member Stocking.

ORDINANCES

#16-01, An Ordinance updating the C-2 Zone.

Ken Hansen asked what the proposal is. Commission Chair Lance Bourne explained that cities have to have a place for a sexually oriented business or they can just come in anywhere. They would like to put that in an area south of Ideal Beach. Council Member Darin Pugmire asked if the Planning Commission is taking into account that Lana Hodges, an adjacent property owner, would like the sexually oriented business ordinance in an area further away from homes, and not on her property. The Planning Commission said yes, they have put that into account. They have been working on this a long time and everywhere they put it, it's not a popular item, but the Planning Commission needs to put it somewhere. They don't want it in the downtown district. There were no other comments.

#16-04, An Ordinance adding the C-4 Zone.

Commission Chair Bourne said the Planning Commission has picked a spot south of town to put the sexually oriented business under a Conditional Use. It would have to be 5 acres. There were no other comments.

Re-zone of property from Residential Estates to C-4 Zone.

Commission Chair Bourne said this is the same thing. We just need to move the C-4 zone to a property. There were no other comments.

Re-zone of property from Hillside Estates to Recreational Residential.

Commission Chair Bourne explained that the Planning Commission created a Hillside zone where everything above the canal would be in that zone. It is a ¾ acre minimum requirement and there are larger setbacks. At that time, they didn't realize that the setbacks would make it hard to be able to build in subdivisions already approved with smaller setbacks. So they would like to put the subdivisions above the canal into their original zone.

A member of the audience said the Cherimoya HOA has concerns about this. They want to have the larger setbacks and maintain smaller family homes in there. It was stated that as an HOA, they have to change their CCR's, not have the city change it for them. Darin Pugmire stated that they will bring it up at the Town Council and talk with them about it. The Building Inspector, George Peart, signs off on a building permit, but he's not required by the town to get a letter from the HOA. He would like to make it mandatory to get a letter from the HOA.

George Peart said he approves setbacks by the zone they're in, not by the HOA's. The city doesn't enforce the HOA setbacks. His dream is for all HOA's to match the city's setbacks.

Commission Member Stocking said if Mr. Peart enforces the HOA setbacks, he would also have to enforce the height, architectural standards, etc. It would be quite burdensome on the city.

Ken Hansen said the city can only enforce laws that it legislates. He thinks it would simple to create an ordinance that says: "the town will take into consideration the CCR's", then you pass it and enforce your ordinances, not the HOA's. Norm Mecham said it would be on the building permit. You don't care what the CCR's are, but that the HOA has been able to say their rules are met.

Commission Member Stocking questioned Shundahai having the Recreational Residential zone or the Hillside Estates zone. Commission Member House said they only have one phase that was approved – Eagle Feather- and it will go back to Recreational Residential. Everything else will be Hillside Estates. Mr. Hansen said there was a Master Plan approval for Shundahai. Commission Member House said that Master Plans can change. Commission Chair Bourne said they took into account the setbacks and sizes of lots in Shundahai when they created the Hillside Estates zone, so it should be really close. Commission Member DeGroot said if he wants the zone to stay the same as the master plan, they would also have to build the golf course which was also on the master plan.

Commission Member Gifford said if they've already laid pipe according to their master plan, and we change the zone, that's not good for them. Mr. Hansen said they don't have pipe installed.

PUD Preliminary Phase Approval , Phase 3, Water's Edge Resort, Arete Land Company

Mr. Chris Shurian showed the plans. It's the same project that Norman Mecham has been working on for years. They are working on another phase so they can get going on it right away. This building will help them get good exposure this summer. This new building will sit about where the blue store is presently. There will be a restaurant on the main floor. There will be more retail space on the right. It will be designed for those who go in and rent the space. Upstairs are a couple of condo's to help get the project going. They are looking for final phase approval on Phase 3. The access point will be directly to the south on 150 S. with parking to accommodate the city code. There will be another access point, which already exists, at the current blue building. They would like to start this spring.

Mr. Shurian said the funding is in place. They are ready to go.

Commission Chair Bourne asked if they will meet the height of 35'. Mr. Shurian said yes, they know that ordinance well.

There were no comments from the audience.

ADJOURNMENT

Commission Member Stevens made the motion to close the meeting. Commission Member House seconded the motion. All in favor and the meeting closed at 5:05 p.m.

APPROVED:

ATTEST:

Lance Bourne, Chair

Sharlene Millard, Assistant Clerk

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

The Garden City Planning Commission held their regularly scheduled meeting on Wednesday, February 3, 2016 at the Garden City Lakeview Building, located at 69 N. Paradise Parkway, Building C. Commission Chair Lance Bourne opened the meeting at 5:05 p.m.

Planning Commission Members Present:

Jim Stone
Susann House
Joey Stocking
Lance Bourne
Jim DeGroot
Tom Stevens
DeWayne Gifford

Others Present:

Sharlene Millard	Jared Larsen
William & Carol Strong	Chris Shurian
Brian Balls	Glen Gillies
Anita Weston	Randall Knight
Darin Pugmire	Ken Hansen
Bob Peterson	George Peart
Norm Mecham	Chuck Stocking

ROLL CALL

Commission Chair Bourne asked for a Roll Call: Commission Chair Bourne, Commission Member Stone, Commission Member House, Commission Member Stevens, Commission Member DeGroot, Commission Member Stocking, and Commission Member Gifford

OATH OF OFFICE

Commission Members Jim Stone and Joey Stocking received their Oath of Office.

APPROVAL OF MINUTES

January 6, Regular Meeting

Commission Member Stocking made the motion to approve the regular meeting minutes of January. Commission Member Stevens seconded the motion. All in favor and the motion carried.

APPROVAL OF ORDINANCES

#16-02, An Ordinance adding the C-4 zone

Commission Member Gifford made the motion to approve Ordinance #16-02 as written. Motion died for lack of second.

Commission Member Stocking said Mr. Norm Mecham wanted to be able to build on the lots. He also showed some changes he would like to have made in that ordinance.

Commission Member Stocking made the motion to approve Ordinance #16-02 with the change, that on #11C-1505-A, we add #7 as a permitted use to say “Single Family Residence zone R-1” and the minimum setbacks for the front is 20’ unless being used for residential purpose, which if it’s being used for a residential purpose, it must meet appropriate setbacks for Single Family Residence zone, R-1”, or for your sakes, same as C-3 front setback. Commission Member Gifford seconded the motion. All in favor and the motion carried.

#16-01, An Ordinance updating the C-2 zone.

Commission Member Stocking made the motion to approve Ordinance #16-01 as written. Commission Member DeGroot seconded the motion. All in favor and the motion carried.

APPROVAL OF PARKING AND ARCHITECTURAL STANDARDS FOR BEAR LAKE CABIN RENTALS AND LAKEVIEW CUSTOM CABINS OFFICE, Chuck Stocking

Commission Chair Bourne said RuthAnn Jarman talked with him. They will be paving their driveway and adding their parking. They don’t want their road to be a thoroughfare. There was discussion about parking and how it’s calculated.

Commission Member DeGroot talked about how important it is to use the whole square footage of a building when calculating parking because the use will eventually change.

Commission Member Stevens talked about how he calculated parking for that building.

It was suggested that Mr. Stocking needs to go for a variance.

Mr. Stocking said they don’t have any plans for future retail as of now, but there are plans for a restaurant. Commission Chair Bourne said he would have enough parking for the two businesses and restaurant, so if he doesn’t bring in the retail, there would be enough parking. We don’t want to hold him up.

Commission Member DeGroot said he’ll need an exit and entrance. He suggested using the “Parking in Lieu” from the town. He doesn’t think we’ll slow him down; he already has a building permit for the inside.

Mr. Stocking said the whole building is about 4,500 sq. ft. He said he’s been thinking of purchasing a small strip on the east side to help with parking.

Commission Member DeGroot made the motion to table this until we get the information requested for the next Planning Commission meeting. Commission Member House seconded the motion. Mr. Stocking asked if they are okay with the exterior. They said yes, the barn wood will look great. All in favor and the motion carried.

APPROVAL TO REZONE PROPERTY FROM RESIDENTIAL ESTATES TO C-4 ZONE.

Commission Member Stocking made the motion to approve the re-zone of property #36-04-00-009 to C-4. Commission Member House seconded the motion. All in favor and the motion carried.

APPROVAL TO REZONE EXISTING SUBDIVISIONS ABOVE THE CANAL TO RECREATIONAL RESIDENTIAL. FOOTHILL WILL HAVE A PORTION AS RECREATIONAL RESIDENTIAL AND A PORTION AS C-1 ZONE.

The Commission looked through the C-1 and C-3 zones to see which would be more compatible to the commercial zone in Foothill Estates. They thought the C-3 zone.

Commission Member Stocking made the motion that we approve to re-zone properties within current existing subdivisions above the canal from Hillside Estates to Recreational Residential. Foothill Estates will have a portion revert to Recreational Residential and a portion to C-3 zone per the map provided. Commission Member House seconded the motion. All in favor and the motion carried.

APPROVAL OF PRELIMINARY PLANS FOR COTTONWOOD SUBDIVISION.

Mr. Crosby wasn't able to come to the meeting tonight.

APPROVAL OF PUD FINAL PHASE 3 OF WATER'S EDGE, Arete Land Company

Commission Chair Bourne said last year Phases 9 and 10 by the beach were approved. Phase 3 hasn't been talked about for a long time. We just received a new set of plans and need to take more time to look at this. The Architectural Standards look good. There is a time limit for PUD approval.

Mr. Shurian explained they already have Preliminary Plat approval for the PUD, they understood that now all they need to do is come in for final on each phase. His understanding of the time limit was that since they got final approval of Phases 9 and 10 that the development plan is then memorialized and the clock stops.

Commission Chair Bourne said that as a Planning Commission, they have the right to ask for more time to look at a project. The names on the application have changed. It's come in so many times and changed so many times. Even Phases 9 and 10 changed after the approval. They are now tweaked so there's a better view of the lake. We won't slow them down; they can still demo the existing property to get ready.

Commission Member DeGroot said he calculated the parking and they're 10 stalls short based on the current parking ordinance. He knows there are extra stalls in other phases, but we can't guarantee that the other phases will be developed.

Mr. Brian Balls said the current calculations for parking were provided by their architect who looked at our ordinance and used the calculations for what is there now. He explained that they patterned it after the IBC Code.

Commission Member DeGroot said so many things change with this. Mr. Mecham came in for approval on the condo's. People were going to own them individually. Then he comes in and wants to do short-term rentals. Well, that changes the parking considerably. So the master plan gets approved, then the use starts changing.

Mr. Shurian showed the footprint that was approved. Commission Chair Bourne showed him the original and how it has changed. They looked at it closer and realized it was the same, just the dumpsters have been moved.

Commission Chair Bourne said we need more time to look this over. Even the owners have changed. Mr. Shurian said the approval should go with the land, not the owners. He wondered if they bring plans in for next month, will it be for final. Commission Chair Bourne said yes.

Commission Chair Bourne said to get the plans in on time and don't change them. What they bring in is what will be approved.

Mr. Shurian said they will get things here for next month.

Commission Member Stevens asked if the condos will be short-term rentals or owned because that will change parking. They said they haven't decided.

Commission Member House asked them to calculate parking both ways and bring to us.

Zan Murray was on the phone and they discussed issues about water and parking, handicap stalls and oversized parking.

Commission Member House made the motion to table this. Commission Member DeGroot seconded the motion. All in favor and the motion carried.

MISCELLANEOUS

Commission Member House asked if we could get some training on how to read a plat map?

ADJOURNMENT

Commission Member Stevens made the motion to adjourn the meeting. Commission Member House seconded the motion. All in favor and the meeting closed at 6:53 p.m.

APPROVED:

ATTEST:

Lance Bourne, Chair

Sharlene Millard, Assistant Clerk