

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

The Garden City Planning Commission held their regularly scheduled meeting on Wednesday, June 1, 2022, at the Garden City Office, located at 69 N. Paradise Parkway, Building C. Commission Chair Dan Kurek opened the meeting at 5:22 pm.

Planning Commission Members present:

Dan Kurek, Chair
Joey Stocking
Kendra Bjoralt
Todd Stevens
Jared Argyle

Excused: Mike Moldenhauer
Susann House

Others Present:

Sharlene Millard
Connor & Amy Ward
Dan Kurek
Martell Menlove
Claudia Conder
Wes Thompson
John Nelson
Lana Hodges
Philip Webb
Lance Anderson
Mark & Kathy Stringham

Quinn Dance
James Wise
Nadine Sprouse
Randall Knight
K.C. Liao
Trent Ferguson
Steve Talbot
Bess Huefner
Dean Miller
Jason Clark

ROLL CALL

Commission Chair Kurek asked for a roll call. Commission Chair Kurek, Commission Member Stocking, Commission Member Bjoralt, Commission Member Stevens, Commission Member Argyle.

MINUTES

May 4, 2022, Public Hearing

Commission Member Stocking made the motion to approve the meeting minutes for the Public Hearing for May 4, 2022. Commission Member Bjoralt seconded the motion. Commission Member Argyle wasn't present for the meeting, so he didn't vote. The rest voted in favor and the motion carried.

May 4, 2022, Regular Meeting

Commission Member Stocking made the motion to approve the regular meeting minutes for May 4, 2022 with the change noted. Commission Member Bjoralt seconded the motion. Commission Member Argyle wasn't present for the meeting, so he didn't vote. The rest voted in favor and the motion carried.

May 4, 2022, Special Meeting

Commission Member Stocking made the motion to approve the special meeting minutes of May 4, 2022. Commission Member Bjoralt seconded the motion. Commission Member Argyle wasn't present for the meeting, so he didn't vote. The rest voted in favor and the motion carried.

CONDITIONAL USE PERMIT/ARCHITECTURAL STANDARDS FOR DEAN MILLER

A friend of Mr. Miller said they will be using the colors on the color chart. The storage container is to store the birds and will be in the back. It will be hidden from the road. The front setback of the building is 30'.

Commission Member Stocking asked if they have UDOT approval for the parking. Mr. Miller said not right now.

Commission Member Argyle made the motion to approve with the condition of UDOT approval for parking. Commission Member Stevens seconded the motion. All in favor and the motion carried.

CONDITIONAL USE PERMIT FOR INDOOR STORAGE, JOHN NELSON

Mr. Nelson responded to Mark Smoot's letter by saying he has roots in Bloomington and Fish Haven and lives in the valley on the weekends. He owns many properties throughout the valley. He did a geo tech and followed every reasonable study with JUB. He owns property from the east side to Meadowville, Garden City, Fish Haven, Paris and many other properties in the valley. He's tried to keep his project clean and organized. He reduced his rooftops by 40 because that's what the town wanted. He wanted to go closer to the canal but the town didn't want him to. He's tried to reduce the HOA fees so more people could afford them, when Glen has called with complaints, he took care of it within 24 hours. He's let other contractors use his framing crew. He's vested into this area. But none of what he's said even matters. What matters is if this building fits the zoning. He bought this property to maximize its use, not to leave it as an alfalfa field.

He's more concerned about the safety, health and welfare of that building. He hasn't read anywhere that says his building had to be so small or so big. He's only found setbacks, heights and other safety issues. Mr. Nelson said he has met with the fire chief today and he recommended fire hydrants and a sprinkling system. He would like to build the building with a 2-hour fire rating. Most doors in a home have a fire rating of 20 mins.

He's not asking the city to do anything. He will meet anything they want on the outside. This building is for a profit purpose. It was stated that Mr. Smoot's buildings are also for-profit purposes.

Mr. Nelson said Bear Lake is unique and a lot of people don't want to have to take their RV back and forth through the canyon. He feels this type of building is needed for this area.

Commission Member Argyle said he feels that if it meets the ordinances, that's what important. He doesn't think it's our job to have to see the business model. If it falls down, that's his responsibility.

Commission Member Bjoralt thinks that he should have to follow 11C-1407-E. Mr. Nelson said he's not going for a permitted use. He's trying for a Conditional Use. It's not a stand-alone building, where there's office space in the corner and in front. The rear setback is 30' and side setbacks are 10 & 10. The roof pitch is under a 4:12 pitch which he can put the slides on the roof to prevent the snow from falling off the roof. The peak will be under 35 feet. It will be 231,000 sq. ft. There will be no living quarters or services, just storage. No wash station out front.

There will be no apartment buildings on the rear anymore. There was discussion about the peak being under 35'. Mr. Nelson said his goal is to keep snow on the roof. There was discussion about him putting a parapet wall to catch the snow, and water can flow out. There was discussion about snow coming off onto the neighbor's lot. Mr. Nelson felt that was reasonable. They can have drainage for the water.

Commission Member Argyle made the motion to approve the project with condition of putting up the parapet walls so snow won't go onto the neighbors property. Motion died for lack of second.

Commission Member Stocking said he thinks it would fit better under a C3 zone. He would like the building to start back 300' back so retail could go near the 300 W. There is currently 135' back from the road.

Commission Member Argyle made the motion to approve with parapet walls for health and safety and the approval of Town Council. Commission Member Bjoralt seconded the motion. Commission Member Argyle for, Commission Member Bjoralt for, Commission Chair Kurek for, Commission Member Stevens for, Commission Member Stocking against it for the building being in C1 and he doesn't want to give up any more C1 and it being a stand-alone building in a RR zone.

PARK PLACE, GERALD ANDERSEN, ADAM ANDERSEN

There was discussion about zoning from Adam Andersen. He thinks the PRUD is a better fit.

Commission Member Argyle asked about the over sized parking for visitors. Everyone brings their toys. Mr. Andersen said they've moved RV parking to the northwest side. There was discussion about crash gates and dumpsters in the back. Steve Talbot said they were approved to have 4 dumpsters in the back and they need it in writing that they will do that. Mr. Andersen said they are creating a development with families and wondered if they could have cans also. Mr. Talbot said that's great, but they will have to clear it with the county commissioners.

Commission Member Stocking asked about the 70% open space requirement for PRUD's. He was adding it up and wondered where it's all coming from. Mr. Andersen said they assumed 3.4 acres for the building footprint and out of that the remaining would be open space. There will be fencing around the project. The trail will be on their side and should be 10' wide. There was discussion about parking. Quinn Dance said that they should have the driveway long enough to keep the cars off the sidewalk.

Council Member Menlove is concerned with having an easement that dead ends and a road that dead ends on both ends can be defined as a public easement. Commission Chair Kurek said we need to do it now because it will be harder in 20 years. After discussion, Council Member Menlove said it would be nice to have an access to 500 W. with a way to get on the highway. He would like to see a 30' north easement that could be part of a 60' road. The north property owner could also do 30'. There was discussion about which they would rather have in that area, a trail or a road.

Commission Member Argyle made the motion to approve the overlay to the PRUD and conceptual. Commission Member Stevens seconded the motion. All in favor and the motion carried.

ELK'S RIDGE #2, LANCE ANDERSEN

This subdivision has agreements that the Planning Commission needs to look at. It was originally approved in 2007-2008. The sewer has been put in but has not been approved. There are things that need to be done, but that's part of the process.

Commission Chair Kurek said those roads steep up there. Mr. Andersen said once you're up there, it's manageable. 12% is not a bad road. Commission Member Kurek talked about not getting on those roads very well in the winter with his jeep. He's worried about the fire truck and ambulance getting up there. Mr. Andersen said they don't own the roads for Phase 2, but they have an easement to get to the roads. The sanitation won't go up there. It's too steep. They won't go above the canal.

Phase 1 is the only phase recorded by the county. There could be a road through Foothill, but there's a 1' protective easement that was created but they can't find who owns it.

Quinn said the steepness of the road is controlled by the sewer that's already in the ground. If we want to have a discussion about that, we need to involve the sewer dept. After discussion, Commission Member Stocking said the road for Phase 2 should be a 60' easement. However, the pavement size doesn't have to change. Mr. Andersen said he's fine with that, he just wondered about the sewer laterals that are already in.

Commission Member Argyle said he's concerned about the fire trucks and ambulances not being able to get up there. We're supposed to identify the health and safety of projects and this one is scary. Phase I will have to be plowed in order for this to go through. These roads are steeper than Raspberry Patch's road.

Commission Member Stocking feels that Phase I needs to create a master association and include Phase II. He said if Phase I has created the roads, Phase II should have to help with that. Mr. Andersen said that would be in their/our best interest.

Commission Member Stocking left the meeting at 7:29 p.m.

Quinn asked Mr. Andersen to look into the sewer laterals. It would be nice to have the 60' easement.

Commission Member Stevens made the motion to approve the Elk's Ridge Phase 2 subdivision. Commission Member Argyle added that they do the research and come back and tell us what the road grade can be and 60' easements for final. Commission Member Argyle seconded the motion. All in favor and the motion carried.

Commission Member Stocking returned to the meeting at 7:35 p.m.

ORDINANCES

#22-07

Commission Member Bjoralt made the motion to send ordinance #22-07 back. – Have them specify what they want done with it. Todd Seconded the motion. All in favor and the motion carried.

Commission Member Bjoralt said she feels like the Planning Commission and Town Council are working against each other. They want something changed, but won't even tell us what they want.

Mike Leonhardt on the phone said new developments are going to have to fence properties. They're thinking of even having single family dwelling homes put in a fence.

#22-11

There was discussion about this already being in the ordinances. Do we need it in two places?

They talked about how disgusting the garbage was along 100 W. when the wind blew last week. The builders did get a citation. They would like Glen Gillies to re-write this.

Commission Member Stocking made the motion that we send #22-11 back to Glen to be re-written and have him mention referencing the fine schedule. Commission Member Bjoralt seconded the motion. All in favor and the motion carried.

TRAILS DISCUSSION

Wes Thompson is here for Mark Smoot. He talked about the trails master plan that's in the works. They would like the town to approve it within Garden City when they bring it in. Commission Member Bjoralt said the trail foundation doesn't have to be at the meetings.

MISCELLANEOUS

Mr. Thompson discussed some Planning Commission items.

Commission Member Stocking asked about getting a city planner. Commission Chair Kurek said the Mayor doesn't think we need one yet.

There was a question about trucks spraying off their trucks before they get on the roads.

Commission Chair Kurek stated that this is Commission Member Stocking's last meeting. There was discussion about not having many other lots to build here in Garden City. Commission Member Stocking showed a map of what lots are left to build on.

ADJOURNMENT

Commission Member Argyle made the motion to adjourn. Commission Member Bjoralt seconded the motion. All in favor and the meeting closed at 8:10 p.m.

APPROVED:

ATTEST:


Dan Kurek, Chair


Shariene C. Millard, Assistant Clerk



Please write your
name

PC 06 22

Don L. Kersch
Nadine Sprouse

Mark Stringham
Kathy Stringham

MARTELL MEMLOVE

Ronald Knight
CLAUDIA CONDER

JAMES J. WISE

K.C. Ligo

Wes Thompson

Trent Ferguson

John Nelson

Stone Talbot

Har Dodge

Bess Huefner

Philip Webb

Dean Miller

LANCE ANDERSON

Quinn Dance

Jason Clark

Connor Ward