

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

The Garden City Planning Commission held their regularly scheduled meeting on December 3, 2008 at the Garden City Office, located at 69 N. Paradise Parkway, Building A. Planning Commission Chair Huefner opened the meeting at 7:00 p.m.

Members Present:

Jennifer Huefner, Chair
Scott Gough
Greg Bills
Lance Bourne
Frank Smith
Pat Arbyle

Others Present:

Kathy Hislop
Bobbie Coray
Carol Bills
Eric Lofthouse
Marilyn Adams
Mark Daines

Commission Member Huefner called for roll call of the members present.

APPROVAL OF MINUTES

The Commission Members reviewed the minutes for the Public hearing held on November 22, 2008.

Commission Member Gough made the motion to accept the minutes of the meeting held on October 22, 2008. Commission Member Argyle seconded the motion. All in favor and the motion carried.

The Commission Members reviewed the minutes for the Special meeting held on October 22, 2008

Commission Member Argyle made the motion to approve the minutes of October 22, 2008. Commission Member Bills seconded the motion. All in favor and the motion carried.

The Commission Members reviewed the minutes for the Public Hearing held on November 5, 2008

Commission Member Gough made the motion to accept the minutes of the Planning Commission meeting held on November 5, 2008. Commission Member Argyle seconded the motion. All in favor and the motion carried.

The Commission Members reviewed the minutes for the Planning Commission meeting held on November 5, 2008

Commission Member Bills made the motion to accept the minutes of the Planning Commission meeting held on November 5, 2008. Commission Member Gough seconded the motion. All in favor and the motion carried.

PLANNING COMMISSION TRAINING FROM MARILYN ADAMS, RICH LAND TITLE

Commission Chair Huefner explained that Ms. Marilyn Adams from Rich Land Title is here to do some training for us. Ms. Adams explained about subdivisions and what to look for when we are reviewing proposed projects.

CONFLICT OF INTEREST

There were no conflicts indicated from the Board Members.

FINAL APPROVAL FOR PICKLEVILLE COMMONS, Don Webb

Mr. Mark Daines is here to present the final plat for the Pickleville Commons project.

Commission Chair Huefner asked for a letter indicating that all the taxes were paid on the property. Mr. Webb has an agreement with Shundahai for their water requirement. The condo association will own and maintain the roads and the common area. The utility easements are indicated on the plat. They have also worked out the dumpster locations with the County Sanitation Department. Mr. Webb has also included extra fire hydrants on the plat as required by the Fire Chief.

Commission Chair Huefner opened the discussion to the Commissioner Members.

Mr. Daines said that they do have the elevation plans and they can submit them for review.

Mr. Daines explained that the CC&R's will allow for nightly rentals and that there is plenty of parking allowed to meet the requirement for nightly rentals. Commission Member Bourne explained that there are bedrooms in the units that do not meet the requirement for nightly rentals. They have to be 100 sq ft. Mr. Daines said that they can change the floor plan to move a wall, which will make the rooms large enough to meet the requirement.

The Commission Members discussed the requirement for architectural standards. Commission Chair Huefner read the architectural standards ordinance to Mr. Daines. Commission Member

Smith said that it seems a little bit ambiguous in the ordinance whether to require the architectural standards for this project and if so how is it applied to the buildings.

Commission Member Bourne said that because we are allowing these to be used for nightly rentals they are moved into the commercial side, they are not just residential so they will need to follow the architectural standards. Commission Member Argyle agreed because that is what the ordinance is and requires. Commission Member Smith agreed that it is commercial because it is for nightly rental, but he suggested that Mr. Daines bring that up to the Town Council and ask for leniency.

Commission Chair Huefner stated that the project looks really good. We need a letter on file from the Rich County Treasurer stating that the taxes are paid on the parcel. Also, they need to follow the architectural standards. They also need to send over the elevations so that they can be submitted to the Town Council.

Council Member Bourne made the motion to approve the plans and send it to the Town Council with the following conditions: a letter from the Rich County Treasurer be submitted showing that the taxes have been paid on that parcel, and that they follow the architectural standards to meet on 3 sides and enlarge the bedrooms so that they fit the 100' feet minimum per bedroom requirement to be considered for nightly rentals. Council Member Argyle seconded the motion.

All in favor and the motion carried.

PRELIMINARY AND FINAL APPROVAL FOR BEAR HOLLOW, Eric Lofthouse

Mr. Lofthouse explained that these buildings will all be leased units, which will be at least a 12 month lease. The owners can't sell or change the use of the building for 99 years, because they are affordable housing and is regulated by Federal Tax Credits.

Mr. Lofthouse explained that the way the credits work on these buildings is that the owner leases to people who meet certain levels of income. The owner then receives a tax credit on each unit.

Mr. Lofthouse explained that the roadways are very narrow, but the road will be built on the property line and when the neighboring development builds they will build the other half of the roads so they will be wider at that point.

Commission Chair Huefner explained that we don't want to see too many entrances onto Paradise Parkway. This makes it so that the adjacent property owners have to build in the same place and make the roads work together for both developments, which will decrease the amount of entrances onto Paradise Parkway.

Mr. Lofthouse said that they will do commercial in the front property along Paradise Parkway.

They will have a master meter for the water in the front of the development. They will be responsible to maintain the roads, water and sewer system inside the project.

Mr. Lofthouse said that there are single car garages for each unit and there is also parking in the front of the garage for each unit. There won't be sidewalks in this development. Commission Chair Huefner stated that she knows the direction that the Town is going with sidewalks but that she would like to see sidewalks in the developments for safety reasons.

Commission Chair Huefner explained that because they are doing this as a PUD they are also asking for a zone change to the PUD zone. That is just part of the PUD process.

Commission Chair Huefner said that they need a letter from the Rich County Treasurer stating that the taxes have been paid on the parcels in the subdivision. They also need to prepare CC&R's for this project and it has to be submitted with the final plat. The CC&R's must include an open space area plan and how they are going to be maintained. The Commission Members said that they need to provide the CC&R's for review before the Town Council meeting. Mr. Lofthouse said that he will send the CC&R's tomorrow.

Commission Chair Huefner said that the plat also needs to show the legal description on the mylar. Mr. Lofthouse explained that his surveyor said that they shouldn't have to file a plat, just a concept plan. Commission Chair Huefner said that they do need a plat because it is a PUD and that is a requirement of the ordinances.

They are also required to put up one way signs and also "Fire lane, no parking" signs along the roadway.

Mr. Lofthouse said that they own all the property that is included in this plat, which includes the property they are considering for their open space. It is approximately 8 acres.

Commission Member Argyle asked how they would compact the property because it was a gravel pit that was filled in a couple years ago. Mr. Lofthouse said that they have had a soil report done and they will build the footings a little bit wider.

Mr. Lofthouse explained that they are going to use geothermal for the heat and cooling in the project.

Commission Member Bourne said that the CC&R's need to include that they are not subject to nightly rentals.

Commission Member Bourne made the motion to approve the Bear Hollow PUD and send it to Town Council with the following conditions still needing to be met: CC&R's need to be

included, an open space plan needs to be included, a letter from the Rich County Treasurer stating that the taxes have been paid, a legal description on the plat, oneway signage, and also no parking signage on the roadway for the Fire Department. Commission Member Gough seconded the motion. All in favor and the motion carried. Commission Member Bourne amended the motion to include that the approval is for the preliminary plat and the final plat and recommend that Town Council approve it. Commission Member Bills seconded the amendment. All in favor and the motion carried.

MISCELLANEOUS ITEMS

Commission Member Gough drafted a letter to be sent to the Town Council regarding new development amenities. Commission Chair Huefner stated that we need to have this ordinance written and on the next Commission agenda so they can send this on to the Town Council. Commission Member Gough, Commission Member Smith and Ms. Hislop will work together to get this in ordinance format so that it will be ready to send on to the Town Council.

ADJOURNMENT

There being no further discussion, Commission Member Bourne made the motion to adjourn the meeting at 9:50 p.m. Commission Member Gough seconded the motion. All in favor and the motion carried.

APPROVAL:

Jennifer Huefner, Planning Commission Chair

Attest:

Town Clerk