

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

The Garden City Planning Commission held a Public Hearing on Wednesday, August 3, 2011 at the Garden City Lakeview Room, located at 69 N. Paradise Parkway, Building C. Planning Commission Chair Lance Bourne opened the Public Hearing at 4:36 p.m.

Commission Members Present:

Lance Bourne, Chair
Jennifer Huefner
Dallas Solum
Chuck Stocking

Others Present:

Sharlene Millard	Kay Diamond	Tracy Maxfield
John Spuhler, Mayor	Deanna Hoyt	Miriam Birth
Curt Knudson	Tammy Fox	Werner Birth
Michael Birth	Wilford Birth	Dave Fielding
Evan W. Stevenson	Walter Rohloff	Jerry Foster
Jason Foster	Gloyd Sprouse	Layne Sprouse
Heide Krug	Paul Krug	Karl-Heinz F. Koenig
Ed Hansen	Cyndy Hansen	Paul Osborn
Jonathon Blosch	Kevin Jackson	Mark Smith
Kathy Smith	Terry Smith	Nancy Smith
Marcia Solum	Neil Ballif	Dan Kurek
Kathy Hislop	Miriam Birth	Anita Weston
Kathy Anderson		

The meeting opened with prayer by Chuck Stocking. Then the audience recited the Pledge of Allegiance.

THE WATER'S EDGE

Curt Knudson, a member of the audience, said many from the Lake Meadow Lodge HOA are here tonight and have a vested interest in their property. He feels the Water's Edge is a huge project. He's concerned with the height issues, parking for that amount of people

and Shundahai being able to bring even more people there to use the beach. He said it's a huge issue. He feels there could be up to 800 people on the beach at one time.

He said they're concerned with the impact of construction, i.e. traffic, dirt and noise. He wants to make sure there's a fence up and that the Planning Commission makes sure there's a bond in place. There's also a wetland issue that needs to be addressed.

Deanna Hoyt read a letter about her husband's concerns. He feels the project is too large and doesn't like the parking. Fire fighting is a concern and a reminder for the development to have a bond.

Jerry Foster said he has property at 150 S. He questioned the right of easement and wondered if the town claims ownership of that. Commission Chair Bourne said the town has talked with partnering with the developer to create the road. Mr. Foster read a letter from an attorney about easements. He stated concerns of parking and that economy may not be strong enough for this project. He feels that the town is helping a developer.

Mayor John Spuhler said we're not here for the improvement of the developer. We're here for the good of the town. He's interested in getting jobs here. He talked about the Blueprint for Utah and creating density. The best place for density is downtown. He explained the costs of impact to the city vs. developments. Developments cost the town a lot of money. He said we're looking at the economic value of this for the town. We are not making sure the developer is being taken care of. We're trying to make sure the community is taken care of. He said we'll need to talk with our attorney about the road.

Paul Krug said he feels he's been lied to for 40 years about the road. Every year he gets a different story. He's very upset about the parking lot being on 150 S.

Commission Chair Bourne said the developer's of Water's Edge will have to help buy a new fire truck to be able to reach the 55' height of the development. We presently don't have one that will reach that high.

Mr. Koenig said they enjoy the quiet atmosphere. He's also against the parking on 150 S. He talked about the map being different than what it should be and a sheep herder road that years ago was promised to be paved and hasn't been done yet. He's worried about the parking of the development.

Mayor Spuhler said that we all love this community and don't want it to become a Jackson Hole. We are all part of this community. He knows people that are here year round struggle to survive. Last year, we had an enforcement officer which helped pay for a deputy to be here in Garden City.

John Blosch said he has to wait in line to even get to his property at 150 S. because of the beach access. He feels there's a lot of density in one small area of this project. He wants us to look at the concerns of others.

Tammy Fox is concerned with trying to get out of their own PUD of 32 units onto 50 S. It is next to impossible when busy. The units within the new development will add even greater problems because their entrance is next to theirs. There was a question of getting more stop lights.

Mayor Spuhler said the town has been trying to get more lights, crosswalks, speed limit reduced, etc. UDOT hasn't responded very well. Commission Chair Bourne said the Water's Edge parking will be on their own property. They won't be backing onto the road like most do now. He said we are trying to get problems solved, but the state won't even work with us on crosswalks.

Tracy Maxwell said she is concerned with the amount of people already intruding on their personal properties. They act like it's their property and even use their trash cans. It's going to get worse.

Cindy Hansen talked about Garden City needing more police. Mayor Spuhler explained that that's not even feasible for Garden City. She'll need to talk with the commissioners.

Anita Weston is worried about parking and no public restrooms.

Evan Stevenson said the property at the Water's Edge cannot handle all the people that will be using it. He knows the challenges of hotels. If he did a pro forma for this property, he'd be scared to death. He feels the developer's are way over zealous in the amount of units they want and short for parking.

A member of the audience said people leave a lot of trash on the beach. It will also be in the parking lot.

Mayor Spuhler said the state has hired one person for 22 miles of beach. He also asked anyone to call the town office to report people leaving garbage.

Commission Member Solum said the Planning Commission has been talking about parking for a long time. He still feels the parking in this project is inadequate.

Kevin Horn explained that there are only 35 condo's in the 2 buildings. A total of 70.

A member of the audience asked why not down size the project, so there's enough parking. They're opposed to the massive size, not the project.

Commission Chair Bourne said the Planning Commission has been working on parking for the last 3 months. The parking in this project is what is required in our ordinance. They can build 35' high in the commercial area and 25' on the beach. They're proposing to stay the same height as ground goes down to 25'. They can do that through the ordinance, it's a trade off.

Paul Krug suggested the development use their own property for parking and not using 150 S.

ADJOURNMENT

Commission Chair Bourne closed the Public Hearing at 5:39 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, August 3, 2011 at the Garden City Lakeview Room, located at 69 N. Paradise Parkway, Building C. Planning Commission Chair Lance Bourne opened the meeting at 5:40 p.m.

Commission Members Present:

Lance Bourne, Chair
Jennifer Huefner
Dallas Solum

Chuck Stocking
Mike Schiess
Pat Argyle

Others Present:

Sharlene Millard
John Spuhler, Mayor
Curt Knudson
Michael Birth
Evan W. Stevenson
Jason Foster
Heide Krug
Ed Hansen
Jonathon Blosch
Kathy Smith
Marcia Solum
Kathy Hislop
Kathy Anderson

Kay Diamond
Deanna Hoyt
Tammy Fox
Wilford Birth
Walter Rohloff
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Terry Smith
Neil Ballif
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Tracy Maxfield
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Dave Fielding
Jerry Foster
Layne Sprouse
Karl-Heinz F. Koenig
Paul Osborn
Mark Smith
Nancy Smith
Dan Kurek
Anita Weston

THE WATER'S EDGE, PRELIMINARY

Kevin Horn presented the Preliminary Plat for the Water's Edge. He has had 4 previous meetings with the Planning Commission and has tried to make the adjustments suggested. He showed how they've got more than needed oversized parking to accommodate larger vehicles.

Mr. Horn talked about fire access and walkways. They will be helping the fire dept. in getting an apparatus which will help service them. It will belong to the project for other fires also.

All commercial buildings are 35'. They are clustering the buildings. The buildings actually step down towards the lake, with only a one-story building at the bottom. He talked about the original entrance in the front by the road. It's not as much visibility for the hotel, but, will enhance the city. They're talking with UDOT about lowering the speed limit to 25 mph. The parking along the highway will be commercial parking.

Mr. Horn said the town engineer will be looking over the building materials. They've discussed the water and water runoff. The buildings are 100' away from anyone on the north and 140' away from anyone on the south. The property has opportunity for landscaping, etc., which should put less impact on the neighborhood.

Commission Member Solum is still concerned with the parking. The Planning Commission needs to have 10% of capacity into oversize parking. He only sees 6 new spaces.

Commission Member Schiess is concerned that there isn't enough room through the parking lot at 150 S. for boats, etc. to get through to the beach. There is a line now to get to the beach. He just wants to make sure it won't bottleneck.

Commission Member Argyle affirmed that their parking in the front is on their own property. She also wondered about the width between parking and pulling into the driveways on the 150 S. road. She said she would like to put some cones up and see if she could tell how hard it might be for vehicles pulling boats.

Mr. Horn explained that they will have curbed landscaping which might help for left hand turns. They've tried to create this downtown idea that there's plenty of places to park. There should be significant amount of parking with restaurant type functions and various shops elsewhere. They will develop and maintain the parking property for public use.

Commission Member Solum wondered if there are enough utilities for this project? Mr. Horn said that will be addressed when they come in for final. They've talked about doing a geo thermal study. Norm Mecham said he's already got geo thermal at the Bear Hollow Apartments. It's about 30% of what normal heating would be.

Mr. Horn said this project will generate room, food and property taxes.

Mr. Mecham said they've met with the fire district and gone through their concerns. He realizes they won't get approval until it's decided how to get to those high buildings. The truck they already have is not certified. They would help them get it certified. There will be no building permit issued until these issues are agreed to.

Mr. Horn said their goal is to have the hotel operating in 2013, but with the different phases, it may take up to 4 years to finish.

Mayor Spuhler suggested getting some legal advice with the town sharing 150 S. with the Water's Edge.

Commission Member Huefner questioned pulling into the development at 150 S. Mr. Horn said he'll change it so people don't have to go all around before entering. Mayor Spuhler is concerned that the parking lot may become a freeway. There are thousands of people that go through there. He said it's more about the flow, than parking.

Commission Member Huefner said she is uncomfortable with 150 S. She would prefer to not approve this tonight.

Commission Chair Bourne said he'll need to see something from the attorney about the title report. We've already seen that a property is someone else's. He would also like something from the Corp of Engineers for wetlands delineation. Mr. Mecham said it becomes a process of mitigating with others. So they don't have their decision yet. They don't have anything below the water for sovereign land issues.

Commission Chair Bourne said we need to counsel with the engineer and attorney before any approval tonight. He's concerned with safety. He said we'd have to turn down Phase 2. He wants to make sure the fire district has everything signed that they need. Mr. Mecham said they're committed to work with them.

Commission Member Solum said he wants to have an assurance that we have the utilities to take care of this development. Mayor Spuhler said the town has enough water.

Mr. Horn said there will be a 6" loop coming from the main line. They may go up to an 8" if calculated that way.

Commission Member Huefner asked about their bond. Commission Chair Bourne said that we need to pass on the approval tonight.

There was discussion about what could be approved tonight.

Mr. Mecham asked if they aren't selling lots, is there still a need for a bond?

Commission Chair Bourne said there are amenities like swimming pools, walking paths, etc. They need to be bonded. This is so that what is being presented gets finished.

Mr. Horn said the funding will be in place before they start. Commission Chair Bourne said it will need to be a cash bond or a performance bond.

Mr. Horn said they need to add 7 parking spaces. He said he's assumed 20% cross parking and so they've reduced 20% of the commercial.

The conditions that need to be met before final approval of Phase I are: Meeting with the fire district about a fire truck to protect the public. Approval from the Army Corp. of Engineers regarding wetlands delineation. (Mr. Mecham said he'll have that for the final approval), Title report to reviewed by the attorney, proper parking spaces to meet the requirements.

Commission Member Argyle said so often over the last few years we've worked on our ordinances and we can't get anyone to come in to the meetings to give any input, so we do the best we can with what we're working with. Then an issue comes up and it's really important. But we can't foresee everything. She understands that this is a hot issue being neighbors, but as a Planning Commission, we are held by the ordinances we do make and so if a project falls within those ordinances, we have to approve it.

Commission Member Argyle made the motion that we pass Phase I with three conditions: 1) Meeting fire protection standards, 2) Proper number of parking spaces, which I think they will meet anyway, 3) Title insurance needs to be reviewed by our attorney. This does not include the parking of Phase 2 on 150 S. for calculations. Commission Member Huefner seconded the motion. All in favor and the motion carried.

The audience left.

It was discussed that here we are talking about ordinances and not one person in the audience stayed to listen. Mayor Spuhler said it's okay for the audience to speak how they feel. That's what makes our quirky community so great. There are so many different interests, that's what makes it so fun and so hard.

Commission Member Huefner said this is very common to have a public outcry for a big project. They all have emotional responses to what's coming in next door to them. It's very understandable and they need to come in and be able to say how they feel. They don't have an understanding of our ordinances and the legal responsibility we have to this town. It's not just to their responses, but to the ordinances. As a body, we need to stay unemotional about it in our response. It's our responsibility to follow our ordinances that were put in place by legal means through the state of Utah. This is our authority and we have a responsibility. We can't just say we don't like it and not vote for it.

HILLSIDE ESTATES ORDINANCE #11-11

Commission Chair Bourne explained the setbacks, permitted uses and conditional uses in the newly proposed zone - Hillside Estates.

All commercial developments and subdivisions in all zones should be required to install a bulk meter. That is something that needs to be put in the ordinance.

Commission Member Huefner made the motion that we recommend that the Town Council approve Ordinance #11-11 – an Ordinance creating a new zone within the Garden City town limits called Hillside Estates, with the following changes; That in 11C-1453, “D” is stricken or taken out, and on “F” after that, that we take out one and put in “two customers”, and on 11C-1456 Modifying Regulations, the last paragraph beyond that should be 100 feet instead of 300 feet past the existing residence rear property line. Commission Member Argyle seconded the motion. All in favor and the motion carried.

PARKING ORDINANCE #11-12

Commission Member Huefner made the motion that we recommend that the Town Council approve the addition to Ordinance #11-12, which is; 11C-304 – Overflow Parking, adding that the size of the parking is 9’ x 40’ and the oversize parking counts as two towards total parking requirement. Commission Member Argyle seconded the motion. All in favor and the motion carried.

COMMERCIAL LOT SPLIT

This has been cancelled.

MINUTES

This is postponed until next month.

PLANNING

Commission Member Huefner said she is very interested in trails and is on a committee to help get a bike path around the lake. She would like to put in the general plan and the ordinances that subdivisions should just put a bike path in their plans. She would also like to eventually have one next to the canal.

Council Member House would rather have bikes go through a subdivision than on the road.

She will get something ready for next month. She would like to have funding for trails/recreation. Council Member House said it could come out of the parks, library and arts tax.

MISCELLANEOUS

Commission Member Solum asked why a black plastic bag is over the fire hydrant at 350 S.? It is there because it has a leak and needs to be fixed.

ADJOURNMENT

Commission Member Argyle made the motion to adjourn the meeting at 8:51 p.m.
Commission Member Huefner seconded the motion. All in favor and the meeting closed.

APPROVED:

ATTEST:

Lance Bourne, Chair

Sharlene Millard, Assistant Clerk