

MINUTES OF THE
PLANNING COMMISSION MEETING OF
GARDEN CITY, UTAH

The Garden City Planning Commission held their regularly scheduled meeting on Wednesday, May 7, 2014 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.

Commission Members Present:

Lance Bourne, Chair
Susann House
Mike Schiess
Jim Stone
Jim Hanzelka, via phone

Excused: DeWayne Gifford

Others:

Sharlene Millard	Darin Pugmire
Gary Cox	Anita Weston
Darin Pugmire	Randall Knight
Ted Wilson	Scott Huskinson
Don Webb	Kent Dunkley
Joey Stocking	

ROLL CALL

Commission Chair Bourne, Commission Member House, Commission Member Stone, Commission Member Schiess, Gary Cox.

APPROVAL OF MINUTES

Public Hearing of March 20, 2014

Commission Member House made the motion to approve the minutes of March 20, 2014. Commission Member Schiess seconded the motion. All in favor and the motion carried.

Public Hearing of April 2, 2014

Commission Member Schiess made the motion that the minutes of the Public Hearing of April 2, 2014 be approved as written. Commission Member House seconded the motion. All in favor and the motion carried.

Regular Meeting of April 2, 2014

Commission Member Schiess made the motion to accept the minutes of the Planning Commission of April 2, 2014 as they are written. Commission Member House seconded the motion. All in favor and the motion carried.

WESTERN SKIES LODGING HOTEL, DON WEBB

Mr. Webb said since his use is an approved use, what does the Planning Commission want to see? He just wants to continue on. Commission Member Schiess wants him to bring in plans showing any additional building. He questioned the ingress from the highway. Mr. Webb said they thought they had

all the approvals, but they didn't so they're getting everything ready now. It looks like UDOT wants them to pave the entrance. Just FYI, the state won't allow any parking along the highway. That may affect other businesses.

Mr. Webb said he knows he'll need to get a sign approved. He wondered if he adds 4 more units, would they like the plans of just that or the whole thing. The Planning Commission said he was going to do it in phases, so just show the phases. There was discussion about recording time limits vs. building permit time limits.

Mr. Webb said he would like to make the buildings a little larger. He's sticking to having between 13 – 16 units.

The Planning Commission would like to see what UDOT is requiring for his entrance. Mr. Webb explained that there isn't a public access between his place and Jim Stone's. The city has no access there.

SIGNS AT ZIPS, SCOTT HUSKINSON

Mr. Huskinson said he's had an idea for a boat being used as a sign for his business. Gary Cox suggested he come talk to the Planning Commission. The boats that are there on the grass are where people will sit to eat. They will have a French drain behind the boats and will put Welcome to Bear Lake written on the front of a 1955 Dolphin for a photo op. They may also put in something like the antler arch that is in Jackson. There will be placards that talk about the boats that are there.

He wants to put in a sign with a 1955 Dorset. There will be a lot of seating, a covered patio with lights and they will also light up the tree in the back. They want to make it a really nice environment. The food will be concession type of food; hot dogs, pre-made salad, drinks; shakes and slushies. He hopes that those who are piling up on 75 N. would come by. The drive through is big enough for those with boats to come through. It is a family business.

Commission Member Schiess said this idea is new. If it's safely done and engineered correctly, it should be something good for our area. Commission Member Stone said this is a great idea. This will improve the town immensely by adding this.

Commission Member House read about the Planning Commission being able to approve something with new and different materials for signs.

Mr. Huskinson said he will have it engineered. They don't want to be liable.

Commission Chair Bourne said the menu board won't be considered part of the signage. Mr. Huskinson asked if the area is on an easement, can it be approved. Commission Member House said yes, if it's in a city easement.

Mr. Huskinson said they'll put in a 6' cedar fence along his property between himself and LaBeau's. His tag line is "zip in and zip out". It's all about the speed. There will be no inside seating. He would like to stay open during the winter, but they will see how it goes. If so, the menu may change for that.

ORDINANCE DISCUSSION/APPROVAL

14-01 Bonding - After discussion, there were some changes made which will go back to the Planning Commission next month.

14-03 Parking Requirements – Commission Member House feels if a fast food establishment has outside seating, we should require more parking. After much discussion, Darin Pugmire talked about making this ordinance more towards his plan where he feels people park and then walk around town. He said we'll never have enough parking. The city is putting in extra parking, but we don't want our town to be just one big parking lot. Anita Weston suggested leasing those spaces. Council Member Pugmire said that's basically what it would be. They want to change the required parking for restaurants vs. fast food. Ted Wilson talked about how the use can change so the parking may change. Commission Chair Bourne asked the Planning Commission to bring their ideas to the next meeting. Council Member Pugmire said if you want to increase the parking, he won't approve it. Commission Member Stone said the town is getting business unfriendly. We need to help those who are struggling.

Council Member Pugmire said he would like the ordinance to state that the fire marshall will determine occupancy. Then you take the division of how many people show up per car. (he averaged 3) He said that's how you figure how much parking you truly need and how much it will really hold. Generally, they'll park and then walk around town; they won't always be in the building while parked.

Commission Member Schiess made the motion to table this until next month and give us a chance to look at this. Commission Member House seconded the motion. All in favor and the motion carried.

14-04 Height and Phasing in PUD/PRUD Council Member Pugmire said the Town Council is split on this ordinance. Two are in favor of higher heights within a PUD/PRUD zone. Two are not and Darin is not sure. Two of them feel we need a location that if a development is on the beach, the height could be higher than 25'. It should be an option. Commission Chair Bourne said we're getting back to what got us in trouble. Commission Member Schiess made the suggestion that if it's in a PUD/PRUD zone, there would be the ability to let the height go higher. Commission Chair Bourne said it's got to be black and white. The stress we were under last fall was ridiculous. We don't want to have negotiations. Commission Member House said that is what a variance is for.

Commission Member Schiess would like the Planning Commission to be able to be more flexible.

Commission Chair Bourne said if we want to negotiate height, it can be in a hotel/motel zone, but not otherwise.

Commission Member Schiess would really like the Planning Commission to be able to consider projects and let us help them by negotiating.

Commission Chair Bourne doesn't want to give the beach away for high developments.

Commission Member Schiess said you can't see over a 25' building that's on the beach anyway. Council Member Pugmire said the PUD/PRUD zone was created for the Planning Commission to be able to negotiate height, but it's since been read differently.

Commission Member House made the motion to table ordinance #14-04 until we discuss this. Motion died for lack of second. There was discussion about latitude, negotiations, and open space.

Commission Member House made the motion to table ordinance #14-04 until we discuss this. Commission Member Stone seconded the motion. All in favor and the motion carried. Roll Call vote: Commission Member House for, Commission Member Schiess for, Commission Member Stone for, Commission Chair Bourne for.

Commission Chair Bourne talked about liking things black and white.

Commission Member Stone said there's too much that goes on under the table when a million dollar project comes in. He agrees with making things black and white.

14-05 Height and Phasing in Subdivisions. Commission Chair Bourne talked about developments coming in with phases. Each phase should have its own ingress/egress and adequate parking for each phase. When phase 1 and 2 are done, they can change their area on ingress/egress, but they still need them. Each phase should "stand alone". The infrastructure must be fully functional and not dependent on any other phase.

Commission Member Schiess made the motion that #11E-526-F that the statement building height shall not exceed the zone in which the subdivision resides and everything else through item 5 is removed. Commission Member House seconded the motion. Motion died before a vote for clarification.

Commission Member Schiess confirmed the motion that item #4 in #11E-526-F. Motion died for clarification.

Commission Member Schiess confirmed the motion that #11E-526-F has been approved and I would like to clarify that the statement be changed of item #4 is that if a developer is phasing within a development, look at the definition "Stand Alone, Phasing" each phase, shall stand alone, was not clear to the City Council. That's one of the things we're re-doing. And in that if a developer chooses to build his development in phases, see definitions #11A-200 each phase shall be completed before another one is started, which was already there, and then we're adding to that the completed phase must be fully functional and not dependant on any other part of the project. Motion died for clarification.

Commission Member Schiess made the motion that #14-05 be approved as written. Commission Member House seconded the motion. All in favor and the motion carried. Roll Call vote: Commission Member House for, Commission Member Schiess for, Commission Member Stone for, Commission Chair Bourne for.

#14-06 Changes to Zones Commission Member House wondered about having a special use for those items not listed on the permitted or conditional uses. There was discussion about putting certain businesses in certain zones. If a use is not listed, it shouldn't get a conditional use until that use is listed. We can't say we don't want a certain business in town, but we can put the use in a zone that is undesirable.

Commission Member Schiess made the motion to approve Ordinance #14-06 that we stipulate that a conditional use permit if it's not listed as a conditional use permit in any zone, then we have to turn it down, or change the ordinance to include it and get it approved by the town council as well, then we can allow it to come into our ordinances. Motion died for lack of second.

There was discussion about negotiations about considering a hotel/motel zone. Commission Member Schiess doesn't think we should negotiate hotel heights.

Commission Member Stone made the motion to table #14-06. Commission Member House seconded the motion. All in favor and the motion carried. Roll Call vote: Commission Member House for, Commission Member Schiess for, Commission Member Stone for, Commission Chair Bourne for.

#14-07 Definitions Commission Member House made the motion to table #14-07. Commission Member Schiess seconded the motion. All in favor and the motion carried. Roll Call vote: Commission Member House for, Commission Member Schiess for, Commission Member Stone for, Commission Chair Bourne for.

#14-01 Bonding Commission Member House made the motion to table #14-01. Commission Member Stone seconded the motion. All in favor and the motion carried. Roll Call vote: Commission Member House for, Commission Member Schiess for, Commission Member Stone for, Commission Chair Bourne for.

#14-10 Sign Ordinance Joey Stocking said this will be the last meeting he'll come for this. If someone else wants to take it over, that would be great. Off Premise signs and the permit fee were the biggest changes.

Commission Chair Bourne said the Planning Commission needs to read through this so he feels it should be tabled.

Commission Member House suggested that off-premise signs are \$500.00 within the chamber area. It was stated that the boundaries could go on forever. Commission Member House suggested adding that if you live in the area or have a business there, the fee can be waived or reduced, then it would give those who live here a break. Joey Stocking thought the Chamber members would like that compromise.

There was discussion about an off-premise sign needing a conditional use permit.

Gary Cox said this new ordinance is so much better than the last one.

Commission Member Schiess made the motion that we table this ordinance #14-10 until next month. We'll all get the same one and talk about it. Commission Chair Bourne said we need to work on off-premise signs and fees. Commission Member House said we also need to look at banners and Joey Stocking suggested looking at engineering and who is going to inspect the signs. Commission Member House seconded the motion. All in favor and the motion carried. Roll Call vote: Commission Member House for, Commission Member Schiess for, Commission Member Stone for, Commission Chair Bourne for.

ZONING MAP DISCUSSION

Manufacturing zone is now C2 zone. There was discussion about changing it to the south of town where the sewer ponds are. There was also discussion of a transient business and commercial setbacks.

Commission Chair Bourne, Commission Member Schiess and Commission Member Stone would like to leave the zoning map the way it is now. They feel the map is hard to read and we'll look at this next month.

COMMERCIAL SETBACKS DISCUSSION

Commission Chair Bourne talked about setbacks. We used to have 20' in the front to encourage landscaping in front, but land is so valuable now. They talked about the C2 zone and that Paradise

Parkway wasn't even a plan then. Now they may need to move it. If commercial is next to residential, they have to have a fence between them. The rear setbacks used to be 6', now they're 10'. They could go for a Variance if they don't like that. They wondered if they should have the fire marshall come back again.

There was discussion about making the hotel/motel zone so that everyone can see the lake. Ted Wilson told the Planning Commission that they're doing a good job. If you don't have the answers, you table it until you do.

Commission Member Schiess said if we have businesses right at the sidewalk, it's too close. He would like to see the landscaping and the architectural standards of the buildings. He said that's the beauty of this area.

They agreed to leave the setbacks as they are presently.

HOTEL/MOTEL ZONE

Commission Chair Bourne and Commission Member Stone said they wouldn't be opposed to changing some of the commercial zones into hotel/motel zones, but they don't want hotels on the beach for now. Someone can apply for a re-zone if they want. Maybe in a few years things will change and we can change the zone to allow for it then.

MISCELLANEOUS

There was discussion about ordinances that have been approved.

ADJOURNMENT

Commission Member House made the motion to adjourn at 8:45 p.m. Commission Member Schiess seconded the motion. All in favor and the meeting closed.

APPROVED:

ATTEST:

Lance Bourne, Chair

Sharlene Millard, Assistant Clerk