

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

The Garden City Planning Commission held a Public Hearing on Wednesday, March 3, 2010 at the Garden City Lakeview Center located at 69 N. Paradise Parkway, Building C. Commission Chair Greg Bills opened the meeting at 4:50 p.m.

Commission Members Present:

Greg Bills, Chair
Scott Gough
Pat Argyle

Others Present:

Sharlene Millard
Anita Weston

ORDINANCE DISCUSSION

Commission Chair Bills explained that the ordinance #10-02 states that a deed is required for both lots in a lot split. He asked if there were any comments. There were no comments from the audience.

ADJOURNMENT

Commission Member Gough made the motion to close the meeting. Commission Member Argyle seconded the motion. All in favor and the meeting closed at 4:53 p.m.

APPROVED:

Attest:

Greg Bills, Chair

Assistant Clerk

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

The Garden City Planning Commission held their regularly scheduled meeting on Wednesday, March 3, 2010 at the Garden City Lakeview Center located at 69 N. Paradise Parkway, Building C. Commission Chair Bills opened the meeting at 5:05 p.m.

Commission Members Present:

Greg Bills, Chair
Scott Gough
Pat Argyle
Jennifer Huefner

Others Present:

Sharlene Millard
Anita Weston

CONFLICT OF INTEREST

No Conflicts were stated.

ORDINANCE DISCUSSION

Commission Member Huefner explained that when someone comes in to split a lot, you then have two lots. We originally thought we could do a deed restriction showing that it couldn't be split for 5 years, but as she began taking care of these lot splits, she found that's not the best way to handle it. So, in talking with Marilyn Adams at Hickman Title, she explained the best way to do it was through a covenant, which is just a binding agreement between the city and the property owner saying the land can't be split for 5 years. So this ordinance is just saying we need two deeds, one for each lot.

Commission Member Gough made the motion that we send to the Town Council, the change in Ordinance #10-02 as discussed and written. Commission Member Argyle seconded the motion. All in favor and the motion carried.

DISCUSSION

Commission Chair Bills wanted to talk about a situation that may be coming before us. He explained that Cindy McLaughlin of Town and Country Realty/BoDean's are wanting to split their restaurant off of the rest of the lot. She's calling it a commercial condo split and thinks because we don't have an ordinance for it, she should just be able to do it.

Commission Member Argyle thinks it should be like the Bear Country Trading Post of Kent Korgenski's.

Commission Chair Bills said when they come in to put the restaurant on the same lot as the real estate property, it was represented to us that they were adding the restaurant because they have plenty of parking for both businesses. He thinks by splitting it off, they won't have enough setbacks and possibly not enough parking.

Commission Member Gough said even if it's split, we have an ordinance for the parking that has to be met.

Commission Member Argyle explained how the Jack Dahl property was split, it never has met the parking since it was split.

Commission Chair Bills said that if the lot was split and they tried to work out the parking, someone will get their feelings hurt and be upset about the parking and want to stop others from parking there. The only thing he can think of is for them to somehow sell into the partnership and take on a new partner for the whole parcel of land. He doesn't think we can legally split that building off.

Commission Member Argyle wondered if they could create an LLC. Commission Member Gough wondered about each partner having their ownership of the building and sharing ownership of the parking lot.

Commission Chair Bills wondered if they want to spend money. They may need to sell the lot.

Commission Member Huefner said when it was first brought to her a month ago, she let them know that the parking had to work.

Commission Chair Bills said if we allow the parking to be shared, he feels we would be creating a big problem.

Commission Member Argyle thinks Mrs. McLaughlin could master plan the LLC for all the parking and everyone contributes so much money for upkeep and taxes to share the parking.

Commission Member Gough wondered how Harbor Village did theirs. Commission Chair Bills said they set theirs up before with a master plan. Cindy's had only one owner. So that would be the difference.

Cindy's business buildings are all connected with decking to each business, so there was discussion how that could even be split.

Commission Member Gough thinks it should be considered a mall, then every business could be sold off or leased. Commission Chair Bills said he's concerned that we let them split off the building, then they'll want to come and split off the inside of the building. Commission Member Argyle wondered how you would even write up a legal description for something like that. Commission Member Gough said they would still have to wait five years in between each split and it would take fifty years to split it off into ten.

They talked about looking into Logan's ordinances and see what they have like this.

Commission Chair Bills said we should work with her and see how we can make this work. We can accommodate for that in our town. It's a good idea. But the problem now, in her eyes, is because we don't have an ordinance for it she feels she should just be able to do it. The Commission disagreed.

Mayor Spuhler talked about how dangerous the parking in the front of their business is. It's hard to even back up. It was explained that there is parking in the rear, but no one really uses it. He feels like we need to be careful about accommodating this, we need to think of the town's future when making the decision and let her in on the process. And it will be a process.

Commission Member Argyle suggested the town buy the property between the Texaco and LaBeau's and put in a parking lot. It's needed so badly.

Commission Chair Bills thinks the project can fit, but not the way she wants. It will open a can of worms. It was originally represented to us that it would never be sold.

Commission Chair Bills said we can do lot splits, but only if it makes both new lots conforming and this doesn't do that. It also doesn't leave enough parking for both businesses.

It was decided that if Cindy created an LLC for the buildings and the parking, it would be something the Commission could work with.

Commission Member Argyle thinks we should meet with Marilyn of Hickman Title and discuss this with her.

MINUTES

Commission Member Huefner made the motion to approve the minutes as currently written for the regularly scheduled meeting of the Garden City Planning Commission on Thursday, January 28, 2010. Commission Member Gough seconded the motion. All in favor and the motion carried.

MISCELLAENOUS

Commission Chair Bills suggested changing the meetings back to the first Wednesday of each month at 5:00 p.m. We can leave Commission Member Ballingham in the loop for questions, etc., and if we need another member for votes, the Mayor has people he can ask to also help. The rest of the Commission agreed.

Commission Chair Bills said we should be able to get our meetings over within 45 mins. to an hour.

Commission Member Huefner suggested everyone goes around a circle for people to give their opinion and then move on. Maybe that will be more efficient.

Commission Chair Bills feels the Planning Commission is a great group and represents all aspects of the town.

ADJOURNMENT

Commission Member Huefner made the motion to adjourn at 6:25 p.m. Commission Member Gough seconded the motion. All in favor and the meeting adjourned.

APPROVED:

Attest:

Greg Bills, Chair

Assistant Clerk