

PUBLIC NOTICE

The Garden City Town Council will hold their regularly scheduled meeting on Thursday, March 10, 2016 at 5:00 p.m. This meeting will be held at the Garden City Office, located at 69 N. Paradise Parkway, Building C.

Staff Reporting 4:00

Town Engineer Report, Zan Murray
Public Works Department Report, Riley Argyle
Building Inspector Report, George Peart
Code Enforcement Officer Report, Bob Peterson

AGENDA

1. Roll Call
2. Approval of Minutes
3. Business License Discussion/Approval
 - a. Conestoga Wagon Company, LLC, request to conduct a business at 2131 S. Bear Lake Blvd., building and selling Conestoga wagons. Mike Knapp
4. Short Term Rental Application
 - a. 955 Blackberry Drive, Owner John & Roxan Fitzgerald
 - b. 865 N Harbor Village Drive #106, Owner Nanette Calhoun, Property Management Company, Bear Lake Condo Rentals
5. Raspberry Days Discussion, Funding for Entertainment, Krista Klien & Melanie Limb
6. Public Comments, 2 minute time limit
7. Discussion/Approval to re-zone property at #36-04-00-009 (south of town) from Residential Estates to C-4 zone
8. Discussion/Approval of PUD Final Phase for Commercial Retail and Restaurant building with multi-family residential on second floor. Noted as Phase 3 of the previously approved site development plan, The Water's Edge Resort, Arete Land Company.
9. Miscellaneous Items
10. Council Member Reports
11. Payment Vouchers
12. Adjournment

NOTE: The Town Council may vote to go into executive session pursuant to Utah Code 52-4-205.

NOTE: In compliance with the Americans with Disabilities Act, individuals needing special accommodation (including auxiliary communicative aids and services) during this meeting should notify the Garden City Office at (435) 946-2901 on Monday through Friday, at least 3 working days before the meeting. The office hours are 9:00 a.m. to 5:00 p.m.

Posted this 4th day of March, 2016

Garden City

Business License Application

PO Box 207 • 69 N. Paradise Parkway • Garden City, Utah 84028

www.gardencityut.us • 435-946-2901 • 435-946-8852 Fax

Business Status: New Business
 (check all that apply) Additional Location # _____
 Name Change
 Ownership Change
 Location Change
 Transient Vendor
 Concessionaire Vendor

License Fee: Business License Fee 40.00
 Transient License Fee _____
 Concessionaire Fee _____
 Additional Location _____
 Other _____
 Beach Vendor License also requires a BCI background check

pd
✓
3/2
2016

Official Use Only:

Planning Commission: Approved Not Approved Date: _____
 Town Council: Approved Not Approved Date: _____
 Inspections: Building Insp.: Initial Date: _____ Final Date: _____
 Fire Inspection: Initial Date: _____ Final Date: _____

Comments:

Zone: Commercial 1 2 3 Residential Beach Devel. Other _____

Business Name: Conestoga Wagon Company LLC
 If name change, previous name: _____
 Location Address: 2131 S. Bearlake BLVD
 City, State & Zip: Garden City, UT 84028
 Business Phone: _____
 Cell Phone: 435-710-2084
 Mailing Address: Box 548
 City, State & Zip: Garden City, UT 84028
 E-mail Address: Bearlakebeef@comcast.com
 Owners Name: Mike Knapp
 Owners Location: 633 Madren lane
 City, State & Zip: Bloomington, ID 83223
 Phone: _____
 Cell Phone: 435-710-2084

Kind of Business Retail Lodging Restaurant
 Professional Contractor Other

Briefly Describe Your Business: Build and sell Conestoga Wagons

Utah State Sales Tax Number: 47-366-4265 applied for ST#

Ut State Professional License No. _____
 Will you be installing a sign?: NO

This is an application for a business license; the actual license will be issued only when All inspections/Approvals are complete. Issuance of this business license shall in no way relieve the applicant of his/her responsibility of complying with applicable zoning, health, building, or fire regulations.

I, We, Mike Knapp hereby agree to conduct said business strictly in accordance with the Laws and Ordinances covering such business. I understand that I shall not begin nor cause to begin business at this location without first obtaining a business license and will not continue business without maintaining a valid license, in doing so, I will be subject to a penalty as stipulated by the Garden City Infraction Fee Schedule. Business License Fees are non-refundable.

Owners Signature: [Signature] Date: 3-2-16
 Please print your name: Michael Knapp



ES-01

GARDEN CITY
SHORT TERM RENTAL APPLICATION
Fun Time Rentals

Owner or Property Management Company Name: John + Roxan Fitzgerald
Owner or Property Management Company Address: 2303 S 2400 W, Weston ID 83284
Owner or Property Management Company Phone #: 208-339-1767 or 208-339-1830
Emergency Contact Name and Phone #: (must live within 15 minutes of property & be available 24/7) Dallas Eborn 435-238-6188
Contact Persons E-mail address: Deborn353@hotmail.com
Utah State Tax Number: (must be registered to Garden City) Temp # 16-01321

The following information and documentation shall be contained in the application and provided to the Clerk:

- A. Completed Application signed by the Owner.
- B. Proof of Ownership for each unit.
- C. Site Plan drawn to scale for each unit, including the parking area with each parking space mapped out.
- D. Proof of valid insurance for each unit being licensed for short term rentals.
- E. Floor plan drawn to scale with dimensions.
- F. Zone designation and street address for each unit.
- G. If direct vehicular access from the Property to a public street is not shown on the Site Plan, the Application must include a Temporary Access Easement from the owners of each property over which vehicles must pass to access the Property. All Temporary Access Easements shall be signed and notarized by the owner or owners of the property or properties granting the Temporary Access Easements. Upon the termination of any Temporary Access Easement, it shall be the responsibility of the Owner to obtain a new Temporary Access Easement from the new property owner. Failure to obtain a replacement Temporary Access Easement shall be cause for termination of the License.

- H. Copies of currently valid Town and State Sales Tax collection and accounting numbers in the name of the Owner or the Property Management Company.
- I. The name, address, and contact information including a 24-hour contact phone number for the person at the Property Management Company managing the Property; or, if there is no Property Management Company, the name, address and contact information, including a 24-hour contact phone number, of a person living within 15 minutes of the property(s), who may be the Owner or Owner's Agent, and who can be contacted in the event of an emergency.
- J. Inspection by the Garden City Building Inspector and Garden City Fire Chief.
- K. A signed acknowledgement on the application, that the Owner, Property Management Company, and/or Owner's agent, if any, have read all of the Town's regulations pertaining to the operation of a Short Term Rental.
- L. The Owner shall sign the application certifying the accuracy of the information submitted and agreeing to comply with all regulations. If there is a Property Management Company or other agent of the Owner managing the Short Term Rental, the agent or an authorized officer of the Property Management Company, or both, shall also sign the application certifying the accuracy of the information submitted and agreeing to comply with all regulations.

Fill out one section for each location you are renting: (you may need to fill out a second application for more locations).

Owner of Property: John & Roxan Fitzgerald	Owners Phone #: 208-339-1767
Address of Property: 955 Blackberry Drive	Subdivision or resort where property is located: Harbor Village
Owners mailing address: 2303 S 2400 W, Westm ID 83286	

Owner of Property:	Owners Phone #:
Address of Property:	Subdivision or resort where property is located:
Owners mailing address:	

As the Owner/Property Management Company for the above listed properties I understand that I am responsible for:

- 1. The Owner or Property Management Company, or other agent of Owner shall:
 - a. mail or provide directly to the party signing any rental agreement or reserving the Property a copy of all Short Term Rental rules and regulations as soon as possible, but no later than 10 days after reserving the Property; and

- b. prominently display, on the Property, all of the rules and regulations pertaining to Short Term Rentals.
- c. collect appropriate Sales, Resort, and Transient Rental Taxes.
2. Each Short Term Rental shall have a clearly visible and legible notice within the unit, on or adjacent to the front door, containing the following information:
 - a. The name of the Property Management Company, agent, and/or Owner of the Property, living within 15 minutes of the property(s), contact persons telephone number at which that party may be reached on a 24-hour basis;
 - b. The maximum number of occupants permitted by the license;
 - c. The maximum number of vehicles permitted on the property and that all vehicles must be parked on the Property;
 - d. The number and location of all on-site parking spaces and the parking rules for seasonal snow removal;
3. The trash pick-up day and notification of all rules and regulations regarding trash removal, including without limitation, when trash may be left out and that animal-proof containers must be used.

I further understand that the following are prohibited activities for short term rentals, as defined by ordinance:

1. Occupancy beyond the specified amount in the License.
2. Parking of vehicles in non-compliance with section 8-607, of the Garden City Municipal Code.
3. Outdoor sleeping of individual(s), which exceeds the permitted occupancy.
4. Any unauthorized commercial activities.
5. The preparation of any food on site for persons other than the allowed occupants and the allowed guests.

The short term rental property authorized by this ordinance must be managed properly. As a condition to holding a valid short term rental license, the licensee agrees to provide or arrange to provide for adequate maintenance. The minimum services required and management regulations include:

1. Structural maintenance to preserve substantial code compliance as described herein.
2. Routine upkeep, including painting and repair to a level that is consistent with the level of maintenance on adjoining or nearby properties.
3. Trash collection which insures that trash containers are not left at the curb for any period in excess of twenty-four (24) hours and the property must be kept free of the accumulated garbage and refuse. All large boxes must be collapsed and trash bagged and placed in the appropriate receptacles.

By signing this document I represent that I have read and am familiar with the Short Term Rental Ordinance, Section 8-600 of the Garden City Municipal Code, and that I will conform to all the requirements therein. I also certify that this rental house/unit complies with all applicable health, safety, fire, and related public safety requirements. I further acknowledge that I understand that it is my responsibility to contact the Garden City Office at any point that I make a change to a rental unit which might affect the information on my application.

I understand that this license does not preclude me from following the appropriate Homeowner Association CC&R's and obtaining approval from the appropriate Homeowner Association for each unit, prior to commencing any rental. I further understand that not all subdivisions within the Garden City limits allow short term rentals and my unit may be located within one such subdivision.

Incomplete applications will not be accepted.

John W. Fitzgerald
Signature of the Owner of property

2-8-16
Date

Signature of Property Management Company

Date

J.R. R
Signature of Contact Person

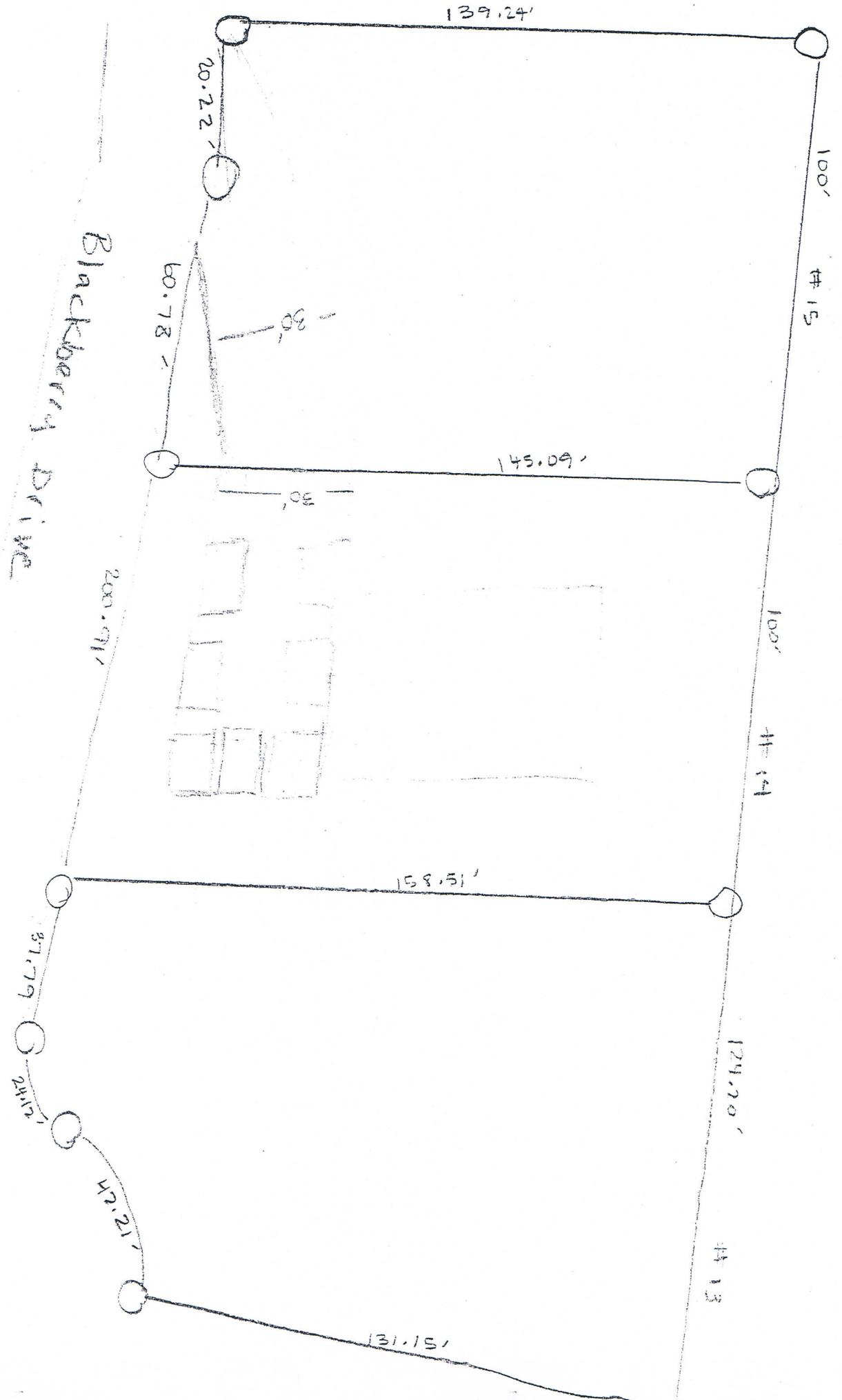
1/27/16
Date

Application fee, **NON-REFUNDABLE:** \$100 plus \$130 per unit

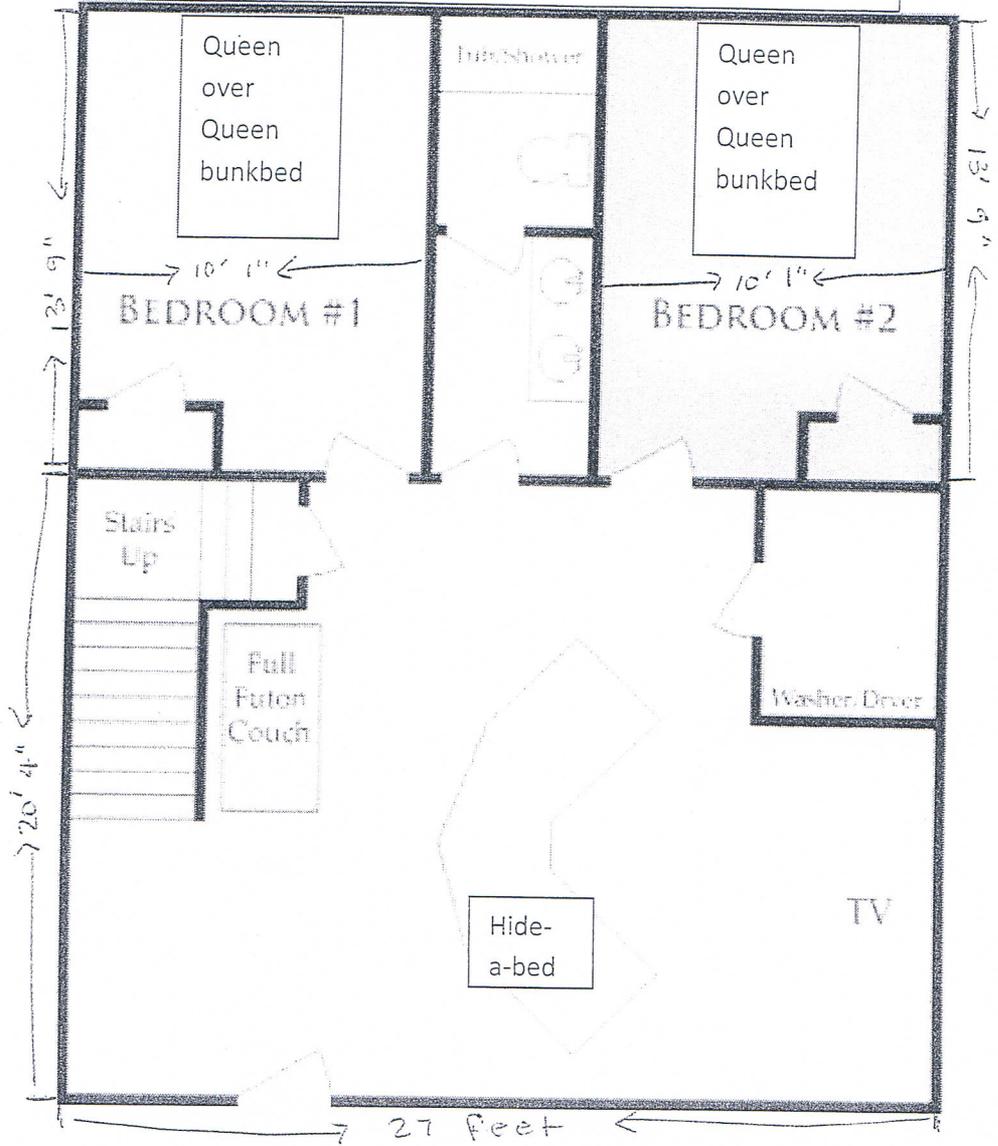
paid 230⁰⁰ 2-16-16

The foregoing application was _____ approved _____ disapproved at a meeting of the Garden City Town Council held on _____ day of _____, 20__.

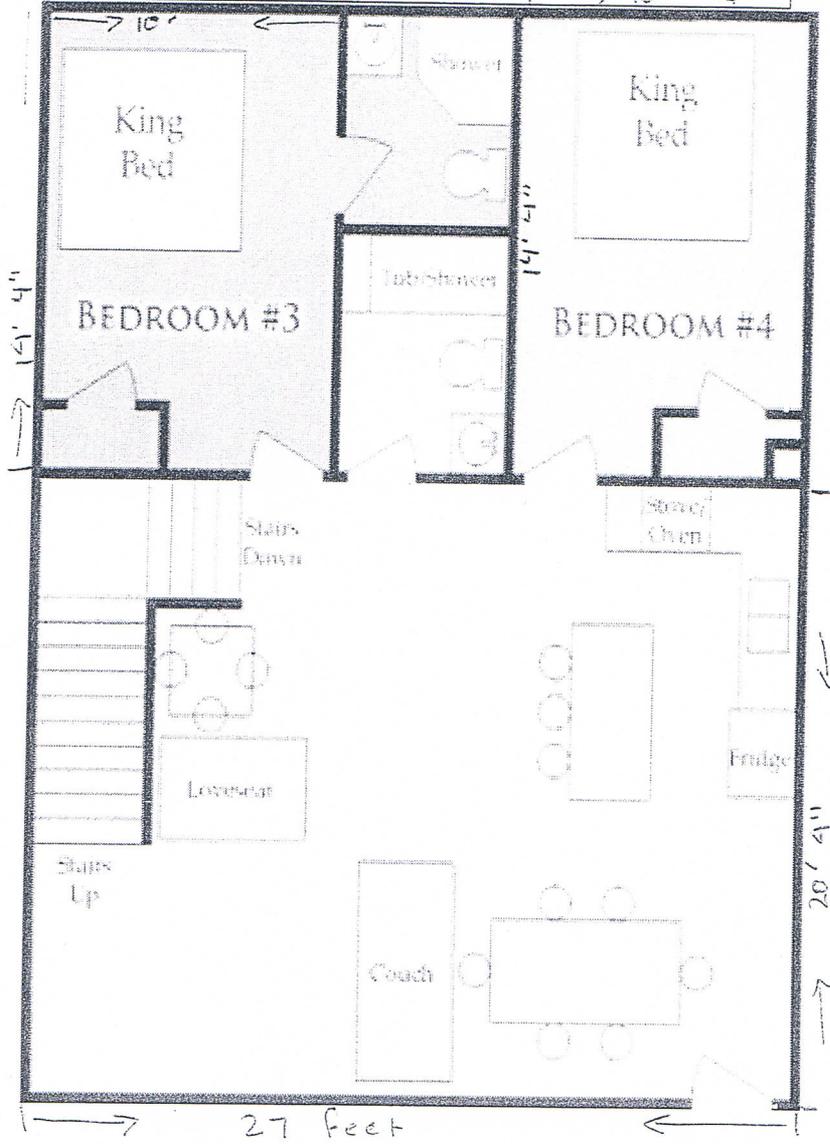
ECM



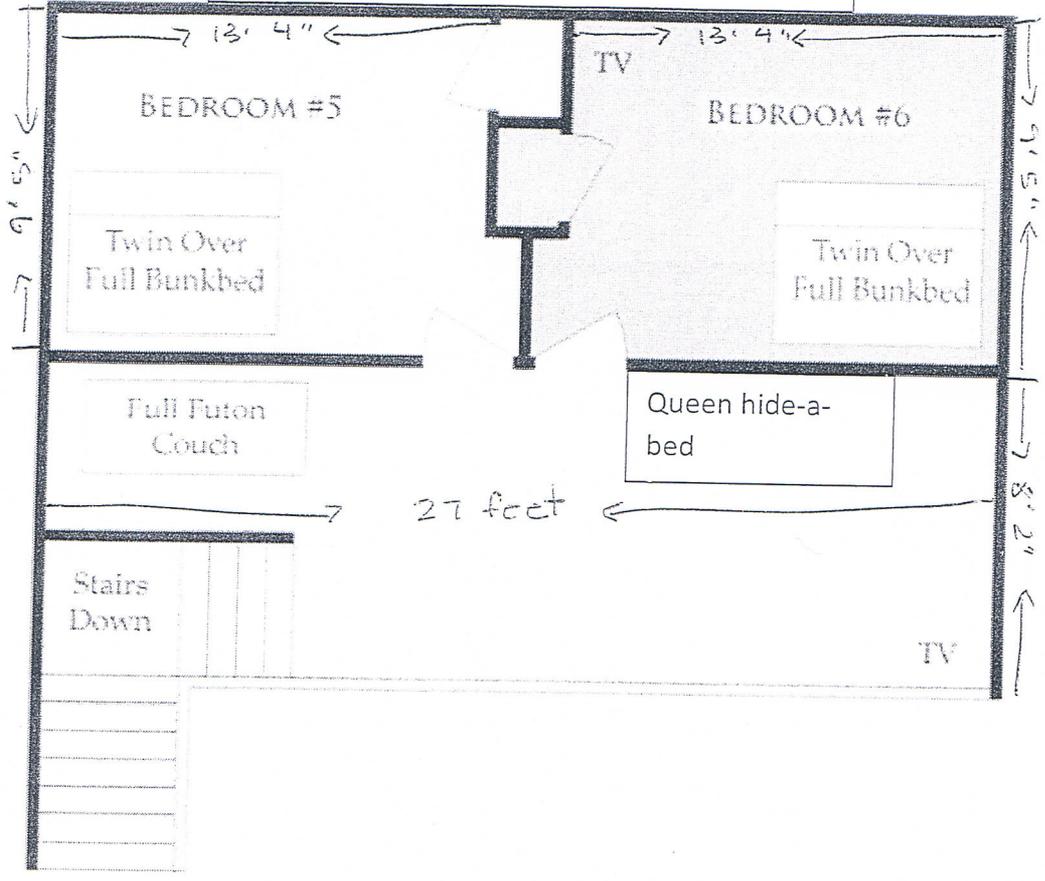
Grandma's House Level 1



Grandma's House Level 2



Grandma's House Level 3





GARDEN CITY SHORT TERM RENTAL APPLICATION

Owner or Property Management Company Name: _____ Bear Lake Condo Rentals
Owner or Property Management Company Address: 10 S. Bear Lake Blvd., Garden City, UT 84028
Owner or Property Management Company Phone #: 1-800-946-5173
Emergency Contact Name and Phone #: <small>(must live within 15 minutes of property & be available 24/7)</small> Same same = 500-946-5173
Contact Persons E-mail address: info@bearlakecondorentals.com
Utah State Tax Number: <small>(must be registered to Garden City)</small> 14089655-004-STC

The following information and documentation shall be contained in the application and provided to the Clerk:

- A. Completed Application signed by the Owner.
- B. Proof of Ownership for each unit.
- C. Site Plan drawn to scale for each unit, including the parking area with each parking space mapped out.
- D. Proof of valid insurance for each unit being licensed for short term rentals.
- E. Floor plan drawn to scale with dimensions.
- F. Zone designation and street address for each unit.
- G. If direct vehicular access from the Property to a public street is not shown on the Site Plan, the Application must include a Temporary Access Easement from the owners of each property over which vehicles must pass to access the Property. All Temporary Access Easements shall be signed and notarized by the owner or owners of the property or properties granting the Temporary Access Easements. Upon the termination of any Temporary Access Easement, it shall be the responsibility of the Owner to obtain a new Temporary Access Easement from the new property owner. Failure to obtain a replacement Temporary Access Easement shall be cause for termination of the License.

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- J. Inspection by the Garden City Building Inspector and Garden City Fire Chief.
- K. A signed acknowledgement on the application, that the Owner, Property Management Company, and/or Owner's agent, if any, have read all of the Town's regulations pertaining to the operation of a Short Term Rental.
- L. The Owner shall sign the application certifying the accuracy of the information submitted and agreeing to comply with all regulations. If there is a Property Management Company or other agent of the Owner managing the Short Term Rental, the agent or an authorized officer of the Property Management Company, or both, shall also sign the application certifying the accuracy of the information submitted and agreeing to comply with all regulations.

Fill out one section for each location you are renting: (you may need to fill out a second application for more locations).

Owner of Property: Nanette Calhoun	Owners Phone #: 208-241-3561
Address of Property: 865 N. H.V.E. Dr. #106	Subdivision or resort where property is located: Harbor Village
Owners mailing address: 810 No. 8th St. #19	Montpelier, Id 83254

Owner of Property:	Owners Phone #:
Address of Property:	Subdivision or resort where property is located:
Owners mailing address:	

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- 1. The Owner or Property Management Company, or other agent of Owner shall:
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 - b. The maximum number of occupants permitted by the license;
 - c. The maximum number of vehicles permitted on the property and that all vehicles must be parked on the Property;
 - d. The number and location of all on-site parking spaces and the parking rules for seasonal snow removal;
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Incomplete applications will not be accepted.

Nanette Calhoun
Signature of the Owner of property

2-14-16
Date

[Signature]
Signature of Property Management Company

2-16-16
Date

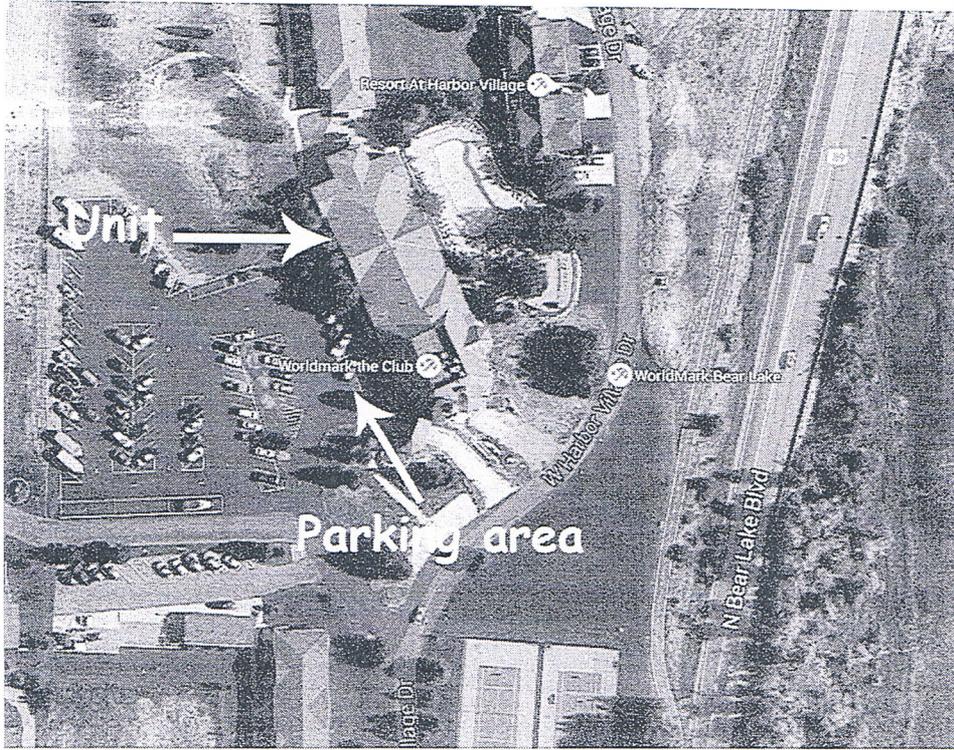
[Signature]
Signature of Contact Person

2-16-16
Date

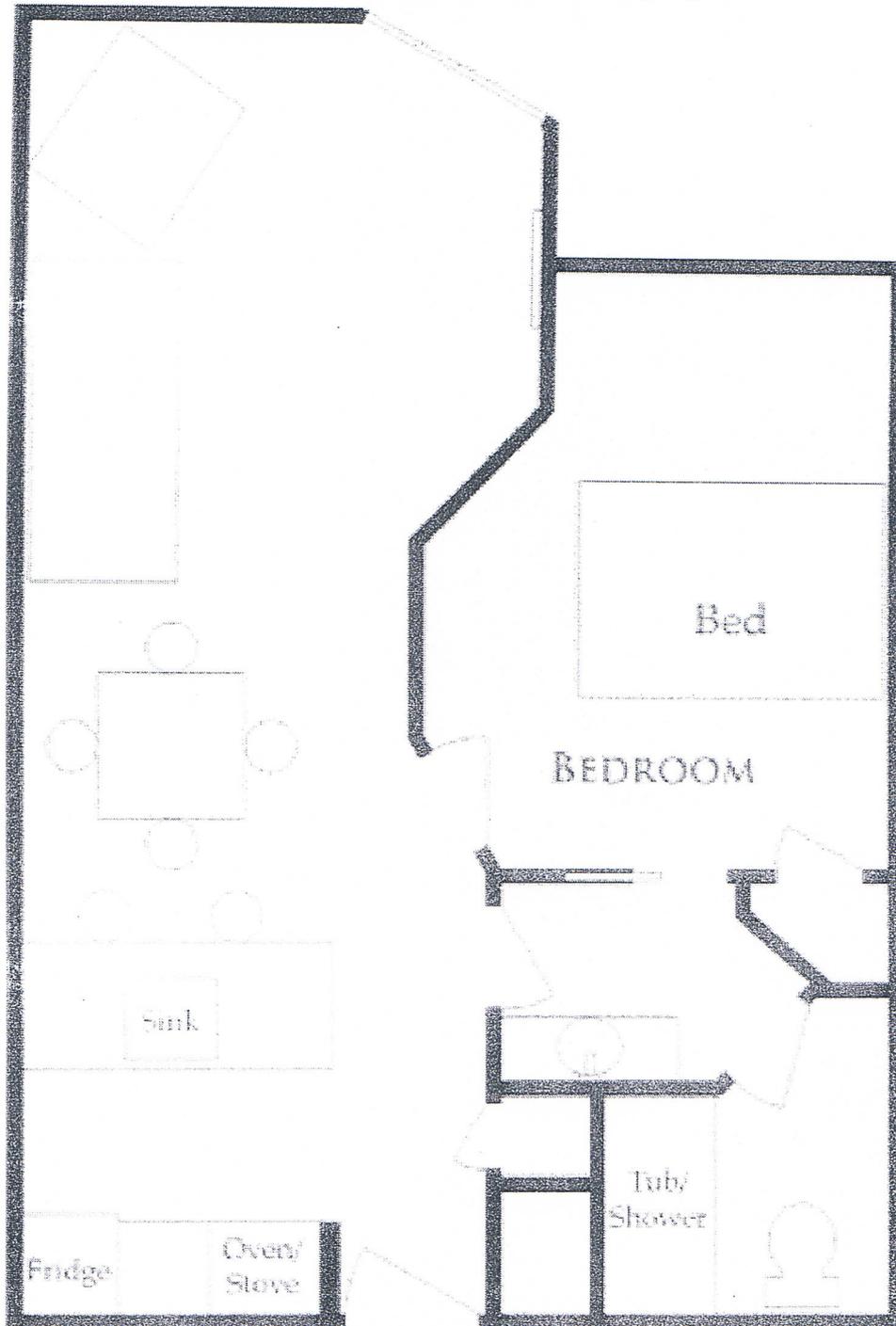
Application fee, **NON-REFUNDABLE**: \$100 plus \$130 per unit

pd 130⁰⁰ 2-18-16

The foregoing application was _____ approved _____ disapproved at a meeting of the Garden City Town Council held on _____ day of _____, 20__.



CONDO 106



Comments from the Planning Commission
March 2, 2016

Water's Edge

Commission Member Stevens made the motion to approve this incorporating the town engineer's comments of cleaning up the plat. Commission Member Stone seconded the motion. All in favor and the motion carried.

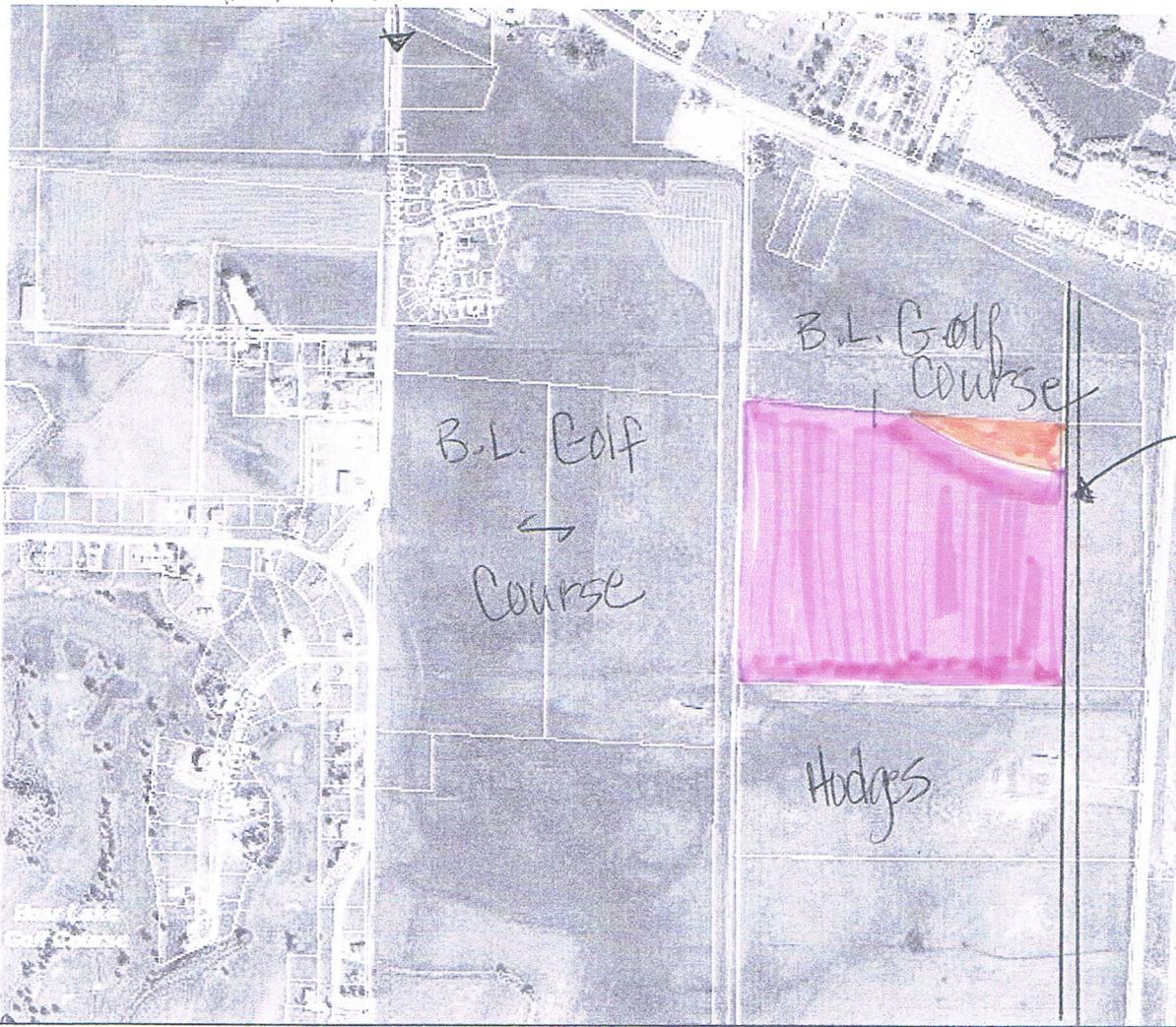
Re-zone

The Commission discussed that they felt they are spot zoning if they only do 5 acres. It's on one parcel of property; they don't feel they can split the zone in one parcel.

No new motion this month. The P+Z stayed w/ the motion they made last month.

Kimball Lane

- Ideal Beach -



B.L. Golf
←
Course

B.L. Golf
Course

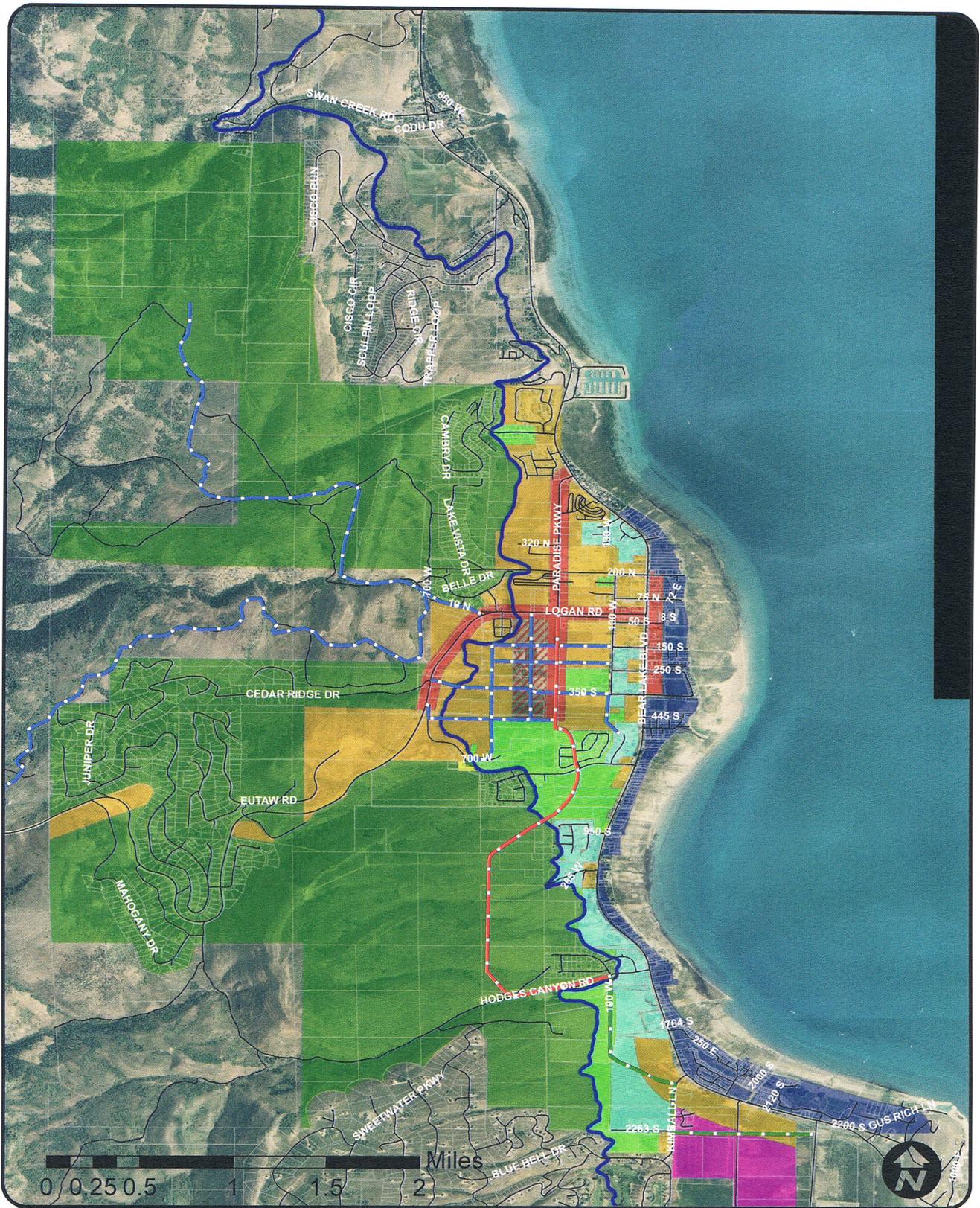
Sweetwater
Parkway
East
Road

Hodges

Eaton Lake
Golf Course

- Golf Course -

RE to C-4



GARDEN CITY - FUTURE LAND USE & ZONING

Legend

- | | | | |
|--|--|--|---|
| <ul style="list-style-type: none"> — Future Streets — Paradise Parkway — Pickleville Parkway — Existing Roads | <ul style="list-style-type: none"> — Canal Beach Development C1 | <ul style="list-style-type: none"> C2 C3 County | <ul style="list-style-type: none"> Hillside Estates Recreational Residential Residential Estate Single Family Residential |
|--|--|--|---|

Comments from the Planning Commission
March 2, 2016

Water's Edge

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The Commission discussed that they felt they are spot zoning if they only do 5 acres. It's on one parcel of property; they don't feel they can split the zone in one parcel.

No new motion this month. The P+Z stayed w/ the motion they made last month.

COMMERCIAL BUILDING 2 – STAND ALONE

Retail:

Retail area	5250 SF/500 SF =	10.5 parking spaces
Employee	6 units x 1ea =	6 parking spaces

Food Court: Figured on total gross square footage of the entire restaurant area and the dedicated outdoor dining area.

Garden City Ordinance 11C-305 "Restaurants (indoor and outdoor dining) – 1 space per 180 sq. ft. – 2 employee spaces per every 1000 sq. ft."

Restaurant	3510 SF/180 SF =	19.5 parking spaces
Outdoor dining	600 SF/180 SF =	3.3 parking spaces
Staff	4110 SF/1000 SF =	8.2 parking spaces

Condominiums: There are several options under the ordinance for calculating the parking requirements here. We decided to apply the Short Term Rental ordinance here as we believe this is the most realistic use of these units. We used the number and size of beds to determine the occupancy and included the sofa sleepers that are contemplated.

Garden City Ordinance 8-607 "...at least one parking space on the property for every five (5) occupants..."

Condo bldg. 1 total occupants 26/5 = 5.2 parking spaces

<u>Bldg. #1 stand alone:</u>	47.5 Commercial
	<u>5.2 Condominium</u>
	53 Total

COMMERCIAL BUILDING 3 – STAND ALONE

Retail:

Retail area	5250 SF/500 SF =	10.5 parking spaces
Employee	6 units x 1ea =	6 parking spaces

Condominiums:

Condo bldg. 1 Total occupants 26/5 = 5.2 parking spaces

<u>Bldg. #3 stand alone:</u>	16.5 Commercial
	<u>5.2 Condominium</u>
	22 Total



HOTEL AND CONDOMINIUMS – STAND ALONE

Hotel: Figured using the Garden City Ordinance 11C-305 “1 space per guest room; plus retail, restaurant, and conference uses calculated at 50% of the requirements of this table. 0.2 oversize spaces per guest room”

Guest Rooms	84 units x 1 each =	84 parking spaces
Staff	2 each	2 parking spaces
Oversized	84 units x .2 each =	17 oversize spaces
Hotel Restaurant	1800 SF/180 (50%) =	5 parking spaces
Staff	1800 SF/1000 =	1.8 parking spaces
Hotel Conference	4200 SF/100 (50%) =	21 parking spaces
Staff	2 each	2 parking spaces

Condominium Short Term Rentals: Each condo is designed for 10 occupants per 3 bedroom unit. The 66 condos will therefore house 660 occupants. This the figure used to calculate the condo parking.

Condo	660 occ/5 =	132 parking spaces
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Hotel and Condominiums: 265 total parking spaces stand alone

Our intention is to provide the required parking for each segment of the project as it is built out. For example, we will be constructing building #1 first and will provide 54 total parking spaces and 3 van accessible handicap parking spaces. As the project progresses we will develop the necessary number of parking spaces as required by the Garden City Ordinance.

Once the hotel is built we will apply a 50% reduction to the commercial building parking requirements as provided in the Hotel parking ordinance and as it applies to the commercial enterprises located within the hotel property. Namely Buildings 1, 2 & 3

Please see the site plan attached that includes the buildings and parking calculations.

OVERVIEW AND PARKING TOTALS:

Merc Bldg. #1 w/ Condo:	53 total parking spaces stand alone
Merc Bldg. #2 w/ Condo:	53 total parking spaces stand alone
Merc Bldg. #3 w/ Condo:	22 total parking spaces stand alone
Hotel and Condominiums:	265 total parking spaces stand alone
<u>(Includes 17 oversized parking spaces and 10 ADA approved handicap spaces)</u>	
STAND ALONE TOTAL	393
50% REDUCTION	- 55 (47.5 + 47.5 + 16.5 = 111.5 * 50%)
TOTAL	338
PROVIDED	318
<u>(INCLUDES 17 OVERSIZED AND 12 ADA VAN ACCESSIBLE PARKING SPACES)</u>	

The developer intends to enter into an agreement with Garden City to provide the final 20 parking spaces as required upon construction of the final phase. This may be done through the Payment in Lieu of parking ordinance or by securing additional parking as opportunities arise.