

BEFORE THE CITY COUNCIL
GARDEN CITY, ADA COUNTY, IDAHO

THIS IS NOT A PREDETERMINED DECISION. ALL EVIDENCE WILL BE CONSIDERED. A DIFFERENT DECISION MAY RESULT IN AN UPDATE OF THE FINDINGS OF FACT, CONCLUSIONS OF LAW, OR CONDITIONS.

In the Matter of:)	CUPFY2017-10
)	
Extension Request)	FINDINGS OF FACT,
Address: 3775 (3770) Adams Street)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho)	AND DECISION
_____)	

THIS MATTER, came before the Garden City Council for consideration on August 12, 2020. The City Council reviewed the request. Based on the evidence presented, pursuant to Garden City Code § 8-6-A. 8 (as amended in 2018 by Ordinance 1002-18), the City Council makes the following Findings of Fact, Conclusions of Law and Decision:

FINDINGS OF FACT

1. The request is to extend the approval of CUPFY2017-10 to a date June 11, 2022.
2. The requestor is Timothy P. Nicholson with Kimley-horn.
3. The property owner of record is Ada County Highway District.
4. The location of the project is 3775 (3770) Adams St., Ada County Parcel S1005141695; PAR #1695 in CTR POR NE4 SEC 5 3N 2E & OF Block 12 Fairview Acres #3.
5. Conditional Use Permit, file, CUPFY2017-10 was approved June 27, 2017 for a temporary sand and salt shed. The approval was valid for three years from the date of Certificate of Occupancy. A Certificate of Occupancy was issued June 11, 2018.
6. On July 22, 2020 the applicant requested an extension in writing noting:
 - a. ACHD is anticipating entitlements later this year in the City of Meridian for another maintenance yard.
7. The City Council considered request on August 12, 2020:
 - a. **This will be completed after the hearing**
8. The record contains:
 - a. Extension Request
 - b. Fee agreement
 - c. Planning and Zoning Commission Decision Document June 21, 2017
 - d. Building Permit Certificate of Occupancy June 11, 2018
 - e. CUPFY2017-10 Record Documents
9. The following standards in the Garden City Code apply to this proposal:

Standards	Compliant	Conclusions
<p>GCC 8-6A-8 Expiration of Approvals (as amended in 2018 by Ordinance 1002-18)</p>	<p>Yes/ No/ N/A</p>	<p>1. Good Cause does not exist/ exists for the request</p> <p>2. There has/ has not been change in the neighborhood, plans or policies that affect the compatibility of the project.</p> <p>3. The property does not appear/ appears to be compliant with codes and laws.</p> <p>4. It is/ is not in the City's best interest to grant the extension</p>

CONCLUSIONS OF LAW

The City Council reviewed the application with regard to Garden City Code, Title 8, and concludes the application **does/ does not** meet the standards of approval under G.C.C. § 8-6-A.8.

DECISION

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law contained herein, the Garden City Council does hereby **Approve/ Deny** this request for an extension of the building permit.

1. Final decisions may be subject to judicial review pursuant to the Idaho Administrative Procedures Act, Chapter 65 Title 67 Idaho Code.
2. A takings analysis pursuant to Idaho Code may be requested on certain final decisions.

Mayor, John G. Evans

Date