

BEFORE THE CITY COUNCIL  
GARDEN CITY, ADA COUNTY, IDAHO

In the Matter of:	)	CUPFY2021-0010
	)	
Extension Request	)	FINDINGS OF FACT,
Address: 4665 W. Chinden Blvd.	)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho	)	AND DECISION
<hr/>		

THIS MATTER came before the Garden City Council for consideration on May 9, 2022. The City Council reviewed the request. Based on the evidence presented, pursuant to Garden City Code § 8-6-A. 8 the City Council makes the following Findings of Fact, Conclusions of Law, and Decision:

**FINDINGS OF FACT**

1. The requestor is Nicollette Womack with Kimley Horn.
2. The property owner of record is Equipmentsshare.com, Inc.
3. The location of the project is 4665 W. Chinden Blvd.; Ada County Assessor parcel number(s) R7334140005.
4. The conditional use permit was approved on May 19, 2021.
5. A request for extension was received in writing on March 16, 2022.
6. The City Council considered request on May 9, 2022.
  - a. Mayor Evans introduced the request.
  - b. Nicollette Womack presented the request.
  - c. Council Member Page requested that the business ensure that the conditions of approval are adhered to. He clarified that understanding that some equipment is required to extend equipment at times, is helpful information.
  - d. The request for extension was approved unanimously.
7. The record contains:
  - a. Applicant request.
  - b. Record documents for CUPFY2021-0010

8. The following standards in the Garden City Code apply to this proposal:

Standards	Compliant	Conclusions
<p><b>GCC 8-6A-8 Expiration of Approvals</b></p>	<p>Yes</p>	<p>1. Good Cause exists for the request:</p> <p><b><u>Explanation:</u></b>            Good cause for the request exists. The approval included a phased approach. Phase II includes the construction of a new building. This extension will ensure that the project can complete phase II. In conjunction with phase II the other outstanding physical improvements will be completed.</p> <p>2. The application and or applicable city regulations have not changed.</p> <p><b><u>Explanation:</u></b> The applicable city regulations have not changed.</p> <p>3. There has not been change in the neighborhood, plans or policies that affect the compatibility of the project:</p> <p><b><u>Explanation:</u></b>            There has not been change in the neighborhood, plans or policies that affect the compatibility of the project.</p> <p>4. The subject property is compliant and has been compliant, or actively pursuing compliance with all city, state and federal codes and laws since the date of application:</p> <p><b><u>Explanation:</u></b>            This extension will provide time for this application to become compliant with the conditions of approval.</p> <p>5. It is in the City’s best interest to grant the extension:</p>

		<p><b><u>Explanation:</u></b>  <u>In Compliance</u>  It is in the City's best interest to grant the extension.</p>
--	--	--

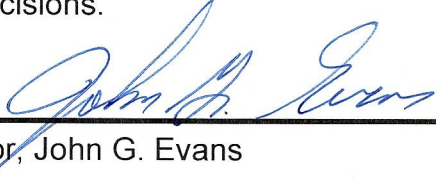
**CONCLUSIONS OF LAW**

The City Council reviewed the application with regard to Garden City Code, Title 8, and concludes the application **does** 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** this request for an extension of the building permit.

1. This approval is for a one-year extension to May 19, 2023.
2. If all conditions of approval for conditional use permit CUPFY2021-0010 are not completed by May 19, 2023, the conditional use permit approval will be nullified.
3. Final decisions may be subject to judicial review pursuant to the Idaho Administrative Procedures Act, Chapter 65 Title 67 Idaho Code.
4. A takings analysis pursuant to Idaho Code may be requested on certain final decisions.




---

Mayor, John G. Evans

5-11-22

---

Date