

BEFORE THE CITY COUNCIL  
GARDEN CITY, ADA COUNTY, IDAHO

In the Matter of:	)	CUPFY2022-0006
	)	
Extension Request	)	FINDINGS OF FACT,
Address: 2943 W. Chinden Blvd.	)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho	)	AND DECISION
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THIS MATTER came before the Garden City Council for consideration on February 12, 2024. 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 Will Longstroth with Stroth General.
2. The property owner is WD Properties LLC.
3. The location of the project is 2943 W. Chinden Boulevard, Garden City, ID 83714.
4. Assigned Ada County Parcel #R2734530860
5. Conditional Use Permit, file, CUPFY2022-006 was approved January 19, 2022, for the use of a site of car share or rental of motor vehicles for short periods of time, ranging from a few hours to a few weeks. The decision was signed January 21, 2022. The approval was valid for one year.
6. The City Council approved a one-year extension on February 27, 2023.
7. On January 29, 2024, the applicant requested an extension of the Conditional Use Permit file CUPFY2022-0006 in writing noting:
  - a. There have been changing requirements for the right-of-way improvements.
  - b. Construction is anticipated in 2024.
8. The City Council considered a secondary request on February 12, 2024.
9. The record contains:
  - a. Written request.
  - b. Record materials for CUPFY2022-0006.

10. 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>	<ol style="list-style-type: none"> <li>1. Good Cause exists for the request. <u>Explanation:</u> Good Cause does exist in that there has been a delay due to changes in right-of-way requirements.</li> <li>2. The application and or applicable city regulations have not changed. <u>Explanation:</u> There have been changes to Title 8. However, the changes do not affect the standards that apply to this application.</li> <li>3. There has not been change in the neighborhood, plans or policies that affect the compatibility of the project. <u>Explanation:</u> There has not been change in the neighborhood, plans or policies that affect the compatibility of the project. ITD and Garden City have been refining the details of required improvements when in the right-of-way to best implement the regulations and plans.</li> <li>4. The property is compliant with codes and laws. <u>Explanation:</u> There are no current open code enforcement cases at the subject property.</li> <li>5. It is in the City's best interest to grant the extension. <u>Explanation:</u> It is in the City's best interest to grant the extension.</li> </ol>

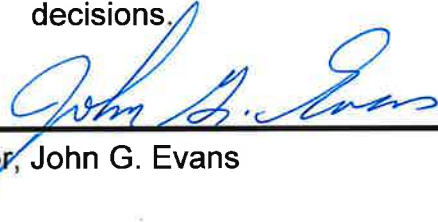
## CONCLUSIONS OF LAW

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 January 21, 2025.
2. Final decisions may be subject to judicial review pursuant to the Idaho Administrative Procedures Act, Chapter 65 Title 67 Idaho Code.
3. A takings analysis pursuant to Idaho Code may be requested on certain final decisions.



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Mayor, John G. Evans

February 12, 2024

Date