



## CITY OF GARDEN CITY

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**File Number: CUPFY2022 - 0012**  
**Use as Defined By GCC Title 8: Equipment Rental, Sale, and Service**  
**Location: 8529 W State St.**  
**Applicant: Chase Hiday**  
**Planning and Zoning Commission Hearing Date: April 20, 2022, 6:30 p.m.**



### STAFF REPORT

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## A. Project Information

**Proposed Scope of Work:** Office space for Equipment Rental business.

Request	Review Process
Conditional Use Permit	<a href="#">GCC 8-6B-2</a>

A conditional use may be found to be appropriate or inappropriate at a given property. In some situations, conditions of approval may be required to assist the proposed use in being appropriate to a location and in conformance with code. In other situations where the use cannot be conditioned to be appropriate to the location or code, it should not be permitted.

### **Project Details:**

- 1) Applicant: Chase Hiday
- 2) Owner: Gunner LLC
- 3) Title 8 Use: It has been determined that the Garden City defined use that best describes the use is: Equipment Rental, Sale, and Service
- 4) Definition of Use: Garden City Code 8-7A-1 defines this use as: The use of a site for the sale, rental or servicing of tools, trucks, tractors, construction equipment, agricultural implements, or similar industrial equipment.
- 5) The applicant has not proposed exterior work.

### **Site Conditions:**

- 1) Existing Use: Currently Boise Box LLC
- 2) Street Address: 8529 W State St
- 3) Parcel Number(s): R8123251888
- 4) Property Description: PAR #1888 NEAR CTR OF LOT 11 STEINS SUB R/S 5363
- 5) Legal Lot of Record: **Unknown**
- 6) Property Size: 1.085 acres
- 7) Zoning District: C-2
- 8) Zoning Overlay(s): None
- 9) Comprehensive Plan Land Use Map Designation:
  - a) Green Boulevard Corridor
  - b) Residential Low Density
- 10) Floodplain Designation:
  - a) 2003 FIRM: Outside of the Special Flood Hazard Area
  - b) 2017 Draft FIRM: 100 Year
- 11) Surrounding Uses:
  - a) Fuel Yard
  - b) Local Government
- 12) Adjacent Zoning: R-2, R-3
- 13) Adjacent Comprehensive Plan Designations: Residential Low Density
- 14) Easements on site: There are no records on file with Garden City of existing easements
- 15) Site Access:
  - a) W State Street
- 16) Sidewalks: No sidewalks
- 17) Wetlands on site: none identified

## C. Discussion

The application did not have enough information to provide a thorough analysis. As a result, staff has conditioned most of Garden City Code Title 8 Development Code standards within the drafted decision document.

If approved as staff has conditioned, the applicant will be required to submit updated site plans, landscape plans, sidewalk/connectivity plans, etc. showing code compliance prior to the construction of improvements. Once plans have been reviewed and approved for compliance by the appropriate agencies, construction can commence, be inspected, and only after it has passed inspection will the Certificate of Compliance be issued.

### **Comprehensive Plan Analysis**

In and of itself, a Comprehensive Plan is not legally binding. However, a required Conclusion of Law for conditional use permits in Garden City is that the use is in compliance with the Comprehensive Plan. In this way the Garden City Zoning Code ensures that proposed uses are not only required to be compatible with existing neighborhoods, but are also progressing the vision that the community has for those neighborhoods.

The proposed use is located in the Low-Density Residential and Green Boulevard Corridor designations of the Comprehensive Plan.

**RESIDENTIAL LOW DENSITY:** *The areas designated for low density residential is north of the river, and south of the river west of Glenwood. These areas are predominately single family detached housing, although some areas of attached housing may be appropriate near major arterials and public facilities.*

An Equipment Rental, Sales, and Services use may not be appropriate for this area as the use is not residential in nature and will likely bring large equipment/vehicles into the property to service the storage boxes. This business could be considered similar to that of a service provider, in that the Boise Box's are rented out, being transferred to the drop-off locations by the company's vehicles. The proposal does not include screening, such as landscaping, but staff has conditioned a 10ft landscape buffer between the adjacent residential uses and the property per Garden City perimeter landscape provisions. Staff has also conditioned that any exterior lighting on site shall be down shielded so as to not contribute to light pollution or impact the residents.

**GREEN BOULEVARD CORRIDOR:** *The state highways and arterials are identified as green boulevard corridors. This is a bold statement that these corridors should be dramatically changed from the current single purpose function for moving vehicles. The intent of this designation is to create more multi-modal characteristics on these corridors, including sidewalks with parkways, bus stops, landscape medians with pedestrian refuges and channelized left-turn lanes. Mobility for vehicles should be maintained, but improvements to the safety and convenience for transit and pedestrians is needed that will influence changes in the adjacent land uses. Existing uses, including commercial uses, are allowed in the corridors, but new uses which generate high volumes of vehicular traffic should be restricted. Development regulations in the corridor should include access management including number*

*and spacing of driveways, location of parking behind the buildings and maximum setback requirements from the street.*

The proposed use has the potential to improve the Green Boulevard Corridor at this location through site and design improvements. The application does not show a proposal for trees along W. State Street nor does it show a detached sidewalk. A condition of approval has been recommended to require the detached landscaping and sidewalk.

Should the Commission approve this application, staff suggests that it should be adequately conditioned to not be a detriment to those who are investing or may invest in the surrounding neighborhood with projects that are more obviously in alignment with the Comprehensive Plan' goals for the area and address the traffic safety and concerns of W. State Street. Certain examples of conditions could be related to both pedestrian comfort and connectivity as well as vehicular safety. Outdoor storage, noise, and environmental effects of the use should also be examined.

### **Garden City Transportation Needs List**

At times there is overlap between design and use. Code requires that whenever a new use commences at a site, that the property be compliant with transportation and connectivity provisions. **Garden City Sidewalk Policy** notes that sidewalk or pathway shall be detached as required by **Garden City Code 8-4E-6 E** and provide for a 6' with root barrier/ 8' without root barrier landscape buffer prescribed by ACHD's policy for Class II or III trees. The applicant is not proposing the required sidewalk or landscape buffer. The applicant did not provide a sidewalk waiver in accordance with the Garden City Sidewalk Policy. The draft conditions of approval include the requirement for code compliant sidewalk and landscape buffer along State Street.

### **Landscaping and Tree Protection Provisions**

The application submitted a landscape plan that shows the existing state of the site. It has been determined that the site lacks landscaping, and landscaping will be required prior to the issuance of a certificate of occupancy. Because the application did not include a proposed landscape plan, staff has provided a general condition requiring that new plans be submitted for review, and they must be found in conformance with all Title 8 Landscaping standards.

This parcel of land has about 180 linear feet of frontage along W. State Street. It is required to install sidewalks along this frontage which will prove extremely uncomfortable for the pedestrian if landscaping is not installed to compliment it. The site does not appear to have trees along the frontage. With 180ft of frontage, there would be the requirement of 5 street trees.

Should the Commission approve this application, staff suggests that it should be adequately conditioned to provide the necessary landscaping to help better the streetscape for the safety and well-being of the pedestrian, to provide the necessary landscaping to soften and screen parking lot edges, reinforce circulation routes, create pleasant pedestrian conditions and maximize shade and stormwater benefits.

As a final note, Garden City Streetlight Policy requires there to be a streetlight every 400ft. The nearest street light to the property is about 650ft. away, located at the intersection of Bogart St.

and W. State St. An additional streetlight is required by the policy and has been conditioned in the decision document.

## **D. Decision**

The Planning and Zoning Commission has been provided a draft document that includes findings of fact, conclusions of law, and a decision in the affirmative and in denial. This is done to provide potential options based on the staff's review of the project. This is not intended to be a predetermined decision. All evidence will be considered, and the document may be updated based on the Planning and Zoning Commission's review of the application.

### **Required Decisions:**

Pursuant to Garden City Code [Table 8-6A-1 Authorities and Processes](#), Planning and Zoning Commission is the final decision maker for a Conditional Use Permit. There is no recommending authority to the Planning and Zoning Commission. Pursuant to [GCC 8-6A-2A](#), The City Council shall have the authority to review any action taken by the Planning and Zoning Commission regarding Conditional Use Permits, which would be final unless appealed.

### **Required Findings:**

To approve a conditional use permit, the Planning and Zoning Commission must find the application meets the following findings found in [GCC 8-6B-2](#):

1. The use is appropriate to the location, the lot, and the neighborhood, and is compatible with the uses permitted in the applicable zoning district;
2. The use will be supported by adequate public facilities or services to the surrounding area, or conditions can be established to mitigate adverse impacts;
3. The use will not unreasonably diminish either the health, safety or welfare of the community; and
4. The use is not in conflict with the comprehensive plan or other adopted plans, policies, or ordinances of the city.

### **Decision:**

After hearing the evidence and considering the application, the decision maker shall make their decision. The decision maker shall report the facts upon which it based its conclusion, the ordinance and standards used in evaluating the application, the actions, if any, that the applicant could take to obtain a permit, and whether a permit is :

1. Granted,
2. Granted with conditions, or
3. Denied.

The decision maker may find that there is inadequate information to render a decision and may also continue the hearing for additional materials to be supplied. It is recommended that they continue the hearing to a date certain for noticing purposes.

The decision maker shall make its findings and decision no later than by the next regular scheduled meeting.

If there is a denial, state code requires that the decision maker identify what could be done to obtain approval.

**Appeal of Decision:**

Pursuant to [8-6A-9 Appeals](#), there is a 15-day appeal period to appeal the decision to the City Council. This period starts from the signed decision date and runs concurrently with the 15-day objection period noted above. An appeal is \$210 and must be filed on the appeal application form provided by the City. Appeals received after the 15-day appeal period will not be accepted.

**E. Agency Comments**

The following agency comments were provided:

Agency	Comment Date	Summary
Ada County Highway District <a href="#">Link to Full Comment</a>	03/29/2022	<ul style="list-style-type: none"> <li>• Site specific conditions include installation of improvements, payment of impact fees, and civil plan review</li> <li>• Standard conditions required.</li> </ul>
North Ada County Fire and Rescue <a href="#">Link to Full Review</a>	03/20/2022	<ul style="list-style-type: none"> <li>• No Comment. General Requirements are specific to building construction.</li> </ul>

**F. Public Comment**

None provided as of the drafting of this document.

**G. Code/Policy Review**

The below serves as an analysis of applicable provisions Garden City Code, Title 8, Development Code and identified applicable policies, plans, and previous approvals.

<b>Garden City Title 8 Code Sections</b>			
Code Section	Review Authority	Compliance Issues	Analysis/ Discussion
<b>Title 7 Building Regulations</b>			

<a href="#">7-2-1 Building Code</a>	N/A	No compliance issues as conditioned.	The applicant is proposing to occupy an existing building without altering the structure. GCC 7-2-1 requires a building permit to be reviewed and approved prior to change in occupancy, as defined by the International Building Code. The applicant must either provide documentation that the building was built to the requested occupancy or apply for a change of occupancy through the City's Occupancy Analysis process prior to occupancy of the building. A change in occupancy may require that improvements be made to the building prior to occupancy.
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**Title 8, Chapter 1: General Regulations**

<a href="#">8-1A-4 Applicability</a>			The regulations of Garden City Code, Title 8 Development Code of the City, shall apply and govern development and use of all properties within the corporate limits of the city.
<a href="#">8-1B-1 Nonconforming Properties</a>		May not be complaint – compliant as conditioned	It is unknown if the parcel is of legal record. Chain of property deeds shall be submitted to prove legal conforming status.
<a href="#">8-1B-2 Nonconforming Structures</a>		No compliance issues noted	
<a href="#">8-1B-3 Nonconforming Uses</a>		Compliant upon approval	Contains Conditional Use Permit

**Title 8, Chapter 2: Base Zoning District Regulations**

<a href="#">8-2B-1 Purpose</a>		No compliance issues noted	The purpose of the two (2) commercial districts is to provide a full range of commercial uses and services for both the residents of Garden City and the region. Location determines the type and form of commercial uses. Activities which are more compatible with mixed use or residential uses and minimally disruptive to the neighborhood are to be located in the general commercial (C-2) district.
<a href="#">8-2B-2 Allowed Uses</a>	PZ		Garden City Code Table 8-2B-1 requires a conditional use permit in this zone for the proposed use.
<a href="#">8-2B-3 Form Standards</a>		No compliance issues noted	The applicant is not proposing any exterior changes to the building. A certificate of compliance will be needed prior to occupying the space.
<a href="#">8-2C</a>			<p>Limitations:</p> <ol style="list-style-type: none"> <li>1. All repair activities (including, but not limited to, open pits and lifts) shall occur within an enclosed structure.</li> <li>2. All equipment repairs shall be limited to between the hours of seven o'clock (7:00) A.M. and seven o'clock (7:00) P.M., Monday through Saturday.</li> <li>3. Damaged or wrecked equipment shall not be stored on site for purposes other than repair.</li> </ol>



			<p>4. All equipment shall be parked on site and not in adjoining streets or alleys.</p> <p>5. All discarded vehicle parts or equipment, or permanently disabled, dismantled, or junked vehicles shall be removed from the premises within thirty (30) days of arrival.</p> <p>Site Design: All new structures constructed for equipment repair shall be constructed so that the entrances to individual workstation/service bays do not face abutting residential parcels or the public rights of way.</p> <p>Maintenance: All paved and unpaved areas shall be maintained grease and oil free.</p>
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**Title 8, Chapter 4: Design and Development Regulations**

<a href="#">8-4A-3 Fences and Walls</a>	DC/PZ	Compliant as conditioned	Chain link fence shall be removed and/or replaced with code compliant fencing. Any future fence or wall will be required to be in compliance with code at the time of development.
<a href="#">8-4A-4 Outdoor Lighting</a>	DC/PZ	Compliant as conditioned	This proposal does not identify any outdoor lighting. Any future outdoor lighting will be required to be in compliance with code at the time of development.
<a href="#">8-4A-5 Outdoor Service and Equipment Areas</a>	DC/PZ	Compliant as conditioned	<p>This proposal does not identify any outdoor service equipment.</p> <p>All on site service areas for waste, recycling, or trash; and equipment areas for transformer and utility vaults shall be located in an area not visible from a public street or adjoining property, or shall be screened from view from a public street and adjoining property with a privacy fence.</p> <p>HVAC equipment, trash dumpsters, recycling, trash compaction, and other service functions shall be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.</p> <p>Any future outdoor service equipment area will be required to be in compliance with code at the time of development.</p>
<a href="#">8-4A-7 Stormwater Systems</a>	DC/PZ	Compliant as conditioned	A general draft condition of approval has been provided requiring that the stormwater systems be built in compliance with provisions of 8-4A-7. All stormwater shall be handled on-site. A Public works/environmental review and approval will be required to the Certificate of Occupancy being issued.
<a href="#">8-4A-8 Utilities</a>	DC/PZ	No compliance issues noted	
<b>8-4D Parking and Off Street Loading Provisions</b>			
<a href="#">8-4D-3 Parking Design and</a>	DC/PZ	May not be complaint –	The design standards as set forth in section <a href="#">8-4D-3</a> , "Parking Design And Improvement Standards", shall apply to any new

<a href="#">Improvement Standards</a>		Compliant as conditioned	<p>construction, alteration, or moving of a structure or <u>any new or more intense use of property.</u></p> <p>Parking areas shall be designed in such a manner that any vehicle leaving or entering the parking area from, or onto, a public or private street shall be traveling in a forward motion. Except for an alley and parallel spaces, driveway configurations which require backing in, from, or out onto the street, are not allowed.</p> <p>Parking areas shall be designed so that all vehicles are able to turn around within the site boundaries.</p>
<a href="#">8-4D-4 Parking Use Standards</a>	DC/PZ	Compliant as conditioned	Upon any change of use, the number of vehicle parking spaces to be provided shall be calculated according to the requirements for the new use.
<a href="#">8-4D-5 Required Number of Off-Street Parking Spaces</a>	DC/PZ	Compliant as conditioned	<p><b>Not enough information to review. Parking has not been identified on the site plans.</b> It has been conditioned to require a full parking plan, identifying where parking will be for both employees and customers. These parking spaces shall be required to be stripped and meet GCC 8-4D Parking and Off Street Loading Provisions.</p> <p>The minimum and maximum number of required off street vehicle parking for nonresidential uses and mixed use shall be determined by the planning official based on the following criteria:</p> <ul style="list-style-type: none"> <li>a) The specific use(s) proposed and/or on the property;</li> <li>b) Uses in the vicinity of the property;</li> <li>c) A traffic study, if prepared, forecasting the expected traffic and parking needs expected from the use(s);</li> <li>d) The availability of on street, shared, and/or public parking within the vicinity of the use; and</li> <li>e) The availability of public transit, vanpooling or other alternative transportation to serve the use.</li> </ul> <p>There is one bicycle space required for every 20 vehicle spaces and 1 space per commercial tenant necessitating at least 1 bicycle parking space. There are no bicycle parking spaces provided.</p>
<a href="#">8-4D-6 Standards for Alternatives to On Site Parking</a>	DC/PZ	No compliance issues noted	None requested.
<a href="#">8-4D-7 Off Street Loading Standards</a>	DC/PZ	Compliant as conditioned.	<p>Nonresidential uses shall provide at least one off-street loading space. For buildings 0 to 36,000sqft, 1 type B parking space shall be required.</p> <p>Type B spaces shall be not less than fifteen feet (15') in width and sixty five feet (65') in length. All spaces shall have fourteen feet (14') of vertical clearance.</p>
<b>8-4E Transportation and Connectivity Provisions</b>			
<a href="#">8-4E-2 Applicability</a>			Provisions apply to any new construction, addition, expansion, grading, alteration, or any new or more intense use of property.

<a href="#">8-4E-3 Public Street Connections</a>	DC/PZ	May not be compliant – compliant as conditioned	<p>Not enough information to review. Updated site plan will be required to show new parking plan, landscaping, detached sidewalk, etc.</p> <p>The clear vision triangle will be required to be maintained. A condition has been provided.</p> <p>The driveway shall be the minimum width necessary to provide the required number of vehicle travel lanes and to reduce the impact on sidewalk crossings.</p> <p>Driveway access shall be separated from other driveways and street intersections in accordance with the requirements of the respective transportation authority, or as agreed to by the city and the transportation authority.</p>
<a href="#">8-4E-4 Internal Circulation Standards</a>	DC/PZ	May not be complaint – compliant as conditioned	<p>Not enough information to review. Republic Services has not commented on this application. Fire has provided a review, to which they have no comment on the current site plans. However, with the conditions as drafted, the applicant will be required to update their site plans and obtain fire review approval prior to the certificate of occupancy being issued.</p> <p>Driveways, aisles and turnaround areas, when required for fire and refuse access, shall meet the following standards:</p> <ol style="list-style-type: none"> <li>a) Have a minimum vertical clearance of thirteen feet six inches (13'6") for their entire length and width.</li> <li>b) Have a minimum width of twenty feet (20').</li> <li>c) The design of internal circulation should be integrated with the overall site design and adjacent properties, including the location of structures, pedestrian walkways and landscaping.</li> </ol>
<a href="#">8-4E-6 Sidewalk Standards</a>	DC/PZ	Not compliant - Compliant as conditioned	<p>Code requires that the applicant install a 5' detached sidewalk. There is a condition of approval drafted that this is installed prior to Certificate of Occupancy. The applicant will be required to install the sidewalk per the ITD/ACHD's requirements. The application will also be required to submit a Public Works and Utility application to the City for review and approval.</p> <p>The applicant will be required to work with ITD for any right-of-way work/sidewalk installation. If ITD does not allow for the sidewalk to be within the right-of-way, then the applicant will be required to install the 5ft wide sidewalk and landscape buffer on the property, with a public access easement dedicated to the City. It will be required to connected to the existing sidewalk on Maverik's property.</p>
<a href="#">8-4E-7 Pedestrian and Bicycle Accessibility Standards</a>	DC/PZ	Compliant as conditioned	<p>There is no obvious pedestrian connection through the site. Nor is there an obvious connection to where the public sidewalk will be.</p> <p>All new nonresidential development shall provide for pedestrian accessibility. Accessibility shall be from a direct, convenient and attractive pathway system</p>
<b>8-4I Landscaping and Tree Protection Provisions</b>			

<a href="#">8-4I-2 Applicability</a>			For all new residential and nonresidential uses, all landscaping standards of this article shall be met.
<a href="#">8-4I-3 General Landscaping Standards and Irrigation Provisions</a>	DC/PZ	Compliant as conditioned	Not enough information to review. The applicant will be required to submit a landscape plan showing code compliance prior to the certificate of occupancy being issued. Compliance with all of GCC 8-4I standards will be required.
<a href="#">8-4I-4 Landscaping Provisions for Specific Uses</a>	DC/PZ	Not compliant - Compliant as conditioned	<p>A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping. <b>Not enough information to review.</b></p> <p>A minimum of one class III or class II tree shall be planted in the frontage and every adjacent streetside. An additional class I tree shall be planted in the corresponding setback for every increment of fifty feet (50') of linear feet of frontage.</p> <p><b>W. Chinden Blvd. (about 180ft):</b>  Required Trees: 1 Street + 4 Frontage = 5 trees required  Trees Provided: None <b>(Deficient 5 trees)</b></p> <p>A minimum of one tree per one thousand (1,000) square feet of landscaped area and one shrub per one hundred fifty (150) square feet of landscaped area shall be planted. <b>Not enough information to review.</b></p>
<a href="#">8-4I-5 Perimeter Landscaping Provisions</a>	DC/PZ	Not compliant – Compliant as conditioned	<p>Perimeter landscaping is required when:</p> <ol style="list-style-type: none"> <li>1. Between a new or substantially altered nonresidential use and a residential use or vacant residentially zoned property where such uses are not separated by an arterial street;</li> <li>2. Along the common property line between an adjacent nonresidential use and a residential use or vacant residentially zoned property;</li> <li>3. Between other paved vehicular use areas, including driveways, and vehicle storage areas and all property lines.</li> </ol> <p>The southern property boundary line adjacent to the residential neighborhood will require at least 10ft of perimeter landscaping.</p> <p><b>The Western property boundary line will require at least 5ft of perimeter landscaping, as the adjacent use (Maverik) has already installed the additional 5ft of perimeter landscaping as they were required to do. Maverik’s perimeter landscaping included “Hot Wings Tatarian Maple” tree plantings, which will grow about 25 feet tall, and have a canopy of about 15 feet. To maintain the health of the already planted trees, staff has not conditioned the requirement of additional perimeter trees along the front portion of this property boundary line. However, Maverik did not plant perimeter trees along this property boundary line adjacent and behind their building. Therefore, staff has required that trees be planted at 15ft intervals starting where the building faces State Street. (See Figure 1)</b></p>

			Some conditions have been drafted in the decision document regarding the permitter landscaping standards such as requiring a tree for every fifteen (15) linear feet of perimeter length (or as appropriate to the selected species) to quickly establish continuous canopy coverage. And a screen consisting of vegetation shall be at least six feet (6') wide and six feet (6') in height at maturity.
<a href="#">8-4I-6 Parking Lot Landscaping Provisions</a>	DC/PZ	Compliant as conditioned.	Not enough information to review. An updated site plan will be required to determine code compliance.
<a href="#">8-4I-7 Tree Preservation Provisions</a>	DC/PZ	No compliance issues noted	No existing trees on site.
Title 8, Chapter 6, Article A: Administration			
<a href="#">8-6A-3 General Application Process</a>		No compliance issues noted	The application was reviewed and considered complete within 30 days of submittal, a notice of application acceptance was issued to the applicant, and staff started processing the application.
<a href="#">8-6A-4 Required Application Information</a>			No waivers were requested pursuant to 8-6A-4A
<a href="#">8-6A-7 Public Hearing Process</a>		No compliance issues noted	The applicant provided a neighborhood meeting more than one month and less than three months prior to application submittal. The City provided a radius notice, notifications to agencies with jurisdiction, and ran a legal notice in the Idaho Statesman, at least 15 days prior to the first hearing. The applicant provided an affidavit of property posting more than 7 days in advance of the hearing validating that the property was posted more than 10 days prior to the hearing.

Other Items Reviewed	
Plan/Policy	Discussion/ Analysis
<a href="#">Idaho Code 67-6512</a> Local Land Use Planning Special Use Permits, Conditions, and Procedures	Garden City Code noticing requirements are compliant with this Statute.  The statute notes that upon the granting of a special use permit, conditions may be attached to a special use permit including, but not limited to, those: <ol style="list-style-type: none"> <li>(1) Minimizing adverse impact on other development;</li> <li>(2) Controlling the sequence and timing of development;</li> <li>(3) Controlling the duration of development;</li> <li>(4) Assuring that development is maintained properly;</li> <li>(5) Designating the exact location and nature of development;</li> <li>(6) Requiring the provision for on-site or off-site public facilities or services;</li> <li>(7) Requiring more restrictive standards than those generally required in an ordinance;</li> <li>(8) Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction.</li> </ol>

	<p>Prior to granting a special use permit, studies may be required of the social, economic, fiscal, and environmental effects and any aviation hazard as defined in section <a href="#">21-501(2)</a>, Idaho Code, of the proposed special use. A special use permit shall not be considered as establishing a binding precedent to grant other special use permits. A special use permit is not transferable from one (1) parcel of land to another.</p>
<p><a href="#">Garden City Comprehensive Plan</a></p>	<p>This application is in future land use designations of the Comprehensive Plan:</p> <ul style="list-style-type: none"> <li>a) Green Boulevard Corridor</li> <li>b) Residential Low Density</li> </ul> <p>The application may be supported by:</p> <p>Goal 1. Nurture the City</p> <ul style="list-style-type: none"> <li>a.) 1.4 Objective: Create a premier destination place to live, work, and recreate.</li> </ul> <p>Goal 12. Evolve as a Destination</p> <ul style="list-style-type: none"> <li>a.) 12.1 Objective: Support a positive business environment</li> <li>b.) 12.2 Objective: Continue to support commercial and industrial land uses.</li> <li>c.) 12.3 Objective: Create a premier destination for work, recreation, entertainment, culture and commerce.</li> </ul> <p>The application may not be supported by:</p> <p>Goal 2. Improve the City Image</p> <ul style="list-style-type: none"> <li>a.) 2.3 Objective: Promote quality design and architecturally interesting buildings.</li> <li>b.) 2.4 Objective: Create a vision for the design of all streets and highways consistent with city’s urban setting.</li> </ul> <p>Goal 4. Emphasize the “Garden” in Garden City</p> <ul style="list-style-type: none"> <li>a.) 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.</li> </ul> <p>Goal 7. Connect the City</p> <ul style="list-style-type: none"> <li>a.) 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters.</li> </ul>
<p><a href="#">Garden City Sidewalk Policy</a></p>	<p>Sidewalk is required.</p>
<p><a href="#">Garden City Street Light Policy</a></p>	<p>The Streetlight Policy requires one streetlight every 400 ft. along a street. The nearest street light to the property is about 650ft. away, located at the intersection of Bogart St. and W. State St. An additional streetlight is required by the policy.</p> <p>It has been conditioned to require a streetlight to be installed in accordance with the streetlight policy.</p>
<p><a href="#">Garden City Transportation Needs List</a></p>	<p><b>State Street Transit Corridor Supportive Local Roadway Network Plan</b>  As part of the State Street corridor project there should be a coordinated plan that aligns the infrastructure, connections, and classifications of the local network and State Street. The intent is to have a coordinated approach to redevelopment, roadway classification and infrastructure, access management, and safety concerns.</p> <p><b>State Street Transit Corridor Project</b>  Garden City is a participant of the State Street Corridor Project. Other participants include Valley Regional Transit, Ada County Highway District,</p>



Idaho Transportation Department, COMPASS, Ada County, Capital City Development Corporation, City of Boise, and City of Eagle. This project was initiated, formally, in 2006. The agencies have agreed to be supportive of high-capacity transit along State Street. Garden City's major obligation to this is to create and implement plans and ordinances that will facilitate Transit Oriented Development Nodes at identified locations along the State Street Corridor. Garden City's Comprehensive Plan aligns with these efforts. The Specific Area Plan ordinance is a zoning classification that can be utilized for the implementation of the nodes, however, it is owner driven rather than requisite zoning.

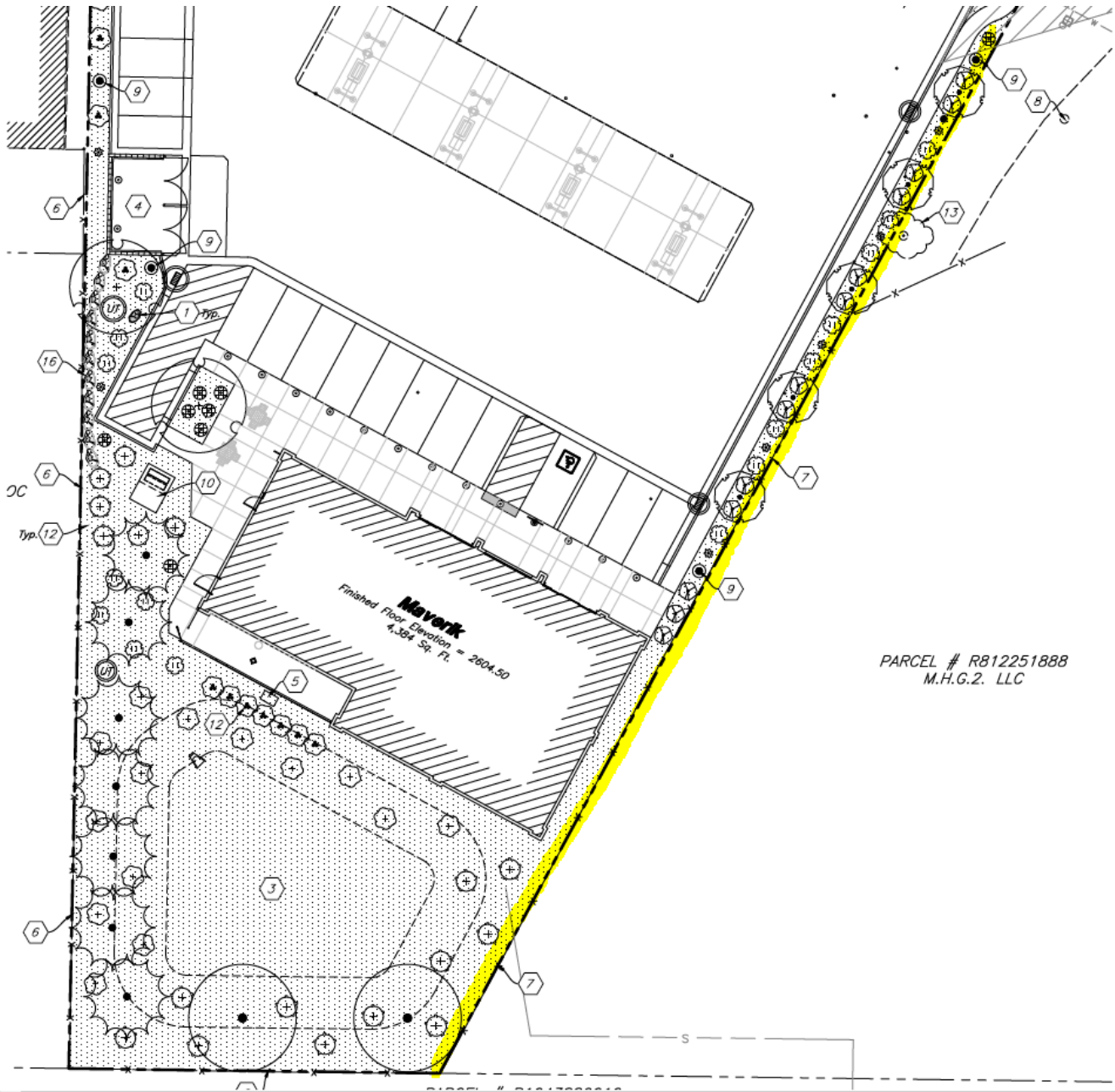


Figure 1: Adjacent western property's perimeter landscaping.