

BEFORE THE CITY COUNCIL
GARDEN CITY, ADA COUNTY, IDAHO

In the Matter of:)	
)	CUPFY2021-0007
)	
Conditional Use Permit)	REQUEST TO RECONSIDER
303, 215 E. 34 th Street)	
and 3342 N. Carr Street)	
Garden City, Idaho, Ada County, Idaho)	
_____)	

COMES NOW, the Applicant, Jorre Delgado on behalf of the property owner, Casino Beach, LLC and respectfully requests the Council of Garden City, Idaho to reconsider the modifications to the application for Conditional Use Permit (CUPFY2021-0007) made on May 24th, 2021, specifically item 2 in the “Site Specific Requirements for the Duration of Use” found at Page 8 in the Findings of Fact, Conclusions of Law and Decision that reads as follows: “There be a maximum of 50 days of events.”

ARGUMENT

The Applicant’s request to increase the days allowable under the approved Conditional Use Permit (hereinafter CUP) are as follows:

According to Garden City Code (hereinafter GCC) 8-6A-9 (2) in a hearing to review any action taken by the planing and zoning commission regarding conditional use permits the Council must determine “that there may be significant adverse impact to the city as a result of the final decision by the commission, making the city aggrieved by the final decision.”

In our review of the Findings of Fact, Conclusions of Law and Decision of the Council we have not found any showings of how Limiting the CUP to 50 days instead of following the commission’s final decision would minimize any possible adverse impacts to the city. Additionally,

all public comments were in favor of continuing the farmer's market and how much of a benefit the market is to the City. We did not see any language or hear any testimony at the City Council meeting that outlined how a Farmer's Market and Community Gathering Destination (rephrased in the review documents as Outdoor Event Center) would have less of a potential adverse impact by limiting the CUP to 50 days.

In summary, we feel that the CUP as approved by the commission is more in alignment with the vision of Garden City's Comprehensive Plan, the desire of the Garden City's voting public and the City as a whole. We request that the Council reconsider the modifications placed on the CUP to be more in line with the Planning and Zoning Commission's final decision.

Respectfully submitted this 4th ^{June} day of ~~May~~, 2021.



JORRE DELGADO, Applicant

CDOCS/CASINO.BEACH/CUP/REQ.RECONSIDER