

City of Garden City
Planning and Zoning Commission Staff Report

Project Description:

Hearing Date: February 17, 2016, at 6:30 p.m.

Application: CUPFY2016-1

Applicant: BR Rule LLC, represented by Mark L. Butler

Location: 8633 State Street, Garden City, ID 83714; assigned Ada County Parcel #: R8123251770.

Project Synopsis: The proposal is to allow Vehicle Sales in the showroom of the existing Vehicle Service facility.

Existing Conditions: The proposed use is to be located inside an existing building; the site is improved with areas consisting of asphalt, a sidewalk, grass, trees, and shrubs. The site is accessed by two driveways located on State Street (SH44). A third access point to Bogart Street/Lakeshore is through the property to the west of the site via a cross access easement.

- Property Size: 0.91 - acres
- Zoning: C-2 General Commercial District
- Comprehensive Plan Designation: Transit Oriented Development and Green Boulevard Corridor
- Flood Plain Designation: Not in Floodplain
- Surrounding Uses: fuel sales; building contractor (electrical); single-family residential
- Existing Use: Restoration Rods Vehicle Service
- Easements on file: A 30-foot wide cross access easement with the property to the west is located on the southwesterly corner of the subject property access to Bogart Lane/Lakeshore Lane.

Previous History: On January 19, 2007, the Planning and Zoning Commission approved a Design Review application (DSR2006-00015) for Flynn's Saddle Shop on the subject site.

On June 17, 2015, the Planning and Zoning Commission approved CUP2015-00009, a Conditional Use Permit for a Vehicle Service facility for BR Rule LLC.

Recommendation: Approval

Standards for Review: Standards for review of this application are as follows:

Standards	Staff Analysis
8-2B-2 Allowed Uses	Pending decision of Commission
8-2C-43 Vehicle Sales and Rental	Compliant with Conditions
8-4 Design and Development Regulations	Compliant with Conditions
Comprehensive Plan Analysis	Compliant with Conditions
Comments from Other Departments and Agencies	Compliant with Conditions

Staff Analysis:**GCC 8-2B-2 Allowed Uses:**

The use 'Vehicle Sales and Rental' defined in Garden City Code 8-7A Definition of Uses as *"The use of a site for the sale or rental of new and used motor vehicles, including consignment sales and rentals, and incidental repairs in preparation for on premises display and sale."* Vehicle Sales and Rental requires the approval of a Conditional Use Permit in the C-2 Zoning District.

8-2C-43 Vehicle Sales: Compliant as Conditioned

The use 'Vehicle Sales and Rental' has specific requirements as defined below. Those requirements not already met are recommended as conditions of approval:

- A. **Minimum Site Area.** The use shall have a minimum site area of 30,000 square feet.
- B. **Accessory Use.**
 - 1. Vehicle repair may be allowed as an accessory use, subject to the standards as set forth in Section 8-2C-38 VEHICLE BODY SHOP AND VEHICLE SERVICE of this Title.
 - 2. Vehicle repair shall be limited to forty percent (40%) of the gross floor area of enclosed space.

NOTE: In this instance, Vehicle Service is the primary use, as approved through CUP2015-00009, and the sale of vehicles is the accessory use.

GCC 8-4F Sign Provisions

Signage is not approved with this permit. A sign permit shall be required for any new signage.

8-4 Design and Development Regulations Compliant with Conditions

No changes are required since no additions are being made to the building or site. The applicant has complied with all conditions of approval pertaining to site improvements as required in CUP2015-00009.

Comprehensive Plan Analysis See discussion below

TRANSIT ORIENTED DEVELOPMENT NODE: The transit oriented development (TOD) nodes are identified within one quarter mile of locations where a transit station has been planned or could be located. It is not intended that all nodes could be developed within the twenty year period of the plan. A mix of uses including higher density residential, retail, office, research and public uses are included in the TOD area designation. A development to be considered for the TOD designation should include 50,000 square feet of non-residential uses and 60 – 80 dwelling units. The form of the development should be multi-story (three or more stories) along the boulevard corridor with lower height moving away from the street. Site design characteristics should include walkability, public spaces, and transit station design. Lower parking standards should be allowed.

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.

Comments from Other Departments and Agencies

Garden City Engineer

The Garden City Engineer has previously commented that if more than 500-square feet of exterior surface area is modified then further comments may be warranted. The Wastewater Manager has no concerns on the project, pursuant to an email dated January 20, 2016.

Garden City Environmental Division

The Garden City Environmental Division will require that compliance with City Code is achieved.

Ada County Highway District

The Ada County Highway District has previously provided correspondence stating there are no conditions of approval to be met.

Central District Health Department

The Central District Health Department has provided a letter dated January 21, 2016, stating no objection to the proposal.

COMPASS

The Community Planning Association of Southwest Idaho has provided an email dated January 20, 2016, stating the proposals do not meet the criteria for COMPASS to provide comments.

Idaho Transportation Department

The Idaho Transportation Department has provided a letter dated January 22, 2016, stating no objection to the proposal.

North Ada Fire and Rescue

The North Ada County Fire and Rescue has provided a letter dated February 9, 2016, stating no comment.

Pioneer Irrigation District

The Pioneer Irrigation District has provided an email dated January 23, 2016, stating the project falls outside of the district's boundaries and their facilities are not impacted.

Comments from Public

There have been no public comments received to date.

Discussion

- With the approval of the conditional use permit application (CUP2015-00009) for Vehicle Service at the subject site, the applicant created an area for retail items and floor space for the display of vehicles. Staff had suggested that the display of vehicles might be an opportunity for the owner to show his craft and skill, and not for the use as a vehicle sales lot.

Presently, the applicant desires to now sell vehicles at the site and, because of the conditions of approval currently prohibiting on-site vehicle sales, the applicant wishes to modify the condition with this application.

Site specific condition of approval number 1 currently states: *Vehicle Service is permissible at this subject location provided that the applicable conditions are satisfied pursuant to GCC 8-2C-42. Vehicle Sales has not been proposed and is not approved with this application. The site shall not be used as VEHICLE WRECKING OR JUNK YARD as defined in Garden City Code.*

Staff believes that the intent of the applicant is to not operate a “typical” car lot with many cars on display; rather it is merely to sell custom and specialty cars at a low-volume pace. Moreover, the display of vehicles for sale will be limited to inside the building only; the exterior portions of the site will not change and it is expected that any additional vehicle trips to the site would be insignificant.

The applicant has requested the following strike through/underline revision to condition number 1. Staff concurs with the suggested revision, with slight modification in *italics*:

1. Vehicle Service is permissible at this subject location provided that the applicable conditions are satisfied pursuant to GCC 8-2C-42. Vehicle Sales ~~has not been proposed and is not approved with this application~~ shall also be permitted *as an ancillary use* at this location with the express condition that all vehicle sales and display shall be inside *the showroom of the existing building only. No outdoor display is permitted.* ~~and All the other conditions listed herein complied with shall apply.~~ The site shall not be used as VEHICLE WRECKING OR JUNK YARD as defined in Garden City Code.

Recommended Conditions of Approval

Should the Planning and Zoning Commission find that the proposed Vehicle Sales and Rental at the Vehicle Service facility is appropriate, the following conditions are recommended:

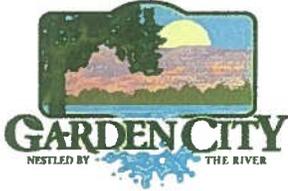
1. Vehicle Service is permissible at this subject location provided that the applicable conditions are satisfied pursuant to GCC 8-2C-42. Vehicle Sales shall also be permitted as an ancillary use at this location with the express condition that all vehicle sales and display shall be inside the showroom of the existing building only. No outdoor display is permitted. All other conditions listed herein shall apply. The site shall not be used as VEHICLE WRECKING OR JUNK YARD as defined in Garden City Code.

The following conditions approved through CUP2015-00009 remain in effect.

2. The use of the Vehicle Service shall not commence until after a successful Certificate of Occupancy has been obtained from Garden City Development Services Department.
3. The revving of engines or the use of tools, and similar noise emitting devices, outside of the enclosed structure, which is being conducted as part of the Vehicle Service use, is not permitted.
4. Noise from this use shall not be clearly audible inside any building on another property with its exterior windows and doors closed.
5. The current condition of the existing building located on the site may not be suitable (constructed) for all uses. The applicant may have to perform upgrades to said building prior to occupancy. All necessary permits will be required prior to issuance of a Certificate of Occupancy.
6. The applicant shall install an at grade 5-foot wide concrete sidewalk extending from the edge of pavement of the approach to the eastern property line to facilitate the transition of the sidewalk upon the time that the property to the east is required to install sidewalk. The sidewalk shall be installed prior to the issuance of a Certificate of Occupancy.

7. The applicant shall install striping (paint) across the driveway approaches along State Street abutting the property to delineate the pedestrian walkway. The striping shall be installed prior to the issuance of a Certificate of Occupancy.
8. The applicant shall install the additional landscaping located near the southwesterly corner of the building and around the trash enclosure as shown on the plan submitted to the City on May 12, 2015. The landscaping shall be installed prior to the issuance of a Certificate of Occupancy. It is recommended that the applicant install two (2) Class II or III trees along the frontage of State Street in accordance with Garden City Code 8-41-4 (B) which states that one tree shall be planted for every 50-feet of linear frontage along a street. The type and location of trees are subject to the review and acceptance of Idaho Power and approval by Garden City Staff.
9. Prior to the issuance of a Certificate of Occupancy, any barb wire located atop any perimeter fence shall be removed.
10. Comply with all requirements of the Garden City Environmental Division. Verification of compliance shall be provided prior to the issuance of a Certificate of Occupancy.
11. All hydraulic hoists and pits, and all equipment for greasing, lubrication, and allowed repairs shall be enclosed entirely within a structure.
12. A paint spray booth is not approved with this application.
13. All parts and inventory shall be kept inside an entirely enclosed building or hidden behind a privacy fence or other visual barrier as set forth in Garden City Code Section 8-2C-35 STORAGE YARD.
14. All new structures constructed for vehicle/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.
15. Tires shall be stored in a solid wall enclosure.
16. No servicing of trucks in excess of one and one-half ton capacity or industrial equipment of any type or character shall be allowed in the Commercial district without a conditional use permit.
17. All vehicle/equipment repair uses and related activities shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and 8:00 a.m. and 5:00 p.m. Saturdays.
18. Damaged or wrecked vehicles shall not be stored on-site for purposes other than repair.
19. All vehicles that are repaired and are waiting to be picked up by the owner of the vehicle shall be parked on-site and not in adjoining streets or alleys. No more than two vehicles per repair bay/work station may be parked outside. In no instance shall the number of vehicles parked outside exceed the number of available on-site parking spaces.
20. All discarded vehicle parts or equipment, permanently disabled, dismantled, or junked vehicles, or tires shall be removed from the premises within thirty (30) days of arrival.
21. All paved and unpaved areas shall be maintained grease and oil free.
22. Comply with all requirements of the North Ada County Fire Rescue as noted in the letter dated June 10, 2015, prior to the issuance of a Certificate of Occupancy.
23. Comply with the conditions of the Garden City Environmental Division as provided in the email dated May 20, 2015. Certificate of Occupancy will not be issued until the conditions have been satisfied.
24. Any changes to the plans and specifications upon which this approval is based, other than those required by the above conditions, will require submittal of an application for modification and approval of that application prior to commencing any change.
25. The Commission may revoke a conditional use permit for any of the following: A) Violation of Garden City Code or State or Federal Laws; B) Failure to abide by any conditions of this permit; C) Causing or allowing a nuisance as determined by Garden City Code, in connection with the use for which the permit is granted.
26. Any violation of the conditions of this application is a criminal offence.

27. Should there be a change in use, the use is discontinued for more than one year without written documentation submitted to the City indicating intent to continue the use, or clear intent to cease the use, this approval shall become void.
28. Occupancy or an application for a building permit shall be considered commencement of use of this permit.
29. There is a ten (10) day right to appeal to City Council. An appeal shall be made on the form provided by the City and filed with the City Clerk within ten (10) days after the action of the decision.



PLANNING SUBMITTAL FORM

Permit info: CUP-FV 2011-1
 Application Date: 01-08-11 Rec'd by: kg.
 FOR OFFICE USE ONLY

6015 Glenwood Street ▪ Garden City, ID 83714 ▪ 208.472.2921 (tel.)
 208.472.2926 (FAX) ▪ www.gardencityidaho.govoffice.com

APPLICANT	PROPERTY OWNER
Name: <u>MARK L. BUTLER</u>	Name: <u>BRENT RULE</u>
Company: <u>LAW CONSULTANTS INC</u>	Company: <u>BRRULE LLC</u>
Address: <u>P.O. BOX 314</u>	Address: <u>8633 W. STATE ST</u>
City: <u>EAGLE</u>	City: <u>GARDEN CITY</u>
State: <u>ID</u> Zip: <u>83616</u>	State: <u>ID</u> Zip: <u>83714</u>
Tel.: <u>208-939-7444</u>	Tel.: <u>208-870-6668</u>
FAX:	FAX:
E-mail: <u>MARKLEEBUTLER@GMAIL.COM</u>	E-mail: <u>BRENT@RESTORATIONRODS.COM</u>

ACTION REQUESTED (check all that apply)

ALL BLUEPRINTS MUST BE FOLDED INTO 8 1/2" X 11" SIZE WITH THE TITLE BLOCK/PANEL FACE UP
 SO AS TO FIT WITHIN A LEGAL SIZE FILE FOLDER

- | | | |
|---|---|---|
| <input type="checkbox"/> Appeal | <input type="checkbox"/> Design Review | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Preliminary PUD |
| <input type="checkbox"/> City Code Text Amendment | <input type="checkbox"/> Flood Plain Dev | <input type="checkbox"/> Re-zone |
| <input type="checkbox"/> Sign Permit | <input type="checkbox"/> Variance | <input type="checkbox"/> Zoning Certificate |
| <input type="checkbox"/> Specific Area Plan | <input type="checkbox"/> MFH Installation | <input type="checkbox"/> MFH Removal |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Minor Land Division | <input type="checkbox"/> Minor PUD |
| <input checked="" type="checkbox"/> Conditional (special) Use Permit <u>MOD</u> | <input type="checkbox"/> Ability to Serve-CUP, DSR or SUB if applicable | |
| <input type="checkbox"/> Temporary Use Permit | | |

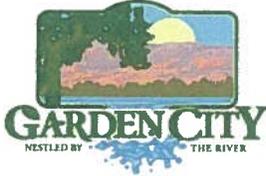
PROPERTY INFORMATION

Site address: 8633 W. STATE STREET

Subdivision Name: <u>STEINS SUBDIVISION</u>	Lot:	Block:
Tax Parcel Number: <u>R 8123251770</u>	Zoning: <u>C-2 COMMERCIAL</u>	Total Acres: <u>0.91</u>
Proposed Use: <u>VEHICLE SALES INSIDE SHOWROOM OF ALREADY APPROVED VEHICLE SERVICE USE</u>	Floodplain: yes	<u>no</u>

I consent to this application and hereby certify that information contained on this application and in the accompanying materials is correct to the best of my knowledge. I will hold harmless and indemnify the City of Garden City from any and all claims and/or causes of action from or an outcome of the issuance of a permit from the City.

[Signature] 12-1-11 signature of the applicant (date)
[Signature] signature of the owner (date) 8/16/11



CONDITIONAL USE PERMIT

Permit info: CUP FY 2010-1

Application Date: 01-08-10

Rec'd by: kg

FOR OFFICE USE ONLY

6015 Glenwood Street ▪ Garden City, ID 83714 ▪ 208.472.2921 (tel.)
208.472.2926 (FAX) ▪ www.gardencityidaho.govoffice.com

APPLICANT

Name:

MARK BUTLER, LAND CONSULTANTS INC

PROPERTY AND DESIGN INFORMATION

Site address:

8633 W STATE STREET

Describe the proposed use.

TO ALLOW VEHICLE SALES INSIDE THE ALREADY APPROVED SHOWROOM
ANCILLARY TO THE VEHICLE SERVICE SITE/USE

Check any that are applicable to this application:

I will build a new structure

NO

If any boxes are checked, attach the Design Review Application

NA

I will add 25% or more to the floor area of an existing building

NO

I will alter, replace rehabilitate or restore 25% or more of a store façade.

NO

How is the use appropriate to the location, the lot, and the neighborhood, and is compatible with the uses permitted in the applicable zoning district?

IT IS A USE ALLOWED IN THE ZONING DISTRICT WITH A CONDITIONAL USE PERMIT AND WILL BE OF ABSOLUTELY NO IMPACT BEYOND THE USE ALREADY APPROVED A COUPLE MONTHS AGO

Is the use supported by adequate public facilities or services such as water/sewer, schools, roads, parks, transit, fire protection and police protection?

YES

How does the use affect the health, safety or welfare of the community?

BENEFITS THE COMMUNITY BECAUSE PEOPLE SEEING THE VEHICLES DISPLAYED IN THE CITY RECOMMENDED SHOWROOM WOULD HAVE THE ABILITY TO PURCHASE WITH CITY APPROVAL

How does the use support the goals of the Comprehensive Plan?

ALREADY IN AN APPROVED USE AS OF A COUPLE MONTHS AGO AND SUPPORTS THE GOALS OF BUSINESS SUCCESS LIMITED TO THAT WHICH IS COMPATIBLE WITH THE PLAN

How far is the proposed use from a pedestrian/bicycle pathway?

SIDEWALK IN FRONT WITH NO OTHER SIDEWALK ALONG STATE STREET FOR SOME DISTANCE

APPLICATION INFORMATION REQUIRED (PLEASE CHECK)

NOTE: INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED UNDER ANY CIRCUMSTANCES.

- Planning Submittal Form
- Fifteen (15) Neighborhood Map
- Ten (10) 11" x 17" Site Plan
- Five (5) 24" x 36" Site Plan
- Statement of Intent
- Irrigation/Ditch Company Information Form
- Photos of site
- Neighborhood Meeting Verification
- Affidavit of Legal Interest
- Affidavit of Posting and Photo (required 7 days prior to the hearing)
- Ability to Serve Letter
- Compliance Statement
- Traffic/Parking Analysis (including references)
SUBMITTED WITH CUP - NO CHANGE

INFORMATION REQUIRED ON NEIGHBORHOOD MAP (PLEASE CHECK):

- 8 1/2" x 11" size minimum
- Location of contiguous lots and lot(s) immediately across from any public or private street, building envelopes and/or existing buildings and structures at a scale not less than one inch equals one hundred feet (1" = 100')
- Impact of the proposed siting on existing buildings, structures, and/or building envelopes

INFORMATION REQUIRED ON COMPLIANCE STATEMENT (PLEASE CHECK):

- Statement explaining how the proposed use(s) is compliant with the standards of review for the proposed application. Cite the ordinances the proposed use(s) is compliant with.

INFORMATION REQUIRED FOR IRRIGATION/DITCH INFORMATION FORM (PLEASE CHECK):

- Required if irrigation canal/irrigation ditch runs through property or along property lines

INFORMATION FOR STATEMENT OF INTENT (PLEASE CHECK):

- Should include purpose, scope, and intent of project

- Information concerning noxious uses, noise, vibration, and any other aspects of the use or structure that may impact adjacent properties or the surrounding community

INFORMATION REQUIRED ON SITE PLAN(PLEASE CHECK):

NO
CHANGES
FROM
CLIP

- Scale not less than 1" = 20', legend, and north arrow.
- Property boundary, dimensions, setbacks and parcel size.
- Location of the proposed building, improvement, sign, fence or other structure, and the relationship to the platted building envelope and/or building zone
- Building envelope dimensions with the center of the envelope location established in relation to the property lines
- Adjacent public and private street right of way lines
- Total square footage of all proposed structures calculated for each floor. If the application is for an addition or alteration to an existing building or structure, then the new or altered portions shall be clearly indicated on the plans and the square footage of new or altered portion and the existing building shall be included in the calculations
- For uses classified as drive-through, the site plan shall demonstrate safe pedestrian and vehicular access and circulation on the site and between adjacent properties as required in Section 8-2C-13 of Title 8.

INFORMATION FOR NEIGHBORHOOD MEETING VERIFICATION (PLEASE CHECK):

- Copy of notice sent to property owners within 300' of an applicable property
- List of notice recipients with names and addresses
- Sign-up sheet from meeting

ALL BLUEPRINTS MUST BE FOLDED INTO 8^{1/2}" X 11" SIZE WITH THE TITLE BLOCK/PANEL FACE UP SO AS TO FIT WITHIN A LEGAL SIZE FILE FOLDER.

Land Consultants Inc.

P.O. Box 314 - - - Eagle, Idaho 83616 - - - Phone 208-939-7444 - - - email: markleebutler@gmail.com

January 7, 2016

Garden City Planning and Zoning Commission
6015 Glenwood Street
Garden City, ID 83714

RECEIVED

JAN 08 2016

RE: Compliance Statement/Statement of Intent for CUP MOD - to allow "Vehicle Sales" as an ancillary use in the already approved showroom for the City approved Vehicle Service facility at 8633 W. State Street

Dear Commissioners,

Thank you for your previous approval for Vehicle Service use! During the initial review process City staff recommended that the client include a showroom. This was done and was a great idea. However, it wasn't until we were already into the process that we found out that the cars the Client would display – could not be sold because a new CUP was needed for "Vehicle sales", even if ancillary. At that point we did not want to be set back to square one so the client decided to start his business, prove themselves as a great neighbor and asset for Garden City and then ask for the CUP Mod.

The site is in full compliance with the Comprehensive Plan and Zoning Code as conditioned by the City's recent approval and as specifically stated within its Findings of Fact and Conclusions of Law for the vehicle Service use. This ancillary use for Vehicle Sales is permitted in a C-2 zone with a CUP and will be in full compliance also.

Please modify condition #1 in the approved CUP as follows with strike through text being deleted and underlined text being added:

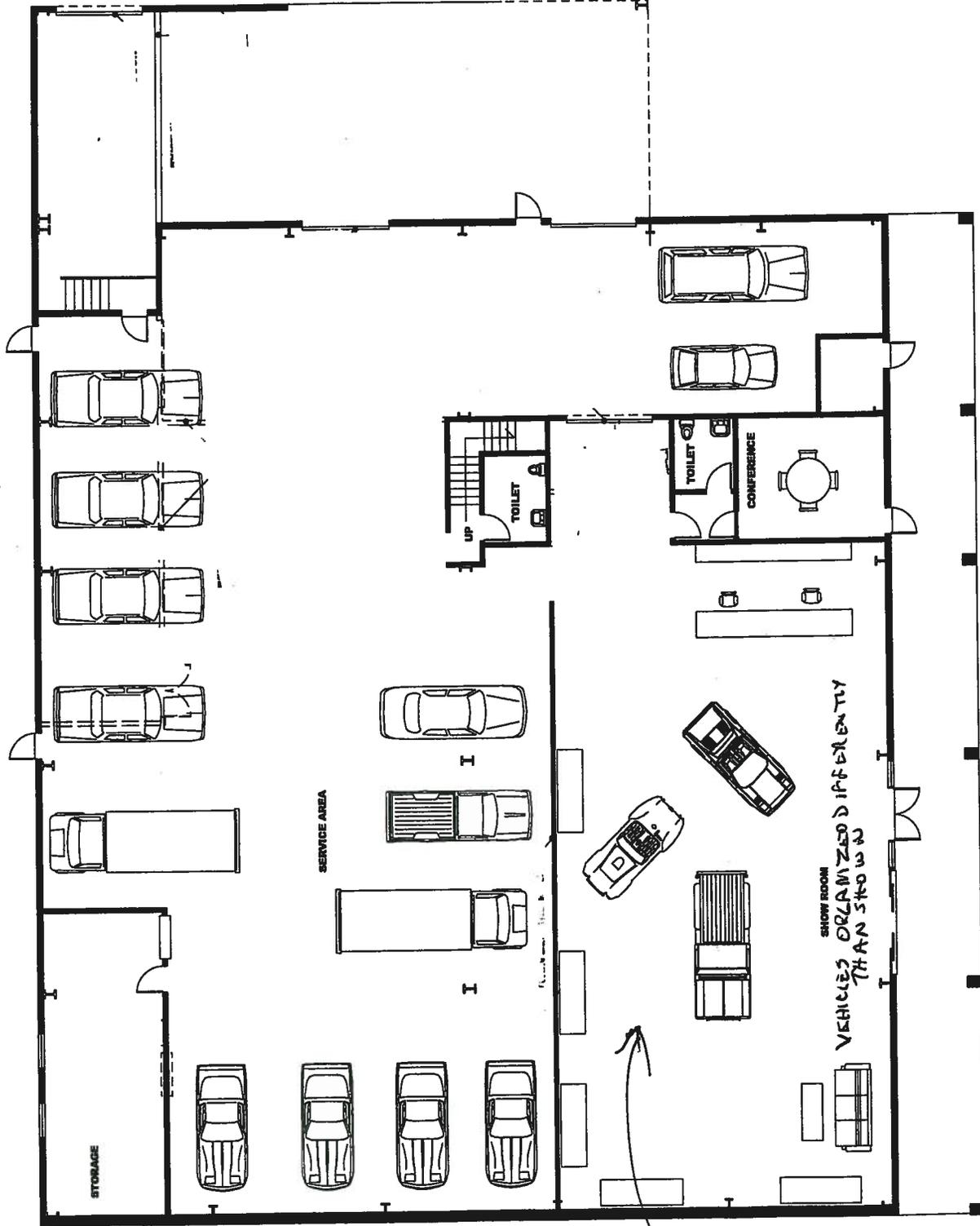
1. Vehicle Service is permissible at this subject location provided that the applicable conditions are satisfied pursuant to GCC 8-2C-42. Vehicle Sales has not been proposed and is not approved with this application shall also be permitted at this location with the express condition that all vehicle sales and display shall be inside and all the conditions herein shall be complied with. The site shall not be used as VEHICLE WRECKING OR JUNK YARD as defined in Garden City Code.

We look forward to your consideration on this ancillary use!



Mark L. Butler

APPROVED FLOOR PLAN



PROPOSED
VEHICLE
SALES
AREA

RECEIVED

JAN 08 2016



Jeff Lowe

From: Troy Vaughn
Sent: Wednesday, January 20, 2016 8:35 AM
To: Jeff Lowe
Subject: RE: Garden City Agency Transmittal for February 17, 2016, P&Z meeting

Jeff,
I have no concerns at this time for the projects below.
Thanks,

From: Jeff Lowe
Sent: Tuesday, January 19, 2016 4:35 PM
To: Abe Blount; bob.kibler@fws.gov; carla.bernardi@cableone.biz; Charles Wadams; Chas Heaton; City Council; clittle@achdidaho.org; cmiller@compassidaho.org; cnitz@adaweb.net; Colin Schmidt; criddle@cityofboise.org; dbarton@adaweb.net; dgordon@cityofboise.org; Eric Exline; Frank Walker; fromm.carla@epa.gov; greg.j.martinez@usace.army.mil; idprospect@aol.com; jamie.huff@dhs.gov; Jim Morrison; Jim Poe; Joe Canning_Work; Katy Moeller; Kevin Wallis; Lanette Daw; linda.clark@deg.idaho.gov; Lindsey Pettyjohn; Lisa Leiby; lisaharm@msn.com; Lori Badigian ; Mack Myers; Mark Perfect; mark.wasdahl@itd.idaho.gov; mark@pioneerirrigation.com; mreno@cdhd.idaho.gov; msinglet@intgas.com; ncurtis@idpr.idaho.gov; Pam Beaumont; parks4fun4u@aol.com; Projectmgr@boiseriver.org; Rick Allen; rkinney@republicservices.com; Rob Olson; Ronald Johnson ; rphillips@idahopower.com; rward@idfg.idaho.gov; S. Bryce Farris; sanderst@dhw.idaho.gov; sdouglas@idl.idaho.gov; Shelley Young; syarrington@achdidaho.org; Tina Fuller; tmcmorrow@spro.net; Tom Patterson; Troy Vaughn; wbsdmb@qwestoffice.net
Subject: Garden City Agency Transmittal for February 17, 2016, P&Z meeting

Subject: Garden City Agency Transmittal for February 17, 2016, P&Z meeting

FROM: Garden City Development Service Division, City of Garden City, (208) 472-2921, 6015 Glenwood, Garden City, ID 83714.

CUPFY2016-1: BR Rule LLC, represented by Mark L. Butler, is requesting a modification to an approved Conditional Use Permit (CUP2015-00009) to allow Vehicle Sales as an accessory to the Vehicle Service. The display and sale of vehicles would occur only in the existing showroom of the business; no exterior improvements are proposed. The .91-acre site is located at 8633 State Street, and is within the C-2 General Commercial Zoning District, and is in the Transit Oriented Development and Residential Low Density areas of the Comprehensive Plan.

CUPFY2016-2: Grace at State Street, represented by David Ruby of The Architects' Office, is proposing a 29,000 square-foot, single-story expansion to an existing residential care facility to create 36 new residential units. The site is located at 9995 State Street, and is within C-2 General Commercial and Residential Low Density Comprehensive Plan designation. The proposal requires Design Review Committee approval and a lot line adjustment.

SUBFY2016-1/PUDFY2016-1/ZONFY2016-1: Parkway Station LLC, represented by Hutchison Smith Architects is requesting a Rezone from C-2 (General Commercial Zoning District) to M (Mixed Use Zoning District), Preliminary Plat, and Planned Unit Development approvals for Parkway Station Subdivision. The proposed development consists of 50-lots (41-buildable for residential units, 8-common, and 1-mixed use). The 4.07-acre site is located at 4232 Adams Street and 418 & 500 42nd Street and is within the M Mixed Use and C-2 General Commercial Zoning Districts, and the Mixed Use Residential and Transit Oriented Development areas of the Comprehensive Plan. The application is subject to review by the Design Review Committee.



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

- Return to:**
- ACZ
 - Boise
 - Eagle
 - Garden City
 - Kuna
 - Meridian
 - Star

Rezone # _____

Conditional Use # CUP FY2016-1

Preliminary / Final / Short Plat _____

Sect. 24

- 1. We have No Objections to this Proposal.
- 2. We recommend Denial of this Proposal.
- 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
 - high seasonal ground water waste flow characteristics
 - bedrock from original grade other _____
- 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
 - central sewage community sewage system community water well
 - interim sewage central water
 - individual sewage individual water
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - central sewage community sewage system community water
 - sewage dry lines central water
- 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 12. We will require plans be submitted for a plan review for any:
 - food establishment swimming pools or spas child care center
 - beverage establishment grocery store
- 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

14. _____ Reviewed By: *[Signature]*
 _____ Date: 1/21/16

Jeff Lowe

From: Tina Fuller [tfuller@compassidaho.org]
Sent: Wednesday, January 20, 2016 2:07 PM
To: Jeff Lowe
Cc: Carl Miller
Subject: RE: Garden City Agency Transmittal for February 17, 2016, P&Z meeting

Hi Jeff!

Thank you for contacting COMPASS regarding the upcoming Planning and Zoning Commission meeting. COMPASS has reviewed the proposals and has determined that none meet the criteria for COMPASS to provide comments. Developments not meeting the development review thresholds may still be reviewed upon written request of a COMPASS Board member or COMPASS Regional Transportation Advisory Committee (RTAC) member.

All the best,
Tina

From: Jeff Lowe [mailto:jlowe@GARDENCITYIDAHO.ORG]
Sent: Tuesday, January 19, 2016 4:35 PM
To: Abe Blount <ablount@gardencitypolice.org>; bob_kibler@fws.gov; carla.bernardi@cableone.biz; Charles Wadams <cwadams@GARDENCITYIDAHO.ORG>; Chas Heaton <cheaton@GARDENCITYIDAHO.ORG>; City Council <CityCouncil@GARDENCITYIDAHO.ORG>; clittle@achdidaho.org; Carl Miller <CMiller@compassidaho.org>; cnitz@adaweb.net; Colin Schmidt <cschmidt@GARDENCITYIDAHO.ORG>; criddle@cityofboise.org; dbarton@adaweb.net; dgordon@cityofboise.org; Eric Exline <exline.eric@westada.org>; Frank Walker <fwalker@GARDENCITYIDAHO.ORG>; fromm.carla@epa.gov; greg.j.martinez@usace.army.mil; idprospect@aol.com; jamie.huff@dhs.gov; Jim Morrison <jim.morrison@itd.idaho.gov>; Jim Poe <jpoe@cityofboise.org>; Joe Canning_Work <jdcanning@baengineers.com>; Katy Moeller <kmoeller@idahostatesman.com>; Kevin Wallis <kwallis@GARDENCITYIDAHO.ORG>; Lanette Daw <lanette.daw@boiseschools.org>; linda.clark@deq.idaho.gov; Lindsey Pettyjohn <lpettyjohn@GARDENCITYIDAHO.ORG>; Lisa Leiby <lleiby@GARDENCITYIDAHO.ORG>; lisaharm@msn.com; Lori Badigian <lbadigia@cdhd.idaho.gov>; Mack Myers <mack@settlersirrigation.org>; Mark Perfect <dsperfma@adaweb.net>; mark.wasdahl@itd.idaho.gov; mark@pioneerirrigation.com; mreno@cdhd.idaho.gov; msinglet@intgas.com; ncurtis@idpr.idaho.gov; Pam Beaumont <pbeaumont@GARDENCITYIDAHO.ORG>; parks4fun4u@aol.com; Projectmgr@boiseriver.org; Rick Allen <rallen@gardencitypolice.org>; rkinney@republicservices.com; Rob Olson <rolson@republicservices.com>; Ronald Johnson <rjohnson@cityofboise.org>; rphillips@idahopower.com; rward@idfg.idaho.gov; S. Bryce Farris <bryce@sawtoothlaw.com>; sanderst@dhw.idaho.gov; sdouglas@idl.idaho.gov; Shelley Young <Shelley@nacfire.org>; syarrington@achdidaho.org; Tina Fuller <tfuller@compassidaho.org>; tmcorrow@spro.net; Tom Patterson <tpatterson@gardencitypolice.org>; Troy Vaughn <tvaughn@GARDENCITYIDAHO.ORG>; wbsdmb@qwestoffice.net
Subject: Garden City Agency Transmittal for February 17, 2016, P&Z meeting

Subject: Garden City Agency Transmittal for February 17, 2016, P&Z meeting

FROM: Garden City Development Service Division, City of Garden City, (208) 472-2921, 6015 Glenwood, Garden City, ID 83714.

CUPFY2016-1: BR Rule LLC, represented by Mark L. Butler, is requesting a modification to an approved Conditional Use Permit (CUP2015-00009) to allow Vehicle Sales as an accessory to the Vehicle Service. The display and sale of vehicles would occur only in the existing showroom of the business; no exterior improvements are proposed. The .91-acre site is located at 8633 State Street, and is within the C-2 General



January 22, 2016

Mr. Jeff Lowe
Garden City Development Service Division
City of Garden City
6015 Glenwood Street
Garden City, Idaho 83714

VIA EMAIL

RE: CUPFY2015-1 BR RULE LLC

The Idaho Transportation Department (ITD) has reviewed the referenced conditional use modification application for BR Rule LLC located at 8633 State Street south of SH-44. ITD has the following comments:

1. ITD has no objection to the proposed project and requires no mitigation.
2. No access is requested and none is approved with this application.
3. IDAPA 39.03.40 rules govern junkyards. A junkyard is defined as “a place of business which is maintained, used, or operated for storing, keeping, buying, or selling ten (10) or more wrecked, scrapped, ruined, or dismantled motor vehicles or other types of machines...”.
4. Idaho Code 40-1910(1) states no advertising display shall be placed or maintained within the right-of-way of any highway.
5. IDAPA 39.03.60 rules govern advertising along the State highway system.

If you have any questions, you may contact me directly at 332-7191.

Sincerely,

A handwritten signature in blue ink that reads 'James K. Morrison'.

James K. Morrison
Development Services Manager
jim.morrison@itd.idaho.gov

Michael G. Irvan
*Commissioner/
Administrative Chief*

Margaret Dimmick
Commissioner

Jeff Ramey
Commissioner



Shelley Young
*Administrative
Manager*

February 9, 2016

Jeff Lowe
Garden City Development Services - Planning

Re: Conditional Use Application CUPFY2016-1
8633 State Street

Dear Jeff,

This application is for a Conditional Use approval for a showroom for car sales.

The North Ada County Fire & Rescue has reviewed and can approve the application subject to compliance with all of the following code requirements and conditions of approval. Any deviation from this plan is subject to Fire Department approval. Please note that unless stated otherwise, this memo represents the requirements of the International Fire Code (IFC) as adopted and amended by NACFR Rules.

Comments:

1. No comments.

General Requirement:

Specific building construction requirements of the International Building Code, International Fire Code and Boise City Code will apply. However, these provisions are best addressed by a licensed Architect at building permit application.

Regards,

Ron Johnson
Division Chief – Assistant Fire Marshal
Boise Fire Department

Jeff Lowe

From: Mark Zirschky [mark@pioneerirrigation.com]
Sent: Saturday, January 23, 2016 3:23 PM
To: Jeff Lowe
Subject: Re: Garden City Agency Transmittal for February 17, 2016, P&Z meeting

Jeff,

The proposed projects within this notice, do not conflict with any Pioneer owned or maintained facilities.

Thank you.

Mark Zirschky -- Superintendent
Pioneer Irrigation District
208-459-3617 (office)
208-250-8481 (cell)

From: Jeff Lowe <jlowe@GARDENCITYIDAHO.ORG>

Sent: Tuesday, January 19, 2016 4:35 PM

To: Abe Blount; bob_kibler@fws.gov; carla.bernardi@cableone.biz; Charles Wadams; Chas Heaton; City Council; clittle@achdidaho.org; cmiller@compassidaho.org; cnitz@adaweb.net; Colin Schmidt; criddle@cityofboise.org; dbarton@adaweb.net; dgordon@cityofboise.org; Eric Exline; Frank Walker; fromm.carla@epa.gov; greg.i.martinez@usace.army.mil; idprospect@aol.com; jamie.huff@dhs.gov; Jim Morrison; Jim Poe; Joe Canning_Work; Katy Moeller; Kevin Wallis; Lanette Daw; linda.clark@deq.idaho.gov; Lindsey Pettyjohn; Lisa Leiby; lisaharm@msn.com; Lori Badigian ; Mack Myers; Mark Perfect; mark.wasdahl@itd.idaho.gov; Mark Zirschky; mreno@cdhd.idaho.gov; msinglet@intgas.com; ncurtis@idpr.idaho.gov; Pam Beaumont; parks4fun4u@aol.com; Projectmgr@boiseriver.org; Rick Allen; rkinney@republicservices.com; Rob Olson; Ronald Johnson ; rphillips@idahopower.com; rward@idfg.idaho.gov; S. Bryce Farris; sanderst@dhw.idaho.gov; sdouglas@idl.idaho.gov; Shelley Young; syarrington@achdidaho.org; Tina Fuller; tmcmmorrow@spro.net; Tom Patterson; Troy Vaughn; wbsdmb@qwestoffice.net
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CUPFY2016-2: Grace at State Street, represented by David Ruby of The Architects' Office, is proposing a 29,000 square-foot, single-story expansion to an existing residential care facility to create 36 new residential units. The site is located at 9995 State Street, and is within C-2 General Commercial and Residential Low Density Comprehensive Plan designation. The proposal requires Design Review Committee approval and a lot line adjustment.