



CITY OF GARDEN CITY

6015 Glenwood Street □ Garden City, Idaho 83714
Phone 208/472-2900 □ Fax 208/472-2996

CUPFY2016-5 and DSRFY2016-14
Conditional Use Permit and Design Review
For:
An expansion of a Wireless Communication Facility
Located at 8247 W. State Street, Garden City, Idaho
Technology Associates represented by Doug Kofford



Staff Contact: Jenah Thornborrow (208) 472-2921; planning@gardencityidaho.org

City of Garden City
Planning and Zoning Commission Staff Report

Garden City Planning and Zoning Commission PUBLIC HEARING DATE: July 20, 2016, at 6:30 p.m.

Project Description:

Hearing Date: July 20, 2016, at 6:30 p.m.

Application File Number: CUPFY2016-5; Conditional Use Permit for the expansion of an existing, nonconforming wireless communication facility.

Applicant: Technology Associates represented by Doug Kofford

Location: 8247 W. State Street, in Garden City; Ada County parcel R0719420250; Lot 11 Block 2 of the Azalea Subdivision

Project Synopsis: The request is for an approval of an expansion of a 'wireless communication facility', which requires approval of a conditional use permit. The application proposes to co-locate up to 12 new panel antennas on an existing monopole. The pole will not be increased in size or height. The proposal also includes the addition of an 8'X 12' platform for equipment cabinets. There is an associated generator that is anticipated to run for approximately 10 minutes one time per each week during daylight hours. The facility will not have staff on sight; however a technician will visit the location monthly.

Existing Conditions:

- Property Size: 0.57-acres
- Zoning: C-2 General Commercial
- Comprehensive Plan Designation: Green Corridor Boulevard and Residential Low Density
- Flood Plain Designation: Not in Floodplain
- Surrounding Uses: Vehicle Service; Residential; Mobile Home Park
- Two existing uses are on the site include: A wireless facility as approved through Garden City Conditional Use Permit **03-17-CU** and Automotive Body Shop approved City Conditional Use Permit **05-05-CU** (file reference DEV2005-00061)
- Garden City Easements: 7' bike/ pedestrian easement on eastern property boundary

Recommendation: Approval with conditions.

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

Standards	Staff Analysis
8-7A Definitions of Uses	
8-1B-3 Nonconforming Uses	Compliant with approval
8-2B-2 Allowed Uses	Not compliant
GCC 8-2C-45 Wireless communication facility	Compliant with Conditions
8-4A-3, "Fences and Walls"	Determined by Design Review
8-4A-4, "Outdoor Lighting"	Determined by Design Review

8-4I-5: Perimeter Landscaping Provisions	Determined by Design Review
Comprehensive Plan Analysis	Compliant
Other Plans and Approvals Analysis	Not Compliant
Comments from Other Departments and Agencies	Compliant with Conditions
GCC 8-6B-2 Conditional Use	Conclusion of Law pending decision of Commission

Staff Analysis:

WIRELESS COMMUNICATION FACILITY A steel monopole, guywire tower, lattice tower or other similar structure designed to support directional antennas, parabolic dishes or antennas, microwave dishes; in addition to associated ground equipment and other similar equipment used in the wireless communications industry.

GCC 8-2B-2 Allowed Uses: Not Compliant; see GCC 8-1B-3 Nonconforming Uses

A wireless communication facility is not allowed in the C-2 General Commercial Zoning District. However, GCC 8-1B-3 allows for a nonconforming use/ structure to be expanded, provided successful obtainment of a conditional use permit.

GCC 8-1B-3 Nonconforming Uses: Compliant if approved

2. *No existing use or structure containing a nonconforming use may be expanded in intensity or degree of use, enlarged, extended, constructed, reconstructed, moved, or structurally altered except: (a) through the approval of a conditional use permit in accord with the procedures set forth in chapter 6, article B, "Specific Provisions", of this title; or (b) where the use of the structure is changed to a conforming use.*

GCC 8-2C-45 Wireless Communication Facility:

A. Setback:

1. *A wireless communication facility shall not be located closer than five thousand two hundred eighty feet (5,280') (1 mile) from an existing cellular tower.*
2. *In addition to the setbacks required for the base zoning district as set forth in section 8-2B-3, table 8-2B-2, "Form Standards in All Base Zoning Districts", of this chapter, a support tower for a wireless communication facility shall be set back one foot (1') for every ten feet (10') of the total tower height.*
3. *All equipment shelters, cabinets or other on ground ancillary structures shall meet the setback requirements of the zone.*

According to the GIS files that the City has from 2011, the closest wireless communication facility appears to be a facility behind Assistance League of Boise on Glenwood. This facility is approximately 6, 138 feet away. The existing facility does not meet the setback requirements as noted above. The equipment shelters, cabinets, and ancillary structures both existing and proposed do meet the setback requirements of the C-2 zone.

B. Height: the maximum height, including all antenna attachments shall be one hundred feet (100') in the C-1 zone and one hundred twenty five feet (125') in the LI zone.

The application is to expand an existing facility. The existing facility is 125' in height in the C-2 Zoning District. Current code prohibits a wireless communication facility in the C-2 Zoning District.

C. Collocation: No new towers shall be allowed unless there has been an analysis certified by a qualified engineer and specific to the site that collocation on an existing wireless communication facility is

CUPFY2016-5: Verizon Wireless Communication Facility 8247 W. State Street

infeasible. Evidence to demonstrate that no existing facility can accommodate the proposed new facility may consist of any of the following:

- 1. No existing towers or structures are located within the geographic area required to meet the proposed facility's requirements;*
- 2. Existing structures are not of sufficient height to meet the engineering requirements of the proposed structure;*
- 3. Existing structures do not have sufficient structural strength to support the proposed antenna and/or equipment; or*
- 4. The proposed antenna would cause electromagnetic interference with the antenna on existing structures or the antenna on the existing structure would cause similar interference with the proposed antenna.*

The application is not requesting a new tower.

D. Site Design:

- 1. Tower facilities shall be landscaped with a buffer outside the perimeter of the compound in accordance with the standards set forth in subsection 8-4I-5C of this title.*
- 2. Materials, colors, textures and screening shall be used that blend the tower facility to the natural and built environment. Supporting electrical and mechanical equipment installed on the tower shall use colors that are similar to the tower.*
- 3. Except as required by the federal aviation administration (FAA) or the federal communications commission (FCC), transmission structures shall not be artificially lighted. Equipment shelters may use lighting consistent with the lighting standards set forth in section 8-4A-4, "Outdoor Lighting", of this title.*

As conditioned, the application will be required to be reviewed and approved by the Garden City Design Review Committee.

E. Site Maintenance: A wireless communication facility that is no longer in use shall be completely removed and the site restored to its preexisting condition within six (6) months of the cessation of operation.

This is a recommended condition of approval.

F. Other Regulations Apply: The site and structure design shall be subject to review by the design committee and the process set forth in section 8-6B-3 of this title.

As conditioned, the application will be required to be reviewed and approved by the Garden City Design Review Committee.

8-4A-3: FENCES AND WALLS: Subject to Design Review and Approval

The application proposes a 6' tall chain link fence with barbed wire and slats. Code prohibits chain link with slats, and barbed wire is not permitted unless there is Design Review Committee approval as set forth in section **GCC 8-6B-3**.

At times design and appropriateness of use at a location can overlap. The Planning and Zoning Commission has a precedent of finding barbed wire inappropriate to many uses, given the appropriateness of the barbed wire at a given location.

8-4A-4: OUTDOOR LIGHTING: Subject to Design Review and Approval

The applicant has indicated that there is a work light that is only illuminated when someone is working on the site. There is no proposal to add any additional lights. Furthermore, the applicant has indicated that the tower has FAA approval.

8-4I-5: PERIMETER LANDSCAPING PROVISIONS Subject to Design Review and Approval

The applicant is in process in working with the Design Review Committee to bring the application into compliance with Perimeter Landscaping Provisions.

***Comprehensive Plan Analysis* See discussion**

The proposed use is located in the Green Corridor Boulevard and Residential Low Density land use designation of the Garden City Comprehensive Plan. Green Boulevard Corridor- Dramatic Statement that highways and arterials should change from single purpose of moving vehicles to adding pedestrian accesses, refuges, trees and landscaping. Residential Low Density is designated for predominantly single family detached. A wireless communication facility is arguably not in line with either of these land use designations. The Design Review Committee will determine if the design of the structure is compliant with the Comprehensive Land Use designations.

However, with this being said, Goal 11 of the Comprehensive Plan is to serve the City. Even though a new wireless communication facility might not fit well at the proposed location, the collocation of additional capacity on an existing tower may be a very appropriate way to provide additional, necessary cell services to the community.

***Other Plans or Approvals Analysis* Not Compliant**

The original approval of the facility, Garden City file 03-17-CU a conditional use permit for the original 'T-Mobile' facility required landscaping around the tower, including evergreens at least 6' in height at the time of planting, interspersed with lower evergreen bushes. The tower was required to be of a dull non reflective finish. A 7' sidewalk easement from the residential development to the south of the site to State Street was required. The site is lacking landscaping.

The documents submitted in conjunction with 05-05-CU a conditional use permit for Treasure Valley Collision show the entire 20' setback along the south property line as being dedicated to landscaping. A 5' sidewalk was required adjacent to State Street. It does not appear that the sidewalk has ever been installed.

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. It further requires that if the sidewalk is adjacent to curb on an arterial roadway the sidewalk shall be at least 7' in width and be free of obstructions.

State Street Corridor The City has partnered with the City of Boise, City of Eagle, and regional transportation agencies in the State Street Corridor Plan, which plans on the redevelopment of State Street from 23rd street in Boise to Eagle to allow for densities and uses that allow for transit.

Summary of Comments from Other Departments and Agencies

Garden City Environmental Division

No Concerns noted

Garden City Sewer Division

No concerns noted.

Central District Health Department

No concerns noted.

Idaho Transportation Department

No concerns noted.

North Ada County Fire and Rescue

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

Summary of Comments from Public

There have been no written public comments received to date.

GARDEN CITY PLANNING AND ZONING COMMISSION

Wireless Communication Facility
8247 W. State Street, Garden City
CUPFY2016-5

) **FINDINGS OF FACT, CONCLUSIONS**
) **OF LAW, AND DECISION**

This application came before the Garden City Planning and Zoning Commission for consideration on July 20, 2016, at which time the Commission reviewed the application and materials submitted and considered public testimony. Based on the evidence presented, the Commission makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. The applicant is Technology Associates represented by Doug Kofford.
2. The property owner of record is Lynn Properties.
2. The request is for an expansion of a Wireless Communication Facility.
3. The location of the project is 8247 W. State Street, Garden City, ID 83714. Assigned Ada County Parcel #: R0719420250; Lot 11 Block 2 of the Azalea Subdivision.
4. The subject property is 0.57 acres.
5. The project is located in the Green Corridor Boulevard and Residential Low Density in the Comprehensive Plan.
6. The project is in the C-2 General Commercial Zoning District.
7. The following section of the Garden City Planning and Zoning Codes apply to this proposal:
GCC 8-1B-3 NONCONFORMING USES
GCC 8-2B-2 ALLOWED USES
GCC 8-2C-45 WIRELESS COMMUNICATION FACILITY
8-4A-3 "FENCES AND WALLS"
8-4A-4 "OUTDOOR LIGHTING"
8-4I-5 PERIMETER LANDSCAPING PROVISIONS
GCC 8-6B-2 CONDITIONAL USE
8. Other studies, plans or approvals reviewed include:
GARDEN CITY COMPREHENSIVE PLAN
GARDEN CITY SIDEWALK POLICY
STATE STREET CORRIDOR STUDY
GARDEN CITY 03-17-CU A CONDITIONAL USE PERMIT FOR THE ORIGINAL 'T-MOBILE' FACILITY
GARDEN CITY 05-05-CU A CONDITIONAL USE PERMIT FOR TREASURE VALLEY COLLISION
9. A copy of the application and plans was transmitted to interested and affected public agencies and written comments were received from:
 - a. Garden City Environmental Division
 - b. Garden City Sewer Division
 - c. Idaho Transportation Department
 - d. Central District Health
 - e. North Ada County Fire & Rescue
10. The record contains:
 - a. Application Materials
 - b. Letter of Application Acceptance
 - c. Agency Review Transmittal
 - d. Radius Notice
 - e. Legal Advertisement in Idaho Statesman
 - f. Affidavit of property posting

- g. Agency Comments
 - h. Staff report
 - i. Public Comments
 - j. Planning and Zoning Commission Hearing Sign Up Sheet
 - k. Signed Findings of Fact, Conclusions of Law, and Decision
11. The application was received June 1, 2016. Notification of application acceptance and completion was sent to the applicant within 30 days of receipt of the application. The Commission Public Hearing was held within sixty (60) days of receipt of an application certified as complete.
 12. On June 15, 2016 a letter of acceptance with hearing date was sent to the applicant.
 13. A transmittal to other agencies including notice, application and other documents was sent on June 17, 2016 more than fifteen days prior to the public hearing.
 14. A legal public hearing notice for the proposed conditional use permit application was published on June 15, 2016, and on June 30, 2016, notice was mailed to all property owners within a 300-foot radius of the said property in compliance with the public notice requirements of Section 8-6A-7 of the Garden City Municipal Code.
 15. A sign was posted on July 9, 2016, in accordance with Garden City Code for the public hearing of July 20, 2016.
 16. On July 20, 2016, at the Planning and Zoning Commission public hearing
 - a. A staff report was presented by Jenah Thornborrow.
 - b. Doug Kofford represented the application.
 - c. Testimony from the public was provided by:
 - d. The application for CUPFY2016-5 was **Approved/Denied 4/0** with Conditions of Approval.

CONCLUSIONS OF LAW

Approval of the proposed conditional use permit is governed by 8-6B-2 code consideration of Title 8 of the Garden City Code:

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:**
This proposed expansion of the use is will not be a detriment to the location, lot, or neighborhood.
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:**
This use is located in an area that has adequate public facilities and services.
3. **The use will not unreasonably diminish either the health, safety, or welfare of the community:**
Provided all conditions of approval are satisfied, complied with, and enforced, this use will not unreasonably diminish the health, safety, or welfare of the community.
4. **The use is not in conflict with the Comprehensive Plan or other adopted plans, policies, or ordinances of the City:**
The wireless communication facility is an existing facility. As such, the zoning prohibition of a facility in the C-2 Zoning district, distance from other facilities, set back one foot (1') for every ten feet (10') of the total tower height, and height of tower is not in compliance with current code requirements. As conditioned, nonconformities with existing ordinances, plans, and policies shall not increase due to the proposed expansion of the facility.

DECISION

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law, the Planning and Zoning Commission hereby does **APPROVE/DENY** CUPFY2016-5 Application for a Wireless Communication Facility located at 8247 W. State Street, Garden City, ID 83714. Assigned Ada County Parcel #: R0719420250; Lot 11 Block 2 of the Azalea Subdivision subject to the following conditions:

1. The proposed expansion of the "Wireless Communication Facility" as applied for and herein conditioned is approved with this application. The expansion of the wireless communications facility use does not negate any approvals for the use of the vehicle service use on the same site.
2. This approval is contingent upon the Design Review Committee design approval and is subject to the conditions identified by the Design Review Committee approval.
3. All conditions of approval related to the site as required through Garden City conditional use permit approvals 03-17-CU and 05-05-CU shall be adhered to.
4. A sidewalk shall be installed adjacent to State Street in conformance with Garden City Code and the Garden City sidewalk policy.
5. Barbed wire is not permitted.
6. New lighting is not approved with this use approval. An existing work light may be utilized on site. The work light shall only be illuminated while someone is working on the site.
7. There shall be no laser source light or any similar high intensity light when projected above the horizontal.
8. There shall be no strobe lights, except for emergency uses; searchlights, except where approved for temporary uses.
9. All equipment shelters, cabinets or other on ground ancillary structures shall meet the setback requirements of the zone.
10. Except as required by the federal aviation administration (FAA) or the federal communications commission (FCC), transmission structures shall not be artificially lighted. Equipment shelters may use lighting consistent with the lighting standards set forth in Garden City Code section 8-4A-4, "Outdoor Lighting", or as otherwise approved by the Design Review Committee.
11. If the facility that is no longer in use, the structure and all accessory structures to the use shall be completely removed and the site restored to its preexisting condition within six (6) months of the cessation of operation.

General Requirements

1. Occupancy of the site shall not commence until after a Certificate of Occupancy has been obtained from Garden City Development Services Department.
2. This approval is only approval of the conditional use permit. All other applicable approvals of other decision making bodies, departments, and agencies and permits must be obtained prior to a certificate of compliance or occupancy.
3. The approval is specific to the application provided and reviewed. Final approval is based on substantial conformance with the application as reviewed and approved.
4. Final approval is subject to the approval of other reviewing agencies and City Departments. Any more restrictive standards adopted and made applicable by any Transportation Authority, Fire Authority or other Federal, State or Local regulatory agencies shall prevail.
5. All improvements and operations shall comply with applicable local, state and federal requirements and procedures whether specifically addressed in the analysis of this application or not. This shall include but not be limited to 8-4A General Provisions of Design and Development Regulations; 8-4I-3 and Landscape maintenance provisions 8-4I-9; and standards for transportation and connectivity provisions identified in 8-4E.
6. Any tree grates shall be widened to accommodate the growing tree trunk and prevent girdling of any trees planted in tree wells within sidewalks or other public right of way.

7. Plant materials which exhibit evidence of insect pests, disease, and/or damage shall be appropriately treated to correct the problem. Dead plant materials shall be replaced.
8. Where landscaping might impact motorist or pedestrian sight distance, shrubs shall be maintained below three feet (3') in height and trees shall be pruned so that the lowest branches will be at least seven feet (7') above the ground level.
9. A three foot (3') clearance zone shall be maintained around the circumference of fire hydrants.
10. Retain and protect existing trees, vegetation, and native soils and integrate these features into the overall landscape plan.
11. If trees are staked, the stakes shall be removed within twelve (12) months to prevent damage to the tree.
12. All planting areas that border driveways, parking lots, and other vehicle use areas shall be protected by curbing, wheel stops, or other approved protective devices.
13. Trees shall be planted at least three feet (3') from curbs, sidewalks, driveways and other hard surfaces to buffer from stress caused by vehicle overhang and compacted soils, or planted with sufficient space to provide for the full maturity of the particular tree species.
14. All other plant material, except sod or ground cover, shall be set back a minimum of one foot (1') from any curb edge to protect from vehicle overhang and mechanical damage.
15. The landscape installation shall stabilize all soil and slopes.
16. All required landscaping shall be provided with an automatically controlled irrigation system in conformance with the best management practices for automatic irrigation systems.
17. Demonstrate compliance with 8-4G-1 prior to certificate of occupancies.
18. This approval is for this application only. Additional permits, licenses and approvals may be necessary.
19. Property maintenance standards shall be maintained as required by Garden City Code 8-4K.
20. The property owner is responsible for the maintenance of all landscaping and screening devices required.
21. Cross-Connections: All cross-connections between the domestic water lines and the irrigation water lines shall be in accord with the City's adopted standards, specifications and ordinances.
22. Utility easements that are unobstructed by permanent structures shall be provided along front lot lines, rear lot lines, and side lot lines when deemed necessary by the City Engineer. Total easement width shall not be less than ten feet (10'), with twelve feet (12') recommended, front and rear, with at least twenty feet (20') required for water and sewer easements for main lines.
23. Unobstructed easements, including but not limited to, drainage, water, and sewer easements shall be provided as required by the City Public Works or Planning Official.
24. Materials submitted after the decision shall not be considered part of the record for this decision. If additional materials or information is submitted after the decision the application may be remanded to the decision making body during which time the decision shall be stayed provided that there is no immediate threat to life or safety.
25. Any changes in the design, construction, operation or use shall be brought to the immediate attention of the Planning Official for determination if the changes are in substantial conformance with the City's action.
26. No change in terms and conditions of this approval shall be valid unless in writing and signed by the applicant or his or her authorized representative and an authorized representative of the reviewing agency. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon Garden City.
27. The Planning and Zoning 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.
28. Any violation of the conditions of this application is a criminal offence.

29. Should there be a change in use, there is a clear intent to cease the use, or the use is discontinued for more than one year without written documentation submitted to the City, legal noticing, and property posting indicating intent to continue the use, this approval shall become void.
30. A certificate of occupancy or an application for a building permit shall be considered commencement of the use.
31. All previous uses are null and void unless otherwise conditioned.
32. 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.
33. An extension may be granted by the Commission upon findings that the application and or the applicable City regulations have not changed. Such extension shall be applied for sixty (60) days prior to the expiration date for the original approval; only one extension of not more than three hundred sixty five (365) days shall be granted.
34. There is a 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.

Chairman, Planning and Zoning Commission

Date

DRAFT



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

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

Rezone # _____

Conditional Use # CUPFY2016-5

Preliminary / Final / Short Plat _____

Sect. 24

- 1. We have No Objections to this Proposal. if connected to City Sewer
- 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
 - bedrock from original grade
 - waste flow characteristics
 - 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
 - interim sewage
 - individual sewage
 - community sewage system
 - central water
 - individual water
 - community water well
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - central sewage
 - sewage dry lines
 - community sewage system
 - central water
 - community 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
 - beverage establishment
 - swimming pools or spas
 - grocery store
 - child care center
- 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: 6/27/16

Michael G. Irvan
*Commissioner/
Administrative Chief*

Margaret Dimmick
Commissioner

Jeff Ramey
Commissioner



Shelley Young
*Administrative
Manager*

July 5, 2016

Garden City Development Services - Planning

Re: Conditional Use Application CUPFY2016-5
8247 W State Street.

This application is for a Conditional Use approval for the installation of 12 antennas on an existing monopole with 2 future dishes and the installation of a new 12'x16' equipment platform with an emergency diesel generator.

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. The diesel generator fuel tank shall be installed in accordance with Chapter 57 of the IFC.

General Requirement:

Specific building construction requirements of the International Building Code, International Fire 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

From: [Kevin Wallis](#)
To: [Jenah Thornborrow](#); [Erika Akin](#); [building](#)
Subject: RE: Garden City Agency Notice
Date: Monday, June 20, 2016 7:40:50 AM

The Environmental Division has no special concerns with the proposed uses with CUP2016-5 and CUP2016-6.

Regarding CUP2016-7; Mr. Mudd at 400 E. 52nd St.:

From: planning
Sent: Friday, June 17, 2016 5:13 PM
To: Sharla Arledge; Colin Schmidt; Kevin Wallis; Lindsey Pettyjohn; Troy Vaughn; Chas Heaton; City Council; Charles Wadams; Frank Walker; Rick Allen; Abe Blount; Adam Straubinger; bob_kibler@fws.gov; S. Bryce Farris; carla.bernardi@cableone.biz; clittle@achdidaho.org; cmiller@compassidaho.org; cnitz@adaweb.net; criddle@cityofboise.org; Danielle Robbins; dgordon@cityofboise.org; Mark Perfect; Eric Exline; fromm.carla@epa.gov; greg.j.martinez@usace.army.mil; idprospect@aol.com; jamie.huff@dhs.gov; Joe Canning_Work; Jim Morrison; Jim Poe; Katy Moeller; Lanette Daw; Lori Badigian ; linda.clark@deq.idaho.gov; lisaharm@msn.com; Lisa Leiby; Mack Myers; mark.wasdahl@itd.idaho.gov; mark@pioneerirrigation.com; mreno@cdhd.idaho.gov; msinglet@intgas.com; Nadine Curtis; New Dry Creek Ron Sedlacek; parks4fun4u@aol.com; Pam Beaumont; Projectmgr@boiseriver.org; Fairview Acres; Ronald Johnson ; rkinney@republicservices.com; Rob Olson; rphillips@idahopower.com; rward@idfg.idaho.gov; sanderst@dhw.idaho.gov; sdouglas@idl.idaho.gov; Shelley Young; syarrington@achdidaho.org; Tina Fuller; tmcmmorrow@spro.net; Tom Patterson; wbsdmb@qwestoffice.net; Ken Couch
Cc: building
Subject: Garden City Agency Notice

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

THE FOLLOWING ITEMS WILL BE HEARD AT A PUBLIC HEARING BEFORE THE GARDEN CITY PLANNING AND ZONING AT 6:30 P.M. Wednesday, July 20, 2016, AT GARDEN CITY HALL, 6015 GLENWOOD STREET, GARDEN CITY, IDAHO TO CONSIDER A REQUEST FOR:

- A. CUPFY2016-5:** Technology Associates represented by Doug Kofford, is requesting a conditional use permit approval of an expansion of a 'wireless communication facility'. The 0.57 acre site is located at 8247 W. State Street, in Garden City; Ada County parcel R0719420250; Lot 11 Block 2 of the Azaela Subdivision. The property is within C-2 General Commercial zoning district and the Green Corridor Boulevard and Residential Low Density Comprehensive Plan designation. Property Owner Lynn Properties. Applicant contact: DOUG.KOFFORD@TAEC.NET
- B. CUPFY2016-6:** Shawn Nickel with SLN Planning, is requesting a conditional use permit approval of a 'food products small scale processing' with a coffee roaster for Regal Coffee at 216 W. 38th Street Suite F, in Garden City; part of Ada County parcel R2734511210; Lots 9&10 Block H of Fairview Acres Subdivision No. 2. The property is part of a 1.122 acre site within C-2 General Commercial zoning district and the Mixed Use Commercial Comprehensive Plan designation. Property Owner Howerton Properties. Applicant contact: SHAWN@SCNPLANNING.COM
- C. CUPFY2016-7:** Brian and Terra Wheeler are requesting a conditional use permit approval of a 'service provider' for Mr. Mudd. located at 400 E. 52nd Street, in Garden

City; Ada County parcel R7334161301; Lot 30 Block 6 of Randall Acres Subdivision No. 5. The site is 1.122 acre within C-2 General Commercial zoning district and the Mixed Use Residential Comprehensive Plan designation. Property Owner Dan Rohl. Applicant contact: SHAWN@SCNPLANNING.COM

Application materials can be found at
**[http://www.gardencityidaho.org/index.asp?
SEC=435AAA7D-EB0F-4395-AA73-
B9091191194B&DE=3A8814B3-B381-4AB6-
ACFC-DEA7CA3B8ABA&Type=B_EV](http://www.gardencityidaho.org/index.asp?SEC=435AAA7D-EB0F-4395-AA73-B9091191194B&DE=3A8814B3-B381-4AB6-ACFC-DEA7CA3B8ABA&Type=B_EV)**

NOTE: Please send comments to Garden City Development Services by **July 1, 2016**. If you do not respond by this date it will be considered "No Comment".

It is the responsibility of those interested and/or affected jurisdictions to schedule their own applicable meeting. In some cases, Garden City's applications are processed before other jurisdictions' response, and the conditions of approval state that the approval is subject to statutory requirements of affected other jurisdictions. Please address your comments to the applicant as well as Development Services Department planning@gardencityidaho.org or Development Services Department, 6015 Glenwood, Garden City, Idaho 83714

From: [Troy Vaughn](#)
To: [Jenah Thornborrow](#); [Erika Akin](#); [building](#)
Subject: RE: Garden City Agency Notice
Date: Monday, June 20, 2016 8:12:33 AM

No concerns on my end.

Thanks,

From: planning

Sent: Friday, June 17, 2016 5:13 PM

To: Sharla Arledge; Colin Schmidt; Kevin Wallis; Lindsey Pettyjohn; Troy Vaughn; Chas Heaton; City Council; Charles Wadams; Frank Walker; Rick Allen; Abe Blount; Adam Straubinger; bob_kibler@fws.gov; S. Bryce Farris; carla.bernardi@cableone.biz; clittle@achdidaho.org; cmiller@compassidaho.org; cnitz@adaweb.net; criddle@cityofboise.org; Danielle Robbins; dgordon@cityofboise.org; Mark Perfect; Eric Exline; fromm.carla@epa.gov; greg.j.martinez@usace.army.mil; idprospect@aol.com; jamie.huff@dhs.gov; Joe Canning_Work; Jim Morrison; Jim Poe; Katy Moeller; Lanette Daw; Lori Badigian ; linda.clark@deq.idaho.gov; lisaharm@msn.com; Lisa Leiby; Mack Myers; mark.wasdahl@itd.idaho.gov; mark@pioneerirrigation.com; mreno@cdhd.idaho.gov; msinglet@intgas.com; Nadine Curtis; New Dry Creek Ron Sedlacek; parks4fun4u@aol.com; Pam Beaumont; Projectmgr@boiseriver.org; Fairview Acres; Ronald Johnson ; rkinney@republicservices.com; Rob Olson; rphillips@idahopower.com; rward@idfg.idaho.gov; sanderst@dhw.idaho.gov; sdouglas@idl.idaho.gov; Shelley Young; syarrington@achdidaho.org; Tina Fuller; tmcorrow@spro.net; Tom Patterson; wbsdmb@qwestoffice.net; Ken Couch

Cc: building

Subject: Garden City Agency Notice

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

THE FOLLOWING ITEMS WILL BE HEARD AT A PUBLIC HEARING BEFORE THE GARDEN CITY PLANNING AND ZONING AT 6:30 P.M. Wednesday, July 20, 2016, AT GARDEN CITY HALL, 6015 GLENWOOD STREET, GARDEN CITY, IDAHO TO CONSIDER A REQUEST FOR:

- A. CUPFY2016-5:** Technology Associates represented by Doug Kofford, is requesting a conditional use permit approval of an expansion of a 'wireless communication facility'. The 0.57 acre site is located at 8247 W. State Street, in Garden City; Ada County parcel R0719420250; Lot 11 Block 2 of the Azaela Subdivision. The property is within C-2 General Commercial zoning district and the Green Corridor Boulevard and Residential Low Density Comprehensive Plan designation. Property Owner Lynn Properties. Applicant contact: DOUG.KOFFORD@TAEC.NET
- B. CUPFY2016-6:** Shawn Nickel with SLN Planning, is requesting a conditional use permit approval of a 'food products small scale processing' with a coffee roaster for Regal Coffee at 216 W. 38th Street Suite F, in Garden City; part of Ada County parcel R2734511210; Lots 9&10 Block H of Fairview Acres Subdivision No. 2. The property is part of a 1.122 acre site within C-2 General Commercial zoning district and the Mixed Use Commercial Comprehensive Plan designation. Property Owner Howerton Properties. Applicant contact: SHAWN@SCNPLANNING.COM
- C. CUPFY2016-7:** Brian and Terra Wheeler are requesting a conditional use permit approval of a 'service provider' for Mr. Mudd. Located at 400 E. 52nd Street, in Garden City; Ada County parcel R7334161301; Lot 30 Block 6 of Randall Acres Subdivision No. 5. The site is 1.122 acre within C-2 General Commercial zoning district and the Mixed Use

Residential Comprehensive Plan designation. Property Owner Dan Rohl. Applicant contact:
SHAWN@SCNPLANNING.COM

Application materials can be found at
**[http://www.gardencityidaho.org/index.asp?
SEC=435AAA7D-EB0F-4395-AA73-
B9091191194B&DE=3A8814B3-B381-4AB6-
ACFC-DEA7CA3B8ABA&Type=B_EV](http://www.gardencityidaho.org/index.asp?SEC=435AAA7D-EB0F-4395-AA73-B9091191194B&DE=3A8814B3-B381-4AB6-ACFC-DEA7CA3B8ABA&Type=B_EV)**

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