



## CITY OF GARDEN CITY

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**File Number: CUPFY2025 - 0007**  
**Requested Use: Pet grooming**  
**Use as Defined By GCC Title 8: Animal Care Facility**  
**Location: 5443 N. Glenwood St, Unit 5455.**  
**Applicant: Theresa Sneider, represented by A ZEN Pet Grooming**  
**Planning and Zoning Commission Hearing Date: March 26, 2025 6:30 p.m.**



### STAFF REPORT

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## A. Record Documents ([link to all file documents](#))

Individual links:

1. Application Materials
  - a. CUPFY2025-0007 [application and materials](#)
  - b. CUPFY2025-0007 [additional materials](#)
2. Staff Report
  - a. Staff Report March 26, 2025.
3. Agency Comments: linked in [Section D](#)
4. Public Comments: linked in [Section E](#)
5. Noticing Documents
  - a. [City Noticing](#)
6. Staff Recommendation: linked in [Section B](#)

## B. Recommendation Summary

### Staff Recommendation

Staff has reviewed this application. Because the application is in compliance with all applicable code standards, with the suggested conditions, the staff suggests that the application be approved.

### Discussion

Theresa Sneider with A ZEN Pet Grooming is looking to lease one tenant space, approximately 1,920 SF of an existing multi-tenant structure at 5443 N. Glenwood Street, Unit 5455. The request is for dog and pet grooming services only. There will be no pet boarding or overnight services. According to Garden City Code Section 8-7A, this type of use is defined as “Animal Care Facility.”

### *Future multi-family development*

On September 17, 2024, Staff approved DSRFY2024-0007 for a new multi-family development at 5443 N. Glenwood Street, which is on the same parcel as the current CUP application. The plan for the future multi-tenant development included a condition requiring the approval of a minor land division for the site before a building permit could be submitted.

This development may impact the proposed animal care facility because, according to Section 8-2C of the code, a minimum distance of 300 feet must be maintained between the facility and any residence or lodging not on the same property. However, no minor land division application has been submitted for this site. Jorre Delgado, the applicant for DSRFY2024-0007, sent an update on March 10<sup>th</sup>, 2025, saying that her team is still working on the project to move it forward.

### *Landscaping*

The site lacks sufficient landscaping, with the only existing landscaping located along N. Glenwood Street. According to Google Images, this landscaping was redeveloped sometime between April 2024 and October 2024. This landscape consists of a lawn and a few bushes, no trees have been planted.

The applicant plans to occupy 1,920 SF of the existing building, which accounts for 8% of the total building space. Based on the rule of proportionality, the applicant is required to install one frontage tree and provide 714 square feet of landscaping on the site.

Staff periodically encounter situations where sites were developed in the 1980s(or earlier) and no longer meet current code requirements. However, tenants usually occupy only a small portion of these buildings and are unable to alter the overall lot or landscape configuration.

On the current lot, half of the area consists of parking and buildings, while the other half is a vacant dirt surface planned for future construction. A similar situation arose at 6826 N. Glenwood Street during the approval of applications CUPFY2023-0012 and CUPFY2025-0001. The area was developed in 1980 and is still in operation today, but the parking lot and landscape do not meet current standards.

In application CUPFY2023-0012, the Planning and Zoning committee required the applicant to plant one tree based on the rule of proportionality. For CUPFY2025-0001, conditions were created allowing the applicant to, instead of installing 680 square feet of landscaping, do one or more of the following:

- Provide additional planting areas;
- Provide planters;
- Two Class II or III Street Trees on Glenwood.

In this CUP application, staff propose to follow the same approach, allowing the applicant the flexibility to choose one or more of the conditions listed above as an alternative to installing the required landscaping.

## C. Project Information

### Proposed Scope of Work:

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: Theresa Sneider
- 2) Owner: KC EMERALD PROPERTY HOLDINGS LLC
- 3) Title 8 Use: It has been determined that the Garden City defined use that best describes the use is: Animal care facility
- 4) Definition of Use: Garden City Code 8-7A-1 defines this use as: The use of a site for the boarding, care, grooming, diagnosis or treatment of animals. The use may include overnight accommodations on the premises and boarding that is incidental to the primary activity. The term "animal care facility" shall include, but not be limited to, an animal clinic, animal hospital, commercial kennel or veterinary office.
- 5) The applicant has not proposed exterior work

### Site Conditions:

- 1) Existing Use: Vacant Unit
- 2) Street Address: 5443 N. Glenwood St, Unit 5455
- 3) Parcel Number(s): R8191508280
- 4) Property Description: LOT 34 STRAWBERRY GLENN

- 5) Legal Lot of Record: Yes
- 6) Property Size: 4.100 acres or 178,596 SF
- 7) Zoning District: C-2 General commercial
- 8) Zoning Overlay(s): None
- 9) Comprehensive Plan Land Use Map Designation:
  - a) Green Boulevard Corridor
  - b) Future Planning Area
- 10) The project is in the:
  - a) outside of the Special Flood Hazard Area according to the 2020 adopted FIRM (the FIRM has adopted seclusion and utilizes the 2003 Flood Insurance Study).
  - b) outside of the Special Flood Hazard Area according to FEMA's most recent model as adopted by resolution 1083-20.
- 11) Surrounding Uses:
  - a) Drinking Establishment, full service
  - b) Eating establishment, full service
  - c) Warehouse and storage, wholesale
  - d) Personal Services
- 12) Adjacent Zoning: C-2
- 13) Adjacent Comprehensive Plan Designations:
  - a) Green Boulevard Corridor
  - b) Future Planning Area
  - c) Activity Node: Neighborhood Destination
  - d) Neighborhood Node: Transit Oriented Development
- 14) Easements on site:
  - a) EASEMENTS: STONEWOOD PARK SUB PLAT; 200900051; UTILITY, DRAINAGE, IRRIGATION EASEMENT, 10'
  - b) EASEMENTS: ASHLAND PLAZA SUB PLAT; 200600008; 8' UTILITY, IRRIGATION, STORM DRAIN, E-I EASEMENT
  - c) EASEMENTS: ASHLAND PLAZA SUB PLAT; 200600008; 6' INGRESS-EGRESS EASEMENT
  - d) EASEMENTS: ASHLAND PLAZA SUB PLAT; 200600008; 30' UTILITY, IRRIGATION, SD AND SL EASEMENT
  - e) EASEMENTS: STONEWOOD PARK SUB PLAT; 200900051; EGRESS-INGRESS EASEMENT
- 15) Site Access:
  - a) Front: N. Glenwood
- 16) Sidewalks: There is no sidewalk and there is existing attached sidewalk adjacent to the site on both sides of the property
- 17) Wetlands on site: None identified

## **D. Decision**

Staff have drafted a suggested decision document, based on staff's review and analysis of the application. 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 decision maker 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 make a reasoned statement for each of the required findings, 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.

### **Motion**

A motion should include:

1. Action: "I move to approve/deny/continue the application to the date certain of..."
2. File number

- Note findings of fact, conclusion of law, and decision: “As drafted by staff in the affirmative”, “as drafted by staff for denial,” or “as amended to remove, amend, or add conditions”.

A recommendation might be made to sound like “I move to recommend approval/denial of [application file #] as drafted by staff in the affirmative/as drafted by staff for denial, based on the drafted reason statements and conditions of approval.” Or “I move to recommend approval of [application file #] as drafted by staff in the affirmative with the following modifications [list modifications to reasons statements and/or conditions].”

The decision maker shall make its findings and decision no later than by the next regular scheduled meeting. The decision shall be supplied to the applicant in writing in a reasonable timeframe.

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, those with standing may appeal a decision within fifteen days from the date of **action**. Action is the date the Planning and Zoning Commission formalizes their decision. The Planning and Zoning Commission may formalize their decision by approving a draft decision or a draft decision with noted changes at the hearing. If additional time is needed to review the decision document for accuracy, they may continue the formalization of the decision to a subsequent meeting. The date of action may be a different date than the applicant is provided with a signed copy of the decision in accordance with Idaho Code 67-6535.

An appeal fee must be paid and the appeal must be filed on the city supplied appeal application form provided by the City. Appeals received after the 15-day appeal period will not be considered timely and will not be accepted.

## **E. Agency Comments**

The following agency comments were provided:

<b>Agency</b>	<b>Comment Date</b>	<b>Summary</b>
Ada County Highway District <a href="#">Link to Comment</a>	2/18/2025	The Ada County Highway District (ACHD) has reviewed the submitted application has determined that there are no improvements required to the adjacent street(s).
Garden City Engineer <a href="#">Link to Comment</a>	2/14/2025	This appears to be a TI for a changed use – no exterior site changes. I don’t have any comments on the project.
Idaho Transportation Department <a href="#">Link to Comment</a>	2/18/2025	ITD has reviewed the application transmittal for CUPFY2025-0007 and does not have any comments.
DEQ <a href="#">Link to Comment</a>	2/21/2025	While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: <a href="https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/">https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/</a> .
North Ada County Fire and Rescue <a href="#">Link to Comment</a>	2/24/2025	<ol style="list-style-type: none"> <li>Existing fire alarm and automatic fire sprinkler systems shall be maintained and continue protection.</li> <li>The storage of equipment and materials shall not interfere with egress and access through the building.</li> </ol>

		<p>3. Egress illumination emergency posers shall be provided by the premise's electrical system for the duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator. The means of egress, including the exit discharge, shall be always illuminated the building space served by the means of egress while occupied. The means of egress illumination level shall not be less than 1 foot-candle at the walking surface.</p> <p>4. Exits and exit access doors shall be marked by an approved exit sign readily visible from any direction of egress travel. The path of egress travel to exits and within exits shall be marked by readily visible exit signs to clearly indicate the direction of egress travel in cases where the exit or the path of egress travel is not immediately visible to the occupants.</p> <p>5. Fire extinguishers shall carry a minimum 2-A:10-B:C rating and be provided on each floor level and spaced based on one 2-A rating for each 6,000 sq.ft. of floor area, with a maximum 75 ft. travel distance to an extinguisher. Extinguishers shall be mounted on hangers or brackets, or in cabinets. If cabinet housing is provided, the cabinets shall not be locked. Mount handle between 36" and 48" from floor level. Extinguishers shall be conspicuously located along normal paths of travel, where they will be readily accessible and immediately available in the event of fire. The fire extinguishers shall be current with inspection/testing and provided with a qualified and approved inspection tag.</p>
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## F. Public Comment

The following public comments were provided: 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.

<b>Title 8, Chapter 1: General Regulations</b>			
<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>		Compliant	Legal parcel of record as described
<a href="#">8-1B-2 Nonconforming Structures</a>		Compliant as Conditioned	Existing commercial building on the parcel appears to encroach within the setbacks. Existing non-conforming building may remain, so long as the non-conformity is not altered or enhanced. This application does not propose altering the existing building.
<a href="#">8-1B-3 Nonconforming Uses</a>	Choose an item.	Compliant upon CUP approval	Conditional Use application approval required
<a href="#">8-1C-3 Property Maintenance Standards</a>		No compliance issues noted	Per 8-1C-2, this article applies to all existing residential and non-residential buildings, structures, and lands.
<b>Title 8, Chapter 2: Base Zoning District Regulations</b>			
<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	Compliant as Conditioned	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.  The required setbacks are: Front: 5' Interior Side: 5' Rear: 5' Street side: 5'  The allowable maximum height is: n/a The minimum lot size is: n/a There are no encroachments All improvements are more than 70' from the Boise River.
<a href="#">8-2C-5</a>		Compliant as Conditioned	A. Site Layout: A minimum distance of three hundred feet (300') shall be required to be maintained from the facility to any residence or lodging not on the property; the facility shall be entirely enclosed, heated, soundproofed, and air conditioned.  B. Site Maintenance:

			<p>1. Adequate shelter shall be required for the animals to be kept, including adequate means of restraining animals from running at large.</p> <p>2. The property shall be maintained with adequate housekeeping practices designed to prevent the creation of a nuisance and to reduce to a minimum the factors of noise and odor.</p> <p>C. Accessory uses, grooming and boarding of animals are allowed.</p> <p>D. Other Regulations Apply:</p> <p>1. The operator shall have a continuing obligation to comply with all city, county and state regulations relative to such an operation.</p> <p>2. The use shall comply with the licensing requirements as set forth in title 3, Business And License Regulations, of this code.</p> <p>3. There shall be staff available at all times there are animals at the facility. If staff is not on site, a telephone number where a staff member can be reached and available to the site within thirty (30) minutes must be clearly and legibly posted from the exterior of the building at the front entrance to the establishment. (Ord. 898-08, 9-8-2008; amd. Ord. 967-14, 6-9-2014)</p>
<b>Title 8, Chapter 4: Design and Development Regulations</b>			
<a href="#">8-4A-3 Fences and Walls</a>	PZ	Compliant as Conditioned	<p>There is existing chain link fencing with barbed wire located along the northern property boundary line, around the wireless communication facility leased space, and along the southern property boundary line. Chain link fencing and barbed wire are both prohibited fencing materials.</p> <p>Removal of these fences will be required unless an affidavit of non-ownership is submitted.</p> <p><b>A condition has been drafted.</b></p> <p>Any future fence or wall will be required to be in compliance with code at the time of development.</p>
<a href="#">8-4A-4 Outdoor Lighting</a>	PZ	Compliant as Conditioned	<p>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.</p>
<a href="#">8-4A-5 Outdoor Service and Equipment Areas</a>	PZ	Compliant as Conditioned	<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>

			All HVAC systems and outdoor service and equipment areas shall comply with the Garden City Code 8-4A-5 Outdoor Service and Equipment Areas.
<a href="#">8-4A-7 Stormwater Systems</a>	PZ	Compliant as Conditioned	A draft condition of approval has been provided requiring that the stormwater systems be built in compliance with provisions of 8-4A-7.
<a href="#">8-4A-8 Utilities</a>	PZ	Compliant as Conditioned	Another draft condition of approval is provided requiring that all utilities be underground.
<a href="#">8-4A-9 Waterways</a>	PZ	No compliance issues noted	There does not appear to be Boise River irrigation facilities to the site.

**8-4D Parking and Off Street Loading Provisions**

<a href="#">8-4D-3 Parking Design and Improvement Standards</a>	PZ	Compliant as Conditioned	<p>Vehicle parking:</p> <table border="1" data-bbox="781 688 1458 1066"> <thead> <tr> <th colspan="5">Table 8-4D-1: MINIMAL DIMENSIONAL STANDARDS FOR MOTOR VEHICLE STALLS</th> </tr> <tr> <th>Parking Angle</th> <th>Stall Width</th> <th>Stall Depth</th> <th>Length Per Car</th> <th>Driveway Width* Must also meet fire requirements</th> </tr> </thead> <tbody> <tr> <td colspan="5" style="text-align: center;">Standard</td> </tr> <tr> <td>90°</td> <td>9'0"</td> <td>20'0"</td> <td>9'0"</td> <td>22'0"</td> </tr> <tr> <td>0°</td> <td>9'0"</td> <td>9'0"</td> <td>23'0"</td> <td>12'0"</td> </tr> <tr> <td>30°</td> <td>9'0"</td> <td>17'8"</td> <td>18'0"</td> <td>12'0"</td> </tr> <tr> <td>45°</td> <td>9'0"</td> <td>20'6"</td> <td>12'9"</td> <td>13'0"</td> </tr> <tr> <td>60°</td> <td>9'0"</td> <td>21'10"</td> <td>10'6"</td> <td>16'0"</td> </tr> </tbody> </table> <p><b>Information of parking stall configurations was not provided.</b>  <b>Draft condition of approval is provided requiring that all parking stalls must comply with Garden City code.</b></p> <p><b>Bicycle parking is not provided on-site. A condition has been drafted to require bicycle parking on-site.</b></p>	Table 8-4D-1: MINIMAL DIMENSIONAL STANDARDS FOR MOTOR VEHICLE STALLS					Parking Angle	Stall Width	Stall Depth	Length Per Car	Driveway Width* Must also meet fire requirements	Standard					90°	9'0"	20'0"	9'0"	22'0"	0°	9'0"	9'0"	23'0"	12'0"	30°	9'0"	17'8"	18'0"	12'0"	45°	9'0"	20'6"	12'9"	13'0"	60°	9'0"	21'10"	10'6"	16'0"
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<a href="#">8-4D-4 Parking Use Standards</a>	PZ	Not Applicable	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>	PZ	Compliant as Conditioned	<p>Animal care facility is considered a high use per the new code, which requires 1 motor vehicle parking space per 1000 sqft of building.  The minimum number of bicycle parking spaces is 1 per 1000 sqft.  Vehicle parking space required: <math>1,920 \text{ SF} / 1000 = 2</math>  Bicycle parking space required: <math>1,920 \text{ SF} / 500 = 2</math></p> <p><b>Total vehicle parking spaces provided:</b> Based on Google Maps images, it appears that there is enough parking on the site.</p> <p><b>Total bicycle parking spaces provided:</b> None.</p>																																								
<a href="#">8-4D-6 Standards for Equivalent</a>	PZ	No compliance issues noted	None requested.																																								

<a href="#">Parking Adjustments</a>													
<a href="#">8-4D-7 Off Street Loading Standards</a>	PZ	No compliance issues noted	Off-street loading zone not proposed.										
<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 <u>any new or more intense use of property.</u>										
<a href="#">8-4E-3 Public Street Connections</a>	PZ	Compliant as Conditioned	All streets and driveways shall adhere to the standards of a clear vision triangle.										
<a href="#">8-4E-4 Internal Circulation Standards</a>	PZ	No compliance issues noted	Driveways, aisles and turnaround areas, when required for fire and refuse access, shall meet the following standards: 1. Have a minimum vertical clearance of thirteen feet six inches (13'6") for their entire length and width. 2. Have a minimum width of twenty feet (20'). 3. 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.										
<a href="#">8-4E-6 Sidewalk Standards</a>	PZ	No compliance issues noted	Existing attached sidewalk proposed to remain.										
<a href="#">8-4E-7 Pedestrian and Bicycle Accessibility Standards</a>	PZ	Compliant as Conditioned	There is no direct connection between the tenant entrance and the sidewalk along N. Glenwood St. Entrance to the building is through the parking lot. <b>Code requires that there be a direct and convenient pathway from the main entrance of the space to a public sidewalk.</b>  <b>A condition has been drafted to require a connection from the Glenwood pathway to the internal shopping mall pathway, which ultimately connects to the Unit 5455 front entrance.</b>										
<a href="#">8-4E-8 Transit Facilities</a>	PZ	No compliance issues noted	No comment										
<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>	PZ	Compliant as Conditioned	<table border="1"> <thead> <tr> <th>Required Number Of Class II Or Class III Trees</th> <th>Minimum Number Of Species</th> </tr> </thead> <tbody> <tr> <td>5 to 10</td> <td>2</td> </tr> <tr> <td>11 to 30</td> <td>3</td> </tr> <tr> <td>31 to 50</td> <td>4</td> </tr> <tr> <td>More than 50</td> <td>5</td> </tr> </tbody> </table> <p><b>2 species required</b></p>	Required Number Of Class II Or Class III Trees	Minimum Number Of Species	5 to 10	2	11 to 30	3	31 to 50	4	More than 50	5
Required Number Of Class II Or Class III Trees	Minimum Number Of Species												
5 to 10	2												
11 to 30	3												
31 to 50	4												
More than 50	5												
<a href="#">8-4I-4 Landscaping Provisions for Specific Uses</a>	PZ	Compliant as Conditioned	<b>Submitted documents do not show landscape plan.</b> Review of this section based on site photos and Google Maps.  It is unknown if the existing landscaping meets this requirement. Conditions that would result in compliance with										

			<p>this section of code have been included in the drat conditions of approval.</p> <p><b>The applicant proposes leasing 1,920 SF of a 24,992 SF building, which equals 8% of the entire building.</b></p> <p>A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping.</p> <p>The site is 178,596 SF 5% of the site shall be landscaped equaling 8,930 SF. <b>Due to the rules of proportionality, the tenant is required to install 714 SF of landscaping.</b></p> <p>A minimum of one class II or class III 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> <ul style="list-style-type: none"> <li>- <b>N. Glenwood St.</b> (~334LF): 1 Street tree + 7 Frontage trees = 8 trees</li> <li>- According to Google Maps: <b>There are no trees on the site</b></li> <li>- Due to the rule of proportionality, the applicant is required to install 8% of the required 8 deficient trees. <b>The applicant needs to install 1 tree along the Glenwood frontage.</b></li> </ul> <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.</p> <p><b>Required:</b>  <b>8,930 SF/1,000 SF= 9 trees</b>  <b>8,930 SF/ 150 SF= 60 bushes</b></p> <p><b>There is no landscaping on the site.</b></p>
<a href="#">8-4I-5 Perimeter Landscaping Provisions</a>	PZ	No compliance issues noted	Perimeter Landscape is not required.
<a href="#">8-4I-6 Parking Lot Landscaping Provisions</a>	PZ	No compliance issues noted	<p>The provisions of this section shall apply to all new or substantially altered parking lots of five (5) spaces or more.</p> <p>The applicant is not proposing to construct a new parking lot or make changes to the existing parking lot.</p>
<a href="#">8-4I-7 Tree Preservation Provisions</a>	PZ	No compliance issues noted	There are no trees on the 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>			Application waivers requested pursuant to 8-6A-4A -Irrigation and Ditch Authorization

<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 Press, 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.
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<b>Other Items Reviewed</b>	
Plan/Policy	Discussion/ Analysis
<a href="#">Idaho Code 67-6512</a> Local Land Use Planning Special Use Permits, Conditions, and Procedures	<p>Garden City Code noticing requirements are compliant with this Statute.</p> <p>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:</p> <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>
Previous entitlement that might affect this project	
<a href="#">Garden City Comprehensive Plan</a>	<p>Idaho Code § 67-6512(a), requires that special or conditional use permits shall be issued only when “not in conflict with the [comprehensive] plan.” The reason for the special treatment of conditional use permits, presumably, is that by their nature, they allow uses not in accordance with the normal zoning for an area. Thus, conditional use permits are, in essence, mini-zones. Conditional use permits are not required to be “in accordance with” the comprehensive plan. Instead, it is sufficient that they not be “in conflict” with the comprehensive plan.<sup>1</sup></p> <p>This application is in future land use designations of the Comprehensive Plan:</p> <p>The land use map shows generalized designations for future land uses. The map also identifies unique possibilities for land use and areas for future studies. The following is an explanation for the designations shown in the legend on the land use map.</p>

<sup>1</sup> [2022 Givens Pursley Land Use Handbook](#)

1. **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. New uses, including commercial uses, should be designed to encourage multi-modal over single occupancy vehicles. Uses which generate high volumes of single occupancy 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.

2. **FUTURE PLANNING AREA:** Future Planning Areas have been identified for large parcels of vacant or under-developed land including the area west of the city within the Area of City Impact; the area around the Idaho Expo Center, including the Idaho Department of Transportation (ITD) District 3 Headquarters; and the Ada County Highway District (ACHD) operations and maintenance property surrounding at 37th and Adams. This designation is intended to identify these areas for further master plan or site-specific planning efforts. The large size of these areas provides a unique opportunity for master planning with consideration for a mix of uses and residential housing types; street, sidewalk and bicycle networks and connectivity; spaces for public uses including parks, open spaces, plazas; and infrastructure improvements including water and sewer. Each of the designated Future Planning Areas present unique opportunities and challenges that should be considered in the master planning for the area.

Area of City Impact West:

- Access from Chinden Boulevard and through the site with connections to the city.
- Mitigation of the industrial impacts of noise, dust and truck traffic from the existing gravel operations.
- The opportunity for renovation of the gravel operation site for future flood protection, park and recreation uses.

Idaho Expo and ITD District 3 Headquarters:

- Connections through the site including extension of Adams/ Alworth Street to Glenwood at Marigold Street, and between Glenwood and Coffey Streets.
- Opportunity for creating a town center for the city.
- More efficiency in the use of land through eliminating large parcels of currently underutilized parking with year-round, community benefitting uses such as schools, hospitals, and performance space.
- Improved access and utilization of the Boise River and floodplain for park land in exchange for highest and best commercial uses at the Glenwood/Chinden Intersection.

ACHD Site:

- Opportunity to open additional access and river frontage to the public.
- Regeneration of the existing operations and maintenance yard along the river to the highest and best use.
- Challenge in creating higher intensity use of the site that transitions and is compatible with the surrounding neighborhood.

	<p><u>The application may be supported by:</u></p> <p><b>Goal 12. Evolve as a Destination</b></p> <ul style="list-style-type: none"> <li>• 12.1 Objective: Support a positive business environment</li> <li>• 12.2 Objective: Continue to support commercial and industrial land uses.</li> </ul> <p><u>The application may not be supported by:</u></p> <p><b>Goal 4. Emphasize the “Garden” in Garden City</b></p> <ul style="list-style-type: none"> <li>• 4.1 Objective: Beautify and landscape.</li> <li>• 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.</li> </ul> <p><b>Goal 7. Connect the City</b></p> <ul style="list-style-type: none"> <li>• 7.1 Objective: Create pedestrian and bicycle friendly connections.</li> </ul>
<a href="#">Garden City Sidewalk Policy</a>	Existing attached sidewalk along Glenwood.
<a href="#">Garden City Street Light Policy</a>	There is no streetlight
<a href="#">Garden City Transportation Needs List</a>	<p><b>Safety Crossings</b></p> <p>Chinden, State Street, and Glenwood create a barrier between the properties on either side of the roads that segments the City. Installing safety crossings that are comfortable and safe will perforate the barrier effect of these large busy roads. Safe and comfortable access can assist in unifying the City and assist in increasing bike and pedestrian modes of transportation for school children and the rest of public. The more that people chose to ride or walk, the more vehicle trips are decreased. Additionally, the more that residents and patrons are able and comfortable to move about the City outside of their vehicles, the more they will feel a sense of place.</p>