

## DEVELOPMENT SERVICES DEPARTMENT

6015 Glenwood Street • Garden City, Idaho 83714  
Phone 208/472-2921 • Fax 208/472-2996 •  
[www.gardencityidaho.org](http://www.gardencityidaho.org)

June 27, 2023

Kellie Gonzalez  
PO Box 1743  
Boise, ID 83701

Sent via e-mail to [kelly@vidaprop.com](mailto:kelly@vidaprop.com) and via USPS

Re: Determination of Completeness/Application Acceptance – **Accepted**

Dear Kelly,

This letter is to inform you that Conditional Use Permit CUPFY2023-0009, has been accepted and scheduled to be heard by the Planning and Zoning Commission on **Wednesday, July 19, 2023, at 6:30p.m.**

The hearing will be held in the City Council Chambers of Garden City Hall, 6015 N. Glenwood, Garden City, Idaho 83714 and/or zoom: <https://zoom.us/j/8188588340> or Phone In # 301-715-8592 please refer to the Government Tab on the [gardencityidaho.org](http://gardencityidaho.org) website for up to date information related to location changes depending on circumstances.

Per [GCC Table 8-6A-2](#) the required application information appears to have been submitted. **The review to determine completeness was cursory. It appears that there is adequate information to conduct the review, however, upon more in depth review of the materials we may require further information.**

Provided we receive the required information we will be sending notice to stakeholders requesting review of your project, providing legal notifications and reviewing your project for compliance with applicable regulations. Due to open meeting laws it is requested that the applicant does not contact the decision makers off the record. All documentation and comments should be submitted through staff or at the Public Hearing.

If you wish to give a formal presentation to the deciding body, please submit it at least 7 days in advance of the hearing. If there are materials missing to do a complete review, staff may reschedule your hearing.

It is our goal to provide you with a draft report so that you may review it ahead of time. We appreciate feedback as to accuracy of information and willingness to adhere to any proposed conditions of approval.

### Remaining requirements:

You are responsible for completing the following items prior to the scheduled hearing:

- The site shall be posted with a Public Hearing Notice sign by **NO LESS THAN 10 DAYS PRIOR TO THE HEARING DATE** in accordance with Garden City Code 8-6A-7.
- An affidavit of property posting and photos of the sign shall be submitted in accordance with Garden City Code 8-6A-7 by **NO LESS THAN 7 DAYS PRIOR TO HEARING DATE**.
- Any outstanding fees must be paid.
- The property posting sing must be taken down **NO LESS THAN 30 DAYS AFTER THE HEARING**

## **DATE**

**When creating your property posting, make sure to not only include what is required per Garden City Code 8-6A-7, but include the Zoom meeting information as well. This information can be found on the agenda for you scheduled hearing date, however, we have also provided it below:**

To view the meeting remotely, please follow the link below:

Join Zoom Meeting

<https://zoom.us/j/8188588340>

Meeting ID: 818 858 8340

Meeting Phone In: 301-715-8592 (Enter Meeting ID, then # to join)

**Failure to complete any of these requirements will result in the application being automatically continued to the next hearing. Repeated failures to complete these requirements may result in the application's denial. Applications that are denied cannot resubmit in substantially the same form for one year.**

### **Public Hearing Written Testimony/Exhibits and Attendance**

- **Please make sure to submit all written testimony and exhibits 7 days or more in advance so that it can be included as part of the record.**
- **Attendance and testimony may be provided via internet. If you plan on attending via internet, please make sure that you have a microphone and speakers. We have noticed that earphones seem to be the best option.**
- **Call in is available if you do not have access to internet.**
- **If we experience any technical difficulties, the hearing in person will continue.**

### **What to expect at a hearing:**

- You or your representative must be present at the hearing to represent the application. You may provide a presentation such as a Power Point. **Failure to be present at the hearing will result in the application being continued to the next hearing or denied in the case of repeated absences.**
- Your application may be moved to the consent agenda if:
  - You agree with the staff report and the draft decision; AND
  - If no members of the public wish to testify in opposition to your application; AND
  - A decision maker does not wish to hear the application.If any of the above criteria are not met, the public hearing will be held.
- If the public hearing is held, the hearing procedure will consist of:
  - The hearing item will be announced;
  - The applicant presents their proposal;
  - Staff presents the staff report;
  - Public testimony is taken on the application;
  - The applicant has an opportunity to provide rebuttal testimony.
  - Public testimony is closed, and the decision-making body deliberates and decides on the application.

\*Please provide a full account of your project during your presentation or proposal. The Chair of the meeting cannot accept questions and comments out of turn.

### **What to expect after the hearing:**

- As a Conditional Use Permit, your application will be put on the consent agenda for the following City Council hearing date. If City Council chooses to hear your application, you will be notified and given the future hearing date.
- Pursuant to Garden City Code 8-6A-9 (Appeals), there is a 15 day right to appeal the decision to the City Council. The applicant and those who have provided written or verbal testimony on the application have the right to appeal the decision. The appeal period starts from the date of the

decision. Once the appeal period ends, the decision is final.

Please contact us at [planning@gardencityidaho.org](mailto:planning@gardencityidaho.org) or 208-472-2922 with any questions concerning your application.

Sincerely,  
Development Services Department





## DEVELOPMENT SERVICES DEPARTMENT

6015 Glenwood Street □ Garden City, Idaho 83714 □ [www.gardencityidaho.org](http://www.gardencityidaho.org)  
Phone 208/472-2921 □ Fax 208/472-2996 □ [planning@gardencityidaho.org](mailto:planning@gardencityidaho.org)

June 28, 2023

**Dear Property Owner:**

This is an Official Notice of a Public Hearing regarding a property near your own. You are invited to attend a public hearing of the Planning and Zoning Commission on **Wednesday, July 19, 2023** To offer your testimony for consideration, an in-person meeting will be held at 6015 N Glenwood St, Garden City, ID. 83714. To view the meeting remotely, please follow the link below: <https://zoom.us/j/8188588340> or you can dial (301) 715-8592 and enter the Meeting ID: (818 858 8340) then press # to join.

**Anyone who submits a written or oral testimony has the right to appeal all or a portion of the decision.**  
Applicants or affected property owners shall have no more than fourteen (14) days after a final decision is rendered to request reconsideration by the final decision-maker. If you wish to offer testimony on this item and are unable to attend this meeting, you may submit your comments to the Garden City Development Services office, and they will be entered in the public record on your behalf. *Due to sunshine laws, we request that the applicant or public do not contact the decision makers directly. Please either submit your comments through staff or on the record at the public hearing. Auxiliary aids or services for persons with disabilities are available upon request. Please call Development Services three (3) or more days prior to this public meeting so that arrangements can be made.*

**CUPFY2023-0009:** Applicant Kelly Gonzalez with Vida Properties, LP is requesting to install a Bike Knoll for public use located at 510 E. 41st St., Ada County Parcel R2734520934 in the C-2 General Zoning District.

The application materials can be found online at [www.gardencityidaho.org](http://www.gardencityidaho.org) in the correlating date of the hearing in the 'Calendar/Agendas' link on the home page. A staff report and draft decision document will also be available one week prior to the hearing.

### **Public Hearing Written Testimony and Attendance**

- Please make sure to submit all written testimony 7 days or more in advance so that it can be included as part of the record. You do not have to be physically present to have standing if you submit written testimony.**
- Attendance and testimony may be provided via internet. If you plan on attending via internet, please make sure that you have a microphone and speakers. We have noticed that earphones seem to be the best option.**
- Call in is available if you do not have access to internet.**
- If you are interested in attending remotely, please contact [planning@gardencityidaho.org](mailto:planning@gardencityidaho.org) or call 472-2921 at least one working day prior to the meeting and we will get you further instructions.**

### **What to Expect at a Public Hearing:**

Each application on the agenda will adhere to the following procedure:

1. The applicant will have the ability to represent the application (default 15-minute time limit).
2. A staff member will present the *Staff Report* (default 15-minute time limit).

3. The Chair will open the Public Hearing during which time you will have the ability to give testimony (default 3-minute time limit per person and up to 15 minutes time limit for spokesman in cases where spokesmen are pre-authorized by the chairman time limit).
4. The applicant will then be able to give rebuttal testimony.
5. Close of Public Hearing and discussion among decision making body.
6. The decision makers may approve, deny, continue for additional deliberations, or make a recommendation to City Council.

**General Rules for Testimony:**

1. No person shall be permitted to testify or speak before the hearing agency at a public hearing unless such person has signed his name and written his contact address on sign-up sheets to be provided by the city. This requirement shall not apply to staff or technical witnesses directed by the Chairperson/Mayor to give evidence or information to the hearing agency.
2. No person shall be permitted to speak before the Committee/Council/Commission at a public hearing until such person is recognized by the chairperson.
3. Testimony should directly address the subject at hand.
4. Testimony should not be repetitious with other entries into the record.
5. Testimony should not be personally derogatory.
6. Testimony should comply with time restrictions established by the hearing agency.
7. If oral testimony fails to comply with the aforementioned standards, the chairperson may declare such testimony out of order and require it to cease.
8. All public hearing proceedings shall be recorded electronically and all persons speaking at such public hearings shall speak before a microphone in such a manner as will assure that the recorded testimony or remarks will be complete.

**Standards for Written Testimony:**

Written testimony and exhibits from the public to be admitted at a public hearing shall comply with the following standards:

1. Written testimony and exhibits must be submitted at least seven (7) calendar days prior to the date of the pertinent public hearing. This provision may be varied through notice to potential hearing participants.
2. Written testimony should include the signature and address of the submitter.
3. Written testimony should address the issue at hand.
4. Written testimony should not be personally derogatory.
5. If written testimony or an exhibit fails to comply with the aforementioned standards, the Chairperson/Mayor or Committee/Council/Commission may declare such testimony inadmissible.

If you wish to give testimony and cannot attend the public hearings/meeting please submit the following form, or any additional written testimony containing the following information below to Garden City Development Services no later than **seven (7) days prior to the hearing. You do not have to be physically present to have standing if you submit written testimony.**

**Garden City Development Services, 6015 N. Glenwood St., Garden City, Idaho 83714**

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**CUPFY2023-0009 – Conditional Use Permit Application**

Your Name\_\_\_\_\_ Date\_\_\_\_\_

Your Physical Address:\_\_\_\_\_

**(Please select)** I wish to be kept informed of any additional future meeting dates:

No     Yes    If yes please provide email address:\_\_\_\_\_

**(Please select)** Regarding this application I:

Support the Application     Am Neutral     Oppose the Request

Comments:

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Signature: \_\_\_\_\_

**From:** [DSDIntern](#)  
**To:** ABC - Idaho State Police; ACHD Planning Review; Bill Jacobs; Brandon Flack; Brent Moore (bmoore@adacounty.id.gov); Bruce Smith; building; Caleb Lakey; Charissa Buiak; Charles Wadams; Colin Schmidt; COMPASS; Connie Sol; D. Gordon; D. Sperfma; Fairview Acres; Greg J. Martinez; Hanna Veal; Idaho DFO; Info; Info; Jackson Heim; James Herbert; James Page; James Pavelek; Jamie Huff; Jenah Thornborrow; Jim Keyser (jkeyser@idahostatesman.com); Joe Canning; John Evans; Jonathan Oppenheimer; Kirk Meyers; Lanette Daw; Leon Letson; Lindsey Pettyjohn Library; Lisa Leiby; M Kellner; M. reno; Mack; Marci Horner; Mark; Mark Jones; Mark Wasdahl; Mary Buerzmeyer; Mike Bisagno; New Dry Creek; Olesya Durfey; planning; Preservation; Project Manager; PVC1953; Rachele Klein; Rick Allen; Robert Olson; Romeo Gervias; Ronald Wilper; S. Bryce Farris (bryce@sawtoothlaw.com); Shelley; Stefanie (stefanie@settlersirrigation.org); Susanna Smith; Tom Patterson; Troy Vaughn; Valley Regional Transit; Wed 2 No 1  
**Subject:** Garden City Agency Notice  
**Date:** Tuesday, June 27, 2023 10:31:00 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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## CITY OF GARDEN CITY AGENCY NOTICE

Pursuant to Garden City Code 8-6A-7, you are hereby provided notice of the following application:

- A. [CUPFY2023-0009](#) - Applicant Kelly Gonzalez with Vida Properties, LP is requesting to install a Bike Knoll for public use located at 510 E. 41st St., Ada County Parcel R2734520934 in the C-2 General Zoning District.
  
- B. [CUPFY2023-0010](#) - Applicant Chris Keith with Idaho40, LLC is proposing to allow Industry, Flex as permitted use located at 107 E. 40th St., Ada County Parcel R2734502460 in the C2-D General Zoning District.

Please send comments to [planning@gardencityidaho.org](mailto:planning@gardencityidaho.org). If you do not respond by July 12, 2023, your response will be considered "No Comment." Comments should also be addressed to the applicant.

Comments may also be mailed to:  
City of Garden City  
Attn: Development Services  
6015 N. Glenwood  
Garden City, Idaho 83714

Please note 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.



**Mariia Antonova**

*DSD Intern*

Development Services Department, **City of Garden City**

p: 208-472-2913

a: 6015 Glenwood Street, Garden City, ID 83714

w: [www.gardencityidaho.org](http://www.gardencityidaho.org)



## LEGAL NOTICE OF PUBLIC HEARINGS

PURSUANT TO ESTABLISHED PROCEDURE, NOTICE IS HEREBY GIVEN THAT THE GARDEN CITY PLANNING AND ZONING COMMISSION WILL HOLD A PUBLIC HEARING AT 6:30 P.M. WEDNESDAY, JULY 19, 2023, TO CONSIDER A REQUEST FOR:

**CUPFY2023-0009** - Applicant Kelly Gonzalez with Vida Properties, LP is requesting to install a Bike Knoll for public use located at 510 E. 41st St., Ada County Parcel R2734520934 in the C-2 General Zoning District.

**CUPFY2023-0010** - Applicant Chris Keith with Idahoe40, LLC is proposing to allow Industry, Flex as permitted use located at 107 E. 40th St., Ada County Parcel R2734502460 in the C2-D General Zoning District.

The meeting will be held remotely to view the meeting, please follow the link below: <https://zoom.us/j/8188588340> or by calling (301) 715-8592 then Enter Meeting ID (818 858 8340), then # to join and an in-person meeting will be held at 6015 N. Glenwood St, Garden City, ID 83714.

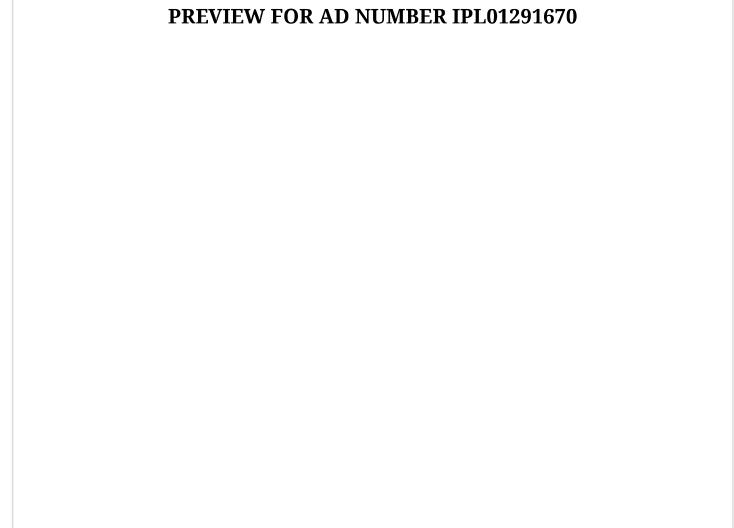
Please make sure to submit all written testimony 7 days or more in advance so that it can be included as part of the record. You do not have to be physically present to have standing if you submit written testimony. Attendance and testimony may be provided via internet. If you plan on attending via internet please make sure that you have a microphone and speakers.

We are pleased to make reasonable accommodations for members of the public who are disabled or require special assistance. For those requiring special arrangements for any meeting, please contact our office at (208) 472-2921, at least 72 hours prior to the time of the meeting. Due to sunshine laws it is requested that the applicant and public do not contact the decision makers directly. All documentation and comments should be submitted through staff or at the Public Hearing.

**PUBLISH 6/28/2023**

**THANK YOU for your legal submission!**

Your legal has been submitted for publication. Below is a confirmation of your legal placement. You will also receive an email confirmation.

<b>ORDER DETAILS</b>  <b>Order Number:</b> <b>IPL0129167</b> <b>Order Status:</b> Submitted <b>Classification:</b> Legals & Public Notices <b>Package:</b> BOI - Legal Ads <b>Final Cost:</b> 50.90 <b>Payment Type:</b> Account Billed <b>User ID:</b> IPL0025090	<b>PREVIEW FOR AD NUMBER IPL01291670</b>  
<b>ACCOUNT INFORMATION</b>  GARDEN CITY CITY OF IP 6015 GLENWOOD ST GARDEN CITY, ID 83714-1347 208-472-2900 lleiby@gardencityidaho.org GARDEN CITY CITY OF	
<b>TRANSACTION REPORT</b>  <b>Date</b> June 27, 2023 12:54:58 PM EDT <b>Amount:</b> 50.90	
<b>SCHEUDLE FOR AD NUMBER IPL01291670</b>  June 28, 2023 Idaho Statesman (Boise)	

**LEGAL NOTICE  
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Publication Dates

[Click here to print a printer friendly version >>](#)



Beaufort Gazette	The Herald - Rock Hill	el Nuevo Herald - Miami	Sun News - Myrtle Beach
Belleville News-Democrat	Herald Sun - Durham	Modesto Bee	The News Tribune Tacoma
Bellingham Herald	Idaho Statesman	Raleigh News & Observer	The Telegraph - Macon
Bradenton Herald	Island Packet	The Olympian	San Luis Obispo Tribune
Centre Daily Times	Kansas City Star	Sacramento Bee	Tri-City Herald
Charlotte Observer	Lexington Herald-Leader	Fort Worth Star-Telegram	Wichita Eagle
Columbus Ledger-Enquirer	Merced Sun-Star	The State - Columbia	
Fresno Bee	Miami Herald	Sun Herald - Biloxi	

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
37265	438268	Print Legal Ad-IPL01291670 - IPL0129167		\$50.90	1	57 L

**Attention:** Jenah Thornborrow  
**GARDEN CITY CITY OF**  
**6015 GLENWOOD ST**  
**GARDEN CITY, ID 83714-1347**

lleiby@gardencityidaho.org

**LEGAL NOTICE  
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IPL0129167

Jun 28 2023

Bettina Jantzen, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

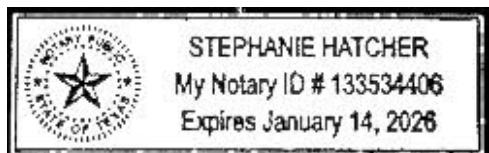
1 insertion(s) published on:

06/28/23

(Legals Clerk)

On this 28th day of June in the year of 2023 before me, a Notary Public, personally appeared before me Bettina Jantzen known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.  
Legal document please do not destroy!