



| CONDITIONAL USE PERMIT             |                     |
|------------------------------------|---------------------|
| Permit info: <u>CUPFY2023-0010</u> |                     |
| Application Date: <u>6/14/2023</u> | Rec'd by: <u>KC</u> |
| FOR OFFICE USE ONLY                |                     |

6015 Glenwood Street ▪ Garden City, ID 83714 ▪ 208.472.2921  
 ▪ [www.gardencityidaho.org](http://www.gardencityidaho.org) ▪ [building@gardencityidaho.org](mailto:building@gardencityidaho.org)

| APPLICANT                        |                         | PROPERTY OWNER                               |
|----------------------------------|-------------------------|--|
| <b>Name:</b> CHRIS KEITH         | PATRICK MCKEEGAN        | <b>Name:</b> Joshua Woodard                  |
| <b>Company:</b> IDAHOE40 LLC     | PMA INC                 | <b>Company:</b> TLB Investments, LLC         |
| <b>Address:</b> POB 33256        | POB 5845                | <b>Address:</b> 1001 N Rosario St<br>Ste 110 |
| <b>City:</b> LOS GATOS           | BOISE ID 83705          | <b>City:</b> Meridian                        |
| <b>State:</b> CA                 | <b>Zip:</b> 95031       | <b>State:</b> ID <b>Zip:</b> 83642           |
| <b>Tel.:</b> 408-827-4131        | 208-573-1415            | <b>Tel.:</b> 208.761.9174                    |
| <b>E-mail:</b> CK@KeithTribe.com | pat.pma.boise@gmail.com | <b>E-mail:</b> jwoodard@ptinational.com      |

**PROPERTY AND DESIGN INFORMATION:** [VISIT ADA COUNTY ASSESSOR'S SITE](#)

**Site Address:** 107 E. 40th ST

|   |                                      |                          |
|---|--------------------------------------|--------------------------|
| <b>Subdivision Name:</b> FAIRVIEW ACRES SUB 1 | <b>Lot:</b> 31                       | <b>Block:</b> 7          |
| <b>Tax Parcel Number:</b> R2734502460         | <b>Zoning:</b> C2-D                  | <b>Total Acres:</b> .042 |
| <b>Proposed Use:</b> COMMERCIAL               | <b>Floodplain:</b> <del>YES</del> NO |                          |

**Describe the proposed use:**

EXISTING COMMERCIAL BUILDING WITH OFFICE AND OPEN WORK / STORAGE SPACE. ANTICIPATED USES ARE COMPATIBLE WITH IBC B/F1/S1 OCCUPANCY AND C2D PERMITTED USES AND INDUSTRY FLEX UNDER THIS APPLICATION

|  |   |
|--|---|
| <b>Will you be making changes to the structure(s)?</b>   | <del>YES</del> NO   |
| <b>If no, will you be changing the occupancies as defined by the IBC?</b>  | YES NO  |
| <b>Check any that are applicable to this application:</b><br><br><i>*If any of the first three boxes are checked, a <a href="#">Design Review</a> Application is required*</i> | <input type="checkbox"/> I will build a new structure   |
|  | <input type="checkbox"/> I will add 25% or more to the floor area of an existing building             |
|  | <input type="checkbox"/> I will alter, replace rehabilitate or restore 25% or more of a store façade. |



## APPLICATION INFORMATION REQUIRED

**NOTE: AN ELECTRONIC COPY OF THE ENTIRE APPLICATION SUBMITTAL REQUIRED**

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED UNDER ANY CIRCUMSTANCES**

**ONE (1) HARD COPY OF EACH CHECKLIST ITEM REQUIRED:**

- |    |   |
|----|---|
| X  | Compliance Statement and Statement of Intent  |
| X  | Neighborhood Map                              |
| X  | Fire Flow / Ability to Serve                  |
| X  | 11"x17" Site Plan                             |
| NA | Irrigation/Ditch Company Authorization Letter |
| X  | Landscape Plan                                |
| X  | Photos of Site                                |
| X  | Neighborhood Meeting Verification             |
| X  | Affidavit of Legal Interest                   |
| NA | Waiver Request of Application Materials       |
| X  | Structural Documentation                      |
- (if previous Certificate of Occupancy has been issued and no change to IBC occupancy is anticipated)  
*\*Additional information may be required by staff such as a traffic/parking analysis, a use analysis or documents related specifically to a business.*



## **PLEASE CHECK THE FOLLOWING:**

### INFORMATION REQUIRED ON COMPLIANCE STATEMENT AND STATEMENT OF INTENT:

- Statement explaining how the proposed use(s) is compliant with the standards of review for the proposed application. Cite the ordinances the proposed use(s) is compliant with
- Should include purpose, scope, and intent of project
- Information concerning noxious uses, noise, vibration, and any other aspects of the use or structure that may impact adjacent properties or the surrounding community

### INFORMATION REQUIRED ON NEIGHBORHOOD MAP:

- 8 ½" x 11" size minimum
- Location of contiguous lots and lot(s) immediately across from any public or private street, building envelopes and/or existing buildings and structures at a scale not less than one inch equals one hundred feet (1" = 100')
- Impact of the proposed siting on existing buildings, structures, and/or building envelopes

### INFORMATION REQUIRED ON SITE PLAN:

- Scale not less than 1" = 20', legend, and north arrow.
- Property boundary, dimensions, setbacks and parcel size.
- Location of the proposed building, improvement, sign, fence or other structure, and the relationship to the platted building envelope and/or building zone
- Building envelope dimensions with the center of the envelope location established in relation to the property lines
- Adjacent public and private street right of way lines
- Total square footage of all proposed structures calculated for each floor. If the application is for an addition or alteration to an existing building or structure, then the new or altered portions shall be clearly indicated on the plans and the square footage of new or altered portion and the existing building shall be included in the calculations

**NA** For uses classified as drive-through, the site plan shall demonstrate safe pedestrian and vehicular access and circulation on the site and between adjacent properties as required in Section 8-2C-13 of Title 8.

**INFORMATION REQUIRED FOR IRRIGATION/DITCH AUTHORIZATION LETTER:**

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

**INFORMATION FOR NEIGHBORHOOD MEETING VERIFICATION:**

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

**INFORMATION REQUIRED FOR WAIVER REQUEST OF APPLICATION MATERIALS:**

**NA** Statement must include a list of the application materials to be waived and an explanation for the request

**STRUCTURAL DOCUMENTATION (IF NO CHANGE TO STRUCTURE OR IBC OCCUPANCY):**

- Industrial treatment compliance: a statement answering the following questions:**
  - NO** Do you or will you discharge wastewater other than domestic water from bathrooms to the City Sewer System? If yes, please describe.
  - NO** Are floor drains present in your facility? If yes, are any chemicals stored on site in containers exceeding 1 gallon?
  - NO** Do you or will you use fats, oils or greases in your business? If yes, do you have a grease trap/interceptor present
- One set of detailed current floor plans legibly drawn on minimum 8 1/2 X 11 plan sheet drawn to 1/4" = 1' scale (with scale noted on plans) identifying:**
  - Use and square footage per room (i.e. office, storage, restroom, etc.)
  - Primary Occupancy Classification (2018 IBC sec 303-312)
  - Occupancy Load (2018 IBC Sec 1004, table 1004.5)
  - Interior and exterior wall and opening dimensions, windows, doors, roll-up doors
  - Electrical panels interior and exterior
  - Gas meter location
  - Fire extinguisher locations and size
  - Emergency lighting locations
  - Illuminated exit sign locations
  - Fire sprinkler riser location
  - Fire alarm panel location
  - Commercial cooking operation location, including size and type of hoods and grease traps
  - Spray finishing operation location
  - Flammable or combustible product locations
  - Welding operation locations
  - Rack storage locations

*Disclaimer Clause: X Denotes application information that may be waived depending on the nature of the request" found under table 8-6a-2 "required application information."*

PMA Inc. dba



PO Box 5845, Boise, ID 83705-0845  
208.573.1415  
pat.pma.boise@gmail.com

June 12, 2023

Garden City Conditional Use Permit  
Compliance Statement and Statement of Intent

107 E. 4th Street, Garden City Idaho

Idahoe40 LLC is in the process of purchasing the property located at 107 E. 40<sup>th</sup> Street. The property consists of a 7,992 square foot commercial single story building comprising offices and open working and warehouse space. The lot is .42 acres.

The property is zoned C2-D which includes uses cited in Code 8-2B-1 that are "Activities which are more compatible with missed use of residential uses and minimally disruptive to the neighborhood". Permitted uses include Industry, information; Small scale food processing and products; Medical Dental Optical Laboratory; Personal and Professional Services; Retail Production; Artist Studio; Bicycle sales, service, storage and rental.

The purpose of this Conditional Use Permit application is to allow Industry Flex as permitted use. During the marketing of the building many potential tenants have not been able to commit because they have uses that appear to be allowed based on other properties in the area but are not. The Industry, Flex definition is "The use of a multi-tenant structure for the uses of: equipment rental and sales; light industry; motorcycle sale, service, storage and rental; service provider; storage yard; vehicle service or other permitted uses with the zoning district which it is in". Allowing the Industry Flex would allow uses which want to use the fenced yard and building for storage in conjunction with service providing.

We wish to set the building up as a potential multi tenant building. The property is currently fully fenced with chain link. We are proposing to move the existing fence facing 40<sup>th</sup> Street back and replace it with a metal fabricated fence and gate. The existing parking on the street will be reconfigured so that a sidewalk, curb and gutter can be constructed in the ACHD Right Of Way and landscaping added where none currently exists in the street frontage, and a designated handicapped space and access be provided.

The exterior street façade and Osage Street frontage will be removed to repair water damage and replaced with a more modern look compatible with the newer construction in the neighborhood. Interior improvement will be replacement of the existing restroom with ADA complaint restrooms, upgrading lighting and switching to current Energy Code standards and general maintenance.

At this time we do not have a specific tenant. Potential tenants will be vetted to assure the community that no uses that are considered noxious or produce noise or vibration that may impact the area will be allowed.

We respectfully request that you grant our request.

Sincerely,

PMA, Inc. dba  
Patrick McKeegan Architects

A handwritten signature in black ink, appearing to read "Patrick McKeegan", with a long, sweeping horizontal line extending to the right.

Patrick McKeegan  
Principal Architect



6015 Glenwood Street • Garden City, Idaho 83714  
Phone 208 - 472-2921 • Fax 208 - 472-2926  
www.gardencityidaho.org

## Affidavit of Neighborhood Meeting

State of Idaho )  
)SS  
County of Ada )

I, PATRICK JOHN MCKEEGAN POB 5845  
Name (be full legal name) Address  
BOISE ID 83705  
City State and Zip

Being first duly sworn upon oath, depose and say:

1. That I provided the attached notice to all individuals owning property within 300' of 107 E. 49TH STREET (project address) Garden City, Idaho.
2. The list of individuals that I sent the notice to include all entities that were on the 300' radius list provided by the city of Garden City.
3. I posted the site in accordance with the requirements found in Garden City Code 8-6A-7. B.1, affidavit thereof attached.
4. The location of the meeting was 107 E. 40TH STREET.
5. The date of the meeting was: 6-12-2023, a Monday, Tuesday, Wednesday, Thursday, or Friday (please circle the day of the week). (must be a weekday not less than 10 days ahead of this submittal and not more than three months ahead of this submittal).
6. The time of the meeting was: 6:00 pm. (must be between 5:30pm - 8:00pm)
7. I remained on site from 5:50 pm to 6:30 pm (must be on site a minimum of 30 minutes even if no one is in attendance).
8. The attached sign-in sheet includes all attendees.

Dated this 13 day of JUNE, 2023.

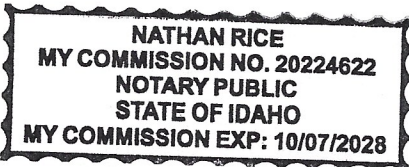
[Signature]  
Signature

Subscribed and sworn to before me the day and year first above written

[Signature]  
Notary Public for Idaho

Residing at: D.L. Evans Bank

My Commission expires 10/07/28



### REQUIRED ATTACHMENTS

1. Neighborhood meeting notice
2. Affidavit of posting
3. Sign in sheet



## CITY OF GARDEN CITY

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

Chief Romeo Gervais  
Boise Fire Department  
333 Mark Stall Place  
Boise, Idaho 83704-0644

February 6, 2023

Subject: Ability to Provide Fire Flows

**Fire Flow Information:**

Address fire flow requested for: 107 East 40<sup>th</sup> St.

Fire hydrant serving this address: #2106

Fire flow Garden City is able to provide is 1750 gpm at 20 psi residual for 2 hours.

**Sprinkler System Design Information:**

Static pressure: 60 psi

Residual pressure: 20 psi

Minimum flow at residual pressure: 1750 gpm

For questions please contact the Garden City permitting desk at 472-2921.

Sincerely,

*Chad Vaughn*

Garden City Public Works Water Division

cc:  
Applicant  
File

May 30, 2023

RE: Neighborhood Meeting Notice for Project in your Neighborhood

To whom it may concern,

You are invited to a neighborhood meeting to discuss a project we are proposing near your property. The purpose of the meeting is to discuss the project, answer any questions, and listen to your feedback and suggestions.

**Meeting Date:** Monday, June 12<sup>th</sup>, 2023

**Meeting Time:** 6:00 PM

**Meeting Location:** 107 E 40<sup>th</sup> Street, Garden City, Idaho

**Project Summary:** Conditional Use Permit to allow multi-tenant Commercial Flex Use in existing building in C-2 Zone.

If you would like to contact us ahead of the meeting, please feel free to reach us at **pat.pma.boise@gmail.com**. We look forward to hearing from you.

Thank you,

Patrick McKeegan Architect

POB 5845 Boise, ID 83705

| PARCEL      | PRIMARY OWNER                 | ADDRESS                 |
|-------------|-------------------------------|-------------------------|
| R2734501790 | FINDLEY RONALD G              | 3781 W QUAIL HEIGHTS CT |
| R2734501801 | SALTY REEF PROPERTIES LLC     | 3447 W SPEEDSKATE CIR   |
| R2734501802 | DRD HOLDINGS LLC              | 110 E 40TH ST           |
| R2734501803 | CROWNSMITH PROPERTIES LLC     | 3908 W TAFT ST          |
| R2734501805 | KUKLISH NICHOLAS              | 106 E 40TH ST           |
| R2734501831 | THOMPSON DOUGLAS J            | 925 ROBLE LN            |
| R2734502130 | 3900 CHINDEN ROAD LLC         | 515 S VISTA AVE         |
| R2734502153 | CARROLL FRED DENNIS           | 240 S RIDGE AVE         |
| R2734502160 | BIOS SXOLES LLC               | 525 N 4TH AVE           |
| R2734502170 | BERLIK JEFFREY D              | 2580 N PRONGHORN LN     |
| R2734502181 | AUTO PROPERTIES LLC           | 3880 W CHINDEN BLVD     |
| R2734502190 | DAY ZANDRA Y                  | 11444 W USTICK RD       |
| R2734502420 | SLIM PICKINS LLC              | 3401 W CRESCENT RIM DR  |
| R2734502435 | TRIG POINT CAPITAL LLC        | 1035 MADISON ST         |
| R2734502460 | T L B INVESTMENTS LLC         | 107 E 40TH ST           |
| R2734502465 | EPLEY DAVID P                 | 3501 W ROSE HILL ST     |
| R2734502478 | RECLA FAMILY TRUST 02/14/2016 | 3952 N PATRICIA LN      |
| R2734502490 | THREE GOATS LLC               | 9302 W WRIGHT ST        |
| R2734510692 | TWIN ISLANDS LLC              | 210 W MURRAY ST         |
| R2734511080 | LESH FAMILY LP                | 5967 STERLING LN        |

CITY, STATE, ZIP  
BOISE, ID 83703-0000  
W JORDAN, UT 84084-0000  
GARDEN CITY, ID 83714-0000  
BOISE, ID 83703-0000  
GARDEN CITY, ID 83714-0000  
SANTA BARBARA, CA 93103-0000  
BOISE, ID 83705-0000  
IDAHO FALLS, ID 83402-0000  
HAILEY, ID 83333-0000  
EAGLE, ID 83616-0000  
GARDEN CITY, ID 83714-0000  
BOISE, ID 83713-5009  
BOISE, ID 83706-0000  
DENVER, CO 80206-0000  
BOISE, ID 83714-0000  
BOISE, ID 83705-0000  
BOISE, ID 83704-0000  
BOISE, ID 83709-0000  
BOISE, ID 83714-0000  
BOISE, ID 83703-0000

# 107 E. 40<sup>th</sup> Street CUP Neighborhood Meeting

~~MAY 15, 2021~~ 6/12/2023

Name

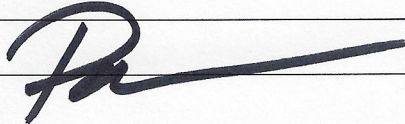
Address

Phone (optional)

PATRICK MCKEEGAN POB 5845 208 573-1415

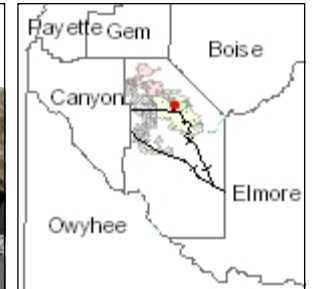
STAYED 5:50 PM TO 6:30 PM

NO ONE SHOWED UP.

A handwritten signature in black ink, appearing to be the initials 'P' followed by a long horizontal stroke.

# Ada County Assessor

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION OR LEGAL PURPOSES.



**Legend**

- + Railroad
- Roads (<2,000 scale)
  - <all other values>
  - Interstate
  - Ramp
  - Principal Arterial
  - Collector
  - Minor Arterial
  - Local
  - Parks
  - Alley
  - Driveway
- Parks
- Address
- Townships
- Sections
- Condos
- Parcels
- raster.DBO.AdaOrthos:
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3
- raster.DBO.AdaOrthos:
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3



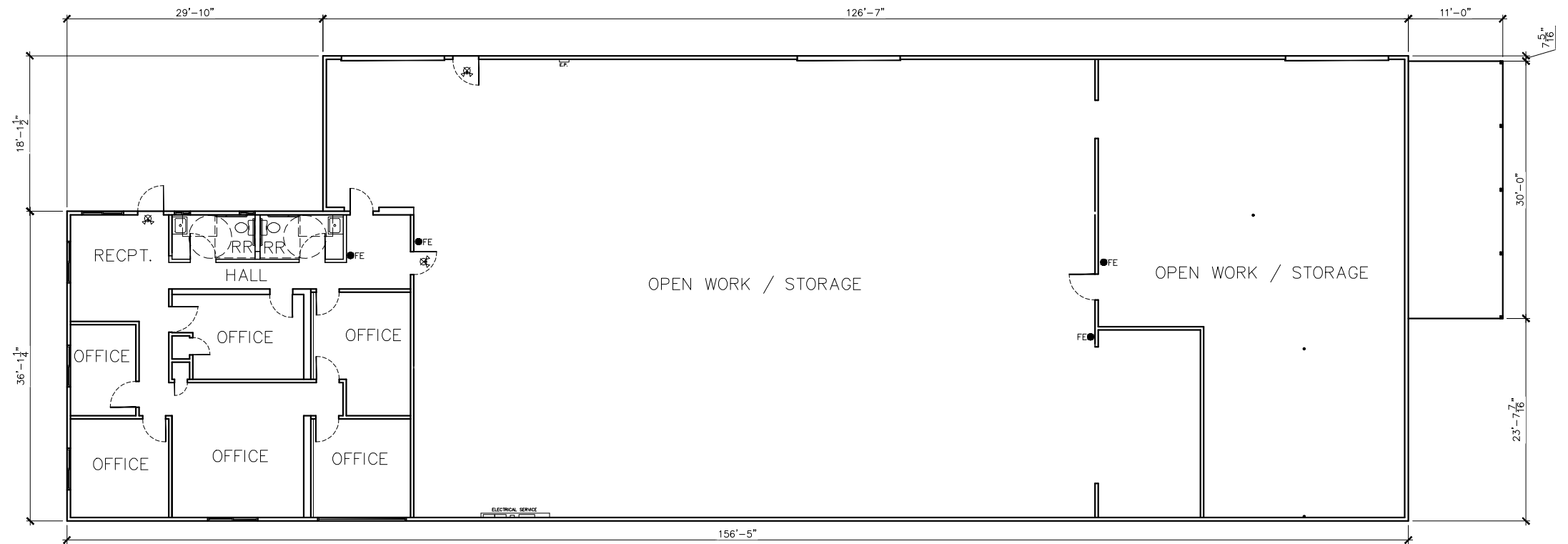
40<sup>TH</sup> STREET VIEW



OSAGE STREET VIEW



SOUTH PROPERT CORNER LOOKING DOWN REAR PROPERTY  
LINE



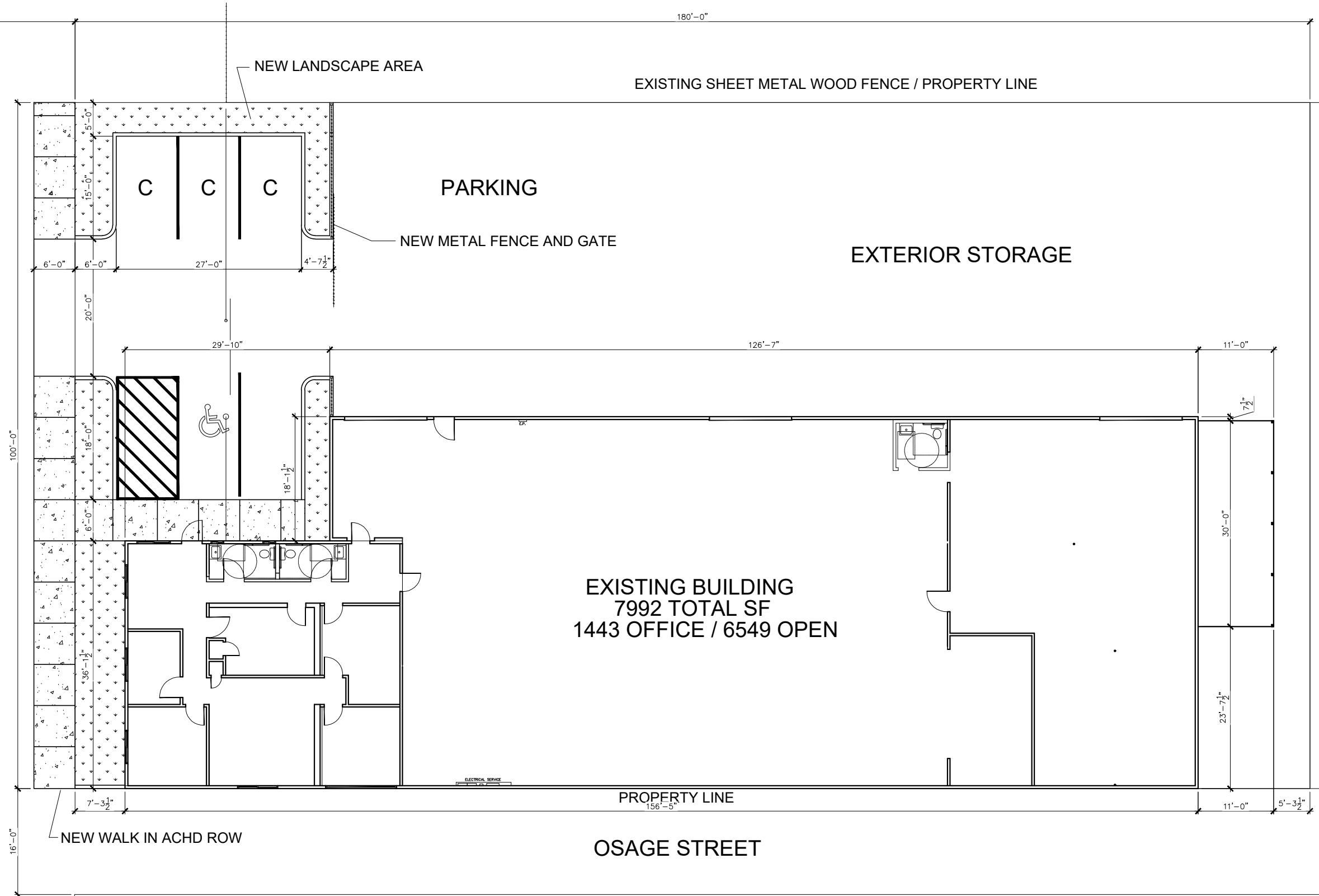
**FLOOR PLAN**  
 SCALE: 1/16" = 1'-0"

7922 TOTAL SF OFFICE 1443 SF / OPEN 6549 SF  
 OCCUPANCY GROUPS B, F1,S1  
 OCCUPANCY LOAD: OFFICE 15, OPEN 14

E. 40TH STREET

50'-0"

180'-0"



# 107 E. 40TH STREET CUP SITE PLAN

SCALE: 1/16"=1'-0"

0.42 ACRES