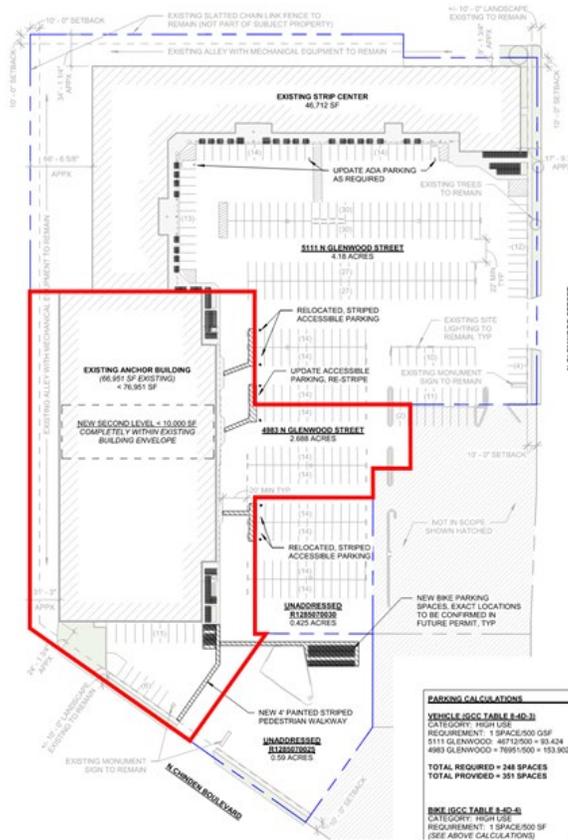


CITY OF GARDEN CITY

6015 Glenwood Street □ Garden City, Idaho 83714
 Phone (208)472-2921 □ Fax (208)472-2926

File Number: CUPFY2026 - 0001
Use as Defined By GCC Title 8: Church or Place of Religious Worship
Location: 4983 N Glenwood St.
Applicant: Jennifer Mohr with erstad architects
Planning and Zoning Commission Hearing Date: December 17, 2025 6:30 p.m.



STAFF REPORT

Prepared by Mariia Antonova
 (208) 472-2921; planning@gardencityidaho.org

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

Individual links:

1. Application Materials
 - a. CUPFY2026 – 0001 [application and materials](#)
2. Staff Report

- a. Staff Report Draft December 5, 2025,
- 3. Agency Comments: [link](#)
- 4. Public Comments: [link](#)
- 5. Noticing Documents
 - a. [City Noticing](#)
 - b. [Proof of Property Posting](#)
- 6. [Recommendations](#)

Recommendation Summary

Upon review of this application, staff recommends approval of the Conditional Use Permit for the Church or Place of Religious Worship at 4983 N Glenwood St., subject to conditions.

Should the Commission approve the application, staff recommends that approval be conditioned to include requirements for enhanced streetscape, fencing, and landscaping improvements. These conditions are essential to support pedestrian accessibility and usability and ensure ongoing compliance with city code and policy.

Project Information

Proposed Scope of Work:

Request	Review Process
Conditional Use Permit	GCC 8-6B-2

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: Jennifer Mohr
- 2) Owner: TPC GLENWOOD LLC
- 3) Title 8 Use: It has been determined that the Garden City defined use that best describes the use is: Church or place of religious worship
- 4) Definition of Use: Garden City Code 8-7A-1 defines this use as: The use of a site that by design and construction is primarily intended for conducting organized religious services, meetings, and associated activities and that is recognized as a religious corporation or society of the state of Idaho with a state tax exempt status in accord with Idaho Code section [63-602B](#).
- 5) The applicant proposed exterior work

Site Conditions:

- 1) Existing Use: One tenant space is vacant, the other two are still occupied.
- 2) Street Address: 4983 N Glenwood St.;
- 3) Parcel Number(s): Ada County Parcels #R1285070040
- 4) Property Description: LOT 04 BLK 01 CARLS SUB
- 5) Legal Lot of Record: Yes
- 6) Property Size: 2.688 acres or 117,089.28 SF
- 7) Zoning District: C-2 General commercial

- 8) Zoning Overlay(s): None
- 9) Comprehensive Plan Land Use Map Designation:
 - a) Neighborhood Node: Transit Oriented Development
 - b) Green Boulevard Corridor
 - c) 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) Idaho Transportation Department – District 3 Headquarters
 - b) Eating establishment, limited service
 - c) Drive-through establishment
- 12) Adjacent Zoning: C-2
- 13) Adjacent Comprehensive Plan Designations:
 - a) Future Planning Area
 - b) Green Boulevard Corridor
 - c) Neighborhood Node: Transit Oriented Development
 - d) Mixed Use Commercial
- 14) Easements on site:
 - a) SG L37 B1 WATER SEWER EASEMENT; 200900052; PUBLIC UTILITY EASEMENT
 - b) BBNB WATERLINE; 200600025; PUBLIC UTILITY EASEMENT
 - c) CARLS- COMMON AREA MAINTENANCE AGREEMENT; 200600025; MAINTENANCE AGREEMENT TERMS
 - d) CARL'S SUB PLAT; 200600025; 25' INGRESS- EGRESS ACCESS EASEMENT
 - e) CARL'S SUB PLAT; 8010543; SEWER LINE EASEMENT, 10'
 - f) 5' UTILITY EASEMENT
 - g) CARL'S JR ELECTRICAL AND SIGN EASEMENT; SIGN AND ELECTRICAL EASEMENT; 200600025
 - h) SIGN AND ELECTRICAL EASEMENT
 - i) CARL'S SUB PLAT; POWER EASEMENT, 10'
 - j) CARL'S SUB PLAT; 25' SEWER EASEMENT
- 15) Site Access:
 - a) Front: N Glenwood
 - b) Side: W Chinden
- 16) Sidewalks: Sidewalks are installed
- 17) Wetlands on site: None identified

Discussion

Jennifer Mohr with Erstad Architecture is requesting a Conditional Use Permit for a Church or Place of Religious Worship at 4983 N. Glenwood St. Initially, the scope of the permit included four parcels, which encompassed nearly the entire plaza area at the intersection of Chinden and Glenwood.

After a phone discussion with the applicant and an explanation of the requirements, the applicant decided to reduce the scope of the permit and is now pursuing approval for the Church and Place of Religious Worship use for three tenant spaces within the building on parcel R1285070040.

Use and Use Change After Unit Vacancy

The applicant has requested approval for a conditional use permit that would apply to multiple suites within the subject property. At present, several of these suites are occupied by existing tenants. The applicant's intent is to gradually transition the property to church use but recognizes that the current tenants have valid leases and active operations.

To balance the applicant's request with the rights of existing tenants, staff has included a condition of approval that allows the current uses to remain in place until the church formally establishes occupancy. Specifically, the condition requires that the church obtain a certificate of occupancy within three (3) years of approval. During this interim period, the existing tenants may continue their operations without disruption. Once the church has secured its certificate of occupancy and commenced use of the suites, the prior uses will be considered vacated, and the established use will apply exclusively to the church.

This approach ensures that:

- The applicant has sufficient time to complete tenant transitions, renovations, and permitting.
- Existing tenants are not prematurely displaced.
- The City maintains clarity regarding the ultimate use of the property.
- The conditional use permit is implemented in a manner consistent with both the applicant's long-term vision and the City's land use regulations.

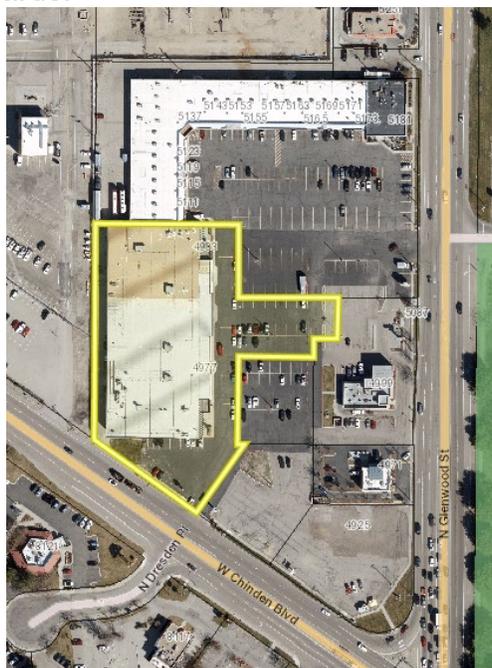
Landscaping and Street Frontage Improvements

According to the site layout, only a portion of the existing parking lot belongs to 4983 N Glenwood. It can also be seen that the entire parcel is mostly occupied by the building.

According to the landscape provisions 8-4I, the site shall have a minimum of 5% of the site's square footage dedicated to landscaping, which is 5,854.45 SF. The existing landscaped area contains approximately 1,900 SF, leaving the site deficient by 3,924 SF.

The same situation applies to parking lot improvements. According to the code, internal shade trees shall be provided at a minimum ratio of one tree planted for every five (5) parking spaces supplied. If planned in accordance with the code, this would result in only 1.5 rows of the parking lot having a tree in the middle of the parking field.

Even though the site is only part of a business plaza, it should still be brought into compliance with all applicable code standards.



Comprehensive Plan

As a conditional use permit, the application is required to be harmonious with the Garden City Comprehensive Plan. The property is located within three land-use designations outlined in the Comprehensive Plan.

These designations serve as a guide for development decisions related to future zoning, rezoning, and development applications. They also illustrate the intended pattern of future land use, representing the community's goals, objectives, and action steps.

The Activity Node is envisioned as a transit-oriented development featuring higher density and a mix of uses, designed to be walkable and community-focused. The Green Boulevard Corridor seeks to transform vehicle-dominated roads into multi-modal streets with safe and accessible pedestrian and transit infrastructure. The Future Planning Area designation is to guide master planning and site-specific development on large parcels to ensure a balanced mix of land uses, housing types, connectivity, public spaces, and necessary infrastructure improvements.

Even though the applicant reduced the scope of this permit and only one new tenant is intended to occupy the existing building for the time being, the site still needs to align with the Comprehensive Plan by providing all required site improvements. These improvements will help create safer, more pedestrian-friendly connections and enhance the streetscape.

Decision Process

After the public hearing and review of the evidence in (and only in) the record, the decision maker shall make their decision. The decision needs to include the facts upon which the decision is based; the ordinance and standards used in evaluating the application, reasoned statements that specifically address all required findings and all disputed facts, and a conclusion of law. It is important that the decision maker carefully reviews the reasoned statements to ensure that the disputed facts brought up during the hearing are addressed. Finally, if there is a decision or recommendation to deny the application, the decision needs to include the actions, if any, that the applicant could take to obtain approval.

Authority

Pursuant to [GCC § Table 8-6A-1 Authorities and Processes](#), the Planning and Zoning Commission is a final decision maker for a Conditional Use Permit unless the City Council opts to review the application due to significant impact on the city or the decision is appealed.

Required Findings

Conditional Use Permit (CUP)

To approve a CUP, 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.
4. The use is not in conflict with the comprehensive plan or other adopted plans, policies, or ordinances of the city.

Action

The Planning and Zoning Commission may make one of the following actions:

1. Grant the application,

2. Grant the application with conditions,
3. Deny the application; or
2. Request the applicant return with revised materials for additional review.

Motion

When making a motion, clearly state the action being recommended. You may use one of the following formats:

To Approve or Deny:

“I move to approve/deny File No. **[insert file number]**, including the staff-recommended findings of fact, conclusions of law, and decision as drafted by staff.”

— or —

“I move to approve/deny of File No. **[insert file number]**, including the staff-recommended findings of fact, conclusions of law, and decision, as amended to **[remove/add/modify] [specify changes]**.”

If there is a denial, to meet statutory requirements, it is important to identify how the application is not compliant and what could be done to obtain approval. Therefore, in the case of denial, the final part of the motion needs to provide this information. An example statement might be “the application is not compliant with sections of code **[state code section(s)]** for approval the proposal will need to achieve compliance with all applicable code requirements” or “for approval, the discussed safety concerns shall be adequately addressed.”

To Continue the Application:

“I move to continue File No. [insert file number] to a date certain: [insert date].”

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.

Appeal of Decision

Pursuant to [GCC §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.

Agency Comments

The following agency comments were provided:

Agency	Comment Date	Summary
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Ada County Highway District Link to Comment	11/24/2025	The Ada County Highway District (ACHD) has reviewed the submitted application and has determined that there are no improvements required to the adjacent street(s).
Garden City Engineer Link to Comment	12/5/2025	<ul style="list-style-type: none"> • Based upon the content of the “Waiver Request” letter from erstad dated 14 October 2025, we have no objection to not requiring the listed items for the CUP submittal. As the project moves forward, information may be required as part of subsequent permitting. • Approval of the project by the North Ada County Fire and Rescue District will be required. Should fire flow requirements exceed those available, the land use, improvement of off-site city water lines or other efforts may be necessary to obtain approval of plans. • The review by the District will need to include review of access and locations of fire hydrants. • The application notes that no changes to any irrigation facilities are planned. Should any modifications to gravity irrigation facilities occur, the change requires an approval of the project from the irrigation entity. Should changes occur, the applicant must review the changes and determine if an Army Corps of Engineers 404 permit will be necessary to obtain. • We presume that no new water or sewer service is needed. If needed, the design must be reviewed and approved by the city’s Public Works Department. • The applicant is responsible to verify that adequate water system supply is available to provide any fire suppression water needs. • If needed, the applicant is responsible to confirm/verify that adequate sewer capacity is available and that the existing system depth is adequate to serve the project. • Prior to performing any new grading on the site, if any, the applicant must prepare and have approved by the city an erosion and sediment control plan. • Should any improvements increase horizontal hard surfaces by 1,000 square feet or building construction alters how roof drainage is handled; a site geotechnical report, storm water design report and a drainage system operation and maintenance manual for handling of storm water prepared by an Idaho licensed design professional that is sealed, dated and signed will be required. Compliance with the storm water ordinance and policies of the city will be required. Drainage would be required to be maintained on-site. • If necessary, the grading plan must assure that proposed elevations match the perimeter ground and storm water capture remains on the site. • If necessary, the storm water report needs to address how roof drainage will be managed. • If necessary, the storm water report needs to include a section on depth to seasonal high groundwater and what its expected elevation is. • If a site grading and drainage plan is required, the landowner must enter into an agreement with the city that will be recorded addressing mandatory maintenance of the site’s storm water system. The agreement must be fully executed, have approved plans attached and be recorded by the city with final plan approval.

		<ul style="list-style-type: none"> The applicant should review the original FEMA work maps (not the current adopted maps) as the city has been placed in seclusion. The current maps (June 2020) do not display the possible future risk of the flooding potential of the Boise River. If the lowest floor building elevation is below the draft map BFE, a Flood Risk Acknowledgement form may be required from the landowner/developer. Work maps are available for review on the Garden City website.
<p>North Ada County Fire and Rescue</p> <p>Link to Comment</p>	11/21/2025	<ul style="list-style-type: none"> The site being remodeled (4983 and 5111 N Glenwood St., Garden City) was used as an Assembly Group Occupancy (The Revolution Concert House) and is adjacent to an existing suite being used for Assembly Occupancy types. The proposed use will not negatively affect the adjacent properties. The properties are already being served by the North Ada County Fire & Rescue District. The Glenwood Center, located at 5111 and 4983 N Glenwood Street in Garden City, is a strip commercial center, fire sprinklered, with anchor building containing nearly two dozen tenant spaces. The new use is intended to be applied generally over all four parcels and project scope includes a tenant improvement for a new < 10,000 square foot second level for classrooms and multi-function room located entirely within the existing building envelope but also aims to allow flexibility for the owner to utilize vacant suites across the whole center in the future. No increase to building footprint or parking lot area is included in the current scope of work. There were no current Certificate of Occupancies for 4983 and 5111 N. Glenwood St., Garden City included in the applicant's submittals. The occupancy must remain classified as an A-3 occupancy type as defined in the 2018 International Fire Code. The occupancy must be compliant with the 2018 IBC/IFC and have a current Certificate of Occupancy for an A-3 prior to business operations commencing. Additionally, no new construction is allowed under this Conditional Use Permit without submittal of a Site Plan and Structural Documentation. No changes or removal of life safety systems will be allowed. North Ada County Fire & Rescue District has reviewed and can approve the application subject to compliance with all the applicable code requirements and conditions of approval per the International Building Code, International Fire Code, and NACFR rules. These provisions are best addressed by a licensed Architect at time of building permit application when making tenant improvements.
<p>Republic Services</p> <p>Link to Comment</p>	11/21/2025	<p>There is correspondence between the applicant and Republic Services. Jennifer Mohr explained that converting a suite at Glenwood Center into classrooms and adding a second level will likely increase trash needs, while future changes across parcels may vary.</p>

Public Comment

The following public comments were provided:

Committer	Comment Date	Summary
Mattefs Mark Link to Comment	12/9/2025	Neutral

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.

<u>Garden City Title 8 Code Sections and ORDINANCE NO. 1057-25 & 1056-25</u>			
Code Section	Review Authority	Compliance Issues	Analysis/ Discussion
Title 7 Building Regulations			
7-2-1 Building Code	N/A	No compliance issues as conditioned.	A building permit will be required to be completed prior to occupancy of the structure.
Title 8, Chapter 1: General Regulations			
8-1A-4 Applicability	Choose an item.		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.
8-1B-1 Nonconforming Properties		No compliance issues noted	Legal parcel of record as described
8-1B-2 Nonconforming Structures		No compliance issues noted	No comment
8-1B-3 Nonconforming Uses		Compliant as Conditioned	Conditional Use Permit will be required
8-1C-3 Property Maintenance Standards		No compliance issues noted	Per 8-1C-2, this article applies to all existing residential and non-residential buildings, structures, and lands.
Title 8, Chapter 2: Base Zoning District Regulations			
8-2B-1 Purpose		No compliance issues noted	This zoning district is intended to implement the Comprehensive Plan's vision for mixed-use commercial and Activity Nodes. The designation may be appropriate to implement the Comprehensive Plan's designations of Mixed-Use Commercial and Main Street Corridor.
8-2B-2 Allowed Uses	PZ	Compliant as Conditioned	Garden City Code Table 8-2B-1 requires a conditional use permit in this zone for the proposed use.
8-2B-3 Form Standards		Compliant	The applicant is not proposing any exterior changes to the building.

			<p>The required setbacks are: Front: 5' Interior Side:0' Rear: 5' Street side: 5'</p> <p>The structures and site appear to be compliant with form standards.</p>
8-2C-8 Church or Place of Religious Worship		Compliant as Conditioned	<p>A. Setbacks: In the residential zoning districts, the interior side setback shall be a minimum of fifteen feet (15') and the rear setback shall be a minimum of twenty five feet (25'). The front setback shall be the same as that required for an allowed use.</p> <p>B. Accessory Uses:</p> <p>1. Schools, child daycare services, meeting facilities for clubs and organizations, and other similar uses not operated primarily for the purpose of religious instruction, worship, government of the church, or the fellowship of its congregation may be permitted to the extent the use is otherwise permitted in the district.</p> <p>2. Accessory uses associated with a church or place of religious worship located in a residential district may only operate between the hours of six o'clock (6:00) A.M. and eight o'clock (8:00) P.M.</p>
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	PZ	Compliant as Conditioned	<p>The use of barbed wire, razor wire, boxes, sheet metal, old or decayed wood, broken masonry blocks, chain link, chain link with slats, or other unsightly materials for fencing is prohibited.</p> <p>There is a chain link fence around the building on the west side, but ownership is unclear.</p> <p>Google imagery also indicates that chain-link fence and gates are present along Chinden. See Figure 1</p> <p>Conditions have been drafted requiring that all chain-link fencing (with or without barbed wire) that is visible from the right-of-way, including the gate, shall be removed from the property or replaced with code-compliant fencing materials. If any portion of the fencing does not belong to 4983 N Glenwood St.; Ada County Parcels #R1285070040, affidavit of non-ownership shall be submitted</p>
8-4A-4 Outdoor Lighting	PZ	Compliant as Conditioned	<p>This proposal does not identify any outdoor lighting.</p> <p>Any future outdoor lighting will be required to be in compliance with code at the time of development.</p> <p>This will be reviewed at the time of building permit. A condition has been drafted to ensure code compliance.</p>
8-4A-5 Outdoor Service and Equipment Areas	PZ	Compliant as Conditioned	<p>All on-site service areas for waste, recycling, and trash, as well as equipment areas for transformers and utility vaults, must be either located out of public view or screened from adjacent properties and public streets using a privacy fence, in accordance with Garden City Code.</p>

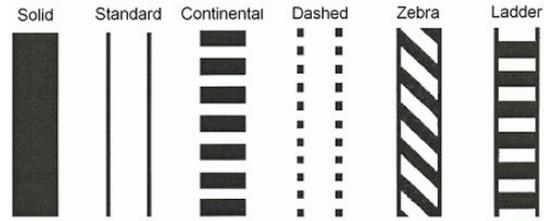
			<p>Mechanical equipment, including HVAC units, trash dumpsters, recycling containers, and other service-related infrastructure must be integrated into the overall building and landscape design. These elements must be visually and acoustically contained to minimize impacts on surrounding properties and the public realm.</p> <p>This equipment must be screened or otherwise concealed from public view, consistent with code requirements.</p> <p>Dumpsters are not screened from view from the public right-of-way. See Figure 1</p>																				
8-4A-7 Stormwater Systems	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.																				
8-4A-8 Utilities	PZ	Compliant as Conditioned	<p>All new utilities for the structure must be installed underground.</p> <p>For the purposes of this section, the term "utilities" shall include, but not be limited to, electric, natural gas, water, wastewater collection, storm drainage, telephone, and cable services.</p>																				
8-4A-9 Waterways	PZ	No compliance issues noted	No comment																				
8-4D Parking and Off Street Loading Provisions																							
8-4D-3 Parking Design and Improvement Standards	PZ	Compliant as Conditioned	<p>Vehicle parking:</p> <table border="1" data-bbox="781 1020 1456 1276"> <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> </tbody> </table> <p>Dimensions are not specified.</p> <p>A pedestrian route that is compliant with current Americans With Disabilities Act (ADA) standards must be provided from the parking area to each primary entrance;</p> <p>Accessible spaces shall be designed in accordance with current adopted building codes and current Americans With Disabilities Act (ADA) guidelines.</p> <p>Parking lots shall be designed in compliance with the requirements as set forth in chapter 4, article C of this title, Design Provisions For Nonresidential Structures;</p> <p>Parking lots shall be designed in accordance with chapter 4, article I of this title, Landscaping And Tree Protection Provisions;</p> <p>The design of the parking area shall minimize the trespass of lights from motor vehicles on adjacent properties and rights-of-way.</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"
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			<p>Bicycle parking spaces shall:</p> <ul style="list-style-type: none"> a. Be a minimum space six feet (6') long by two feet (2') wide; b. On-site spaces shall be located within fifty feet (50') of the building entrance(s); c. Public bicycle spaces may be provided within three hundred feet (300') of the property in lieu of on-site spaces. If public bicycle spaces are provided, legally binding documentation including property owner approval, maintenance responsibility, and public use allowance shall be provided to the city; d. Be separated by a physical barrier to protect the bicycles from damage by motor vehicles if located within a motor vehicle parking area. The physical barrier can be curbs, poles, wheel stops, or other similar features; e. Be visible, unless specified for the use of tenants, in which case the bicycle parking spaces must be covered; f. Be easily accessible from the street; g. Not impede pedestrian movement or loading zones; h. Not impede pedestrian or vehicular circulation or loading zones. The facilities shall be incorporated, whenever possible, into the structure's design or street furniture; and i. Be properly illuminated to increase security and avoid accidents and adhere to section 8-4A-4 of this chapter, Outdoor Lighting. <p>The current parking lot design does not meet code requirements.</p>
8-4D-4 Parking Use Standards	PZ	No compliance issues noted	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
8-4D-5 Required Number of Off-Street Parking Spaces	PZ	Compliant as Conditioned	<p>Vehicle parking: A Church or place of religious worship is considered a high use, which requires 1 space per every 500 gross square feet. Required: 76,951 SF/500SF= 154 parking spaces Provided: 72 parking spaces. These parking spaces are part of the larger plaza parking lot under the same ownership.</p> <p>A cross-access agreement shall be recorded with the Ada County Assessor, reflecting that if one of the parcels is sold, a cross-access easement will be required to be recorded.</p> <p>Bicycle Parking: A Church or place of religious worship: 1 space per 500 square feet 76,951 SF/500SF= 154 parking spaces. Provided: Unknown</p>
8-4D-6 Standards for Equivalent Parking Adjustments	PZ	Not Applicable	
8-4D-7 Off Street Loading Standards	PZ	Compliant as Conditioned	Off-Street Loading Zones Space And Access Requirements:

			<p>1. All spaces shall have fourteen feet (14') of vertical clearance;</p> <p>2. On-site drive aisles, on-site parking, or private roads may be designed to have a dual purpose to accommodate the required loading;</p> <p>3. Access driveways for parking areas shall be located in such a way that any vehicle entering or leaving such an area shall be clearly visible by a pedestrian or motorist approaching the access or driveway from a public or private street. Access shall conform to the clear vision requirements and the vehicle and pedestrian circulation standards in chapter 4, article E of this title, Transportation And Connectivity Provisions;</p> <p>4. Except for an alley, loading areas shall be designed so vehicles shall not back out into the street or project into the public right-of-way or setback area;</p> <p>5. Loading zones may not impede bicycle lanes, multiuse paths, sidewalks, or motor vehicular travel on public roads;</p> <p>6. Convenient access to loading spaces shall be provided with not less than fifteen feet (15') in width.</p> <p>It appears that the loading area is located at the rear of the building, dimensions and configuration are not specified.</p>
8-4E Transportation and Connectivity Provisions			
8-4E-2 Applicability			Provisions apply to any new construction, addition, expansion, grading, alteration, or any new or <u>more intense use of property</u> .
8-4E-3 Public Street Connections	PZ	Compliant as Conditioned	All developments shall have approved access to a public street, in conformance with the provisions of the transportation authority.
8-4E-4 Internal Circulation Standards	PZ	Compliant as Conditioned	Driveways, aisles and turnaround areas, when required for fire and refuse access, shall meet the following standards: <ol style="list-style-type: none"> 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.
8-4E-6 Sidewalk Standards	PZ	Compliant as Conditioned	There is an existing detached 5-foot sidewalk on the subject property, along with an 8-foot green buffer along Chinden Blvd. and Glenwood St. The applicant will be required to construct the sidewalk in accordance with ITD and Garden City requirements.
8-4E-7 Pedestrian and Bicycle Accessibility Standards	PZ	Compliant as Conditioned	There is no direct connection between tenant entrances and the sidewalk along Chinden Blvd. Code requires that there be a direct and convenient pathway from the main entrance of the space to a public sidewalk.

A condition has been drafted to require a connection from the Chinden Blvd sidewalk to the internal shopping center pathway.

The pathway may be painted on asphalt; or be made of another material. The pathway shall be clearly for pedestrians. Suggested styles include crosswalk styles of either solid, continental, ladder, or zebra. Standard or dashed styles shall not be used.



[8-4E-8 Transit Facilities](#)

PZ

No compliance issues noted

No comment

8-4I Landscaping and Tree Protection Provisions

[8-4I-2 Applicability](#)

For all new residential and non-residential uses, all landscaping standards of this article shall be met.

[8-4I-3 General Landscaping Standards and Irrigation Provisions](#)

PZ

Compliant as Conditioned

The following minimum plant sizes shall be used for all required landscape areas:

Shade trees	2 inch caliper minimum
Ornamental trees	2 inch caliper minimum
Evergreen trees	6 foot height minimum
Woody shrubs	2 gallon pot minimum

Required landscape areas shall be at least seventy percent (70%) covered with vegetation at maturity, with mulch used under and around the plants. Use of mulch, organic or rock, as the only ground cover in required planting areas is prohibited.

Required Number Of Class II Or Class III Trees	Minimum Number Of Species
11 to 30	3

[8-4I-4 Landscaping Provisions for Specific Uses](#)

PZ

Compliant as Conditioned

Submitted documents do not show landscape plan. Review of this section based on site photos and Google Maps.

A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping.

Required: 117,089.28 SF x 0.05= 5,854.45 SF

Proposed: Approximately 1,930 SF. Deficient: 3,924 SF



A minimum of one class III or class II 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.

Chinden Blvd (~211 LF): 1 Street tree + 4 Frontage trees = 5 trees

Provided: 0 trees. **Deficient 5 trees**

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.

5,854.45 SF/1,000 SF= 6 trees; **The proposal does not include any interior trees.**

Minimum required: 17,169 SF/150 SF= 39 shrubs;

Proposed: 0 shrubs. **The proposal does not include any shrubs.**

Note: Staff recommends requiring Class II street trees (or larger where planting strip width allows) along public frontages to maximize cooling, public health, habitat, stormwater, and long-term canopy outcomes; Class I trees should only be permitted where overhead utilities or substandard planter widths preclude larger forms. This is consistent with regional practices and local streetscape precedents of new developments in Garden City.

[8-41-5
Perimeter
Landscaping
Provisions](#)

PZ

Compliant as
Conditioned

Type A Visual Separator Landscaping is required in the following circumstances:

- Between other paved vehicular use areas, including driveways, and vehicle storage areas and all property lines unless the vehicular use area is a shared facility.

The parcels located behind the building are owned by ITD and function as vehicular use areas, along with the area at the rear of the building, function as vehicular use areas. The setback dimension are ~22 feet. Since this area is used as a loading zone, providing a 5-foot-wide perimeter landscape will not be feasible along some portions of the perimeter.

Type B Filtered Screen Landscaping is required in the following circumstances:

- Along surface parking areas greater than three (3) cars adjacent to public streets.

			<p>Type B perimeter landscaping is required along the parking lot frontage on Chinden Boulevard .</p> <p>The landscaping shall be installed in accordance with these standards:</p> <ol style="list-style-type: none"> 1. The selected plant materials may be a mix of deciduous and evergreen varieties so that the following is achieved: <ol style="list-style-type: none"> a. Visual interest during the winter months; and b. The landscaping provides a visual separation, but not a complete visual barrier.
8-4I-6 Parking Lot Landscaping Provisions	PZ	Compliant as Conditioned	<p>Trees shall be planted with access to at least five (5) square feet of area and three (3) in depth of quality soil prepared to the specifications.</p> <p>Internal Landscaping Standards:</p> <ol style="list-style-type: none"> 1. Landscaped areas, including islands, medians, and stormwater retention areas shall be designed within the parking lot to define major vehicle and pedestrian routes, provide shade and break up the expanse of paved areas. 2. Internal landscaped areas shall be designed with a curb to prevent damage from vehicles, to separate planting areas from pedestrian pathways, and to prevent soil and other landscape material from spreading over adjacent surfaces. <ol style="list-style-type: none"> a. Taller or shorter curbs are permitted where vehicle overhang and door clearances are not an issue. b. Curb cuts are permitted to the extent needed to support accessibility and stormwater initiatives. 3. Plant high branching deciduous trees throughout the parking lot interior to provide shade for pedestrians, vehicles and surfaces. <ol style="list-style-type: none"> a. Internal shade trees shall be provided at a minimum ratio of one tree planted for every five (5) parking spaces supplied. b. Internal shade trees shall be planted such that no parking space is more than one hundred feet (100') from a tree. 4. Include landscaped islands with at least one tree at the beginning and end of each parking row and to break up longer rows or highlight special features.
8-4I-7 Tree Preservation Provisions	PZ	No compliance issues noted	No comment
Title 8, Chapter 6, Article A: Administration			
8-6A-3 General Application Process		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.

8-6A-4 Required Application Information			Application waivers requested pursuant to 8-6A-4A <ul style="list-style-type: none"> • Detailed Site plan • Irrigation/Ditch Authorization Letter • Structural Documentation • Detailed Current Floorplans • Landscape Plan
8-6A-7 Public Hearing Process		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.

Other Items Reviewed	
Plan/Policy	Discussion/ Analysis
Idaho Code 67-6512 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"> (1) Minimizing adverse impact on other development; (2) Controlling the sequence and timing of development; (3) Controlling the duration of development; (4) Assuring that development is maintained properly; (5) Designating the exact location and nature of development; (6) Requiring the provision for on-site or off-site public facilities or services; (7) Requiring more restrictive standards than those generally required in an ordinance; (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. <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 21-501(2), 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>
Garden City Comprehensive Plan	<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.¹</p> <p>This application is in future land use designations of the Comprehensive Plan:</p>

¹ [2022 Givens Pursley Land Use Handbook](#)

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.

1. **ACTIVITY NODE:** Activity nodes are identified on the Land Use Map for neighborhood centers, local and regional destinations, and locations in proximity to existing and future transit stations and stops. Activity centers range in size depending on their function and location. Some nodes may be centered around the intersection of major streets or extend down a street to connect major community facilities. The common characteristics of the activity nodes are a mix of uses, public spaces, compatible transition to the uses surrounding the nodes and non-motorized connections to within a quarter mile walkable area of the node center. Some nodes, especially around transit stations, would have higher density (at least 14-20 units per acre) and multi-story development (three or more stories). It is not intended that all nodes could be developed within the twenty-year period of the plan. Activity Nodes by type shown on the Land Use Map are as follows:
Neighborhood and Destination Centers: The centers should be focused on uses that facilitate making the location a destination. Uses may include small scale retail, art, office, and higher density residential.
Identified centers are:
 - Adams and 50th Streets intersection to the Boise River
 - Adams and 42nd street intersection to the Boise River.
 - East city boundary to 36th street between the Boise River and Chinden Boulevard
 - Glenwood and Marigold Streets intersection
 - Chinden Boulevard and Garrett Street intersection
 - Chinden Boulevard and 50th Street intersection
 - State Street and Pierce Park Transit Oriented Development Nodes
 - Chinden Boulevard and Glenwood Street intersection
 - Chinden Boulevard and Veterans Parkway intersection
 - State Street and Horseshoe Bend Road
 - State Street and Glenwood Street
2. **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.
3. **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.

The application may be supported by:

Goal 7. Connect the City

- 7.1 Objective: Create pedestrian and bicycle friendly connections.

Goal 12. Evolve as a Destination

- 12.1 Objective: Support a positive business environment
- 12.2 Objective: Continue to support commercial and industrial land uses.

The application may not be supported by:

Goal 4. Emphasize the “Garden” in Garden City

- 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.

Goal 7. Connect the City

- 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters.

[Garden City Sidewalk Policy](#)

The sidewalk exists but does not meet requirements.

[Garden City Street Light Policy](#)

The City has adopted the goal of providing street lights in local residential areas at a maximum spacing of 400 feet and at locations where street

	lighting will improve public safety. Locations that may require additional lighting for public safety include: • pedestrian crossings • public bike paths • bridges • steep embankments • dead-end streets • steep inclines • sharp curves • cul-de-sacs • intersections. A streetlight is not installed along Chinden. The site is not within a local residential area and is not located at any of the locations listed above; therefore, a streetlight is not required.
Chinden- ITD Access Management	No comments from ITD
Garden City Transportation Needs List	<ul style="list-style-type: none"> • Currently Chinden Boulevard functions very poorly from a land use jurisdiction perspective. The roadway can be congested to the point that access to businesses during peak hours is severely limited and divides the portion of the City that is south (west) of Chinden from the portion of the City that is north (east) of Chinden. Additionally, the road is not safe due to the number of vehicular conflict points and lack of pedestrian and bike facilities. The addition of improvements to humanize Chinden will reduce accidents and potential for accidents, increase business access, reduce speeds, reduce police demand, provide for pedestrian movement across Chinden and increase adjacent property values. • 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. • The intersection of Glenwood and Chinden does not function well for any mode of transportation, particularly those needing ADA accessible routes, bicyclists, and pedestrians.

Image

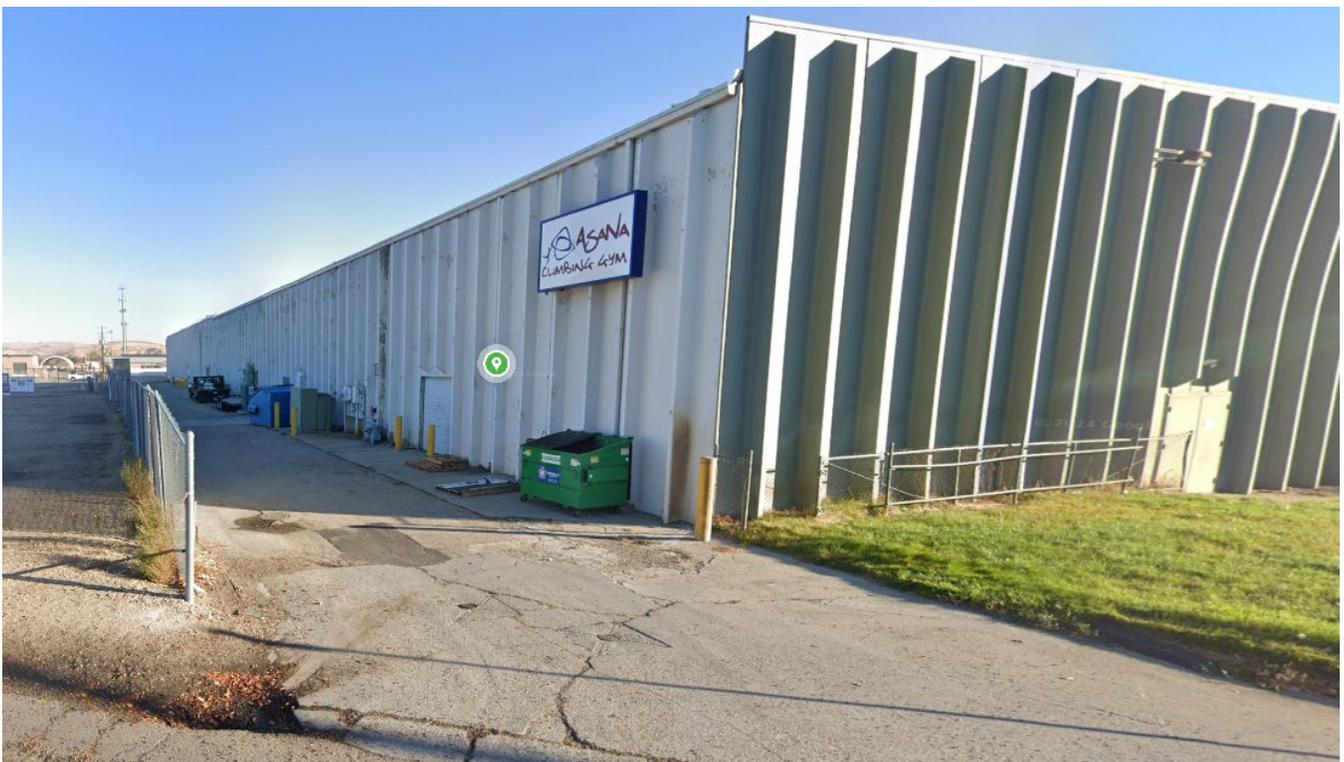


Figure 1. Dumpster location