



CITY OF GARDEN CITY

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

File Number: CUPFY2026 - 0012
Use as Defined By GCC Title 8: Service Provider
Location: 5307 N Glenwood Street
Applicant: Ultimate Heating & Air, Inc.

Planning and Zoning Commission Hearing Date: September 16, 2026 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 – 0012 [application and materials](#)
 - b. CUPFY2026 – 0012 [additional submittals](#)
2. Staff Report
 - a. Staff Report **Draft Friday, September 4, 2026**
3. Agency Comments: [link](#)
4. Public Comments: [link](#)
5. Noticing Documents
 - a. [City Noticing](#)
6. Recommendations

Recommendation Summary

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.

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: Ultimate Heating & Air, Inc.
- 2) Owner: NORTH GLENWOOD ST WAREHOUSE LLC
- 3) Title 8 Use: It has been determined that the Garden City defined use that best describes the use is: Service provider
- 4) Definition of Use: Garden City Code 8-7A-1 defines this use as: The use of a site for an employee or employees of a company or person that provides materials or labor to perform a service or job not located on site. This may include, but is not limited to, building or trades contractor, damage restoration services or cleaning services. This is not the same as a "storage yard" as herein defined nor does this definition include construction or manufacturing on site.
- 5) The applicant has not proposed exterior work

Site Conditions:

- 1) Existing Use: Warehouse and storage, wholesale
- 2) Street Address: 5307 N Glenwood St.
- 3) Parcel Number(s): R8179960300
- 4) Property Description: LOT 03 BLK 01 STONEWOOD PARK SUB
- 5) Legal Lot of Record: Yes
- 6) Property Size: 1.258 acres or 54,799 SF
- 7) Zoning District: C-2 Mixed-Use 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) ITD's District 3 Offices and Yard
 - b) Vehicle washing facility
 - c) Warehouse and storage, wholesale
- 12) Adjacent Zoning: C-2
- 13) Adjacent Comprehensive Plan Designations:
 - a) Green Boulevard Corridor
- 14) Easements on site:
 - a) 30' Common Driveway and Access Easement along Northern border of property;
 - b) 10' Utility, Drainage, and Irrigation Easement along eastern, southern, and western borders of the property;
 - c) 10' Public Utility Easement along southern border of the property
- 15) Site Access:
 - a) Front: N. Glenwood St.
- 16) Sidewalks: Sidewalks are installed and are in good repair
- 17) Wetlands on site: None identified

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
Ada County Highway District Link to Comment	8/19/2026	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	8/18/2026	On behalf of Garden City, as the city engineer, we have completed a review of the application for the subject project. This project is not proposing any changes to the overall footprint of the existing building. The application is for a use of the existing structure. We have no comments regarding this request at this time.
North Ada County Fire and Rescue Link to Comment	8/19/2026	Fire can recommend approval of this CUP
DEQ Link to Comment	8/24/2026	While DEQ does not review every project 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: https://www2.deq.idaho.gov/admin/LEIA/api/document/download/15083 .
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Public Comment

The following public comments were provided: None provided

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.

Garden City Title 8 Code Sections: link to City Code			
Code Section	Review Authority	Compliance Issues	Analysis/ Discussion
Title 7 Building Regulations			
7-2-1 Building Code	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.
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-3 Nonconforming Uses		Compliant upon approval of this CUP	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		No compliance issues noted	The applicant is not proposing any exterior changes to the building.
8-2C-36 Service Provider		Compliant as Conditioned	Site Layout: No structure, facility, drive lane, parking area, or loading area shall be located adjacent to a residential district. Parking and Access: 1. The entrance and exit drives shall be designed to prevent traffic hazards and nuisances. 2. All surfaces used for parking shall be constructed with paving, vegetative cover or of dustless material. Limitations: The site shall not be used as vehicle wrecking as herein defined. Site Maintenance: 1. All outdoor storage of materials or vehicles shall be maintained in an orderly manner so as not to create a public nuisance. 2. Stored items shall not block sidewalks or parking areas and may not impede vehicular or pedestrian traffic. E. Other Standards Apply: Outdoor storage areas shall comply with section 8-1C-3, Property Maintenance Standards, of this title.
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	PZ	May not be compliant	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. Existing chain-link fencing is located along the southern and western property boundaries. The response submitted by ITD for the previous application, CUPFY2023-0006, stated that the fence is owned by ITD. Therefore, removal of the fence is not required as part of the current CUP application. Staff also noted that the gate consists of chain-link fencing and barbed wire. These materials are prohibited and shall be removed as drafted in the conditions of approval.
8-4A-4 Outdoor Lighting	PZ	Compliant as Conditioned	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.
8-4A-5 Outdoor Service and Equipment Areas	PZ	Compliant as Conditioned	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.

			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. Based on Google Street View images and submitted photos, the dumpsters are located at the terminal and are visible from the right-of-way. The dumpsters must be screened or otherwise concealed from public view when not being serviced by Republic Services.															
8-4A-7 Stormwater Systems	PZ	No compliance issues noted	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	No compliance issues noted	All new utilities for the structure must be installed underground. 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.															
8-4D Parking and Off Street Loading Provisions																		
8-4D-3 Parking Design and Improvement Standards	PZ	Compliant as Conditioned	Vehicle parking: <table border="1"><caption>Table 8-4D-1: MINIMAL DIMENSIONAL STANDARDS FOR MOTOR VEHICLE STALLS</caption><thead><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">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> Parking Provided: <u>42 regular parking spaces</u> <u>2 ADA parking spaces</u> Total: 44 vehicle parking spaces The dimensions of the parking spaces are unknown. Based on Google Maps images, the parking spaces appear to be a standard size. 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; Parking lots shall be designed in compliance with the requirements as set forth in chapter 8-4, article C of this title, Design Provisions For Nonresidential Structures; Parking lots shall be designed in accordance with chapter 8-4, article I of this title, Landscaping And Tree Protection Provisions;	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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Standard																		
90°	9'0"	20'0"	9'0"	22'0"														

			All parking and loading zones shall provide proper drainage of surface water to prevent the flow of water onto adjacent properties, walkways, or streets. The design of the parking area shall minimize the trespass of lights from motor vehicles on adjacent properties and rights-of-way. Bicycle parking spaces shall: 1. Be a minimum space six feet (6') long by two feet (2') wide; 2. On-site spaces shall be located within fifty feet (50') of the building entrance(s); 3. 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; 4. 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; 5. Be visible, unless specified for the use of tenants, in which case the bicycle parking spaces must be covered; 6. Be easily accessible from the street; 7. Not impede pedestrian movement or loading zones; 8. 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 9. Be properly illuminated to increase security and avoid accidents and adhere to section 8-4A-4 of this chapter, Outdoor Lighting.
8-4D-4 Parking Use Standards	PZ	Compliant as Conditioned	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	May not be compliant	Vehicle parking: A Service Provider is considered a high use, which requires 1 space per every 500 gross square feet. Required: 20,886 SF/500 SF= 42 parking spaces Provided: 44 parking spaces Bicycle Parking: A Service Provider: 1 space per 500 square feet 20,886 SF/1,000 SF= 20 parking spaces. Provided: Not enough information The previous CUPFY2023-0006 for warehouse use required the installation of three bicycle parking spaces. In this regard, 17 bicycle parking spaces are required for this application.

8-4D-7 Off Street Loading Standards	PZ	Compliant as Conditioned	Off-Street Loading Zones Space And Access Requirements: 1. All spaces shall have fourteen feet (14') of vertical clearance; 2. On-site drive aisles, on-site parking, or private roads may be designed to have a dual purpose to accommodate the required loading; 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 8-4, article E of this title, Transportation And Connectivity Provisions; 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; 5. Loading zones may not impede bicycle lanes, multiuse paths, sidewalks, or motor vehicular travel on public roads; 6. Convenient access to loading spaces shall be provided with not less than fifteen feet (15') in width.
8-4E Transportation and Connectivity Provisions			
8-4E-2 Applicability			Provisions apply to any new construction, addition, expansion, grading, alteration, or any new or more intense use of property.
8-4E-3 Public Street Connections	PZ	No compliance issues noted	
8-4E-4 Internal Circulation Standards	PZ	Compliant	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 attached 5' sidewalk on the subject property.
8-4E-7 Pedestrian and Bicycle Accessibility Standards	PZ	No compliance issues noted	An internal pedestrian pathway is painted on the asphalt and connects the buildings at 5311 N. Glenwood and 5307 N. Glenwood. The pathway provides an existing pedestrian connection between the two sites. There is no direct connection between the tenant entrance and the sidewalk along Glenwood Street. There is a 22-foot-wide driveway connecting both properties mentioned above to the public right-of-way, and there is no additional space available to provide a separate pedestrian pathway.
8-4I Landscaping and Tree Protection Provisions			
8-4I-2 Applicability			For all new residential and nonresidential uses, all landscaping standards of this article shall be met.
8-4I-3 General Landscaping Standards and Irrigation Provisions	PZ	No compliance issues noted	

8-4I-4 Landscaping Provisions for Specific Uses	PZ	Compliant	A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping. Required: $54,799 \text{ SF} \times 0.05 = 2,740 \text{ SF}$ 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. $2,740 \text{ SF} / 1,000 \text{ SF} = 3$; Provided Minimum required: $2,740 \text{ SF} / 150 \text{ SF} = 18$ shrubs; Provided A landscape plan has not been submitted with this application. However, site photos showing the existing landscaping have been submitted. Based on an approximate calculation, it appears that a minimal amount of landscaping is currently provided on the site.
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			
8-6A-7 Public Hearing Process		Compliant	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 9 days in advance of the hearing validating that the property was posted more than 17 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	Garden City Code noticing requirements are compliant with this Statute. 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: (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. 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 <u>21-501(2)</u>, 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.
Previous entitlement that might affect this project	CUPFY2023-0006
Garden City Comprehensive Plan	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 This application is in future land use designations of the Comprehensive Plan: 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. 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

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

	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. <u>Area of City Impact West:</u> • 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. <u>Idaho Expo and ITD District 3 Headquarters:</u> • 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. <u>ACHD Site:</u> • 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. <u>The application may be supported by:</u> list goals or objectives e.g. 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. • 12.3 Objective: Create a premier destination for work, recreation, entertainment, culture and commerce.
Garden City Street Light Policy	A streetlight is not currently installed within 400 feet of the proposed use. A streetlight was required by the Commission as part of the CUPFY2023-0006 decision to meet the findings of Garden City Code § 8-6B-2. The applicant/owner is required to provide an update on the status of the streetlight installation.
Garden City Transportation Needs List	Between Glenwood and Coffey: Marigold to Chinden: If the ITD District 3 property ever redeveloped, there would be an opportunity to create a road that can serve as an activity node road from Chinden to the City Hall and the River.