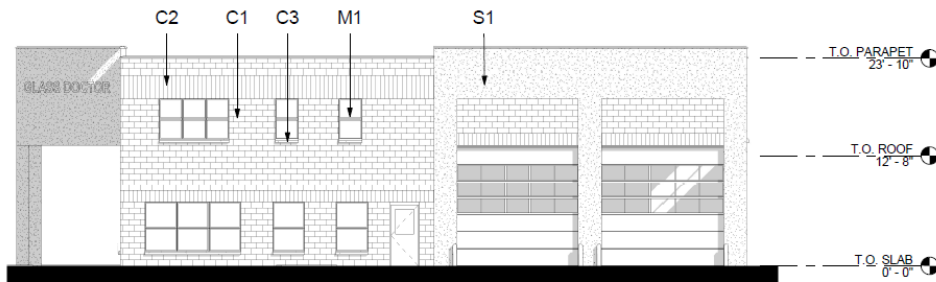




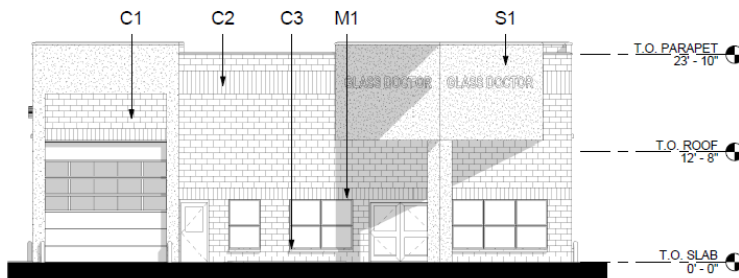
CITY OF GARDEN CITY

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

File Number: CUPFY2022-003
Title 8 Use: Service Provider and Vehicle Service
Location: 6845 N. Gardner Ln.
Applicant: Jeff Hatch
Planning and Zoning Commission Hearing Date: November 17, 2021



③ WEST ELEVATION
 1/8" = 1'-0"



Staff Report
 Prepared by Hanna Veal

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A. Meeting Summary:

This summary will be updated to reflect the previous meetings as this application progresses.

B. 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: Jeff Hatch
- 2) Owner: Hooper Real Estate Company LLC
- 3) Title 8 Use: Service Provider and Vehicle Service
- 4) Definition of Use: Garden City Code 8-7A-1 defines this use as:
 - a) SERVICE PROVIDER: 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.
 - b) VEHICLE SERVICE: The use of a site for the repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service painting, repairing or straightening the body and/or chassis of vehicles or steam cleaning of vehicles.
- 5) Proposed development: New construction
- 6) Site Coverage: 24,568sqft
 - a) Building: 4,464sqft = 18% of the site
 - b) Landscaping: 2,381sqft = 10% of the site
 - c) Paved Areas: 17,723sqft = 72% of the site
- 7) Square footage dedicated to uses:
 - a) First floor conditioned space: 1,121sqft
 - b) Second floor unconditioned space: 1,121sqft
 - c) Garage/Shop: 3,067sqft
- 8) Number of Structures: 1
- 9) Total number of vehicular parking spaces: 16
 - a) Enclosed: 0
 - b) Surface: 16
- 10) Total number of bicycle parking: 0
- 11) Trash Enclosure: The refuse will be in a common location.
- 12) Fencing: No fence
- 13) Sidewalk:

- a) None proposed.
 - b) An existing attached and detached sidewalk exist along the perimeter of the property. However, the attached sidewalk along W. Carlton Bay Drive is not shown in the site plans, and it looks like they are proposing to remove it for parking.
- 14) Landscaping:
- a) Street Trees: 6 class II
 - b) Parameter Landscaping: None

Site Conditions:

- 1) Street Address: 6845 N Gardner Lane
- 2) Parcel Number(s): S0514346750
- 3) Property Description: PAR #6750 POR S2SW4 SEC 14 4N 1E PARCEL B ROS 10694 #346700-B
- 4) Legal Lot of Record: Yes
- 5) Property Size: 0.564 acres
- 6) Zoning District: C-2
- 7) Zoning Overlay(s): None
- 8) Comprehensive Plan Land Use Map Designation:
 - a) Residential Low Density
- 9) Floodplain Designation:
 - a) 2003 FIRM: 100 Year
 - b) 2017 Draft FIRM: 100 Year
- 10) Adjacent Uses:
 - a) Drive-Through Establishment – The Human Bean Coffee Shop
 - b) Residential Care Facility
 - c) Single Family Attached Dwelling Units
 - d) Single Family Detached Dwelling Units
- 11) Existing Use: Vacant Land
- 12) Easements on site: There are no records on file with Garden City of existing easements
- 13) Site Access:
 - a) Front: W. Carlton Bay Drive
 - b) Side: W. Carlton Bay Drive
- 14) Sidewalks: Sidewalks are installed and are in good repair.
- 15) Wetlands on site: None identified

C. Discussion

Please refer to the highlighted sections of code in the staff analysis.

The application is scheduled for a pre-application conference with the Design Review Committee where they will address the site design and layout issues that are not code compliant. As the site plan has not been approved yet by the DSR Committee, there is a drafted condition in the decision document to state:

- 1. The site and building must be constructed in accordance with the approved design review file DSRFY2022-0001.
 - a. The associated design review application shall resolve code compliance issues regarding Garden City Code 8-4I Landscaping and Tree Protection

Provisions, 8-4E Transportation and Connectivity Provisions, 8-4D Parking and Off-Street Loading Provisions.

The Commission can choose to move the application to a date certain, or a date uncertain, to allow for the application to re-design the proposal to be code compliant. OR the Commission can chose to approve the conditional use permit for ONLY the uses of “Vehicle Service” and “Service Provider”.

It is within the Commissions preview to condition items such as parking requirement and pedestrian accessibility. Please refer to the below highlighted staff analysis for a more in depth discussion relating to both of these items. Staff **has not** drafted parking requirements or sidewalk requirements in the drafted decision document. Which would differ the parking and sidewalk discussion to the Design Review Committee.

D. Decision Process

General Provisions

A formal application will be processed per [GCC 8-6A-5 Administrative with Notice](#).

Required Decisions: The following decision processes are required for the project as governed by [GCC Table 8-6A-1](#):

The Planning and Zoning Commission has been provided a draft document that includes findings of fact, conclusions of law, and a decision in the affirmative and in denial. This is done to provide potential options based on the staff’s review or the project. This is not intended to be a predetermined decision. All evidence will be considered, and the document may be updated based on the Planning and Zoning Commission’s review of the application.

Required Decisions:

Pursuant to Garden City Code [Table 8-6A-1 Authorities and Processes](#), Planning and Zoning Commission is the final decision maker for a Conditional Use Permit. There is no recommending authority to the Planning and Zoning Commission. Pursuant to [GCC 8-6A-2A](#), The City Council shall have the authority to review any action taken by the Planning and Zoning Commission regarding Conditional Use Permits, which would be final unless appealed.

Required Findings:

To approve a conditional use permit, the Planning and Zoning Commission must find the application meets the following findings found in [GCC 8-6B-2](#):

1. The use is appropriate to the location, the lot, and the neighborhood, and is compatible with the uses permitted in the applicable zoning district;
2. The use will be supported by adequate public facilities or services to the surrounding area, or conditions can be established to mitigate adverse impacts;

3. The use will not unreasonably diminish either the health, safety or welfare of the community; and

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

Decision:

After hearing the evidence and considering the application, the decision maker shall make their decision. The decision maker shall report the facts upon which it based its conclusion, the ordinance and standards used in evaluating the application, the actions, if any, that the applicant could take to obtain a permit, and whether a permit is :

- 2. Granted,
- 3. Granted with conditions, or
- 4. Denied.

The decision maker may find that there is inadequate information to render a decision and may also continue the hearing for additional materials to be supplied. It is recommended that they continue the hearing to a date certain for noticing purposes.

The decision maker shall make its findings and decision no later than by the next regular scheduled meeting.

If there is a denial, state code requires that the decision maker identify what could be done to obtain approval.

Appeal of Decision:

Pursuant to [8-6A-9 Appeals](#), there is a 15-day appeal period to appeal the decision to the City Council. This period starts from the signed decision date and runs concurrently with the 15-day objection period noted above. An appeal is \$210 and must be filed on the appeal application form provided by the City. Appeals received after the 15-day appeal period will not be accepted.

E. Agency Comments

The following agency comments were provided:

Agency	Comment Date	Summary
Ada County Highway District Link to Full Review	10/22/2021	<ul style="list-style-type: none">• The Ada County Highway District (ACHD) has reviewed the submitted application for the application referenced above and has determined that there are no improvements required to the adjacent street(s).
Garden City Engineer Link to Full Review	10/19/2021	<ul style="list-style-type: none">• For the record, please provide documents that allow the site access from the private road.• The affidavit has been personally signed by Cary Hooper and not by Hooper Real Estate Company

		<p>LLC, the landowner. Please provide a new affidavit.</p> <ul style="list-style-type: none"> Other general comments.
<p>North Ada County Fire and Rescue Link to Full Review</p>	10/19/2021	<ul style="list-style-type: none"> Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1) Fire hydrants, capable of producing the required fire flow, shall be located so that no part of the structure is more than 400-feet from the hydrant. (IFC 507.3, IFC B105.2, IFC C105). The nearest hydrant is further than 400-feet from all parts of the buildable lot. Either an additional fire hydrant needs installed within this 400-foot requirement OR the building needs to be fully fire-sprinklered.
<p>Department of Environmental Quality Link to Full Review</p>	10/20/2021	<ul style="list-style-type: none"> General Comments

F. Public Comment

No public comments were provided as of the drafting of this document.

G. Code/Policy Review

The below serves as an analysis of applicable provisions Garden City Code, Title 8, Development Code and identified applicable policies, plans, and previous approvals.

Garden City Title 8 Code Sections			
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			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: "PAR #6750 POR S2SW4 SEC 14 4N 1E PARCEL B ROS 10694 #346700-B."
8-1B-3 Nonconforming Uses		Complaint as Approved	Conditional Use Permit will be required – A conditional Use Permit has been applied for and is scheduled to be heard at by the Planning and Zoning Commission.
Title 8, Chapter 2: Base Zoning District Regulations			
8-2B-1 Purpose	PZ	No compliance issues noted	The purpose of the two (2) commercial districts is to provide a full range of commercial uses and services for both the

			residents of Garden City and the region. Location determines the type and form of commercial uses. Activities which are more compatible with mixed use or residential uses and minimally disruptive to the neighborhood are to be located in the general commercial (C-2) district.
8-2B-2 Allowed Uses	PZ	Complaint so long as the conditional use permit is approved	Service Provider and Vehicle Service uses require a conditional use permit.
8-2B-3 Form Standards	DC/PZ	No compliance issues noted	<p>The required setbacks are: Front: 5' Interior Side: 5' Rear: 5' Street side: 5'</p> <p>The allowable maximum height is: n/a</p> <p>The minimum lot size is: n/a</p> <p>There are not encroachments</p> <p>All improvements are more than 70' from the Boise River.</p> <p>All properties meet the minimum street frontage.</p>
8-2C		No compliance issues noted	<p>8-2C-41 VEHICLE SERVICE: Minimum Site Area: The use shall have a minimum site area of fifteen thousand (15,000) square feet. Site is 24,567.84sqft.</p> <p>Site Layout:</p> <ol style="list-style-type: none"> 1. All hydraulic hoists and pits, and all equipment for greasing, lubrication, and allowed repairs shall be enclosed entirely within a structure. 2. Any spray booth must be approved by the fire authority and building official. 3. All parts, inventory and vehicles waiting to be repaired shall be kept inside an entirely enclosed building or hidden behind a privacy fence or other visual barrier as set forth in section 8-2C-37, Storage Facility Or Yard, of this article. 4. All new structures constructed for vehicle/equipment repair shall be constructed so that the entrances to individual workstation/service bays do not face abutting residential parcels or the public rights-of-way. 5. Tires taken in on trade that have no more than salvage value shall be stored in a solid wall enclosure. <p>Limitations:</p> <ol style="list-style-type: none"> 1. No servicing of trucks in excess of one and one-half (1-1/2) ton capacity or industrial equipment of any type or character shall be allowed in the commercial district without a conditional use permit.

			<ol style="list-style-type: none"> 2. All vehicle/equipment repair uses and related activities shall be limited to between the hours of seven o'clock (7:00) A.M. and seven o'clock (7:00) P.M., Monday through Saturday. 3. Damaged or wrecked vehicles shall not be stored on site for purposes other than repair. 4. All vehicles that are repaired and are waiting to be picked up by the owner of the vehicle shall be parked on site and not in adjoining streets or alleys. 5. All discarded vehicle parts or equipment, permanently disabled, dismantled, or junked vehicles, or tires shall be removed from the premises within thirty (30) days of arrival. <p>D. Site Maintenance: All paved and unpaved areas shall be maintained grease and oil free.</p> <p>8-2C-36 SERVICE PROVIDER: Site Layout: No structure, facility, drive lane, parking area, or loading area shall be located adjacent to a residential district.</p> <p>Parking and Access:</p> <ol style="list-style-type: none"> 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. <p>Limitations: The site shall not be used as vehicle wrecking as herein defined.</p> <p>Site Maintenance:</p> <ol style="list-style-type: none"> 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. <p>Other Standards Apply: Outdoor storage areas shall comply with section 8-1C-3, Property Maintenance Standards, of this title.</p>
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Title 8, Chapter 4: Design and Development Regulations

8-4A-3 Fences and Walls	DC/PZ	No compliance issues noted	This proposal does not identify any fence or wall. Any future fence or wall will be required to be in compliance with code at the time of development.
8-4A-7 Stormwater Systems	DC	Complaint as Conditioned	Stormwater systems have not been identified on submitted plans. A draft condition of approval has been provided requiring that the stormwater systems be built in compliance with provisions of 8-4A-7. A potential condition of approval has been drafted to require construction in accordance with the approved DSRFY2022-0001.

Title 8, Chapter 4, Article C: Design Provisions for Nonresidential Structures

GCC 8-4C is addressed by the Design Review Committee. The Planning and Zoning Commission does not make decisions on GCC 8-4C standards; however, staff has included this section of code as it relates to the proposed parking lot location off W. Carlton Bay Drive for reference. Garden City Code 8-4D-3 is within The Planning and Zoning Commission's preview, which is related to the standards of Garden City Code 8-4C-3.

8-4C-3 Design Provisions for Nonresidential Structures	DC	Not Compliant	<p><i>Objective 1: The design of all structures shall have a scale, massing and urban form that has a relationship to the street, the pedestrian, and adjacent properties.</i></p> <p>Mostly Compliant. Code states that the maximum front setback is 15ft from curb edge for a minimum of 60% of the length of street frontage.</p> <ul style="list-style-type: none"> - The setback from the existing back of curb along N. Gardner Lane is about 15ft for 72.2ft in length. - The setback from back of existing curb along W. Carlton Bay Drive is unknown. The application proposes to remove the existing attached sidewalk and replace it with parking space. This parking lot placement is in direct conflict with GCC 8-4C-3B Objective 2 and GCC 8-4D-3. - The first-floor façade visible from both W. Carlton Bay and N. Gardner Street do not address the pedestrian at street level. First floor facades visible from a public street should include surfaces in windows, showcases, displays, or pedestrian access elements for at least 15% of the surface. - The south elevation along W. Carlton Bay Drive and the east elevation along N. Gardner Ln. have large blank areas, corresponding with the vehicle service area. Windows or other design elements as listed in Objective 1, Subsection 7 (if privacy is a concern) could be incorporated to break up the façade. <p><i>Objective 2: The design layout of all sites shall maximize opportunities for safe and comfortable pedestrian accessibility and minimize the obtrusive effects of parking and vehicular circulation.</i></p> <ul style="list-style-type: none"> - The parking lot placement along W. Carlton Bay Drive is in direct conflict with 8-4C-3B parking lot locations. <ul style="list-style-type: none"> o All parking lots should be located to the side and rear of the building fronting on the street unless otherwise screened by vegetation. - The site does not propose direct pedestrian connection between the private street sidewalks and the primary entrance of the building. Direct, convenient, and attractive pedestrian pathways should be provided that are clearly marked and connect all portions of the site. <ul style="list-style-type: none"> o It does propose a connection to Human Bean which has a connection to the public sidewalk on State Street. This connection shall remain. And the colored striping shall be maintained so that it is always visible.
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			<ul style="list-style-type: none"> - The primary entrance is not compliant with code. The building closest to the street should have its primary entrance to the street and be clearly defined by the architectural design of the building. W. Carlton Bay Drive or N. Gardner Lane shall be considered the street to which the front shall face. <ul style="list-style-type: none"> o This provision might conflict with the overall site plan given that the internal drive isle and parking have already been developed. If the building were to face the street, there would likely need to be a secondary entrance out of convenience for those who are walking to the site and parking in the parking lot. <p><i>Objective 3: Buildings shall be designed and constructed of quality materials.</i></p> <ul style="list-style-type: none"> - Appears compliant. Primary materials will be a combination of CMU, blue stucco, and brick accents. <p><i>Objective 4: The site design shall respect existing notable site features including existing buildings, landscaping, trees and water.</i></p> <ul style="list-style-type: none"> - Not applicable. Site appears to be scraped. <p><i>Objective 5: The design of all buildings shall provide visual interest, support the vision for the area as articulated in the comprehensive plan and positively contribute to the overall urban fabric of the community.</i></p> <ul style="list-style-type: none"> - The proposed building orientation appears to be in conflict with Garden City Code. Buildings should be oriented to a prominent feature, such as a corner location, a plaza, a street or the river. Buildings and site design should provide inviting entry orientation. Buildings should not turn their backs to the street. Building is oriented inward instead of toward a public street. However, additional design features along streetside facades could create an outward orientation. <p><i>Objective 6: The site development should support and be consistent with the adopted streetscape.</i></p> <ul style="list-style-type: none"> - Not applicable. A streetscape has not been adopted for W. Carlton Bay Drive or Gardner Lane.
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8-4D Parking and Off Street Loading Provisions

8-4D-3 Parking Design and Improvement Standards	DC/PZ	Not Compliant	<p>The design standards as set forth in section 8-4D-3, "Parking Design And Improvement Standards", shall apply to any new construction, alteration, or moving of a structure or <u>any new or more intense use of property</u>.</p> <p>The application will need to re-orient their parking spaces. The site plan proposes to remove the section of existing attached sidewalk along W. Carlton Bay Drive and replace it with vehicular parking. This is in direct conflict with Garden City Code as it states:</p> <ul style="list-style-type: none"> - Parking lots shall not be located within forty feet (40') of a corner.
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			<p>- Parking areas shall be designed in such a manner that any vehicle leaving or entering the parking area from, or onto, a public or private street <u>shall be traveling in a forward motion</u>. Except for an alley and parallel spaces, driveway configurations which require backing in, from, or out onto the street, are not allowed.</p> <p>A potential condition of approval has been drafted to require construction in accordance with the approved DSRFY2022-0001.</p>
8-4D-4 Parking Use Standards	DC/PZ	No compliance issues noted	
8-4D-5 Required Number of Off-Street Parking Spaces	DC/PZ	May not be complaint	<p>The City of Garden City uses The City of Boise parking code 11-07-03 Off-Street Parking and Loading Standards.</p> <ol style="list-style-type: none"> 1. Motor Vehicle Repair, Minor = 1 spot per 600sqft commercial space. 2. Motor Vehicle Repair, Major = 1 spot per 900sqft commercial space. <p style="text-align: center;"><u>Or</u></p> <ol style="list-style-type: none"> 3. We use general commercial at 1 spot per 300sqft commercial space. <p>The proposed structure is 4,464sqft. Requiring at least:</p> <ol style="list-style-type: none"> 1. Motor Vehicle Repair, Minor = 7.5 spots required 2. Motor Vehicle Repair, Major = 5 spots required 3. General Commercial Space = 15 spots required <p>The site is proposing 16 total parking spaces, with 1 of those being ADA compliant. The site meets the parking requirements based off the City of Boise code analyzed.</p> <p><u>There are 5 vehicular parking spots proposed along W. Carlton Bay Drive that need to be relocated or removed to be compliant with GCC 8-4D-3. Removal of these 5 spaces would reduce overall parking to 11 spots. The 11 parking spots would still be sufficient to meet the requirements of both the motor vehicle repair uses, but not the general commercial requirements.</u></p> <p><i>*The previous Glass Doctor approval (DSRFY2018-) included 18 vehicular parking spaces.</i> <i>**The applicant provided a parking analysis based off an existing Glass Doctor facility in Meridian, ID.</i></p> <p>There is one bicycle space required for every 20 vehicle spaces and 1 space per commercial tenant necessitating 1 bicycle spaces. This has not been provided.</p>
8-4D-6 Standards for Alternatives to On Site Parking	DC/PZ	No compliance issues noted	None proposed.
8-4E Transportation and Connectivity Provisions			

8-4E-3 Public Street Connections	DC/PZ	No compliance issues noted	Appears compliant – access to a public road is available via a private street and private driveway. Clear vision triangles are shown.
8-4E-4 Internal Circulation Standards	DC/PZ	No compliance issues noted	Appears compliant.
8-4E-5 Private Street Standards	DC/PZ	No compliance issues noted	Proposal takes access from the exiting private road of W. Carlton Bay Drive and N. Gardner Lane.
8-4E-6 Sidewalk Standards	DC/PZ	Not Compliant	<p>Site plans do not adequately show the existing attached sidewalk along W. Carlton Bay Drive. Instead, it shows removal of the sidewalk and replacement with vehicular parking spaces. It also shows the sidewalk connection being pushed up against the side of the proposed building and dead ending at the parking lot/drive isle.</p> <p>The parking lot placement directly conflicts with GCC 8-4D-3 as previously mentioned in the report.</p> <p>The sidewalk along N. Gardner Lane is code compliant in that it is a detached sidewalk with landscape buffer.</p>
8-4E-7 Pedestrian and Bicycle Accessibility Standards	DC/PZ	May not be complaint	Partially compliant. A pathway system meeting this section is only partially depicted along the north elevation. Pedestrian connectivity from parking along west property line not depicted. Pedestrian connections to the main entrance from the sidewalks along N. Gardner Lane and W. Carlton Bay do not exist.
8-4I Landscaping and Tree Protection Provisions			
8-4I-3 General Landscaping Standards and Irrigation Provisions	DC/PZ	No compliance issues noted	
8-4I-4 Landscaping Provisions for Specific Uses	DC/PZ	May not be complaint – Design review Application is required	<p>A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping. Landscape Provided: 2,381sqft = 10% of the site</p> <p>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.</p> <p><u>West Carlton Bay Drive</u> Trees Required: 1 Street + 2 Frontage (110ft) = 3 trees Trees Provided: 1 Street + 2 Frontage = 3 trees</p> <p><u>N. Gardner Lane</u> Trees Required: 1 Street + 3 Frontage = 4 trees Trees Provided: 1 Street + 2 Frontage = 3 trees (Deficient 1 tree)</p> <p>A minimum of one tree per one thousand (1,000) square feet of landscaped area and one shrub per one hundred fifty (150) square feet of landscaped area shall be planted. Landscape Provided: 2,381sqft.</p>

			<p>Trees Required: 2 Trees Provided: 12 <i>*Appears that the landscape plans misidentify the quantity of the Akebono Yoshino Cherry trees provided. The chart indicates only one is provided, whereas the plans show five.</i></p> <p>Shrubs Required: 16 Shrubs Provided: 163</p> <p>A potential condition of approval has been drafted to require construction in accordance with the approved DSRFY2022-0001.</p>
8-4I-5 Perimeter Landscaping Provisions	DC/PZ	May not be complaint	Unknown. The nature of the applicant's business, site size, and code required configuration, and existing subdivision improvements forced the primary vehicle drive bay to face northwest. However, the drive bays dominate the facades of the north, west, and east elevations. The west bay, which faces N. Gardner Lane, is screened by landscaping, The north drive bay is across from a common area, and all drive bays are not directly adjacent to a residential use.
8-4I-6 Parking Lot Landscaping Provisions	DC/PZ	No compliance issues noted	Appears compliant. Trees have been proposed along the west property line in front of parking spaces. Required landscape islands have been provided. Parking spaces appear to be within the 100' maximum distance from a tree.
8-4I-7 Tree Preservation Provisions	DC/PZ	No compliance issues noted	Landscape plans indicate to keep all existing site vegetation. Does not appear to have existing trees 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			Application waivers requested pursuant to 8-6A-4A: <ul style="list-style-type: none"> - Topographic Survey - Grading Plans - Lighting 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 Statesman, 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	Garden City Code noticing requirements are compliant with this Statute.

<p>Local Land Use Planning Special Use Permits, Conditions, and Procedures</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>
<p>Previous entitlement that might affect this project</p>	<p>DSRFY2019-0013: Design Review Application for Glass Doctor. Heard on February 20th, 2019 and approved on March 19th, 2018. Approval expired March 19th, 2019.</p> <p>CUPFY2018-0006: Conditional Use Permit for Service Provider and Vehicle Service uses in association with an automotive, residential, and commercial glass installation and repair business. Heard and approved March 21, 2018. Approval expired March 21, 2019.</p>
<p>Garden City Comprehensive Plan</p>	<p>This application is in future land use designations of the Comprehensive Plan:</p> <ol style="list-style-type: none"> a) Residential Low Density <p>The application may be supported by:</p> <p>Goal 1. Nurture the City</p> <ol style="list-style-type: none"> a.) 1.4 Objective: Create a premier destination place to live, work, and recreate. <p>Goal 2. Improve the City Image</p> <ol style="list-style-type: none"> a.) 2.3 Objective: Promote quality design and architecturally interesting buildings. b.) 2.2.4 Objective: Amend parking standards to reduce the impact of surface parking, including incentive to encourage shared parking and support for cooperative parking arrangements, evaluation of current parking standards and consideration of new maximum standards; new design requirements for surface parking, including increased landscaping and location of parking behind buildings; and encourage permeable, pervious, or porous paving, especially in areas in the floodplain. <p>Goal 4. Emphasize the "Garden" in Garden City</p> <ol style="list-style-type: none"> a.) 4.1 Objective Beautify and Landscape b.) 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.

	<p>c.) Improve the landscaping standards for all new development. The standards should address minimum size, plant materials, maintenance requirements, irrigation, and landscape design that complement the urban environment.</p> <p>Goal 7. Connect the City</p> <p>a.) 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters.</p> <p>b.) 7.1 Create Pedestrian and bicycle friendly connections.</p> <p>Goal 12. Evolve as a Destination</p> <p>a.) 12.1 Objective: Support a positive business environment</p> <p>b.) 12.2 Objective: Continue to support commercial and industrial land uses.</p> <p>c.) 12.3 Objective: Create a premier destination for work, recreation, entertainment, culture and commerce.</p> <p>The application may not be supported by:</p> <p>Goal 2. Improve the City Image</p> <p>a.) 2.3 Objective: Promote quality design and architecturally interesting buildings.</p> <p>Goal 4. Emphasize the “Garden” in Garden City</p> <p>a.) 4.1 Objective Beautify and Landscape</p> <p>Goal 7. Connect the City</p> <p>a.) 7.1 Create Pedestrian and bicycle friendly connections.</p>
Garden City Sidewalk Policy	No waiver has been submitted.
Garden City Street Light Policy	There are no streetlights within 400ft of the property.
Garden City Transportation Needs List	Garden City is a participant of the State Street Corridor Project. Other participants include Valley Regional Transit, Ada County Highway District, Idaho Transportation Department, COMPASS, Ada County, Capital City Development Corporation, City of Boise, and City of Eagle. This project was initiated, formally, in 2006. The agencies have agreed to be supportive of high-capacity transit along State Street. Garden City’s major obligation to this is to create and implement plans and ordinances that will facilitate Transit Oriented Development Nodes at identified locations along the State Street Corridor. Garden City’s Comprehensive Plan aligns with these efforts. The Specific Area Plan ordinance is a zoning classification that can be utilized for the implementation of the nodes, however, it is owner driven rather than requisite zoning.