



CITY OF GARDEN CITY

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

File Number: DSRFY2019 – 20/CUPFY2019 - 12
For: Day Care Center, Structure and Use
Location: 3203 and 3231 W. Chinden; Garden City, Idaho
Applicant: Brian Garrett, OA+D
Report Date: 9/3/2019



Garden City Design Committee
Garden City Planning and Zoning Commission
Staff Contact: Chris Samples

STAFF REPORT: DSRFY2019-20/CUPFY2019 – 12 – Application materials can be found here: [Link](#)

**City of Garden City
Staff Report**

A. Project Overview

Project Description:

Brian Garrett with OA+D is requesting design review approval of a structure and a conditional use permit for a daycare center. The property is located at 3203 and 3231 W. Chinden Blvd. (Ada County Parcel Numbers R2734530430 and R2734530540). The property is located in the C-1 Highway Commercial zoning district.

Proposed Scope of Work:

Request	Review Process	Notes
Design Review for a new structure	8-6B-3 Design Review	None
Conditional Use Permit for the use "Daycare, Center"	8-6B-2 Conditional Use	None

Project Details:

Proposed development: Day Care Facility

Proposed number of children: up to 72

Proposed staff: up to 17

Number of buildings: 1 structure

Parking spaces: 19 spaces

- 1 ADA space
- 18 non-ADA spaces

Bicycle parking: 4 spaces

Site Coverage:

- Property: 29,620 sq. ft.
- Building: 6,551 sq. ft.
- Landscaping: 9,902 sq. ft.
- Paved Areas: 3,042 sq. ft.

Trash Enclosure: 1

Site Conditions:

1. Address: 3203 and 3231 W. Chinden Blvd.
2. Parcel Number: R2734530430 and R2734530540
3. Property Size: 0.68 acres

STAFF REPORT: DSRFY2019-20/CUPFY2019 – 12 – Application materials can be found here: [Link](#)

4. Zoning District: C-1 Highway Commercial
5. Comprehensive Plan Land Use Map Designation: TOD Node, Live-Work-Create, Green Boulevard Corridor
6. Floodplain Designation:
 - 2003 FIRM: X
 - 2017 Draft FIRM: AE
7. Surrounding Uses:
 - Retail Store
 - Vehicle Sales
 - Manufactured Home Park
 - Lodging
8. Existing Use: None
9. There are no records on file with Garden City of existing easements
10. Site Access: W. 32nd Street
11. Sidewalks: Along W. Chinden, None installed on W. 32nd Street

Required Decisions: The following decision processes are required for the project:

Decision	Recommendation Authority	Decision Authority	Hearing Date
Design Review	N/A	Design Committee	9/16/2019 (continued from 9/3/2019 hearing)
Conditional Use Permit	N/A	Planning and Zoning Commission	9/18/2019

The Design Review hearing was continued to a date certain of 9/16/2019 due to noncompliance with the property posting requirements of 8-6A-7 (Public Hearing).

Standards for Review: Standards for review of the applications are:

Design Review Standards	
Standard	Staff Comments
8-2B-3 Form Standards	No issues noted
8-4A General Provisions	Trash enclosure issue noted
8-4C Nonresidential Design Provisions	Streetscape issues noted.
8-4D Parking and Loading Provisions	Parking space determination needed.
8-4E Transportation and Connectivity Provisions	Pedestrian connectivity issues noted
8-4I Landscaping and Tree Protection Provisions	No issues noted
8-6B-3 Design Review Committee	Findings compliance issues noted

Conditional Use Standards	
Standard	Staff Comments

STAFF REPORT: DSRFY2019-20/CUPFY2019 – 12 – Application materials can be found here: [Link](#)

8-7A Definitions	Use noted
8-2B-2 Allowed Uses	CUP Required
8-2C-11 Day Care Facility	Code compliance issues noted
8-6B-2 Conditional Use	Findings compliance issues noted

Policies and Studies: The following policies and studies were reviewed for this application:

1. [Garden City Sidewalk Policy](#)
2. [Garden City Street Light Policy](#)

Agency Comments: The following agency comments were provided:

Agency	Comment Summary
Garden City Engineer	Drainage, Lot Consolidation Concerns

Public Comments: None received.

Design Review Pre-Application Conference: On August 5, 2019 a pre-application conference was completed in accordance with 8-6B-3. The Committee provided the following comments:

1. Provide the glazing percentage calculations
2. The building should have a look of two stories across the entire building.
3. Streetscape treatments should be considered, such as the reuse of the asphalt area along the sidewalk originally intended as a bike path.
4. Larger caliper trees are encouraged where possible.

A pre-application staff report was not prepared in advance of the August 5, 2019 hearing. The minutes of this hearing are included in the record.

Exhibits: [Link](#)

1) Design Review Exhibits:

- a) 8/12/2019 Submittal
 - i) Application
 - ii) Letter of Intent
 - iii) Site Plan
 - iv) Landscape Plan
 - v) Elevations
 - vi) Renderings
 - vii) Waiver Request
 - viii) Photometric Plans
- b) 8/5/2019 Pre-Application Materials
- c) 8/5/2019 Design Committee Minutes
- d) Agency Comments
 - i) City Engineer
- e) Noticing documents
 - i) Notice of Intent to Approve

STAFF REPORT: DSRFY2019-20/CUPFY2019 – 12 – Application materials can be found here: [Link](#)

- ii) Legal Notice
- iii) Agency Notice
- iv) Property Posting
- f) Staff Report

Conditional Use Permit Exhibits:

- a) 8/12/2019 Submittal
 - i) Application
 - ii) Letter of Intent
 - iii) Site Plan
 - iv) Neighborhood Meeting Documentation
- b) Agency Comments
 - i) City Engineer
- c) Noticing documents
 - i) Notice of Intent to Approve
 - ii) Legal Notice
 - iii) Agency Notice
 - iv) Property Posting
- d) Staff Report

B. Design Review

1. Decision Maker: Design Committee
2. Standards for Review:

DESIGN STANDARDS FOR REVIEW	
City Code	City Standards/Staff Comments
<u>GCC 8-2B-3 Form Standards</u>	The proposed design appears to meet the required five foot (5') setbacks of this section.
<u>GCC 8-4A General Provisions</u>	More information is needed concerning the trash enclosure's screening. Elevations have not been provided.
<u>GCC 8-4C Design Provisions for Non-Residential Structures</u>	
GCC 8-4C-3(A)	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.

STAFF REPORT: DSRFY2019-20/CUPFY2019 – 12 – Application materials can be found here: [Link](#)

	<p><u>Design Committee Pre-Application Comments:</u></p> <ol style="list-style-type: none"> 1. Provide the glazing percentage calculations 2. The building should have a look of two stories across the entire building. <p><u>8/28/2019 Staff Report Comments:</u></p> <p>The proposed design appears to meet the requirements of this section and address the Committee's comments. Glazing calculations exceeding the minimum 15% required are noted in the elevations.</p>
GCC 8-4C-3(B)	<p>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.</p> <p><u>Design Committee Pre-Application Comments:</u></p> <ol style="list-style-type: none"> 1. Streetscape treatments should be considered, such as the reuse of the asphalt area along the sidewalk originally intended as a bike path. <p><u>8/28/2019 Staff Report Comments:</u></p> <p>No new streetscape treatments along the W. Chinden Blvd. asphalt area were addressed, as noted in the comment.</p> <p>Pedestrian connectivity is shown around the building and in the center of the parking lot, but not with the west side of the lot.</p>
GCC 8-4C-3(C)	<p>Objective 3: Buildings shall be designed and constructed of quality materials.</p> <p>Materials noted in the elevations appear to meet the requirements of this objective. No discourage materials or finishes were noted in the elevations.</p>
GCC 8-4C-3(D)	<p>Objective 4: The site design shall respect existing notable site features including existing buildings, landscaping, trees and water.</p>

STAFF REPORT: DSRFY2019-20/CUPFY2019 – 12 – Application materials can be found here: [Link](#)

	Not applicable. The site does not contain existing buildings, landscaping, trees and water.
GCC 8-4C-3(E)	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.
	The proposed design appears to meet the requirements of this objective. The building is oriented toward a corner, is articulated, and contains recommended building details.
GCC 8-4C-3(F)	Objective 6: The site development should support and be consistent with the adopted streetscape.
	<p><u>Design Committee Pre-Application Comments:</u></p> <p>1. Streetscape treatments should be considered, such as the reuse of the asphalt area along the sidewalk originally intended as a bike path.</p> <p><u>8/28/2019 Staff Report Comments:</u> No new streetscape treatments along the W. Chinden Blvd. asphalt area were addressed, as noted in the comment.</p> <p>The proposed design includes detached sidewalk and landscaping improvements along W. 32nd Street.</p>
<u>GCC 8-4C-4 Special Provisions for Specific Non-residential Development</u>	
GCC 8-4C-4(A) Large Scale Non-Residential Structures	The proposed design appears to meet the requirements of this section.
GCC 8-4C-4(F) Outdoor Service and Equipment Areas	More information is needed concerning the trash enclosure's screening. Elevations have not been provided.

STAFF REPORT: DSRFY2019-20/CUPFY2019 – 12 – Application materials can be found here: [Link](#)

GCC 8-4C-5 Prohibitions	All new businesses, corporate and franchise designs will be reviewed on a case-by-case basis by the Design Review Committee to assure compliance with Garden City Code, Comprehensive Plan and Goals.
<u>GCC 8-4D Parking and Off Street Loading Provisions</u>	
GCC 8-4D-3 Parking Design and Improvement Standards	Pursuant to subsection 7C, documentation concerning compliance with Clear Vision Triangle requirements is needed.
GCC 8-4D-5 Required Number of Parking Spaces	Additional information is needed to determine whether the amount of parking requested (19 spaces) meets the needs of the use. Information should be provided concerning: <ol style="list-style-type: none"> 1. Hours of operation and staffing levels during peak times 2. Anticipated guest parking needs 3. Peak pick up and drop off times 4. Number of on street, shared, and or public parking within the vicinity of the use 5. Availability, including schedules, of public transit within ¼ mile of the site
<u>GCC 8-4E Transportation and Connectivity Provisions</u>	
GCC 8-4E-3 Public Street Connections	More information concerning the clear vision triangle is needed. Access proposed from W. 32 nd Street and Stockton Street.
GCC 8-4E-4 Internal Circulation Standards	Driveway exceeds minimum 20' width required.
GCC 8-4E-6 Sidewalk Standards and The Garden City Sidewalk Policy	Detached sidewalk and landscaping proposed in compliance with this section and the Sidewalk Policy.
GCC 8-4E-7 Pedestrian and Bicycle Accessibility Standards	Additional pedestrian connectivity may be needed from parking space on west property line.
<u>GCC 8-4I Landscaping and Tree Protection Provisions</u>	The provisions of this section appear to have been met.
<u>GCC 8-6B-3 Design Review</u>	
GCC 8-6B-3D Required Findings	Design Review approval may be granted by the Committee only if the applicant meets the required

STAFF REPORT: DSRFY2019-20/CUPFY2019 – 12 – Application materials can be found here: [Link](#)

	findings of this section. The findings are analyzed below.
Finding 1	Finding: The project conforms to all applicable standards and criteria as set forth in Title 8, Chapter 4.
	<p>Analysis: As noted through this report, the application does not appear to contain enough information to address the following sections of this chapter:</p> <ul style="list-style-type: none"> • 8-4C Design Provisions • 8-4D Parking and Off-Street Loading Provisions • 8-4E Transportation and Connectivity Provisions
Finding 2A	Finding: The proposed design is in accordance with the purpose of the zoning district and all dimensional regulations of that district;
	Analysis: The proposal appears to be in conformance with the purpose of the C-1 Highway Commercial Zoning District and the dimensional regulations of the district.
Finding 2B	Finding: The proposed design adheres to standards for the protection of health, safety, and general welfare;
	<p>Analysis: As noted through this report, the application does not appear to contain enough information to address the following sections of this chapter:</p> <ul style="list-style-type: none"> • 8-4D Parking and Off-Street Loading Provisions • 8-4E Transportation and Connectivity Provisions <p>More information concerning the parking determination and the clear vision triangle is necessary to determine compliance with this finding.</p>

Finding 2C	Finding: The proposed design creates a sense of place and contributes to the uniqueness of the different districts and neighborhoods in the city;
	Analysis: The proposal appears to meet the requirements of this finding. The structure is unique to W. Chinden Blvd. and the surrounding neighborhood.
Finding 2D	Finding: The proposed design improves the accessibility of development to non-motorized and public modes of transportation;
	<p>Analysis: As noted through this report, the application does not appear to contain enough information to address the following sections of this chapter:</p> <ul style="list-style-type: none"> • 8-4E Transportation and Connectivity Provisions <p>Pedestrian connectivity from the west parking spaces should be addressed.</p>
Finding 2E	Finding: The proposed design supports a development pattern in nodes rather than strip commercial along arterial corridors;
	Analysis: The proposal appears to meet the requirements of this finding. The structure's footprint and configuration does not resemble a strip commercial development, but instead is placed to focus toward W. Chinden Blvd.
Finding 2F	Finding: The proposed design supports a compact development pattern that enables intensification of development and changes over time; and
	Analysis: The proposed development appears to meet the requirements of this finding. The development two-story footprint is compact and additional building expansions could be completed through reconfiguration of outdoor play areas and parking areas.

STAFF REPORT: DSRFY2019-20/CUPFY2019 – 12 – Application materials can be found here: [Link](#)

Finding 2G:	Finding: The proposed design provides outdoor spaces and landscaping compatible with the southwest Idaho climatic conditions and that encourage pedestrian activity.
	Analysis: The proposal appears to meet this finding. The landscaping plan appears to be compliant with the requirements of this finding.

3. Decision Options:

The Design Committee may take one of the following actions:

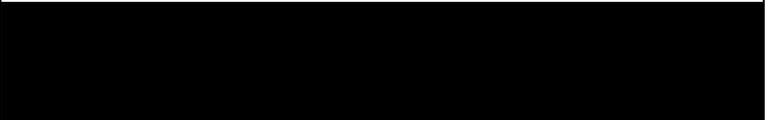
- a) Approve the application as presented;
- b) Approve the application with conditions;
- c) Request the applicant return with revised materials for additional review;
- d) Deny the application.

C. Conditional Use Permit

- 1. Decision Maker: Planning and Zoning Commission
- 2. Standards for Review:

CONDITIONAL USE STANDARDS FOR REVIEW	
City Code	City Standards/Staff Comments
<u>GCC 8-7A Definitions</u>	<p>The use “Daycare Center” is defined within the scope of the term “Daycare Facility”:</p> <p style="text-align: center;">DAYCARE FACILITY:</p> <p>The use of a site where nonmedical care, protection or supervision is regularly provided to children under twelve (12) years of age, or disabled persons of any age, for periods less than twenty-four (24) hours per day, while the parents or guardians are not on the premises. There are three (3) types of childcare facilities distinguished by the number of individuals served:</p> <p><u>A. Daycare center: More than twelve (12).</u></p>

STAFF REPORT: DSRFY2019-20/CUPFY2019 – 12 – Application materials can be found here: [Link](#)

	<p>B. Daycare, neighborhood: More than six (6) but no greater than twelve (12).</p> <p>C. Daycare, personal: Four (4) or fewer.</p> <p>Although the applicant has applied for the use “Day Care Facility”, the use appears to overlap with the use “School.</p> <p>School: An institution of learning or academic instruction and/or instruction in a skill or business. The term "school" includes any public or private educational facility including, but not limited to, <u>nursery schools, preschools</u>, kindergartens, elementary and secondary schools.</p> <p><u>(Emphasis added)</u></p> <p>The function of the facility overlaps both uses. The standards of the use “School” apply to this use where applicable. The scope of this use is limited to nursery school and preschool functions.</p>
<p><u>GCC 8-2B Base Zoning District Provisions</u></p>	
<p>GCC 8-2B-2 Allowed Uses</p>	<p>The use “Daycare Center” and “School” require a conditional use permit in the C-1 zone.</p>
<p>GCC 8-2C-11 Day Care Facility</p>	<p>The proposed use does not appear to meet the use specific requirements concerning fence height. Note 14 of the applicant’s site plan indicates there is a four foot (4’) tall fence enclosing a play area facing the parking lot (notes 15 and 16). Subsection D1 requires a minimum six foot (6’) fence height for all outdoor play areas. A condition of approval could be required to meet this requirement prior to a certificate of occupancy.</p> <p>The proposal does not specifically demonstrate how vehicular traffic operates safely within the pickup/drop off area. Subsection B requires this area along with parking and turnaround areas to be</p>

STAFF REPORT: DSRFY2019-20/CUPFY2019 – 12 – Application materials can be found here: [Link](#)

	<p>designed to ensure safe discharge and pick up of clients. More information is needed from the applicant on this issue and to determine what conditions of approval, if any, are necessary.</p> <p>The requirements of this section could be incorporated into the conditions of approval to ensure the use operates safely.</p>
GCC 8-2C-34 School	The proposal appears to meet the requirements of this section. Section B.2 requires a minimum of 75 sq. ft. of outdoor play area provided for each child enrolled. 5400 sq. ft. is required (72 children X 75 sq. ft.). and is met by the proposal.
GCC 8-6B-2 Conditional Use	
<u>GCC 8-6B-2D Required Findings</u>	To approve a conditional use permit the Planning and Zoning Commission must determine the request meets the required findings of this section. The findings are analyzed below.
Finding 1	<p>Finding: The use is appropriate to the location, the lot, and the neighborhood, and is compatible with the uses permitted in the applicable zoning district;</p> <p>Analysis: The use appears to meet this finding. The record does not appear to demonstrate that the use is not appropriate or not compatible with the uses in the C-1 zoning district.</p>
Finding 2	<p>Finding: The use will be supported by adequate public facilities or services to the surrounding area, or conditions can be established to mitigate adverse impacts;</p> <p>Analysis: The use appears to be supported by adequate public facilities and services such as police, fire, and public works. The remaining challenge concerns pedestrian connectivity across W. Chinden Blvd. The nearest lighted crosswalk is at 36th Street, which is just over 1,000 ft. from the property. ACHD is exploring future connectivity via proposed crosswalks across W. Chinden Blvd. The exact location of these crosswalks and project timelines have not been determined.</p>

STAFF REPORT: DSRFY2019-20/CUPFY2019 – 12 – Application materials can be found here: [Link](#)

<p>Finding 3</p>	<p>Finding: The use will not unreasonably diminish either the health, safety or welfare of the community;</p> <p>Analysis: As noted above, there are concerns about the four-foot (4') fence height enclosing an outdoor play area and the operation of the pickup/drop off area. The fence height could be mitigated with a condition of approval. More information is needed about the pickup/drop off area.</p> <p>Garden City Engineer comments note “The site plan includes fairly intense hard surface development. This limits options for storm water collection, treatment and disposal”. Storm water facilities are permitted and inspected administratively during the building permit and public works permit processes. The standard conditions of approval already require compliance with all agency comments. No further conditions appear warranted.</p>
<p>Finding 4</p>	<p>Finding: The use is not in conflict with the comprehensive plan or other adopted plans, policies, or ordinances of the city.</p> <p>Analysis: The use is in the Activity Node - TOD Node, Live-Work-Create, and Green Boulevard Corridor designations of the Comprehensive Plan Future Land Use Map.</p> <p><u>Activity Node - TOD Node:</u> The designation is intended to develop multi-story (three or more) development with a mix of uses, public spaces, and transition between surrounding uses. The designation is meant to encourage future transit stations and stops, but not intended to have all nodes develop in the Plan’s 20 year period. The 36th Street Activity Node has been developing substantially along E. 36th Street and includes the recent approval of the 34th Street Specific Area Plan.</p> <p>The use contributes to the mix of uses in the area and provides childcare services to residents. However, the form is not a 3 story structure as recommended by the designation.</p> <p><u>Live-Work-Create:</u> This designation is designed to encourage artists, crafts persons and other residents to live, be</p>

STAFF REPORT: DSRFY2019-20/CUPFY2019 – 12 – Application materials can be found here: [Link](#)

employed, exhibit work, and operate a business within the same property or throughout the designation's area. The designation recommends a mix of residential, retail, office and small-scale industrial uses. Further, the designation recommends regulation through form standards, rather than uses, that maintain the existing small lot subdivision pattern. Large scale development that consolidates lots and encourages large scale industrial or commercial uses should be restricted.

The proposal appears to comply with this designation's intent. A day care center can enhance this designation by providing childcare services to such artists, crafts persons, and other residents and would help to encourage these individuals to remain within the designation area. The use contributes to the overall mix of uses in the area. While two properties must consolidate to develop as proposed, the use does not appear to be a large-scale use and is at a lower scale than surrounding uses such as the Riverside Hotel and the adjacent cross fit gym.

Green Boulevard Corridor:

This designation focuses on improving arterial corridors with pedestrian improvements such as sidewalks with parkways, bus stops, landscape medians with pedestrian refuges and channelized left-turn lanes. The designation recommends limiting uses that create high volumes of single occupancy vehicle traffic and recommends regulations to limit number and spacing of driveways, parking behind buildings, and maximum setbacks. Existing sidewalk improvements are installed along W. Chinden Blvd. The proposal includes detached sidewalk improvements along 32nd Street. Use patrons are typically not single occupancy vehicles, as children are dropped off and picked up from the facility. The proposal includes parking behind buildings and removing access points from W. Chinden Blvd.

Goals, Objectives, Action Steps:

The following goals, objectives, and action steps of the plan apply to this proposal:

Goal 2: Improve the City Image

	<p>Objective 2.1: Encourage new and distinctive neighborhoods.</p> <p>Goal 4: Emphasize the “Garden” in Garden City Objective 4.3: Beautify streets, sidewalks, and gateways with landscaping, trees, and public art. Action Step 4.3.1: Continue to require sidewalks and landscaping in all new development, and in major alterations and re-use of existing commercial sites.</p> <p>Goal 11: Serve the City Objective 11.1: Support additional educational facilities.</p> <p>Goal 12: Evolve as a Destination Objective 12.1: Support a positive business environment. Objective 12.2: Continue to support commercial and industrial land uses. Objective 12.3: Create a premier destination for work, recreation, entertainment, culture and commerce.</p>
--	--

3. Decision Options:

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

- a) Approve the application as presented;
- b) Approve the application with conditions;
- c) Request the applicant return with revised materials for additional review;
- d) Deny the application.

D. Policy and Study Analysis

POLICIES AND STUDIES	
Document	Staff Comments
<u>Garden City Sidewalk Policy</u>	The proposal contains sidewalks designed in accordance with the Sidewalk Policy.
<u>Garden City Streetlight Policy</u>	The existing streetlight on W. Chinden Blvd and adjacent to this property appears to meet the requirements of this section. The applicant has proposed additional internal lighting depicted in their photometric plan and cut sheets.

STAFF REPORT: DSRFY2019-20/CUPFY2019 – 12 – Application materials can be found here: [Link](#)

--	--

STAFF REPORT: DSRFY2019-20/CUPFY2019 – 12 – Application materials can be found here: [Link](#)