



CITY OF GARDEN CITY

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File Number: DSRFY2019-4
For: Mixed Use Development
Location: 208 E. 33rd Street Garden City, Idaho
Applicant: Gravitas, Inc.
Report Date: October 17, 2019



Garden City Design Committee
Staff Contact: Chris Samples

STAFF REPORT: DSRFY2019 – 4 – Application materials can be found here: [Link](#)

**City of Garden City
Staff Report**

A. Project Overview

Project Description:

Derek Hurd with Gravitas Inc. is requesting a Design Review approval for a mixed-use project that will be housed in 35 re-purposed shipping containers at 208 E. 33rd Street; Ada County Parcel R2734541364. The properties are within the Mixed Use (M) zoning district and the Work/Live/Create Land Use designation of the Comprehensive Plan.

Proposed Scope of Work:

Request	Review Process	Notes
Design Review for multiple structures	8-6B-3 Design Review	Applicant requesting 8-3C Surel Mitchell Work-Live-Create Overlay District Standards

Project Details:

- 1) Proposed development: Mixed Use Development – Multiple Structures
- 2) Number of buildings: 35 attached structures
- 3) Parking spaces: 8 spaces
 - a) 6 on-street
 - b) 2 off-street
- 4) Bicycle parking: 20
- 5) Site Coverage:
 - a) Property: 14,985 sq. ft.
 - b) Building: 6,000 sq. ft.
 - c) Plaza: 6,750 sq. ft.
 - d) Landscaping: 1,332 sq. ft. +/-
- 6) Paved Areas: Varies
- 7) Trash Enclosure: 1 (at rear of property)

Site Conditions:

- 1) Address: 208 E. 33rd Street
- 2) Parcel Number: R2734541364 or R2734541360
- 3) Property Size: 0.344 acres
- 4) Zoning District: M Mixed Use
- 5) Requested Overlay: Surel Mitchell Work-Live-Create

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- 6) Comprehensive Plan Land Use Map Designation: Work-Live-Create
- 7) Legal Parcel of Record: No
 - a) No record of property boundary adjustment on file
- 8) Floodplain Designation:
 - a) 2003 FIRM: X
 - b) 2017 Draft FIRM: AE
- 9) Surrounding Uses: Only note uses that we have record of within 600' of the property
 - a) Farmer's Market
 - b) Event Center
 - c) Food Products Processing, Small Scale
 - d) Dwelling Unit, Single Family Detached
 - e) Lodging
- 10) Existing Use: Dwelling Unit, Single Family Detached
- 11) Easements on site: There are no records on file with Garden City of existing easements
- 12) Site Access:
 - a) Pedestrian only off of 33rd Street
 - b) Vehicle access off of proposed rear alley
- 13) Sidewalks: No sidewalks installed on or adjacent to the site
- 14) Additional Information:
 - a) Rear alley access proposed by easement as depicted in 34th Street Master Plan
 - b) Streetscape improvements subject to requirements of Council Resolutions 1062-19 and 1063-19

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

Decision	Recommendation Authority	Decision Authority	Hearing Date
Design Review	N/A	Design Committee	October 21, 2019 (continued from the October 7, 2019 hearing)

Due to a lack of quorum at the October 7, 2019 hearing, the application has been continued to the October 21, 2019 hearing.

Design Review Pre-Application Conference: On January 7, 2019, a pre-application conference was completed in accordance with 8-6B-3. The Committee provided the following comments:

- a) An ordinance currently in the process of being adopted would require fabricated structures lose their appearance of being a prefabricated structure. The structures would need to meet nonresidential design standards including variety of materials.
- b) A parking analysis was requested.
- c) A loading area was requested.
- d) Landscaping, connectivity, perimeter screening, sidewalk and other design related requirements would need to be met.

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Standards for Review: Standards for review of this application are:

Design Review Standards	
Standard	Staff Comments
8-3A Overlay Zoning District Regulations – General Provisions	Discussion re: applicability of overlay zone and design requirements
8-3C Surel Mitchel Work-Live-Create	More information needed re: design, setbacks, living space
8-4A General Provisions	More information needed re: lighting, outdoor equipment screening
8-4B Residential Design Provisions	No significant issues noted
8-4C Nonresidential Design Provisions	More information needed re: design and prohibitions
8-4D Parking and Loading Provisions	No significant issues noted
8-4E Transportation and Connectivity Provisions	Discussion re: driveways and fire safety
8-4I Landscaping and Tree Protection Provisions	More information needed re: tree mitigation
8-1A-4 Applicability	Lot line adjustment required
8-6B-3 Design Review Committee	More information needed

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

1. 34th Street Specific Area Plan/Council Resolutions 1062-19 and 1063-19
2. [Garden City Sidewalk Policy](#)
3. [Garden City Street Light Policy](#)

Exhibits: [Link](#)

- 1) Staff Report
- 2) Application Documents
- 3) Letter of Intent/Compliance Statement
- 4) Letter to Address Staff Report Comments
- 5) Supplemental Application Clarification E-mail
- 6) Plan Sheets:
 - a) G1 Cover Sheet
 - b) A1 Main Floor Plan
 - c) A2 Upper Level Plan
 - d) L1.00 Landscape Plan
 - e) 01 Site Plan
 - f) 02 Design Imagery
 - g) E1 Elevations
 - h) E2 Elevations
 - i) E3 Perspective
 - j) E4 Perspective
 - k) E5 Perspective
 - l) E6 Perspective
 - m) E7 Perspective
- 7) Waiver to Application Requirements Request
- 8) Noticing:
 - a) Acceptance Letter
 - b) Agency Notice

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- c) Legal Notice
- d) Radius Notice
- e) 1st Notice of Intent to Approve/Deny
- f) Affidavit of Property Posting and Photos
- g) Agenda Posting
- 9) Agency Comments:
 - a) ACHD
 - b) NACFR
- 10) Public Comments:
 - a) Surel's Place
 - b) Melissa Levick
 - c) Michelle Russell
 - d) Caitlin Copple Masingill
 - e) Larry Adams
 - f) Will Howard
 - g) Lenex J. Moss
 - h) Hannah Brie
 - i) Joe Jaszewski
 - j) William and Linda Graham
 - k) Leigh Moss
 - l) Court Etherington
 - m) Adam Straubinger
 - n) Rachel Henley
 - o) Scott Caufield
 - p) Kaci Jenson
 - q) Rashmi Venugopal
- 11) Previous Hearing Minutes
 - a) Design Committee – January 7, 2019
- 12) City Council Resolutions 1062-19 and 1063-19
- 13) 34th Street Specific Area Plan

B. Design Review

DESIGN STANDARDS FOR REVIEW	
City Code	City Standards/Staff Comments
<u>GCC 8-3A Overlay Zoning District Regulations – General Provisions</u>	<p>Pursuant to 8-3A and 8-3C (Surel Mitchell Work-Live-Create Overlay District), the provisions of the overlay district are utilized voluntarily at the request of an applicant. Also pursuant to the same code articles, the standards for an overlay district are in lieu of and/or in addition to the standards in the base zoning district. The base zoning standards are found in 8-2 Base Zoning District Regulations and include use, density, and form standards.</p> <p>However, 8-3C lists standards that are not applicable to the standards of 8-2 such as design, parking and</p>

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	<p>landscaping standards. Those standards are found in 8-4 (Design and Development Regulations) and are not base zoning district standards. The intent of having these standards appears to create a unique design within the overlay.</p> <p>When a conflict in code occurs, 8-1A-5B (Interpretation – Conflicting Provisions) requires the more restrictive provision be used. In this instance, the more restrictive provision would require the specific provisions of 8-3C to be applicable and where 8-3C does not address a standard found in 8-4, the provisions of 8-4 would apply.</p>
<p><u>GCC 8-3C Surel Mitchell Work-Live-Create Overlay District</u></p>	
<p>GCC 8-3C-3A General Provisions – Dimensional Requirements</p>	<p>This subsection section supersedes 8-2B-3 (Form Standards).</p> <p>Subsection A.1 requires the front building setback to accommodate a five-foot (5') sidewalk and a two foot (2') building zone or be consistent with a streetscape plan adopted by the City. Resolutions 1062-19 and 1063-19 adopted a streetscape plan along E. 33rd Street. The front setback appears to be consistent with the adopted streetscape.</p> <p>Subsection A.6 allows a five-foot (5') and a zero foot (0') setback adjacent to other lots within the overlay district. However, pursuant to subsection F.5, buildings 24' in height or higher requires the building height to step back in a vertical plane ten feet (10') from the side property lines. Subsection F.5 applies to the stair tower components, as the other components are below 24' in height and is reviewed below.</p> <p>Subsection A.8 requires the minimum development site area to be 3,000 sq. ft. or a legal lot of record. The property appears to have been created from a lot line adjustment not completed in accordance with 8-1A-4 and 8-5C-1. This issue will be addressed later in the report.</p>

GCC 8-3C-3B General Provisions – Workspace Requirements	Subsection B. requires a minimum of 250 sq. ft. for interior working spaces. Workspace units are proposed at 300 sq. ft.
GCC 8-3C-3C General Provisions – Living Space Requirements	<p>Subsection C.4 requires living spaces to include a bedroom, closet, bathroom and kitchen, to be attached to the building where the workspace is located or detached on the same property as the workspace. The floor plans do not provide enough detail to evaluate these requirements. These requirements do not directly affect the exterior of the structures and can be evaluated administratively during the building permit process.</p> <p>Subsection C.5 requires a minimum of 80 sq. ft. of outdoor open space provided for each living space and is satisfied through porches, patios, decks, and/or yards. Required setbacks, landscaping, entryway and other accessways cannot count toward this minimum. According to elevation sheets E1 and E2, rooftop areas appear to be provided as outdoor open space. Square footages exceed the 80 sq. ft. minimum required by this ordinance.</p>
GCC 8-3C-3D General Provisions – Combined Work-Live Space Requirements	No compliance issues have been noted for this section.
GCC 8-3C-3E General Provisions – Multiple Work-Live Space Requirements	Subsection E.2 requires each work live space to have a clearly defined separate access from other work-live units. According to the site plan sheet 01, entrances appear to be provided to the residential/work live units along E. 33 rd Street and interior within the property.
GCC 8-3C-3F General Provisions – Design	<p>Building design is determined based on the use of the structures (e.g. residential, nonresidential). As a mixed-use development, both residential and nonresidential provisions apply to this proposal. The proposal depicts the use “dwelling unit, multi-family” and other uses are speculated within the letter of intent.</p> <p>The provisions of this section, where applicable, may supersede the provisions of 8-4B (Design Provisions for Residential Structures) and 8-4C (Design Provisions for Nonresidential Structures). The report notes where the provisions of this section appear not to supersede the sections noted above.</p>

Subsection F.1 requires facades visible from a public street to incorporate openings and variety in the façade. This includes, but is not limited to, porches, terrace, recessed entrances, dormers, awnings, arcades and columns. The letter of intent explains how the building complies with this requirement.

However, 8-4C-5C (Design Provisions for Nonresidential Structures – Prohibitions Pre-Fabricated Structures) prohibits shipping containers or pre-engineered metal buildings used as nonresidential structures visible from the right of way unless they contain architectural features and a variety of materials so that they lose the appearance of being a prefabricated structure. A request has been sent to the applicant to provide a narrative demonstrating how the building complies with this requirement. The applicant has provided this narrative for the Committee’s review and is a part of the record.

Subsection F.5 requires buildings 24’ or higher in height to be stepped back in a vertical plane ten feet (10’) from the side property lines. The stair towers’ heights exceed 24’ and are subject to this provision.

The applicant has provided a supplementary e-mail dated October 15, 2019 indicating that a 6’6” setback for the stair tower, citing the stair tower is only enclosed on two sides and is not a building under Garden City Code. Garden City Code 8-7A (Definitions) defines a building as *“Any structure with walls on all sides designed or intended for the support, enclosure, shelter or protection of persons, animals, or property of any kind.”*

Subsection F.7 contains materials standards, encouraging them to be of durable and long lasting quality. This subsection allows materials of an industrial nature, provided they are well integrated into the scale and design of the building. The proposed design is on an industrial nature, relying on metal contrasted with wood finishes to create this look.

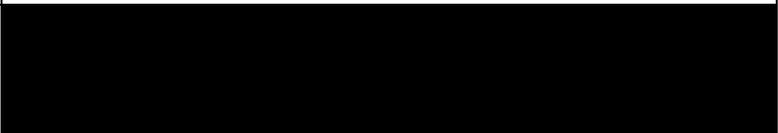
<p>GCC 8-3C-3G General Provisions – Parking</p>	<p>The provisions of this subsection supersede the requirements of 8-4D-5B (Required Number of Off Street Parking Spaces – Nonresidential and Mixed Uses) The remaining requirements of 8-4D (Parking and Off Street Loading Provisions) apply and will be reviewed later in this report.</p> <p>Subsection G.1 requires one off street parking space provided for each living space. The applicant has proposed two parking spaces in an alley at the rear of the property. The alley does not exist and is shown in the 34th Street Specific Area Plan.</p> <p>Subsection G.2 allows working spaces less than 500 sq. ft. of interior floor area to not have parking. The applicant has proposed on street parking, including ADA parking along E. 38th Street. However, comments from ACHD indicate that the District does not guarantee parking in the right of way as it could be removed should the right of way be reconfigured.</p> <p>A parking analysis was requested by the Design Committee at the 1/7/2019 pre-application conference. Upon further review of the ordinance, the minimum parking count is set by the ordinance rather than by the use.</p>
<p>GCC 8-3C-3H General Provisions – Landscaping</p>	<p>The provisions of this subsection supersede the requirements of 8-4I-4A (Landscaping and Tree Protection Provisions – Landscaping for Single-Family Residential Units), 8-4I-4B-2 (Landscaping and Tree Protection Provisions – Landscaping for Nonresidential Uses – Minimum Frontage Tree Requirements) and 8-4I-5 (Perimeter Landscaping Provisions). All other requirements of 8-4I apply to this proposal and are reviewed later in this report.</p> <p>Subsection H.2 requires a landscaped buffer within the 5’ setback that consist of, but not limited to, a mix of evergreen and deciduous trees, shrubs, lawn, or other vegetative ground cover. According to the landscaping plan sheet L1.00, the applicant has provided landscaping consisting of five (5) Norway Spruce trees and 19 Karl Foerster/Feather Reed Grass shrubs. The remaining ground cover consists of gravel.</p>

	<p>Subsection H.3 requires one tree per 2,500 sq. ft. of development site be provided with one tree located along the street frontage. The species are required to have a two inch (2") caliper and be species with shade canopies. According to landscaping sheet L1.00, the applicant has provided 16 trees, in excess of the six (6) trees required for 14,985 sq. ft. of site area. Two trees are shown along the street frontage and located in the detached landscape buffer.</p>
<p><u>GCC 8-4A General Provisions</u></p>	<p>The provisions of this section are not superseded by the overlay district.</p>
<p>GCC 8-4A-4 Outdoor Lighting</p>	<p>A photometric plan and light fixture cut sheets were not provided with this application. Outdoor lighting compliance is usually reviewed administratively during the building permit process.</p>
<p>GCC 8-4A-5 Outdoor Service and Equipment Areas</p>	<p>Subsection A.5 requires service areas for waste, recycling or trash and transformer and utility vault equipment areas to be in an area not visible from the public street or adjoining property. If in view of the public street and adjoining property, a privacy fence is required.</p> <p>The main floor plan sheet A1 depicts a trash enclosure at the rear of the project. Elevations sheet E1 depicts the trash enclosure to be enclosed inside the proposed structure.</p> <p>Subsection B. 5 requires outdoor mechanical equipment to either be fully enclosed and baffled or to meet setback requirements based on the use. The application materials do not contain the location of outdoor mechanical equipment. More information is needed to determine compliance.</p> <p>Subsection C. requires HVAC equipment to be incorporated into the overall design of buildings and landscaping to fully contain the visual and acoustic functions of this use and keep out of view from adjacent properties and public streets. Mechanical equipment is proposed to be screened by fencing, landscaping, and architectural elements.</p>

GCC 8-4A-7 Stormwater Systems	Stormwater systems are reviewed administratively during the building permit and/or public works permit processes.
GCC 8-4A-8 Utilities	Utilities are reviewed administratively during the building permit and/or public works permit processes.
<u>GCC 8-4B Design Provisions for Residential Structures</u>	The provisions of 8-4B-3A (Single-Family and Two-Family Attached and Detached Residential Dwelling Units – Building Design) are superseded by the provisions of 8-3C-3F, as applied to the two residential units. 8-3C-3F addresses building design, front entry, and elevation requirements. The remaining structures are nonresidential structures and addressed elsewhere in this report.
<u>GCC 8-4C Design Provisions for Non-Residential Structures</u>	The provisions of this section, except when superseded by the overlay district, apply to this project.
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. The provisions of this subsection are superseded by 8-3C-3F as that section addresses setbacks and provides specific façade standards.
GCC 8-4C-3(B)	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. The provisions of subsection B.1 are superseded by 8-3C-3G (Work/Live/Create Overlay – Parking) as the parking location and design are addressed in the overlay district requirements. The provisions of subsection B.3 apply to this proposal as the overlay district does not specifically regulate or waive pedestrian pathway requirements. The main floor plan sheet A1 depicts a pedestrian pathway network.
GCC 8-4C-3(C)	Objective 3: Buildings shall be designed and constructed of quality materials. The provisions of this subsection are superseded by 8-3C-F7, as the overlay addresses material requirements.

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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> <p>The provisions of this subsection are not superseded by the overlay district, since the overlay district does not address existing features.</p> <p>Subsection D requires the site design to respect existing features such as existing buildings, landscaping, trees and water. Scraped sites are recommended to be in conformance with 8-4I (Landscaping and Tree Protection Provisions). Compliance with 8-4I is already required elsewhere in Title 8.</p>
GCC 8-4C-3(E)	<p>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.</p> <p>The provisions of this subsection are not superseded by the overlay district, since the overlay district does not address building orientation, building articulation and building details.</p> <p>Subsection E.1 requires buildings to be oriented toward a prominent feature such as a corner location, a plaza, a street or the river. The street side elevations face E. 33rd Street while the interior development faces toward a pedestrian plaza.</p> <p>Subsection E.2 requires articulation to reduce the building's scale. Subsection E.2A recommends window treatments in facades visible from streets and public spaces and that windows should be articulated with mullions, recesses, etc. and apply complementary articulation around doorways and buildings. The overlay already addresses architectural elements and rooflines and supersedes subsections E.2b and E.2c.</p> <p>Subsection E.3 requires enhancement of building design and provides examples such as ornate rooflines, window and door treatments, ornamentation, distinct light fixtures, and artwork or decorative paving. Rooflines requirements are superseded by the overlay district, but all other</p>

	<p>requirements apply. The application materials depict differing window treatments, differing materials and colors.</p> <p>Subsection E.4 addresses building color standards and is in addition to the requirements of the overlay district. The overlay district requires two changes to color on a structure but does not provide further requirements. The subsection standards encourage accent color combinations to complement each other, to enhance design with accent colors, preference toward softer, muted or earth toned colors, and color compatibility with the architectural character of the surrounding buildings and neighborhood.</p> <p>The applicant has proposed a white and brown color palette. Metal blended with patinaed aged metal has also been proposed.</p>
<p>GCC 8-4C-3(F)</p>	<p>Objective 6: The site development should support and be consistent with the adopted streetscape.</p> <p>This subsection is not superseded by the overlay district but is equal in requirement to the overlay district. Both provisions require the site design to take the adopted streetscape into account. City Council Resolutions 1062-19 and 1063-19 adopted the streetscape designs of the 34th Street Master Plan and applied them to E. 33rd Street.</p>
<p><u>GCC 8-4C-4 Special Provisions for Specific Non-residential Development</u></p>	
<p>GCC 8-4C-4(A) Large Scale Non-Residential Structures</p>	<p>The provisions of this subsection apply to this proposal. The provisions are in addition to the façade provisions of the overlay district as additional and more restrictive requirements are found in this subsection.</p> <p>Subsection A.1 notes that facades longer than 50' should incorporate relief to perceived building mass through wall projections/recesses, projecting windows, entrances, or the visual relief. Doorways along sidewalks should be recessed three feet (3') of the sidewalk. The proposal appears to incorporate this relief along the street side façade.</p>

<p>GCC 8-4C-4(B) Multiple Non-Residential Structures on One Development Site</p>	<p>The provisions of this subsection apply to this proposal. While the overlay district contains requirements for multiple live/work units, the overlay does not address pedestrian connectivity between units, consistent setbacks from parking areas, and terminal views.</p> <p>Subsection B.1 provides design standards for pedestrian pathways. The proposed pedestrian path system appears to provide both internal and external connectivity.</p> <p>Subsection B.2 contains standards for consistent setbacks to front or internal parking areas. Consistent setbacks appear to be depicted throughout.</p> <p>Subsection B.3 protects landscaping, landmark or significant site feature views. The internal view within the site is focused toward a pedestrian plaza.</p>
<p>GCC 8-4C-4(C) Plaza Requirements</p>	<p>The provisions of this subsection apply to this proposal. The overlay district does not specifically regulate or waive plaza standards, deferring compliance to this subsection. The proposed plaza appears to contain most of the elements noted in the subsection. However, a photometric plan was not provided to evaluate security lighting. This requirement can be reviewed administratively if directed by the Design Committee.</p>
<p>GCC 8-4C-4(D) Awning, Marquee, and Arcade Requirements</p>	<p>The provisions of this subsection apply to this proposal. The overlay district does not specifically regulate or waive awning requirements. The proposal does appear to contain arcades instead of awnings and marquees along the E. 38th St. sidewalk.</p>
<p>GCC 8-4C-4(F) Outdoor Service and Equipment Areas</p>	<p>The provisions of this section are duplicative of 8-4A-5 and have been reviewed above.</p>
<p>GCC 8-4C-5 Prohibitions</p>	<p>Subsection C.1 prohibits structures made of prefabricated materials, such as shipping containers, unless they contain architectural features and a variety of materials so that they lose the appearance of being a prefabricated structure. The proposal</p>

	utilizes shipping containers as the primary building material. The applicant has provided a narrative demonstrating how the proposal complies with this subsection.
<u>GCC 8-4D Parking and Off Street Loading Provisions</u>	
GCC 8-4D-3 Parking Design and Improvement Standards	<p>Excepting Subsection A, the provisions of this subsection are required in addition to the overlay district. The overlay district does not address parking design and improvement standards.</p> <p>Subsection A is superseded by the requirements of the overlay district. The location of parking spaces and their accessibility is specified in the overlay district requirements.</p> <p>Subsection B notes parking area design improvement standards. The standards are applicable to the proposal and are usually enforced administratively during the building permit and/or public works permit process.</p> <p>Subsection C addresses bicycle parking standards, which is not addressed by the overlay district. The applicant has proposed bicycle parking spaces located along E. 33rd Street and the rear of the property adjacent to a proposed alley.</p>
GCC 8-4D-4 Parking Use Standards	With the exception of Subsection 4.A (Number of Spaces), the provisions of this section apply in addition to the overlay district. Subsection 4.A is addressed under 8-4D-5 and is reviewed below. The remaining provisions of this subsection are usually reviewed administratively.
GCC 8-4D-5 Required Number of Parking Spaces	The provisions of the overlay district supersede this subsection. Required parking counts are noted in the overlay district and are review in a previous section of this report.
GCC 8-4D-7 Off Street Loading Standards	The provisions of this subsection apply in addition to the overlay district, as the overlay district does not address off street loading areas. The application materials appear to depict a loading area in the proposed alley at the rear of the property, but the

	application materials are not clear as to its extent within the alley.
<u>GCC 8-4E Transportation and Connectivity Provisions</u>	
GCC 8-4E-3 Public Street Connections	<p>The provisions of this subsection apply in addition to the standards of the overlay district, as the overlay district does not address the clear vision triangle and street access.</p> <p>Subsection B requires all developments to have access to a public street approved by the transportation authority. Vehicular access is proposed at an alley at the rear of the property as identified in the 34th Street Specific Area Plan. This access has not been approved by ACHD and could be required as a condition of approval.</p>
GCC 8-4E-4 Internal Circulation Standards	<p>The provisions of this subsection apply in addition to the standards of the overlay district, as the overlay district does not address driveways, aisles, and turnaround areas required for fire and refuse access.</p> <p>Subsection A requires driveways, aisles, and turnaround areas to be 20' in width, have a 13'6" minimum vertical clearance, and be integrated into site design and adjacent properties. The 34th Street Specific Area Plan has an approved rear alley design that the applicant is relying on for access. However, the fire department can require more restrictive requirements for fire safety. A condition of approval requiring compliance with fire department access requirements could be required.</p>
GCC 8-4E-6 Sidewalk Standards and The Garden City Sidewalk Policy	The provisions of this subsection apply in additions to the standards of the overlay district, as the overlay district does not address sidewalk standards. City Council Resolutions 1062-19 and 1063-19 require a streetscape design that includes sidewalk improvements.
GCC 8-4E-7 Pedestrian and Bicycle Accessibility Standards	<p>The provisions of this subsection apply in additions to the standards of the overlay district, as pedestrian connectivity are not addressed by the overlay district.</p> <p>Subsection A requires pedestrian accessibility to be</p>

	provided via a pathway system. The application documents show a pathway system proposed throughout the development.
<u>GCC 8-4I Landscaping and Tree Protection Provisions</u>	
GCC 8-4I-3 General Landscaping Standards and Irrigation Provisions	<p>The provisions of this subsection apply in addition to the standards of the overlay district, as the overlay district does not address or waive landscaping standards.</p> <p>The landscape plan sheet L1.00 appears to comply with the provisions of this subsection.</p>
GCC 8-4I-4(B) Landscaping Provisions for Non-Residential Uses	<p>The provisions of the overlay district supersede supersedes the required tree count provisions of this subsection. All other provisions of this subsection apply.</p> <p>Subsection B.1 requires a minimum of five percent (5%) of the gross site area be landscaped (excluding setback and perimeter landscaping). The landscape plan sheet L1.00 and the letter of intent indicate that 30% of the site is landscaped.</p>
GCC 8-4I-5 Perimeter Landscaping Provisions	The provisions of the overlay district supersede supersedes the provisions of this subsection. The overlay district contains requirements for perimeter landscaping and are reviewed in a previous section of this report.
GCC 8-4I-7 Tree Preservation Provisions	The provisions of this subsection apply in addition to the standards of the overlay district, as the overlay district does not address or waive required tree mitigation. According to the supplemental narrative dated October 16, 2019, a four-inch (4") caliper tree is proposed to be removed. Mitigation is required pursuant to this section unless the tree is certified to be dead, diseased or a hazard by an arborist.
<u>GCC 8-1A-4 Applicability</u>	Subsection A of this section prohibits the construction, alteration or movement of a structure, prohibits the use of a structure, or prohibits the undertaking of any development unless:

	<ol style="list-style-type: none"> 1. The proposed use, structure, division of property, or modification to a division of property complies with this Title AND; 2. Any required approval is first obtained as provided by chapter 6, Administration, of this title and any applicable conditions of approval are met. <p>According to Ada County Assessor records, 208 and 210 E. 33rd Street were combined into one property and assigned to address 208 E. 33rd Street. Pursuant to 8-5C-1 (Land Division Amendments) and 8-6A (Administration), a land division amendment/plat, boundary line amendment is required. The City does not have record of an application being submitted for this amendment/adjustment.</p> <p>To ensure the adjustment application is completed and to ensure the development continues to move forward, a condition of approval could be added to require the amendment/adjustment process be completed prior to the acceptance of a building permit application.</p>
<p><u>GCC 8-6B-3 Design Review</u></p>	
<p>GCC 8-6B-3D Required Findings</p>	<p>Design Review approval may be granted by the Committee only if the applicant meets the required findings of this section. The findings are analyzed below.</p>
<p>Finding 1</p>	<p>Finding: The project conforms to all applicable standards and criteria as set forth in Title 8, Chapter 4.</p> <p>Analysis: This finding applies to the subsections of Title 8, Chapter 4 not superseded by the Surel Mitchell Work-Live-Create District.</p> <p>More information is needed concerning the following subsections:</p> <ul style="list-style-type: none"> 8-4A-5 (Outdoor Service and Equipment Areas) 8-4C-3E (Design Objective 5) 8-4C-5 (Prohibitions)

<p>Finding 2A</p>	<p>Finding: The proposed design is in accordance with the purpose of the zoning district and all dimensional regulations of that district;</p>
	<p>Analysis: The applicant has requested the use of the Surel Mitchell Work-Live-Create District in lieu of the base zoning standards. The finding applies to the overlay district.</p> <p>More information is needed concerning the following subsections:</p> <p>8-3C-3A (Dimensional Requirements) 8-3C-3C (Living Space Requirements) 8-3C-3F (Design)</p>
<p>Finding 2B</p>	<p>Finding: The proposed design adheres to standards for the protection of health, safety, and general welfare;</p>
	<p>Analysis: More information is needed concerning the following subsections:</p> <p>8-3C-3A (Dimensional Requirements) 8-3C-3F (Design) 8-4C-3E (Design Objective 5)</p>
<p>Finding 2C</p>	<p>Finding: The proposed design creates a sense of place and contributes to the uniqueness of the different districts and neighborhoods in the city;</p>
	<p>Analysis: More information is needed concerning the following subsections:</p> <p>8-3C-3A (Dimensional Requirements) 8-3C-3F (Design) 8-4C-3E (Design Objective 5) 8-4C-5 (Prohibitions)</p>
<p>Finding 2D</p>	<p>Finding: The proposed design improves the accessibility of development to non-motorized and public modes of transportation;</p>
	<p>Analysis: More information is needed concerning the following subsections:</p> <p>8-3C-3A (Dimensional Requirements) 8-3C-3F (Design)</p>

	8-4C-4C (Plaza Requirements)
Finding 2E	Finding: The proposed design supports a development pattern in nodes rather than strip commercial along arterial corridors;
	Analysis: Not applicable. The property is not located along an arterial corridor.
Finding 2F	Finding: The proposed design supports a compact development pattern that enables intensification of development and changes over time; and
	Analysis: More information is needed concerning the following subsections: 8-3C-3A (Dimensional Requirements) 8-3C-3F (Design) 8-4C-3E (Design Objective 5) 8-4C-5 (Prohibitions)
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 proposed design appears to be compliant with this finding. The applicable standards of 8-3C-3H (Surel Mitchell Work-Live-Create Overlay District – Landscaping) and 8-4I (Landscaping and Tree Protection Provisions) appear to have been met.

C. Agency and Public Comments

Agency Comments: None received

Agency	Comment Summary
ACHD	Street and improvement requirements noted; Standard improvements required unless 34 th Street Plan is finalized, then the Plan would supersede.
NACFR	Fire hydrant flow, fire apparatus access, and fire access roadway requirements noted

Public Comments:

STAFF REPORT: DSRFY2019 – 4 – Application materials can be found here: [Link](#)

Commenter	Comment Summary
Surel's Place	In support of the proposal
Melissa Levick	In support of the proposal
Michelle Russell	In support of the proposal
Caitlin Copple Masingill	In support of the proposal
Larry Adams	In support of the proposal
Will Howard	In support of the proposal
Lenes J. Moss	In support of the proposal
Hannah Brie	In support of the proposal
Joe Jaszewski	In support of the proposal
William and Linda Graham	In support of the proposal
Leigh Moss	In support of the proposal
Court Etherington	In support of the proposal
Adam Straubinger	In support of the proposal
Rachel Henley	In support of the proposal
Scott Caufield	In support of the proposal
Kaci Jensen	In support of the proposal
Rashmi Venugopal	In support of the proposal

D. Policy and Study Analysis

Policy/Study	Staff Comments
<u>34th Street Specific Area Plan/Council Resolutions 1062-19 and 1063-19</u>	<p>The Plan affects the rear access of the property. Easements must be secured and the rear access developed in accordance with The Plan. A condition of approval making this decision contingent upon securing access through this easement should be considered. An additional condition of approval requiring access not otherwise provided through the easement be reviewed by the Design Committee.</p> <p>Resolutions 1062-19 and 1063-19 require sidewalks installed in association with the adopted streetscape.</p>
<u>Garden City Sidewalk Policy</u>	<p>The Policy was reviewed in association with this report. The Sidewalk Policy requires sidewalks installed with new development. Resolutions 1062-19 and 1063-19 require sidewalks installed in accordance with the adopted streetscape.</p>
<u>Garden City Street Light Policy</u>	<p>The Streetlight Policy requires streetlights within a minimum of 400 ft. of a property. City records indicate that a streetlight is within 100 ft. of the property.</p>

E. Decision Options

STAFF REPORT: DSRFY2019 – 4 – Application materials can be found here: [Link](#)

The Design Committee may take one of the following actions:

1. Approve the application as presented;
2. Approve the application with conditions;
3. Request the applicant return with revised materials for additional review;
4. Deny the application.