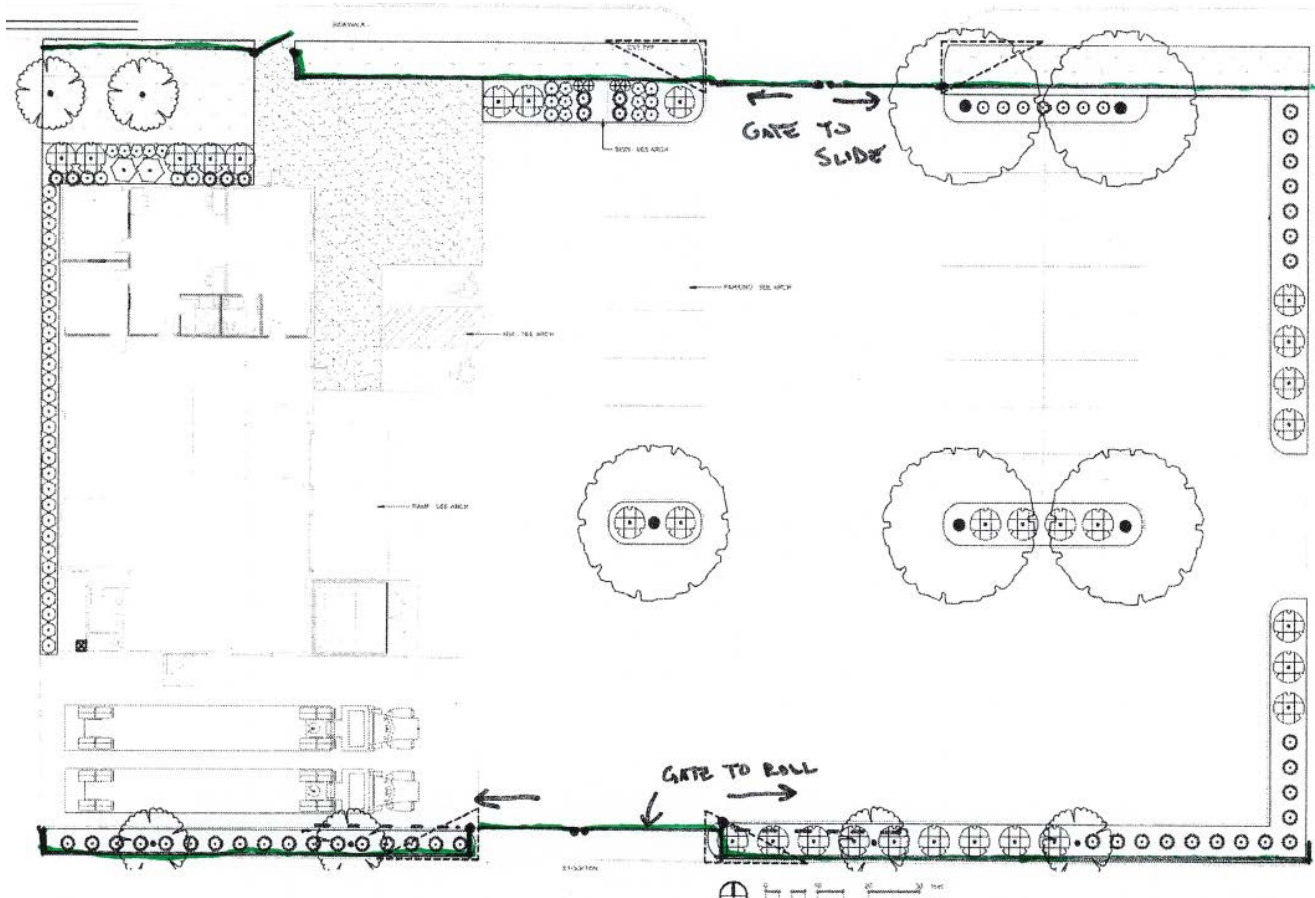




## CITY OF GARDEN CITY

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**File Number: DSRFY2020 - 02**  
**Application Scope: Design Review Meeting for Site Modifications**  
**Location: 3933 W. Chinden Blvd.**  
**Applicant: Richard Valentine**  
**Design Review Report Date: November 16, 2020**



Staff Report  
Prepared by Hanna Veal

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## Table of Contents

<b>Meeting Summary</b> .....	<b>3</b>
<b>Discussion</b> .....	<b>4</b>
<b>Decision Process</b> .....	<b>5</b>
<b>Code/Policy Analysis</b> .....	<b>7</b>

## A. Meeting Summary:

1. On December 16, 2019, in accordance with GCC 8-6B-3, a pre-application conference was held with the Design Committee. The Committee provided the following comments and requests:
  1. Landscaping is required along Stockton Street.
  2. Roof architecture should go all around the building.
  3. There should be more distinction with building elements. There should be greater distance in roof element height than 1' 4".
  4. The façade should address Chinden with such elements as plaza space and pedestrian connectivity.
  5. Consider looking for opportunity for material change in walls. The building needs a more pedestrian friendly feeling.
  6. Consider canopies for more detail.
  7. Glazing needed along Stockton.
  8. Consider the use of materials that isn't metal, such as materials with a warmer feel.
  9. A committee decision is required.
  
2. On February 3, 2020, a public hearing before the Design Committee was held:
  1. Applicant Jeff Likes presented the application.
  2. Staff Chris Samples presented the staff report.
  3. Public testimony was received from no one.
  4. Public testimony was closed.
  5. The Committee noted that the hornbeam trees need to be a class 2 or class 3 tree.
  6. Committee member Gresham moved to approve with the following site-specific conditions:
    - a. Close access on Chinden, physically close so that egress is removed, a sidewalk is filled in and filled in apron.
  7. Committee member Hurd seconded the motion.
  8. The motion carried unanimously.
  
3. The DSRFY2020-02 application also went through the Conditional Use Permit process as [CUPFY2020-6](#).

## C. Discussion

[DSRFY2020-02](#) was previously approved on February 3, 2020 with site specific requirements that the W. Chinden Blvd. secondary access must physically close so that egress is removed, the sidewalk is filled in and the apron is filled in/closed.

The Applicant has provided a brief narrative of the proposed changes. They are proposing to add a 6' fence around the perimeter of the property along Stockton and a 5' high fence along the perimeter of the W. Chinden sides of the property. The proposed fence also proposes rolling gates for vehicular access to W. Chinden and Stockton, as well as a pedestrian gate onto W. Chinden.

[Garden City Code 8-4A](#) speaks to fence maximum height requirements and setbacks. Code specifically states that any fence located along a street frontage within the front yard setback can only be a maximum of three and one-half feet (3.5'). The proposed fence along the frontage of W. Chinden is currently set at six feet (6') high.

Code also states that fences greater than three and one-half feet (3.5') shall be set back to be flush or behind the building frontage. And where there is no frontage, fences greater than three- and one-half feet (3.5') shall be set back a minimum of 10' from the back of the sidewalk. This is to allow for street trees and landscaping between the fence and the street sidewalk. The proposed fencing is not aligned to be flush with the building, nor is it aligned to give the required ten-foot (10') gap between the sidewalk and the fence. It is proposed to be up along the sidewalk on W. Chinden and proposed to be on the exterior side of the perimeter landscaping along Stockton.

[Garden City Code 8-4E-3](#) speaks to Pedestrian and Bicycle Accessibility Standards. In this code is specifically states that a pathway system shall extend through the development site and connect the street sidewalk to all primary building entrances. The originally approved application appeared to meet these standards by proposing a pathway from the sidewalk along W. Chinden to a plaza that which the primary entrance to the building could be accessed. The site modification materials propose that the fence is to have a gate accesses where the pathway is located, so that pedestrians can access the property.

## 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](#):

Decision	Recommendation Authority	Decision Authority	Hearing Date
Design Review	N/A	Design Committee	Pre-application conference: 12/16/2019  Design Review formal hearing: 2/3/2020  Site Modifications Hearing: 11/16/2020

### Required Findings:

Findings are not required at a pre-application conference.

For the approval of a Design Review Application, the Design Review Committee must find the application meets the following findings, found in [GCC 8-6B-3](#):

1. The proposed design is in conformance with the purpose of the zoning district and all dimensional regulations of that district;
2. The proposed design adheres to standards for the protection of health, safety, and general welfare;
3. The proposed design creates a sense of place and contributes to the uniqueness of the different districts and neighborhoods within the city;
4. The proposed design improves the accessibility of development to nonmotorized and public modes of transportation;
5. The proposed design supports a development pattern in nodes rather than strip commercial along arterial corridors;
6. The proposed design supports a compact development pattern that enables intensification of development and changes over time; and
7. The proposed design provides outdoor spaces and landscaping compatible with the southwest Idaho climatic conditions and that encourage pedestrian activity.

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### **Decision**

The Design Review Committee has adopted an Administrative Rules of Procedure Threshold document to help clarify the procedures that which returning application must be adhere to. Where Garden City Development Code might not be as descriptive in how site modifications and changes to plans should be processed, the Design Review Committee may consider the following site modification to be within the limits of initial approval, contingent upon review by the Committee. If the Committee were to consider the following changes to be substantially different than the approved application, then re-noticing and approval by the Design review Committee is required.

### **Appeals of Decision:**

Per Garden City Code [8-6A-5 Administrative Process with Notice](#), there is a 15-day period to file a written objection to the application. This period starts from the signed decision date. If a written objection is received within the 15-day period, a City Council hearing will be scheduled to decide the application. Written objections received after the 15-day objection period will not be accepted.

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.

## 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.

<b>Garden City Title 8 Code Sections</b>			
Code Section	Review Authority	Compliance Issues	Analysis/ Discussion

<b>Title 8, Chapter 4: Design and Development Regulations</b>			
<a href="#">8-4A-3 Fences and Walls</a>	DC	May not be complaint	See Discussion.
<b>8-4E Transportation and Connectivity Provisions</b>			
<a href="#">8-4E-7 Pedestrian and Bicycle Accessibility Standards</a>	DC	May not be complaint	See Discussion.
Title 8, Chapter 6, Article A: Administration			
<a href="#">8-6A-3 General Application Process</a>		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.

<b>Other Items Reviewed</b>	
Plan/Policy	Discussion/ Analysis
Previous entitlement that might affect this project	<a href="#">DSRFY2020-02 AND CUPFY2020-6</a> : Previously approved entitlements.
<a href="#">Garden City Comprehensive Plan</a>	This application is in future land use designations of the Comprehensive Plan: <b>a)</b> Green Boulevard Corridor <b>b)</b> Mixed Use Commercial
<a href="#">Garden City Sidewalk Policy</a>	A sidewalk is installed in accordance with the policy.
<a href="#">Garden City Street Light Policy</a>	A streetlight is installed within 400' of the property in accordance with the policy.