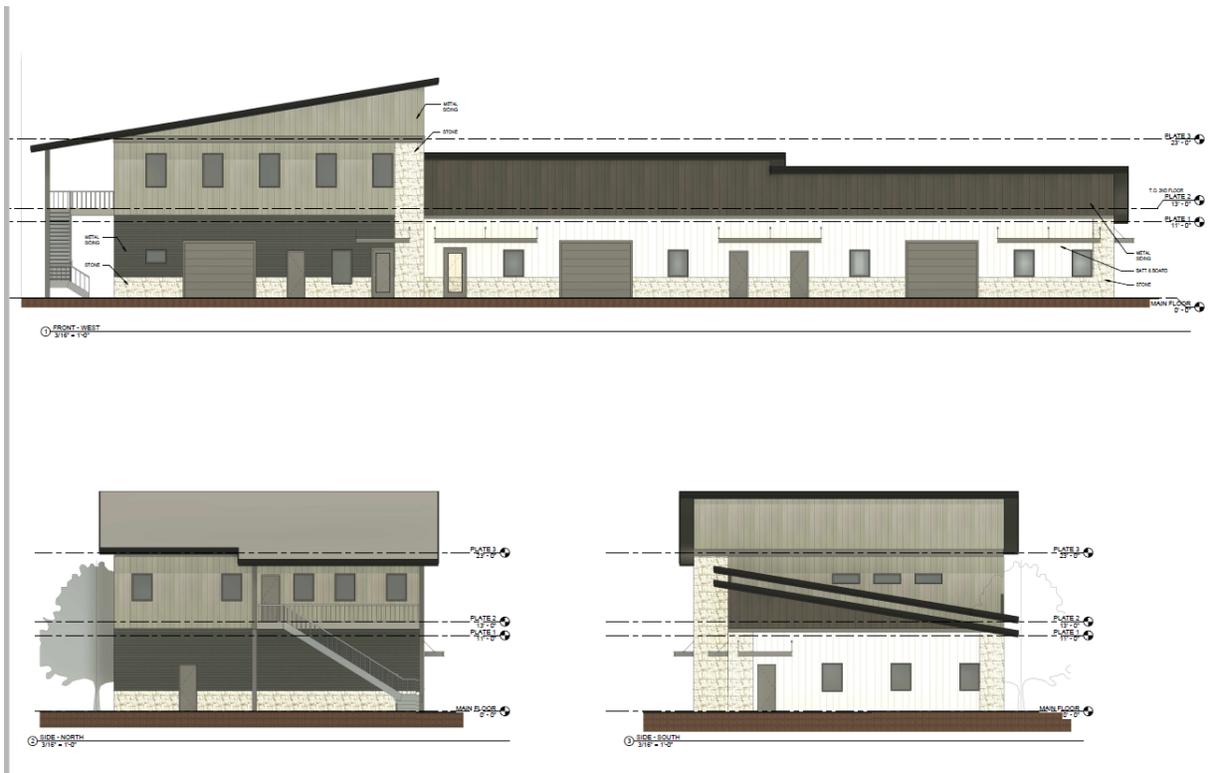


CITY OF GARDEN CITY

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File Number: DSRFY2020 - 22
Application Scope: Pre-Application Conference for a Professional Service Provider.
Location: 4844 N. Fenton St.
Applicant: Glenn Walker
Report Date: October 19, 2020
Revision Date: TBD



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.

- The Preapplication meeting was held on October 19, 2020. A summary of the items discussed includes:
 - Relevant points
- A hearing/ follow-up meeting was held on November 2, 2020. A summary of the items discussed includes:
 - Relevant points

B. Project Information

Proposed Scope of Work:

Request	Review Process	Notes
Pre-application conference for a design review	8-6B-3 Design Review Committee	October 18, 2020
Public Hearing	8-6B-3 Design Review Committee	Is scheduled for November 2, 2020

Project Details:

- 1) Proposed development: New construction of office space with two flex spaces.
- 2) Site Coverage:
 - a) Building: 6,026sqft office space and flex space and 2.025sqft of 2nd level office space. 32.8% of the site
 - b) Landscaping: 4,002sqft of landscaping. 21.8% of the site.
 - c) Paved Areas: 8,338sqft of impervious surface. 45.4% of the site
- 3) Total number of vehicular parking spaces: 12 stalls including 1 ADA stall.
 - a) Surface: 12
- 4) Total number of bicycle parking: Site plans indicate 1 bicycle rack is equal to 2 bicycles.
 - a) Surface: 4 (two bike racks)
- 5) Trash Enclosure: Enclosed solid wood trash enclosure. Republic Services will pick up individual services internal to the development
- 6) Fencing:
 - a) Proposed cedar fence along the East property boundary; unknown height
 - b) Existing cedar fence proposed to remain; unknown height
- 7) Sidewalk:
 - a) Attached textured concrete proposed; unknown width.
- 8) Landscaping:
 - a) Street Trees: 2, class II [Tree Selection guide](#)
 - b) Parameter Landscaping:
 - i) For parking and Drive Isle: Existing trees to remain, 5 class II trees and 40 shrubs according to the landscaping plan.
- 9) Closest VRT Stop: Murray St. & W. Chinden Blvd. 576ft from site.

Site Conditions:

- 1) Street Address: 4844 N. Fenton
- 2) Parcel Number(s): R7334150644
- 3) Property Description: POR LOT 03 BLK 03 IN TCA 06 RANDALL ACRES SUB NO 04
- 4) Legal Lot of Record: Yes
- 5) Property Size: .343 acres
- 6) Zoning District: C-2
- 7) Zoning Overlay(s):
 - a) Neighborhood Commercial Node
- 8) Comprehensive Plan Land Use Map Designation:
 - a) Activity Node: Neighborhood Destination

-
- b) Light Industrial Bradley Technology District
 - 9) Floodplain Designation:
 - a) 2003 FIRM: outside of the Special Flood Hazard Area
 - b) 2017 Draft FIRM: outside of the Special Flood Hazard Area
 - 10) Adjacent Uses:
 - a) Vehicle sales
 - b) Service providers
 - c) Church or place of religious worship
 - 11) Existing Use: Unknown/none on file
 - 12) Easements on site: There are no records on file with Garden City of existing easements on the site.
 - 13) Site Access:
 - a) Front: N. Fenton
 - b) Side: n/a
 - c) Rear: n/a (Possible future connection to E. Bradley St. however it is not proposed)
 - 14) Sidewalks: no existing sidewalk
 - 15) Wetlands on site: none identified

C. Discussion

This is an application for a commercial building that which the applicant has stated will be office space, with two flex spaces for future tenants. Staff has had conversations with the applicant to try and determine the Garden City Code Title 8 associated use, and has come to the conclusion that Professional Services would fit best.

The definition of professional services is, as defined by [GCC 8-7A](#), “ The use of a site primarily for business administration, reception, accessory storage of records and electronic processing of data. Professional service uses include, but are not limited to: business administration, architects, engineers, landscape architects and other design services; accountants; financial advisors; insurance agencies; software programming; consultants; lawyers; realtors; and title companies.”

Professional services are permitted within the C-2 zoning district without any other application. However, staff also contemplated identifying the proposed use as “Industry Flex”, defined as “The use of a multi-tenant structure for the uses of: equipment rental and sales; light industry; motorcycle sale, service, storage rental; service provider; storage yard; vehicle service or other permitted uses within the zoning district which it is in.” If industry flex were to be the designated use, the applicant would have to apply for a Conditional Use Permit.

Staff has had a conversation with the applicant stating that so long as each tenant is classified under the professional services use, it would be permitted and not require a Conditional Use Permit.

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: October 19, 2020 Design Review formal hearing: November 2, 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.

Preapplication Conference Options:

Pursuant to [GCC 8-6B-3](#), a preapplication conference with the Design Review Committee is required. The purpose of the preapplication conference is threefold: to provide direction based on design objectives that are relevant to the application, determine the level of review process, and what application materials will be required.

It is appropriate for Committee to take of the following actions:

- Determine the application is ready for a formal application with the Design Review Committee.
- Delegate the decision to the Planning Official as an administrative decision.
- Request the applicant return with more information.

The direction provided by the committee at the preapplication meeting may be changed or reversed at any time during the process if the design or the scope of the project changes.

Decision

Pursuant to [GCC 8-6B-3](#), if the Design Review Committee does not delegate the decision to the Planning Official for an administrative decision, based on the required findings, the Committee shall take one of several actions:

1. Approve the application;
2. Conditionally approve the application with the requirement that the committee review further design details; or
3. Deny the application.

Appeals of Decision:

A pre-application conference is not a decision and cannot be appealed.

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.

E. Agency Comments

The following agency comments were provided:

Agency	Comment Date	Summary
Ada County Highway District	None received to date	
Boise School District	None received to date	
Central District Health	None received to date	
COMPASS	None received to date	
Garden City Engineer	10/03/2020	Standard Comments
Idaho Transportation Department	None received to date	
Irrigation: Fairview Acres	None received to date	
North Ada County Fire and Rescue	None received to date	
Meridian School District	None received to date	

F. Public Comment

The following public comments were provided: None provided as of the drafting of this document.

Commenter	Comment Date	Summary
None provided		

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 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-3 Nonconforming Uses		May not be complaint – Refer to discussion.	Professional Services are permitted in C-2 without an additional application. Conditional Use Permit will be required if the applicant wishes to have industry flex as their intended use.
Title 8, Chapter 2: Base Zoning District Regulations			
8-2B-1 Purpose		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		May not be complaint	See discussion.
8-2B-3 Form Standards	DC	May not be complaint	The required setbacks are: Front: 5' Interior Side: 5' Rear: 5' Street side: 5' The allowable maximum height is: n/a The minimum lot size is: n/a There are not encroachments All improvements are more than 70' from the Boise River. It is unclear if the property meets or does not meet the minimum street frontage.
8-2C			Other Regulations Apply: A use that is a private security, escort service or massage service shall comply with the licensing requirements as set forth in title 3, "Business And License Regulations," of this code.
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	DC	No compliance issues noted	Proposed 6' cedar fencing along perimeter of the property. And proposal to keep existing 6' cedar fencing.

8-4A-4 Outdoor Lighting	DC	No compliance issues noted	
8-4A-5 Outdoor Service and Equipment Areas	DC	No compliance issues noted	Solid wood trash enclosure proposed.
8-4A-7 Stormwater Systems	DC	No compliance issues noted	
8-4A-8 Utilities	DC	Compliant as conditioned	Utilities plan not submitted.
8-4C Design Provisions for Nonresidential Structures	DC	May not be complaint	<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> <ul style="list-style-type: none"> • Unknown street frontage, not enough information. <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"> • Pedestrian pathways should be functionally separate from parking lots and driveways except where they cross driveways. <p><i>Objective 3: Buildings shall be designed and constructed of quality materials.</i></p> <ul style="list-style-type: none"> • Applicant stated that the building materials include stone veneer, batt & board siding along with high-grade metal siding. This metal siding will not be PBR low grade metal sheeting, it will be of a high-grade metal sheeting. • Metal siding is a discouraged material according to GCC. <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"> • Applicant has stated that existing trees along the West property line are to remain. Applicant has not submitted a tree mitigation plan. It is unknown if any tree mitigation is required, however, all existing trees, significant vegetation and surface water features should be maintained.

			<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> <p><i>Objective 6: The site development should support and be consistent with the adopted streetscape.</i></p>
8-4D Parking and Off Street Loading Provisions			
8-4D-3 Parking Design and Improvement Standards	DC	No compliance issues noted	1 Ada parking spot is proposed on the site.
8-4D-4 Parking Use Standards	DC	No compliance issues noted	1 space per 20 vehicle spaces and 1 space per commercial tenant. 3 bicycle parking stalls required, 4 provided.
8-4D-5 Required Number of Off-Street Parking Spaces	DC	No compliance issues noted	
8-4E Transportation and Connectivity Provisions			
8-4E-3 Public Street Connections	DC	Compliant as conditioned	Clear vision triangle not indicated in plans.
8-4E-4 Internal Circulation Standards	DC	No compliance issues noted	
8-4E-6 Sidewalk Standards	DC	May not be complaint	Attached sidewalk proposed along Fenton. Width not disclosed and code requires for a detached sidewalk.
8-4E-7 Pedestrian and Bicycle Accessibility Standards	DC	No compliance issues noted	
8-4F Sign Provisions			
8-4F-13 Master Sign Program	DC	May not be complaint	8-4F-13: A master sign program is required for any new commercial building with more than one occupant.
8-4H Flood Hazard-	Planning Official	May not be complaint	The City highly encourages that the applicant build to the best available data identified in the FIS study due to the potential cost of flood insurance and safety concerns for the property. Should the applicant choose not to build above the base flood elevations identified in the FIS, the City will request that the applicant record a Flood Acknowledgement on the property.
8-4G Sustainable Development Provisions			
8-4I Landscaping and Tree Protection Provisions			

8-4I-3 General Landscaping Standards and Irrigation Provisions	DRC	No compliance issues noted	Landscape plans indicate that 18 trees are provided with 4 different species.
8-4I-4 Landscaping Provisions for Specific Uses	DC	No compliance issues noted	
8-4I-5 Perimeter Landscaping Provisions	DC	No compliance issues noted	
8-4I-6 Parking Lot Landscaping Provisions	DC	No compliance issues noted	
8-4I-7 Tree Preservation Provisions	DC	No compliance issues noted	Applicant has stated that existing trees are to remain, and that no mitigation is necessary. A mitigation plan has not been submitted.
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 have not been requested pursuant to 8-6A-4A
8-6A-5 Administrative Process with Notice		No compliance issues noted	<p>To be completed with formal application</p> <p>A notice of intent was sent to adjoining property owners within 300' and agencies with jurisdiction.</p> <p>If no objections are filed within 15 days, the Design Review Committee's decision shall be considered final.</p> <p>Objections will be heard by City Council following the public hearing provision set forth in section GCC 8-6A-7.</p> <p>Conditions of approval that are deemed necessary to protect the public health, safety, and welfare, and prevent undue adverse impacts on surrounding properties may be required.</p>

Other Items Reviewed	
Plan/Policy	Discussion/ Analysis
Previous entitlement that might affect this project	DSRFY2020-15 : Previous application for same commercial proposal.
Garden City Comprehensive Plan	This application is in future land use designations of the Comprehensive Plan:

	<p>b) Activity Node: Neighborhood Destination c) Light Industrial Bradley Technology District</p> <p>The application may be supported by:</p> <p>Goal 1. Nurture the City a.) 1.4 Objective: Create a premier destination place to live, work, and recreate.</p> <p>Goal 2. Improve the City Image a.) 2.3 Objective: Promote quality design and architecturally interesting buildings. b.) 2.4 Objective: Create a vision for the design of all streets and highways consistent with city’s urban setting.</p> <p>Goal 4. Emphasize the “Garden” in Garden City a.) 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.</p> <p>Goal 7. Connect the City a.) 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters.</p> <p>Goal 12. Evolve as a Destination a.) 12.1 Objective: Support a positive business environment b.) 12.2 Objective: Continue to support commercial and industrial land uses.</p>
Garden City Sidewalk Policy	Attached sidewalks are proposed along Fenton.
Garden City Street Light Policy	A streetlight is installed along Fenton in accordance with the policy.