



CITY OF GARDEN CITY

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File Number: DSRFY2020 - 28
Application Scope: Public Hearing
Location: 202 E. 42nd Street
Applicant: Katrina Kulm
Pre-Application Report Date: October 5, 2020
Revision Date: February 1, 2021



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 5, 2020. A summary of the items discussed includes:

1. Katrina Kulm, Michelle Dunstan, and Heather Dennis presented the application.
2. There was no staff report.
3. The Committee made the following comments and suggestions:
 - a. There are no proposed windows along 42nd St. if there are to be proposed windows, they will be higher on the wall to promote classroom privacy.
 - b. Provide connectivity to 42nd street from the plaza.
 - c. Massing of the new proposed building is permissible, as well as the relationship to the street.
 - d. Although the building does not meet the street frontage requirements, the plaza and the proposal of enhancing the relationship to the street is meeting the intent of code.
 - e. The parking and playground flex space is to primarily be used for play space except for on certain days when special events occur.
 - f. Create and architecturally appealing entranceway on the new building.

A public hearing was held on February 1, 2021. A summary of the items discussed will be provided after the hearing takes place.

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 5, 2020
Public Hearing	8-6B-3 Design Review Committee	February 1, 2021

Project Details:

- 1) Proposed development: Addition to existing Anser Charter School
- 2) Site Coverage:
 - a) Building: 36,618sqft
 - b) Landscaping: 33,075 sqft
 - c) Paved Areas: 44,418 sqft
- 3) Total number of vehicular parking spaces: 100
 - a) All are surface parking
 - b) Existing: 65
 - c) Proposed: 35
 - d) Ada: 4
- 4) Total number of bicycle parking:
 - a) Covered (under breezeway): 20
- 5) Trash Enclosure: Shared trash enclosure located on southern property boundary line in parking lot/drop off area.
- 6) Fencing:
 - a) Existing perimeter fence to remain.
 - b) New fence line along E. 42nd stated to meet code
- 7) Sidewalk:
 - a) Existing Attached Sidewalk exists along 42nd street.
 - b) Proposed perimeter sidewalk within site for connectivity.
- 8) Landscaping:
 - a) 43rd Street Trees: 3 Class I trees
 - b) 42nd Street Trees: none proposed as existing attached sidewalk remains
 - c) Parameter Landscaping:
 - i) 5' Perimeter landscaping proposed on south property line of new parking lot/drop off.
 - ii) 10' perimeter landscaping proposed on north property line of new parking lot/drop off.
 - iii) 10' perimeter landscaping on western property line
 - iv) 10' perimeter landscaping on northern property line adjacent to proposed fire lane.
 - v) Existing perimeter landscaping between school and UPS customer center property to remain.
- 9) Closest VRT Stop: Adams & 42nd

Site Conditions:

- 1) Street Address: 202 E 42nd Street
- 2) Parcel Number(s): R2734501132, R2734501308, R2734501304, and R2734501301

- 3) Property Description:
 - a) Lots 09 to 12 INC BLK 04 FIARVIEW ACRES SUB NO 01 #1083-2;
 - b) SELY 1/2 OF LOT 26 BLK 04 FAIRVIEW ACRES SUB NO 01;
 - c) PAR #1308 @ W'LY SIDE LOT 26 BLK 04 FAIRVIEW ACRES SUB NO 01; and
 - d) PAR #1304 @ N'LY SIDE LOT 26 BLK04 FAIRVIEW ACRES SUB NO 01
- 4) Legal Lot of Record: Yes
- 5) Property Size: 3.521 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) Activity Node: Transit Oriented Development
 - c) Mixed Use Commercial
- 9) Floodplain Designation:
 - a) 2003 FIRM: Outside of the Special Flood Hazard Area
 - b) 2017 Draft FIRM: 100 Year
- 10) Adjacent Uses:
 - a) Warehouse
 - b) Food Store
 - c) Food Products, small scale processing
 - d) Service provider
 - e) Single Family Dwelling Units
- 11) Existing Use: School
- 12) Easements on site:
 - a) Fairview Acres Sub 01 Plat: Utility, Drainage, Irrigation Easement
- 13) Site Access:
 - a) Front: 42nd Street
 - b) Side: n/a
 - c) Rear: 43rd St.
- 14) Sidewalks: Existing attached sidewalk is installed along 42nd and 43rd Street and are in good repair.
- 15) Wetlands on site: none identified.

C. Discussion

[Garden City Code 8-4C-3 General Provisions for Nonresidential Development](#) requires that all new construction or structural addition that adds more than 25% increase in gross floor area of the existing building have a scale, massing, and urban form that which has a relationship to the street, pedestrian, and adjacent properties.

Objective 1 of GCC 8-4C-3 has setback requirements separate from those of the GCC 8-2B base zoning setback requirements. The project is located in the C-2 zoning district, with a 5' minimum setback requirement. GCC 8-4C-3, Objective 1, requires that the maximum front setback be 15' from curb edge for a minimum of 60% of the length of the street frontage. This implies that at least 60% of the building structure needs to be within 5-15' of the front property line to meet code. Within this provision however, it also states that a plaza can help count towards the 60% requirement, so long as it meets the code plaza requirements. Code also states that if a plaza of at least 500sqft were to be provided along the frontage, the maximum setback of 15' could be increased. Code does not say by how much.

The Anser Charter School is proposing to keep their existing bus drop off, which, according to their submitted Pre-Application documents, is 45' in width when measuring from the property line to the proposed front façade. This puts the proposed location of the school addition at least 45' away from the street frontage of 42nd Street, which would not code compliant except for the fact that a plaza has been proposed.

The application proposes a 1,879sqft plaza (according to the originally submitted site plan dr1.11), however according to the originally submitted landscaping plan the plaza is 3,537sqft. This has been resolved in the resubmittal documents to show that the plaza is indeed 3,537sqft.

The site plan dr1.11 notes the plaza frontage to be 136'-1" of the total 400ft, which accounts for only 34% of frontage. The application needs an additional 26% of street frontage to meet code. However, because the plaza is larger than 500sqft, code allows for a greater setback but it does not state to what extent.

At the Pre-Application hearing, the Committee *did* state that although the building does not meet the street frontage requirements, the plaza and the proposal of enhancing the relationship to the street is meeting the intent of GCC 8-4C.

While the proposal does not have blank walls, the new addition's east, west and north elevations show to be of one color. However, with a closer look, the assigned exterior materials show EF-1 "Fine Textures EIFS -SW 7004 Snowbound" and EF-2 "Course Textures EIFS – SW 7646 First Star". Landscaping plans indicate that no landscaping is proposed along the north or west elevations, and minimal shrubbery along the eastern elevation.

Original application submittals did not indicate exact square footage of landscaping; however, resubmittals show that there is about 33,075sqft of landscaped area. This accounts for about 22% of the overall site. This is code compliant.

Objective 2 of GCC 8-4C-3 requires that pedestrian pathways should be designed to provide a direct connection between the main building entrance and the public sidewalk. It also states that a pedestrian shall not cross more than one drive aisle or two parking bays without a pedestrian pathway that shall be visually distinct from parking lot and driveway surfaces. The current proposal does not have a pedestrian pathway from the sidewalk along 43rd street to the main entrance nor does it propose a

pathway from the new parking lot to the entrance. This is not code compliant according to [GCC 8-4C-3](#) and [GCC 8-4E-7](#).

Solutions to this code compliance issue might be difficult to find, however, due to the requirements of perimeter landscaping for parking lots adjacent to residential zones. The north side of the parking lot is required to have at least 10' of perimeter landscaping, and the south side is required to have at least 5' of perimeter landscaping due to landscaping screening code. A possible solution by staff that would require discussion could include turning the two-way drive aisle into a one-way so long as the required minimum width of 20' is maintained.

Landscaping

[Garden City Code 8-4I Landscaping and Tree Protection Provisions](#) requires that at least 5% of the site be landscaped. The submitted application documents showing that 22% of the site is landscaping. As of the drafting of this document, the required number of trees along 42nd street and 43rd street is not met.

- Code requires that there is one tree planted for every StreetSide. This would require one tree planted on 42nd street and one tree planted on 43rd, this is provided.
- Code requires that for every 50 linear feet of street frontage, an additional tree is planted in the setback. 42nd street is 400ft, requiring 8 additional trees to be planted. 43rd street is 100 linear feet, requiring 2 additional trees to be planted. Resubmittals show the addition of trees to the front plaza area; however, they are not within the 5 -15ft frontage setback. The intention of this code is to require landscaping along the street frontage for the benefit of the pedestrian and businesses. The 8 additional trees along 42nd will need to be within the 5-15' frontage setback to meet code.
- For every 1,000sqft of landscaping, 1 tree is required to be planted, they are to be planted throughout the site. There is 33,075sqft of landscaped area. The original landscape submittal showed a total of 20 trees. Resubmittals show 32 trees planted throughout the site (including the required frontage trees/street side trees.) 33.075 trees are required, the proposal needs 1 more tree.
- 42nd street requires at least 9 trees along the street frontage. 43rd street requires at least 3 trees to be planted along the street frontage.

As currently proposed, the new building addition does not have any trees planted in front of it, only shrubs. As a possible solution, the applicant could consider planting trees where some of the shrubs are currently proposed. Or, removing some asphalt adjacent to the attached sidewalk to make a landscape buffer. Or, turning the entire bus isle into an interactive plaza that acts as a plaza and bus drop off as well as hardscaped play area for students.

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: 10/05/2020 Design Review formal hearing: 02/01/2021

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

This section will be completed during the report drafted in conjunction with the public hearing. 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	01/15/2021	Standard Comments
Idaho Transportation Department	None received to date	
Irrigation: Fairview Acres	None received to date	
North Ada County Fire and Rescue	01/13/2021	Dead-end fire apparatus access roads exceeding 150 feet in length shall be provided with an approved area for turning around fire apparatus. The proposed fire lane north of the building requires a turn around. Standard Comments. Click Here
Meridian School District	None received to date	

F. Public Comment

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

Commenter	Comment Date	Summary

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-1 Nonconforming Properties		No compliance issues noted	Based off conversation between staff and the applicant, the applicant expressed desire to consolidate lots 26, and 9-12 into one. The City highly recommends the lot consolidation.
8-1B-2 Nonconforming Structures		May not be complaint – Compliant as conditioned through a Lot Line Adjustment approval	<p>Currently Anser Charter School resides on lots 9-12 of Fairview Subdivision. This makes the building a nonconforming structure due to the structure crossing lot lines. The applicant has expressed interest to consolidate lots 9-12. This would need to be achieved through a lot consolidation application.</p> <p>The new parking lot is proposed to be on parcels R2734501301, R2734501304 and R2734501308. These three parcels are all portions of lot 26 and are owned by Anser of Idaho INC. The parking lot infrastructure will be a nonconforming structure as proposed. A lot line consolidation shall be applied for an approved prior to construction.</p>
8-1B-3 Nonconforming Uses		No compliance issues noted	The record contains an approved Conditional Use Permit to expand the existing school CUPFY2020-09, CUP2015-0008, and DSR2007-15.
Title 8, Chapter 2: Base Zoning District Regulations			
8-2B-1 Purpose		No compliance issues noted	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		No compliance issues noted	Schools are a permitted use through a conditional use permit.
8-2B-3 Form Standards	DC	May not be complaint – Discussion is needed	<p>The required setbacks are: Front: 5' Interior Side: 5' Rear: 5' Street side: 5'</p> <p>The allowable maximum height is: n/a</p> <p>The minimum lot size is: n/a</p>

			<p>There are not encroachments</p> <p>All improvements are more than 70' from the Boise River.</p> <p>All properties don't meet the minimum street frontage. Refer to discussion.</p> <p>Site plans indicate that the plaza is 136'-1", making up about 34% of the street frontage. However, it does state that a 3,537sqft plaza area facing E. 42nd Street is proposed. The Committee noted at the Pre-Application meeting that although the building does not meet the street frontage requirements, the plaza and the proposal of enhancing the relationship to the street is meeting the intent of code.</p>
<p>8-2C</p>		<p>May not be Compliant</p>	<p>Code states that no outdoor play area shall be located within a required front or corner side setback or within twenty-five feet (25') of a residential use. There is currently a proposed play area located at the north of the property. This play area is adjacent to residential uses both to the north and to the east. There is currently only 10' perimeter landscaping proposed between the hard surface play are and these residential uses.</p> <p>Code requires that there is 75sqft of play area per child. The application states that there are 760 students to be enrolled, which requires approximately 57,000 sqft of play area. The application provides 57,078sqft in the form of hardscaped and landscaped play areas. This is code compliant.</p> <p>8-2C-34 SCHOOL:</p> <p>A. Setbacks:</p> <ol style="list-style-type: none"> 1. In the residential zoning districts, the interior side setback shall be a minimum of fifteen feet (15') and the rear setback shall be a minimum of twenty five feet (25'). The front setback shall be the same as that required for an allowed use. <p>B. Site Layout:</p> <ol style="list-style-type: none"> 1. In nonresidential zoning districts, a minimum of seventy five (75) square feet of outdoor play area shall be provided for each child enrolled. 3. No outdoor play area shall be located within a required front or corner side setback or within twenty five feet (25') of a residential use. 4. Portable classrooms shall not be located in the front yard of the principal school structure or located in any required setback. <p>C. Access And Parking: On site vehicle pick up, parking and turnaround areas shall be provided to ensure safe discharge and pick up of students.</p> <p>D. Accessory Uses: Accessory uses including, but not limited to, daycare facilities, special events, community</p>

			<p>services, social services, meeting facilities for clubs and organizations, and school administration may be allowed.</p> <p>E. Additional Standards For Private Schools: Written documentation that the facility meets the minimum site area guidelines as established by the Idaho state department of education shall be provided.</p> <p>F. Additional Standards For Vocational Or Trade Schools:</p> <ol style="list-style-type: none"> 1. A school involving the instruction of truck driving, heavy equipment operation or any other vocation involving noise generating instruction shall not be allowed in a residential district. 2. Written documentation that the school will have major curriculum relating to technological industrial research and processes shall be provided.
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Title 8, Chapter 3: Overlay Zoning District Regulations

8-3D Neighborhood Commercial Node		No compliance issues noted	Applicant has not indicated if they wish to have these provisions apply.
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Title 8, Chapter 4: Design and Development Regulations

8-4A-3 Fences and Walls	DC	Compliant as Conditioned	<p>Proposal for new fences, details not provided. Need more information for thorough review.</p> <p>Existing perimeter fencing is proposed to remain. However, it is chain-link fencing. Chain link fencing, and chain link fencing with slats are not a permitted use of fencing according to code.</p>
8-4A-4 Outdoor Lighting	DC	May not be complaint – Compliant as conditioned	A site photometric plan was submitted; however a lighting plan was not. Not enough information for a thorough review.
8-4A-5 Outdoor Service and Equipment Areas	DC	May not be complaint – Compliant as conditioned	<p>New trash enclosure proposed near student drop off area. Details not provided. However, it does appear to be enclosed.</p> <p>HVAC systems and mechanical units not shown. Notes on floor plan dr2. 12b shows that HVAC to be removed if servicing existing Jr. High Building.</p> <p>Need more information for thorough review.</p>
8-4A-7 Stormwater Systems	DC	Compliant as conditioned	<p>Need more information for thorough review.</p> <p>In the submitted sustainability checklist applicant has stated that the project has alternative surfaces (e.g. vegetated roofs, pervious pavement or grid pavers) and nonstructural techniques (e.g., rain gardens, vegetated swales, disconnection of imperviousness, rainwater recycling) are used to reduce imperviousness and promote infiltration thereby reducing pollutant loadings.</p> <p>They have also claimed that a storm water infiltration and retention system is provided on the site.</p>

8-4A-8 Utilities	DC	Compliant a conditioned	Note on civil plans indicating that utilities will be extended from the existing building to the extent possible.
8-4C Design Provisions for Nonresidential Structures	DC	May not be complaint – Discussion Needed	<p>Refer to Discussion.</p> <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"> • Street Setback: The maximum front setback is fifteen feet (15') from curb edge for a minimum of sixty percent (60%) of the length of the street frontage. • The street setback may be increased when a plaza is provided with a minimum area of five hundred (500) square feet and meeting the criteria for public space as set forth in subsection 8-4C-4C of this article. • Confirmation of plaza being 3,537sqft. • Street Frontage: Sixty percent (60%) of the street frontage along the front setback should be occupied by a structure or a plaza. <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"> • Submitted plans show that the new parking lot is screen by landscaping. However, the landscaping plans do not indicate if it is the required 10' between 43rd and the parking spots. • Pedestrian pathway needed from new parking lot to main entrance. • Pedestrian pathway needed from sidewalk along 43rd to main entrance. <p><i>Objective 3: Buildings shall be designed and constructed of quality materials.</i></p> <ul style="list-style-type: none"> • Some building façade materials are of similar colors with the only differentiation being of course or fine material. <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"> • Tree mitigation might be required. A tree mitigation plan shall be submitted by a certified arborist.

			<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	No part of any parking area for more than ten (10) vehicles shall be closer than twenty feet (20') to any dwelling unit, school, hospital or other institution for human care located on an adjoining lot, unless separated by screen in compliance with the provisions as set forth in article I, "Landscaping And Tree Protection Provisions", of this chapter.
8-4D-4 Parking Use Standards	DC	No compliance issues noted	
8-4D-5 Required Number of Off-Street Parking Spaces	DC	No compliance issues noted	<p>1 bicycle parking space is required per 20 vehicle spaces. The site provides 100 vehicle parking which requires at least 5 bicycle parking spots. however, due to the use, staff recommends surpassing the minimums set by code.</p> <p>Site provides 20 bicycle parking spaces.</p>
8-4E Transportation and Connectivity Provisions			
8-4E-3 Public Street Connections	DC	No compliance issues noted	
8-4E-4 Internal Circulation Standards	DC	May not be complaint – Compliant as conditioned	Appears that all existing driveways are to stay in the same configuration. New driveways proposed on 43rd. Unknown width of ingress and egress, it is required to be at least 20'.
8-4E-6 Sidewalk Standards	DC	No compliance issues noted	
8-4E-7 Pedestrian and Bicycle Accessibility Standards	DC	May not be compliant – discussion needed	<p>Existing sidewalk along 42nd proposed to remain. Existing attached sidewalk along 43rd proposed to be reinstalled. Due to adjacent sidewalks being attached, the proposed attached sidewalk is permitted.</p> <p>A pathway system from the sidewalk along 43rd, through the parking lot, and to the main entrance is required by code. A potential condition of approval for these pathways to be installed has been drafted.</p> <p>See Discussion</p>
8-4F Sign Provisions			
8-4H Flood Hazard-	Planning Official	No compliance issues noted	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		No compliance issues noted	Sustainable development checklist has been provided and the proposed development has met the required 24 points.
8-4I Landscaping and Tree Protection Provisions			
8-4I-3 General Landscaping Standards and Irrigation Provisions	DRC	Compliant as conditioned	A potential condition of approval has been drafted in the decision document to be compliant with these standards.
8-4I-4 Landscaping Provisions for Specific Uses	DC	May not be complaint	<p>Minimum of 5% of the site is required to be landscaped; 21% is proposed to be landscaped.</p> <p>A minimum of one class III or class II tree shall be planted in the frontage and every adjacent streetside. An additional class I tree shall be planted in the corresponding setback for every increment of fifty feet (50') of linear feet of frontage.</p> <p>Trees required: Every adjacent streetside: 1 on 42nd and 1 on 43rd Every 50 ft.: 8 on 42nd & 2 on 43rd. 1 tree for every 1,000sqft: 33</p> <p>Landscape Provided: Every adjacent streetside: 1 on 42nd and 1 on 43rd Every 50 ft: 1 on 42nd (need 7 more tree) and 1 on 43rd (Resubmitted landscape plans meet requirement) 1 tree for every 1,000sqft: 32 provided.</p> <p>Total requirements: 42nd Street: 9 required trees 43rd Street: 3 required trees</p>
8-4I-5 Perimeter Landscaping Provisions	DC	No compliance issues noted	A 10' wide perimeter landscaping is required along the common property line between adjacent residential use and nonresidential use. There is code compliant perimeter landscaping.
8-4I-6 Parking Lot Landscaping Provisions	DC	May not be complaint – compliant as conditioned	The existing perimeter fencing is a chain link fence of unknown height. Chain link fencing is not a permitted fencing material. Code requires that a solid masonry or wood fencing, a minimum of 6' in height with landscaped screening shall be provided between parking lots and residential uses.
8-4I-7 Tree Preservation Provisions	DC	Compliant as conditioned	Tree mitigation might be required for the proposed removal of existing trees. A certified arborist letter for mitigation is required by code and has been drafted as a potential condition of approval.
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			No waivers have been submitted.
8-6A-5 Administrative Process with Notice		No compliance issues noted	<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	The record contains an approved Conditional Use Permit to expand the existing school CUPFY2020-09, CUP2015-0008, and DSR2007-15
Garden City Comprehensive Plan	<p>This application is in future land use designations of the Comprehensive Plan:</p> <ul style="list-style-type: none"> b) Activity Node: Neighborhood Destination c) Activity Node: Transit Oriented Development d) Mixed Use Commercial <p>The application may be supported by:</p> <p>Goal 2. Improve the City Image</p> <ul style="list-style-type: none"> 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>Goal 4. Emphasize the "Garden" in Garden City</p> <ul style="list-style-type: none"> a.) 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art. <p>Goal 7. Connect the City</p> <ul style="list-style-type: none"> a.) 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters. <p>Goal 11: Serve the City</p> <ul style="list-style-type: none"> a.) 11.1 Objective: Support additional education facilities.
Garden City Sidewalk Policy	Application proposes to keep existing attached sidewalks along 42 nd and 43 rd street.
Garden City Street Light Policy	A streetlight is installed along E. 42nd Street in accordance with the policy. There are also 10 additional streetlights within a 400' radius of the proposed school.