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## A. Meeting Summary:

The Preapplication meeting was in conjunction with the formal hearing on March 1, 2021, but continued to the date certain of April 5, 2021, April 19, and May 3, 2021.

The Conditional Use Permit associated with this application, CUPFY2021-0005, was approved with conditions on March 17, 2021.

## B. Project Information

### Proposed Scope of Work:

Request	Review Process	Notes
Pre-application conference for a design review	<a href="#">8-6B-3 Design Review Committee</a>	March 1, 2021 moved to May 3, 2021
Public Hearing	<a href="#">8-6B-3 Design Review Committee</a>	March 1, 2021 moved to May 3, 2021

### Project Details:

- 1) Proposed development: A design review for a structural addition of more than 25% to an existing building
- 2) Site Coverage: 24,284sqft
  - a) Building:
    - i) Existing: 7,752sq.ft = 30%
    - ii) Proposed addition: 6,417sq.ft. = 26% of the site
    - iii) Total: 14,169 sqft
  - b) Landscaping: 1,263sqft = 5.2% of the site
  - c) Paved Areas: 11,522
- 3) Total number of vehicular parking spaces: 12
  - a) Surface: 12
  - b) ADA Compliant: 1
- 4) Total number of bicycle parking: 4 (2 bike racks)
- 5) Trash Enclosure: Republic Services will pick up individual services internal to the development
- 6) Fencing: 6' tall fencing proposed, specified to meek Garden City Code
- 7) Sidewalk:
  - a) None proposed
- 8) Landscaping: A waiver was originally submitted, but resubmittals show additional landscaping proposed to the already existing landscaping.
- 9) Closest VRT Stop: Bus Route 11; Adams and 50<sup>th</sup> SWC.

### Site Conditions:

- 1) Street Address: 4980 Bradley Street, 4961 N. Bradley Street
- 2) Parcel Number(s):
  - a) R1057230075
  - b) R1057230065
  - c) R1057230070
- 3) Property Description:
  - a) LOT 8 BLK 2 BRADLEY FIELD BUSINESS PARK SUB #96029406
  - b) LOT 6 BLK 2 BRADLEY FIELD BUSINESS PARK SUB #96029406
  - c) LOT 7 BLK 2 BRADLEY FIELD BUSINESS PARK SUB #96029406
- 4) Legal Lot of Record: Yes; The building is a legal nonconforming building. The building consists of lots 6,7, and 8 of Bradley Field Business Park. A LLA will need to be approved prior to construction.

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- 5) Property Size: .240 acres
  - 6) Zoning District: C-2
  - 7) Zoning Overlay(s): None
  - 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: \*Only note uses that we have record; utilize Title 8 terms
    - a) Personal Services
    - b) Single Family dwelling with garage.
    - c) Professional Services
    - d) Animal Care Facility
    - e) Church or place of religious worship
  - 11) Existing Use: Western Heating and Air, a service provider
  - 12) Easements on site:
    - a) There are no records on file with Garden City of existing easements on the site.
    - b) There is an existing ACHD easement along the perimeter of the site
  - 13) Site Access:
    - a) Front: Bradley
    - b) Side: W. Fenton
    - c) Rear: W. Fenton
  - 14) Sidewalks:
    - a) Sidewalks are installed and are in good repair along Bradley Street.
    - b) There are no sidewalks along W. Fenton Ave.
    - c) There are no proposed sidewalks
  - 15) Wetlands on site: none identified

## C. Discussion

The existing structure is 7,752 square feet, the proposed addition is 6,417 square feet, increasing the building's footprint by about 82%. Due to the significant size of the addition, all of Garden City Code Title 8 development code is applicable. Not only will the addition need to meet code standards, but the existing structure and all other features of the site shall meet current code standards.

Resubmittal documents from April 12, 2021 show a new landscape plan depicting the existing and proposed landscape. Additions or site modifications greater than fifty percent (50%) of the gross floor area of the existing structure or developed area, shall comply with all provisions of [Garden City Code 8-4I Landscaping and Tree Protection Provisions](#).

[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. The proposed addition increases the gross floor area by 82%.

**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, but there is a proposal for a plaza along N. Bradley Street, though the site plans do not indicate the quatre footage of this plaza area.

Western Heating and Air is proposing to keep their existing structure, with 6,417sqft. of additions towards the rear of the site (Fenton). According to their submitted site plans, the front property line runs about 157.47 ft along Bradley St. The existing structure's frontage along Bradley Street is about 40 ft long (excluding the plaza), accounting for 25% of the overall street frontage. This is not code compliant in that code requires at least 60% of the building structure to occupy the frontage.

[Garden City Streetlight Guidelines and Standards](#) require that a streetlight be within 400' of the site. There are currently no existing streetlights within 400' of the site.

Individual Commercial Development Commercial development (both new and substantial remodels) may be required to comply with this document. Should site conditions preclude installation of streetlights on a commercial development's street frontage, the owner or developer will deposit into a City trust funds sufficient to design, install, and inspect street lights required by this Street Light Placement Guideline. These funds will then be used, when appropriate, to install streetlights required for the property at approved alternate locations." And "Substantial remodel is defined as an improvement valued at 20% or more of the total value of the building where the improvement is being made."

### **8-6A-3 General Application Process**

Code notes that any application that is denied cannot be resubmitted for the same form and use for a time period of one year.

### **8-2B-3 Form Standards**

It appears that the site consists of three lots of record. The existing structure is currently crossing all three lot lines. The existing structure is a non-conforming structure which should still proceed to do a lot line consolidation. A lot line adjustment for a consolidation of parcels R1057230065, R1057230070 & R1057230075 shall be required prior to issuance of a building permit and has been made a drafted condition for approval.

#### **8-4D-3 Parking Design and Improvement Standards**

The original submitted site plans showed that there were 39 parking spaces available. That number included the parcel to the west that which is also owned by Western Heating and Air, but was technically included in this application. Therefore, actual parking space calculations add up to be 12 within the interior lot, and 5 spaces on the western side of the property (next to Fenton). The updated site plan from April 12, 2021 shows the elimination the parking spaces adjacent to Fenton, as staff has had discussion that those specific spots were not permitted per code, as some were within 40' of a corner, and all spaces were forced to back-up into the right-of-way of Fenton. A potential condition of approval has been drafted in the decision document to not allow for parking on this asphalt area for the duration of the use.

#### **8-4E-6 Sidewalk Standards**

There is an existing attached sidewalk along Bradley street. However, there are no existing sidewalks along Fenton Street. The site plans indicate that there is no proposal for sidewalks. Code requires that detached sidewalks with landscape buffer are to be installed along the south and the west side of Fenton street. A standard sidewalk section with the required street trees is 11' to include a 6' landscape area (with root barrier, 8' without) and a 5' sidewalk. The Fenton right-of-way is only roughly 23' at this section, which would preclude a sidewalk or street trees in the right-of-way. The existing loading area is adjacent to the right-of-way and the existing structure is roughly 21.5' from the edge of right-of-way.

This particular section of Fenton Street is currently acting as an alleyway, with no adjacent businesses having sidewalk installed. It acts as an alleyway in nature, similar to that of Stockton and Osage, however, it is not officially designated as an alleyway. [The Garden City Transportation Needs List](#) Identifies Stockton and Osage as a roadway that shall remain narrow and function as the access for adjacent businesses while also being utilized to further the pedestrian orientation of the City. While staff is neither recommending nor not recommending sidewalks along Fenton, due to the width of this section of Fenton The Committee could consider treating this section of Fenton Street similar to that of Osage and Stockton. The Planning and Zoning commission left determination of sidewalk requirements to the Design Review Committee.

Should the Committee allow Fenton to act similar to that of Stockton and Osage, there would still be the requirement of pedestrian oriented development. This includes the option to install sidewalks, pedestrian pathways, landscaping, artwork, street furniture, and street lighting. Roadway improvements should include decorative paving or painting ideally that is varied in width and material. Provided that varied paving is too expensive, roadway paint that is varied in color could be utilized. This treatment is required to be approved by ACHD prior to implementation. Signage that indicates that the pedestrians have the right of way, and a maximum speed limit of 10-15 miles an hour, which also requires the approval of ACHD. No curb, gutter or sidewalk withing the right-of-way is required, and limited to no parking is desirable.

#### **8-1B-1 Nonconforming Properties and 8-1B-3 Nonconforming Structures**

As there are a number of adjacent properties that Western Heating and Air is utilizing as a single business, staff suggests that it is reasonable to review the properties that constitute the site as a part of this review. ([Figure One](#))

This application has not included the parcel west of Fenton being utilized by Western Heating and Air at S0631244425. This parcel has been confirmed to be a legal lot of record. Staff has found inconclusive evidence if the use of this lot is a legal non-conforming use. The 1999 plans related to a conditional use application show the structure at 4980 Bradley as existing. However, it does not show parking or loading to the western portion of the structure. There are notes from the November 17, 1999 Planning and Zoning Commission meeting that indicated that the use of Fenton as a parking and loading area was of concern. There was a request by a Mr. Ball to relocate Fenton to 50<sup>th</sup> Street. It was eluded that the lot to the west would be prepared for parking and loading to alleviate the portion of Fenton that connects to Bradley as being utilized for parking and loading. There is no evidence if this was included in the conditional use permit or if it was a future proposal. That conditional use permit was approved. ([Figure Two and Three](#))

Additionally, the property to the east has not been included in this application. In 2000 the structure to the east was constructed for Western Fireplaces. Staff has been unable to verify if this is Western Heating and Air. All the same, the records on file show that the structure was constructed to S-1 occupancy, per the building code (storage). Activities that occur within a structure determine the building's occupancy. Different occupancies require different construction standards such as fire sprinklers, fire walls, ADA restrooms, etc. Building code requires that any change of occupancy be reviewed and approved. Signage on the structure states that it is the Western Heating sales office. City records do not indicate that the property went through the required process to change building occupancy, which the city would consider a matter of health and safety. ([Figure Four](#))

The 22' roof structure to the rear of the building was permitted in 1990.

There are draft conditions of approval to address these situations:

1. The Fenton right-of-way must either remain in its current configuration or it can be vacated if it connects to 50<sup>th</sup> Street.
2. The public's use of the Fenton right-of-way cannot be impeded by the use of the subject properties.
3. The site and Fenton must be constructed so as to make it obvious that Fenton is public right-of-way for the use of public.
4. A density reduction lot line adjustment to remove the property lines from bisecting structures, as approved by Garden City, must be recorded.



## 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: 03/01/2021 moved to 05/03/2021  Design Review formal hearing: 03/01/2021 moved to 05/03/2021

### 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.
8. There has been no denial of any application on this property within one year.

### **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.

The applicant has requested that the Design Review Committee review this application and find it to be ready for a formal application concurrently with the preapplication conference.

### **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:

5. Approve the application;
6. Conditionally approve the application with the requirement that the committee review further design details; or
7. 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:

<b>Agency</b>	<b>Comment Date</b>	<b>Summary</b>
Ada County Highway District	02/11/2021	<p>1. Pay a traffic impact fee. If applicable, a traffic impact fee may be assessed by ACHD and will be due prior to the issuance of a building permit by the lead agency. This is a separate review process and it is the applicant's responsibility to submit plans directly to ACHD.</p> <p>2. Comply with all ACHD Policies and ACHD Standard Conditions of Approval for any improvements or work in the right-of-way.</p> <p>3. Obtain a permit for any work in the right-of-way prior to the construction, repair, or installation of any roadway improvements (curb, gutter, sidewalk, pavement widening, driveways, culverts, etc.).</p> <p><a href="#">Click Here</a></p>
Boise School District	None received to date	
Central District Health	None received to date	
COMPASS	None received to date	
Garden City Engineer	02/13/2021	<p>Comments concerning:</p> <ol style="list-style-type: none"> <li>1. Affidavit of legal interest: Resolved</li> <li>2. Erosion and Sediment Control</li> <li>3. Fire District Approval</li> <li>4. Sewer/Water connections</li> <li>5. Site Grading and Drainage Plan</li> <li>6. Storm Water Operation and Management Agreement</li> <li>7. Irrigation Facilities</li> <li>8. FEMA Flood Maps</li> <li>9. Parcel Consolidation</li> </ol> <p><a href="#">Click Here</a></p>
Idaho Transportation Department	None received to date	
Irrigation: Fairview Acres	None received to date	
North Ada County Fire and Rescue	02/12/2021 Revised: 03/04/2021	<p><b>Cannot approve without additional information:</b></p> <ol style="list-style-type: none"> <li>1. The proposed site plan indicates that a lot line runs through the middle of the building. Please provide information on how this will be addressed as the floor plan shows the warehouse spanning properties without fire walls.</li> <li>2. Fire hydrants, capable of producing the required fire flow, shall be located so that no part</li> </ol>

		<p>of the structure is more than 600-feet from the hydrant. Fire flows of 1,750 GPM are available which is not sufficient for the building area. Fire sprinklers will be required. (IFC 507.3, IFC B105.2, IFC C105).</p> <p>3. The drawings indicate that trucks will block the existing public alley when parked at the loading dock. The alley prevents Fenton Street from being a dead-end and cannot be blocked as it is needed for fire access.</p> <p>4. The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. Confirm the turn from Fenton Street to the alley complies. (BCC 5-12-29, IFC 503.2.4)</p> <p><a href="#">Click Here</a></p> <p><b>REVISED Comments say the application can be approved subject to compliance with conditions.</b></p> <p><a href="#">Revised Click Here</a></p>
Meridian School District	None received to date	

## F. Public Comment

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

## 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 1: General Regulations</b>			
<a href="#">8-1A-4 Applicability</a>			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.
<a href="#">8-1B-1 Nonconforming Properties</a>		No compliance issues noted	The site consists of lots 6, 7, and 8 of Bradley Field Business Park Subdivision. All of which appear to be described as legal lots of record.
<a href="#">8-1B-2 Nonconforming Structures</a>		May not be complaint – Compliant as conditioned	It appears that the site consists of three lots of record. The existing structure and the proposed expansion are and will be crossing all three lot lines. A lot line adjustment shall be required and has been made a drafted condition for approval.  There was a Record of Survey submitted with this application, dated 09-02-2020, however there is not a City Engineer Signature on the ROS to determine that it was legally recorded with the City. Ada County Assessors website shows that the eastern most property boundary line to run through a section of the building, causing the building encroachment into Lot 6. <a href="#">(Figure One)</a>
<a href="#">8-1B-3 Nonconforming Uses</a>		No compliance issues noted	Conditional Use Permit is required for the expansion of a service provider in a C-2 zoning district. CUPFY2021-0005 was approved at the March 15, 2021 Planning and Zoning Commission.
<b>Title 8, Chapter 2: Base Zoning District Regulations</b>			
8-2B-1 Purpose		No compliance issues noted	Commercial: 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.
<a href="#">8-2B-2 Allowed Uses</a>		No compliance issues noted	Service Provider is a permitted use so long as there is an approval of a conditional use permit.
<a href="#">8-2B-3 Form Standards</a>	DC	May not be complaint – compliant as conditioned	The required setbacks are: Front: 5' Interior Side: 5' Rear: 5' Street side: 5'

			<p>The allowable maximum height is: n/a</p> <p>The minimum lot size is: n/a</p> <p>There are encroachments. The eastern façade of the existing building appears to be encroaching upon the adjacent parcel number R1057230065. And the proposed expansion is proposed to be built over a property line between parcels R1057230070 and R1057230075. A lot line adjustment/consolidation could remedy this situation.</p> <p>The proposed first floor warehouse/storage addition has roof overhangs that which encroach into the rear 5' setback by an unknown distance. Encroachments that do not increase the volume of space enclosed by the building are permitted so long as the projection is encroaching the required setback by 2' or less. <b>Condition # 2 pg. 8</b></p> <p>All improvements are more than 70' from the Boise River.</p> <p>All properties do not meet the minimum street frontage.</p>
<a href="#">8-2C</a>			<p>A. Site Layout: No structure, facility, drive lane, parking area, or loading area shall be located adjacent to a residential district.</p> <p>B. Parking and Access:</p> <ol style="list-style-type: none"> <li>1. The entrance and exit drives shall be designed to prevent traffic hazards and nuisances.</li> <li>2. All surfaces used for parking shall be constructed with paving, vegetative cover or of dustless material.</li> </ol> <p>C. Limitations: The site shall not be used as vehicle wrecking as herein defined.</p> <p>D. Site Maintenance:</p> <ol style="list-style-type: none"> <li>1. All outdoor storage of materials or vehicles shall be maintained in an orderly manner so as not to create a public nuisance.</li> <li>2. Stored items shall not block sidewalks or parking areas and may not impede vehicular or pedestrian traffic.</li> </ol> <p>E. Other Standards Apply: Outdoor storage areas shall comply with section <a href="#">8-1C-3</a>, Property Maintenance Standards, of this title. (Ord. 967-14, 6-9-2014)</p>
<b>Title 8, Chapter 4: Design and Development Regulations</b>			
<a href="#">8-4A-3 Fences and Walls</a>	DC	May not be complaint – Compliant as conditioned	<p>Existing 6ft tall chain link fencing and sliding gate with privacy slats located towards rear of the building off N. Fenton is proposed to remain.</p> <p>Proposal of a 6' tall fence and sliding gate with privacy slats proposed to be of code compliant materials.</p>
<a href="#">8-4A-4 Outdoor Lighting</a>	DC	No compliance issues noted	

<a href="#">8-4A-5 Outdoor Service and Equipment Areas</a>	DC	May not be complaint – as conditioned	Existing trash enclosure proposed to stay. Applicant has stated that mechanical equipment will be rooftop mounted and screened by parapet walls. Ground level services will utilize a privacy fence. Material and height details of the privacy fence is not disclosed, however applicant stated they would be compliant with code standards.
<a href="#">8-4A-7 Stormwater Systems</a>	DC	Compliant as conditioned	
<a href="#">8-4A-8 Utilities</a>	DC	No compliance issues noted	
<a href="#">8-4C Design Provisions for Nonresidential Structures</a>	DC	May not be complaint – Discussion needed	<p><b>Applicability:</b> Structural Addition: The proposed structural addition increases the gross floor area by 82%. All the building shall be brought into conformance with the requirements of this article.</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> <p><u>See Discussion.</u> The Bradley Street frontage is 157.47ft total. The existing structure’s frontage onto Bradley Street is about 40ft. This accounts for at least 25% of the frontage, which is not code compliant, as code requires at least 60% of the length. A plaza is proposed.</p> <ul style="list-style-type: none"> <li>• Street Frontage: Sixty percent (60%) of the street frontage along the front setback should be occupied by a structure or a plaza.</li> <li>• 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.</li> <li>• 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 <u>8-4C-4C</u> of this article.</li> </ul> <p>The First floor Facades visible from a public street shall include surface windows, showcases, displays or pedestrian access elements of at least 15%. It is unclear if the existing windows meet this requirement. The 1<sup>st</sup> story expansion facing (west) consists of the loading dock area and the expansion facing (south) Fenton currently does not propose any windows except for on the 2<sup>nd</sup> story façade above the loading dock area.</p> <p>Elevations show there to be a blank wall facing Bradley Street, however, there appears to be landscaping covering this blank wall.</p> <p><i>Objective 2: The design layout of all sites shall maximize opportunities for safe and comfortable pedestrian accessibility</i></p>

			<p>and minimize the obtrusive effects of parking and vehicular circulation.</p> <ul style="list-style-type: none"> <li>• Pedestrian pathways throughout the site appear to be inadequate. There is no connection from N. Fenton to Bradley Street. There also is not apparent pedestrian connection around the site except for internal to the building. There are no proposed sidewalks along Fenton and no pedestrian pathways around the building.</li> </ul> <p>Objective 3: Buildings shall be designed and constructed of quality materials.</p> <p>Objective 4: The site design shall respect existing notable site features including existing buildings, landscaping, trees and water.</p> <ul style="list-style-type: none"> <li>• The rooflines are of an unknown length, however, providing architectural details to improve articulation of the structure and roofline should be considered in the design.</li> </ul> <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>Objective 6: The site development should support and be consistent with the adopted streetscape.</p>
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**8-4D Parking and Off Street Loading Provisions**

<a href="#">8-4D-3 Parking Design and Improvement Standards</a>	DC	May not be complaint	<p>Original site plans show a parking lot area to the West of the existing building, between (west) Fenton and the building side wall. This area originally proposed at least 5 parking spots, however, in conversation with staff and analysis of code, it appears the new site plans have eliminated this parking lot area.</p> <p>With the elimination of this parking lot, and clarification that the western most dirt parking lot is not included in this application, the site now proposes 12 parking spots interior to the lot.</p> <p>If the property owner intends on using the adjacent properties for parking, a shared parking agreement shall be entered into and dedicated to the lots that which share the parking. (Not the owner). A shared parking agreement has been drafted as a condition of approval.</p> <p>Garden City Code to be aware of:</p> <ul style="list-style-type: none"> <li>- Parking areas shall not be located closer than four feet (4') to any established street or alley right of way.</li> <li>- Parking lots shall not be located within forty feet (40') of a corner.</li> <li>- Parking areas shall be designed in such a manner that any vehicle leaving or entering the parking area from, or onto, a public or private street shall be traveling in</li> </ul>
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			<p>a forward motion. There are some exceptions however, such as a designated alley or parallel parking spaces.</p> <p>4 bike parking is proposed within the plaza area.</p>
<a href="#">8-4D-4 Parking Use Standards</a>	DC	No compliance issues noted	
<a href="#">8-4D-5 Required Number of Off-Street Parking Spaces</a>	DC	No compliance issues noted in updated documents- Compliant as conditioned	4 bicycle parking spaces are provided which meets the minimum requirement per code (1 per tenant, 1 per 20 vehicle stalls)
<a href="#">8-4D-6 Standards for Alternatives to On Site Parking</a>	DC	No compliance issues noted	A shared parking agreement can be created between the site, and adjacent sites. The parcel to the west, parcel # S0631244425 is owned by Western HVAC Properties LLC. If a shared parking agreement is contracted, the parking requirements of this development can be transferred to the adjacent property.
<a href="#">8-4D-7 Off Street Loading Standards</a>	DC	May not be complaint – Compliant as conditioned	<p>Gross Floor Area in Square Feet = 14,169sqft Requires 1 type B space which shall be no less than 15ft in width and 65ft in length with 14ft in vertical clearance. Not enough information to review. Potential condition of approval drafted.</p> <p>Access driveways for parking areas shall be located in such a way that any vehicle entering or leaving such an area shall be clearly visible by a pedestrian or motorist approaching the access or driveway from a public or private street. Access shall conform to the clear vision requirements and the vehicle and pedestrian circulation standard. Potential condition of approval drafted.</p>
<b>8-4E Transportation and Connectivity Provisions</b>			
<a href="#">8-4E-3 Public Street Connections</a>	DC	Compliant as conditioned	Compliance with clear vision triangle drafted as a potential condition of approval.
<a href="#">8-4E-4 Internal Circulation Standards</a>	DC	Compliant as conditioned	Not enough information to review. Compliance has been drafted as a potential condition for approval.
<a href="#">8-4E-6 Sidewalk Standards</a>	DC	May not be complaint	<p><a href="#">See Discussion.</a></p> <p>Existing attached sidewalk along Bradley street. No existing, and no proposed sidewalk along W. Fenton Street.</p> <p>A drafted potential condition of approval is requiring the installation of detached sidewalks with landscape buffer along all of N. Fenton Street as this is what code would require.</p>
<a href="#">8-4E-7 Pedestrian and Bicycle</a>	DC	May not be complaint	<a href="#">See Discussion.</a>

<a href="#">Accessibility Standards</a>			<p>No pedestrian pathway system proposed throughout the development. There is a pedestrian pathway from the main parking lot to the primary entrance of the building, and there is a pathway from the Bradly Street sidewalk to the primary entrance.</p> <p>There is no pedestrian pathway for movement around the site or through it. Creation of a pedestrian pathway through the site has been drafted as a potential condition of approval.</p>
<a href="#">8-4H Flood Hazard-</a>	Planning Official	May not be compliant - Compliant as conditioned	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.
<a href="#">8-4G Sustainable Development Provisions</a>		May not be compliant – Compliant as conditioned	All additions to existing development shall be required to provide for sustainable development practices. There was no submittal of a sustainable development sheet.
<b>8-4I Landscaping and Tree Protection Provisions</b>			
<a href="#">8-4I-3 General Landscaping Standards and Irrigation Provisions</a>	DRC	May not be complaint	<p>Landscape waiver submitted on February 2, 2021. The application proposes to keep the existing landscaping with the addition of the plaza landscaping. The property is deficient in Class I, II, and/or II trees throughout the site.</p> <p>Sidewalk waiver verbally requested.</p>
<a href="#">8-4I-4 Landscaping Provisions for Specific Uses</a>	DC	May not be complaint	<p>A landscape plan waiver was requested. However, the original submittal and the submittal documents received on April 12, 2021 showed the existing and the proposed plaza landscaping.</p> <ul style="list-style-type: none"> <li>• A minimum of 5% of the site shall be landscaped areas, excluding areas for setback or perimeter landscaping. It appears that the site meets this code.</li> <li>• A minimum of one class III or class II tree shall be planted in the frontage and every adjacent street side. An additional class I tree shall be planted in the corresponding setback for every increment of fifty feet (50') of linear feet of frontage. <ul style="list-style-type: none"> <li>○ The frontage along Bradley Street is shown to be 157.47ft, resulting in the requirement of 4 trees. <ul style="list-style-type: none"> <li>▪ Required: 1 Class II or III and 3 Class I, II, or III trees along frontage.</li> <li>▪ Provided: 2 Street trees of unknown Class and 1 frontage tree of unknown class</li> <li>▪ Condition: That the street trees be Class II or III trees, while the frontage trees be at least Class I trees. There</li> </ul> </li> </ul> </li> </ul>

			<p>shall be an additional frontage tree installed along Bradley Street.</p> <ul style="list-style-type: none"> <li>○ The frontage along N. Fenton Street is shown to be 130.54' on the west, and 157.47 on the south. This would result in the requirement of at least 7 street trees.</li> <li>○ These requirements for street trees have been drafted as potential conditions of approval.</li> </ul>
<a href="#">8-4I-5 Perimeter Landscaping Provisions</a>	DC	No compliance issues noted	
<a href="#">8-4I-6 Parking Lot Landscaping Provisions</a>	DC	No compliance issues noted	
<a href="#">8-4I-7 Tree Preservation Provisions</a>	DC	No compliance issues noted	
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.
<a href="#">8-6A-4 Required Application Information</a>			Landscape plan waiver was submitted.
<a href="#">8-6A-5 Administrative Process with Notice</a>		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
Entitlement that might affect this project	CUPFY2021-0005 application is scheduled to be heard March 15, 2021.

<p><a href="#">Garden City Comprehensive Plan</a></p>	<p>This application is in future land use designations of the Comprehensive Plan:</p> <ul style="list-style-type: none"> <li>a. Activity Node: Neighborhood Destination</li> <li>b. Light Industrial Bradley Technology District</li> </ul> <p>The application may be supported by:</p> <p>Goal 1. Nurture the City</p> <ul style="list-style-type: none"> <li>a.) 1.4 Objective: Create a premier destination place to live, work, and recreate.</li> </ul> <p>Goal 2. Improve the City Image</p> <ul style="list-style-type: none"> <li>a.) 2.3 Objective: Promote quality design and architecturally interesting buildings.</li> </ul> <p>Goal 7. Connect the City</p> <ul style="list-style-type: none"> <li>b.) 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters.</li> </ul> <p>Goal 12. Evolve as a Destination</p> <ul style="list-style-type: none"> <li>c.) 12.1 Objective: Support a positive business environment</li> <li>d.) 12.2 Objective: Continue to support commercial and industrial land uses.</li> </ul> <p>The application may not be supported by:</p> <p>Goal 2</p> <ul style="list-style-type: none"> <li>a.) 2.4 Objective: Create a vision for the design of all streets and highways consistent with city's urban setting.</li> </ul> <p>Goal 4. Emphasize the "Garden" in Garden City</p> <ul style="list-style-type: none"> <li>a.) 4.1 Objective: Beautify and Landscape</li> <li>b.) 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.</li> </ul>
<p><a href="#">Garden City Sidewalk Policy</a></p>	<p>Existing attached sidewalk along Bradley Street. No proposed sidewalk along N. Fenton nor was there a waiver submitted.</p>
<p><a href="#">Garden City Street Light Policy</a></p>	<p>There are no existing streetlights within 400' of the site.</p> <p>Individual Commercial Development (both new and substantial remodels) may be required to comply with this document. Should site conditions preclude installation of streetlights on a commercial development's street frontage, the owner or developer will deposit into a City trust funds sufficient to design, install, and inspect street lights required by this Street Light Placement Guideline. These funds will then be used, when appropriate, to install streetlights required for the property at approved alternate locations." And "Substantial remodel is defined as an improvement valued at 20% or more of the total value of the building where the improvement is being made."</p>

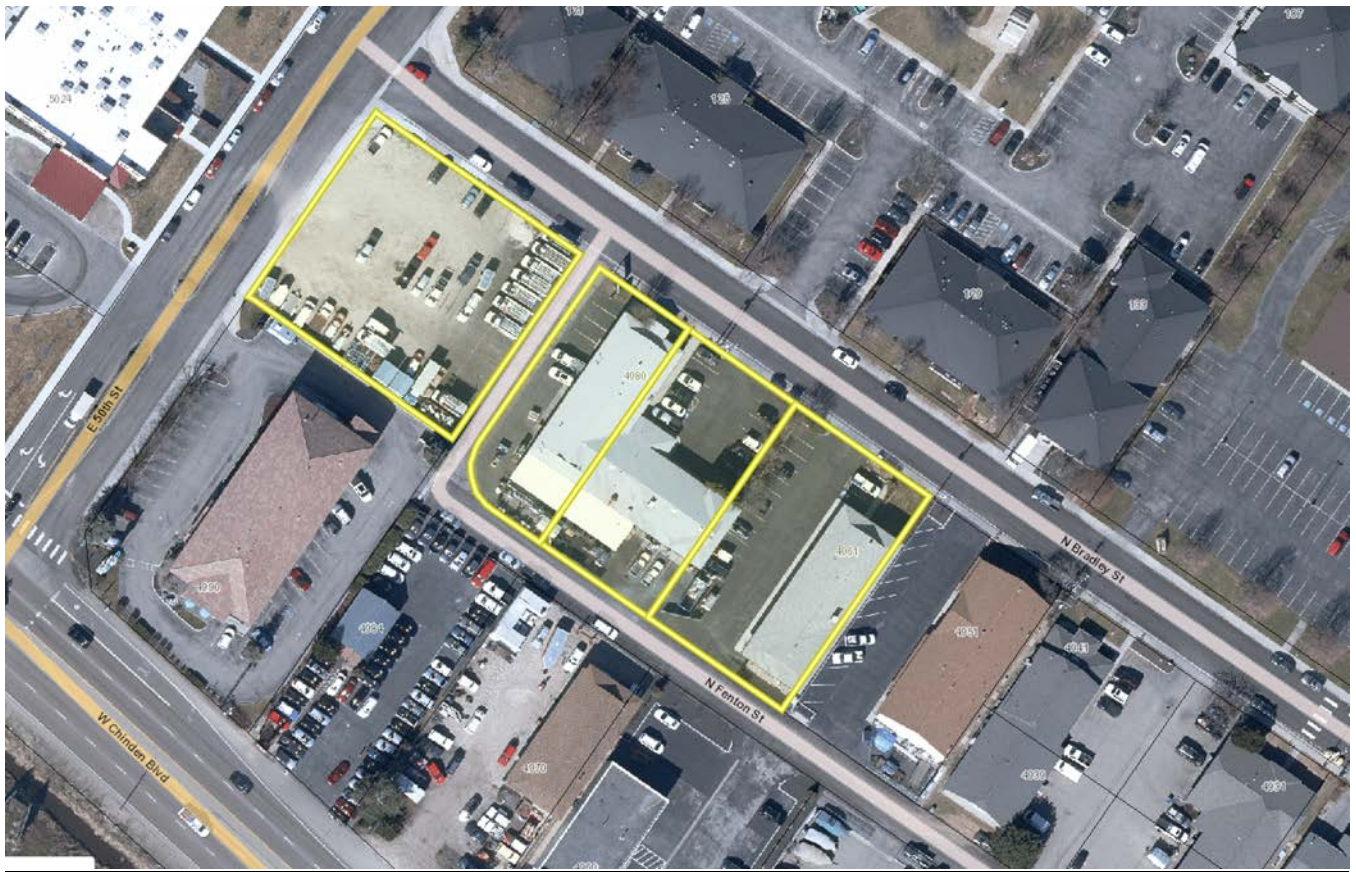


Figure 1: Ada County Assessor's Parcels Owned By Western Heating and Air



Figure 2: Parking Lot Use (Google Street view, 2007)



Figure 3: Western Heating and Air Sales Office (Google Streetview, 2019)



Figure 4: Existing site conditions along 50th Street