



CITY OF GARDEN CITY

6015 Glenwood Street □ Garden City, Idaho 83714
Phone (208)472-2921 □ Fax (208)472-2926

File Number: DSRFY2021 - 0010
Application Scope: Public Hearing
Location: 202 E 34th St
Applicant: Evan Verduin and Drew Kleman
Pre-Application Report Date: April 5, 2021 moved to April 19, 2021
Revision Date: May 17, 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 Pre-application meeting was held on April 5, 2021. The meeting was moved to April 19, 2021 due to meeting Adjournment.

The Pre-Application meeting was held on April 19, 2021. A summary of the meeting is as follows:

- 1) Evan Verduin and Drew Kleman presented the application.
- 2) Discussion included:
 - a) What constitutes a bedroom? CC&R's stating that those are one-bedroom units only. This cannot be deleted out of the CC&R's without approval of Garden City Council.
 - b) Linear roofline architectural features reads as contemporary form, meet the code's intent.
 - c) Live-work unit to have separate space for "work" area and a more prominent entrance.
 - d) Driveway presence appears wide, fix with landscaping and plaza like elements. Differing hardscape material.
 - e) The trash enclosure is in the terminus and viewed directly from the street. Move or angle the dumpster so that it is not the focal point. Alternative materials.
 - f) Vacant space along Clay Street towards parking lot area.
 - g) Provide street trees to increase urban canopy.
 - h) Additional bike parking space required.
 - i) Need to provide for common open space for multi-family.
 - j) Right side of building of south elevation does not provide pedestrian oriented elements, additional landscaping, smaller signs, more windows could enhance the façade.

A public hearing with the Design Review Committee will be held on May 17, 2021.

B. Project Information

Proposed Scope of Work:

Request	Review Process	Notes
Pre-application conference for a design review	8-6B-3 Design Review Committee	April 5, 2021 moved to April 19, 2021
Public Hearing	8-6B-3 Design Review Committee	May 17, 2021

Project Details:

- 1) Proposed development: New construction of a mixed-use building
- 2) Site Coverage: 14,810 sqft
 - a) Building: 8,163sqft; 55% of the site
 - b) Landscaping: 4,569sqft; 30.8 % of the site
 - c) Paved Areas: Unknown
- 3) Number of Structures: 1
- 4) Number of residential units total: 5
 - a) One-bedroom units with separate office space: 4
 - b) Once bedroom unit with shared office space: 1
- 5) Total number of vehicular parking spaces: 12
 - a) Enclosed: 5
 - b) Surface: 7
 - i) 1 Ada Parking Spot
 - c) On-Street: Unknown
 - d) Off-site with a cross parking agreement: 0
- 6) Total number of bicycle parking: 9
 - a) Surface: 9
- 7) Trash Enclosure: The refuse will be in a common location internal to the development
- 8) Fencing:
 - a) Keep existing 6' tall fence;
 - b) Solid wood with galvanized posts, 6' tall fence along north property boundary
- 9) Sidewalk:
 - a) Detached proposed per the 34th Streetscape Plan Ordinance
 - b) Attached proposed per the 34th Streetscape Plan Ordinance
- 10) Landscaping:
 - a) Street Trees: 3, class II [Tree Selection guide](#)
 - b) Parameter Landscaping: Perimeter landscaping along North and West property boundary lines
- 11) Closest VRT Stop: Clay and 36th; Bus Route 11. Bus route to be terminated in September of 2021.

Site Conditions:

- 1) Street Address: 202 E 24th St
- 2) Parcel Number(s): R2734540701
- 3) Property Description: LOTS 1 & 2 BLK 31 FAIRVIEW ACRES SUB NO 5
- 4) Legal Lot of Record: Yes

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- 5) Property Size: 0.340 acres
 - 6) Zoning District: C-2
 - 7) Zoning Overlay(s): None
 - 8) Comprehensive Plan Land Use Map Designation:
 - a) Activity Node: Neighborhood Destination
 - b) Live-Work-Create
 - 9) Floodplain Designation:
 - a) 2003 FIRM: Not in the Floodplain
 - b) 2017 Draft FIRM: In the 2017 Anticipated FIS
 - 10) Adjacent Uses:
 - a) Bare ground
 - b) Eating Establishment, Full Service
 - c) Vehicle Service
 - d) School
 - 11) Existing Use: It appears to be bare ground.
 - 12) Easements on site: There are no records on file with Garden City of existing easements
 - 13) Site Access: List street(s) that the development will be accessed from
 - a) Front: 34th Street (pedestrian)
 - b) Side: Clay
 - c) Rear: n/a
 - 14) Sidewalks: No sidewalk
 - 15) Wetlands on site: none identified.

C. Discussion

Comments from the April 19, 2021 Design Review Hearing included:

- 1) What constitutes a bedroom? CC&R's stating that those are one-bedroom units only. This cannot be deleted out of the CC&R's without approval of Garden City Council.
 - a) The applicant has replaced the walk-in closet of the office spaces with that of a smaller closet. The applicant's intent is to advertise the units as one-bedroom with office space and is willing to take further measures the Committee might request to further demonstrate this, including the complete elimination of the closet. Staff has concerns with the complete elimination of this closet space, as the units lack overall storage space for the future residents. **It has been drafted as a condition of approval to require that the CC&R's are to govern this.**
- 2) Live-work unit to have separate space for "work" area and a more prominent entrance.
 - a) It appears that the live-work unit has double door entrance facing the plaza/stairwell area. It also appears that the façade facing Clay Street consists of mostly windows. The garage for this unit also has large windows, facing Clay Street. staff is unsure if these are truly transparent windows or false windows.
- 3) Driveway presence appears wide, fix with landscaping and plaza like elements. Differing hardscape material.
 - a) The site now shows the driveway to be 20' wide. The sidewalk also shows as a contrasting hardscape.
- 4) The trash enclosure is in the terminus and viewed directly from the street. Move or angle the dumpster so that it is not the focal point. Alternative materials.
 - a) The trash enclosure is still proposed at the end of the parking lot, as the terminus view, however the materials have been updated to include a 3-sided masonry enclosure with steel-framed, opaque box-ribbed panel gates. The color of the steel/gates is to match the metal on the building to maintain the visual connection. An example of the trash enclosure has been included in the resubmittals received on May 4, 2021.
- 5) Vacant space along Clay Street towards parking lot area.
 - a) This has possibly been addressed using landscaping.
- 6) Provide street trees to increase urban canopy.
 - a) The application has been updated to include Princeton Sentry Maidenhair Trees as the street trees. These are Class II trees that can reach 50ft in height and 30ft wide. The tree has the potential to become a great shade tree, with its roots expanding downward instead of out, thus proving a viable street tree. However, the tree is slow growing, so the benefits of the shade tree will not be experienced until the tree is more mature.
 - b) The resubmittal narrative explains that the Jack Pear tree has been substituted for a Spring Snow White Flowering Crabapple as the white flowers will contrast with the building colors and bears little to no fruit or debris.
- 7) Additional bike parking space required.
 - a) Additional bike parking has been provided by the main entrance to the development. There are 9 spots provided on site, with the potential for streetscape bicycle parking to be included. **The Committee can require a certain amount of bicycle parking to be**

included in the streetscape, and the location. Or the Committee can designate the streetscape design approval to staff.

- 8) Need to provide for common open space for multi-family.
 - a) Private open space required: 80sq.ft.
 - b) Private open space provided: 84sq.ft. second story decks, 90sq.ft. level 1 live-work unit
 - c) Common open space required: 1,250sq.ft
 - d) Common open space provided: 1,479sqft
- 9) Right side of building of south elevation does not provide pedestrian oriented elements, additional landscaping, smaller signs, more windows could enhance the façade.
 - a) **The applicant has shown that the façade glazing is greater than the required 15%. As the use is a restaurant, the retail requirement of 50% is not required. Additional landscaping and/or smaller signs have not been included in the updated site plans.**

LATE SUBMITTAL COMMENTS:

The applicant has provided late submittals on May 11, 2021 to help clarify the site plans.

- 13 new bicycle parking spots have been added to the streetscape. For a new total of 22 bicycle parking spots on-site.
- The applicant has been in conversation with Surel's Place regarding the proposed artwork. There is a condition drafted in the decision document to require that Surel's Place decides on the artwork, with City Council being the final decision maker. Any change of artwork is required to get approval from City Council. And the artwork must be of proportion to the site and must be maintained to keep its original appearance.
- The plaza is 513sq.ft.
- All Jack Pear Trees are to be replaced by the Crabapple trees.
- An extra bench and two trash receptacles have been added to the streetscape plan.

Previous Comments for the Pre-Application Meeting on April 19, 2021

The proposal includes: The second story includes four apartments. Each consists of one-bedroom, two bathrooms and one office. The second bathroom is a full bathroom which will be accessed via the common area of the apartment (living room, hallway, etc.). Floorplans show that two of these apartments include a large walk-in closet in the office space. The proposal says it consists of one-bedroom apartments but given the nature of the walk-in closets and the second full bath, staff believes that the intent is for four two-bedroom apartments. If the proposal were to change from four one-bedroom apartments to four two-bedroom apartments, the parking requirements would change as well as all code related to multi-family developments (GCC 8-2C-15).

The development also contains a proposal for 1 live/work unit, however the live-work-create overly has not been applied. This live/work unit is to function more as a studio apartment.

Proposed Street Trees and Site Landscaping

The proposed street trees are both columnar in nature, which does not provide for a dense urban tree canopy. While the height is okay, these types of trees do very little for providing the impacts that the street trees are intending to provide. It is well documented that health effects, including reduced blood pressure, reduced stress and exposure to trees motivate people to be

less sedentary ([University of Chicago psychology](#) graduate student *Omid Kardan* and *University of Chicago professor [Marc G. Berman](#)*.) In addition to the health benefits, trees clean air, assist with storm water, help in energy conservation, and provide economic benefits. Economic benefits range from more stable land value, higher land value, to more money being spent at retail locations. In particular, Garden City requires street trees to increase the comfort and safety of pedestrians in the public realm. It is likely that the trees that were provided were identified to save space. There are different varieties that can be chosen so that the development, the neighborhood and the City can take advantage of the benefits provided by that of the street trees. Examples of trees that can be utilized in urban areas include the honey locust, scholar tree, London Plane, American Elm and many more.

Class II trees proposed consist of:

- European Hornbeam: Displays a narrow, fastigate form in youth, but gradually acquires a tear drop or oval-vase shape with age, typically maturing to 40' tall and 30' wide.
- Princeton Sentry Maidenhair Tree: It has a dense, fat columnar form growing to about 65 feet tall with a 15 to 20-foot-wide crown.

Class I trees proposed consist of:

- Spring Snow Crabapple: Spring Snow' is a dense, upright, white-flowered crabapple that typically matures over time to 20-25' tall by 15-20' wide.
- Red Wing Amur Maple: A small multi-trunk maple, upright spreading tree with a dense, rounded crown that matures over time to a 15 - 20' tall tree or multi-stemmed shrub.
- Jack Callery Pear: A dwarf variety with an upright, tightly branching habit. This varietal of pear tree is considered a dwarf tree because it will grow to be about 20 feet tall and 10ft wide.

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: 04/05/2021 continued to 04/19/2021 Design Review formal hearing: 05/17/2021

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.

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

Agency	Comment Date	Summary
Ada County Highway District	None received to date	
Boise School District	None received to date	
Central District Health	05/04/2021	Standard Comments

COMPASS		
Garden City Engineer	None received to date	
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

Public comments that were provided as of the drafting of this document:

Name	Date	Comment
Rich Boltizar Link to full comment	Public comment: 05/10/2021	In Opposition: Parking is deficient for what the uses are, the second room labeled as an office space will be used as a second bedroom no matter what the CC&R's state, 5-foot setback along northeastern property boundary is not sufficient, it would tower over the neighboring residential dwelling unit.

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		Complaint as Conditioned	A Lot Line Consolidation will be required to eliminate the lot line between lots 1 and 2. This has been made a potential condition of approval.
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		No compliance issues noted	Multi-family dwelling units are permitted within C-2. Eating establishment, full service, and limited service are permitted uses.
8-2B-3 Form Standards	DC	No compliance issues noted	<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>The patio and plaza area are acting a part of the frontage for both Clay and 34th Street.</p>
8-2C-15 Multi-Family		Complaint as Conditioned	<p>All multi-family developments shall provide amenities. This proposal is complaint with this requirement.</p> <p>The number of amenities required for multi-family developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.</p> <ol style="list-style-type: none"> 1. Quality of life amenities provided: public art visible 2. Open space: plaza <p>All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features. A draft potential condition of approval requiring that such documentation be provided to the City has been included.</p>
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	DC	No compliance issues noted	<p>Existing 6' tall wood privacy fence is proposed to remain along north eastern property line.</p> <p>Proposed 6' tall solid wood or fence along northern property boundary.</p>
8-4A-4 Outdoor Lighting	DC	No compliance issues noted	
8-4A-5 Outdoor Service and Equipment Areas	DC	No compliance issues noted	<p>Trash enclosure interior to the parking lot. 5' tall gate with cane latch secured to a 6' post. 6' tall gates with cane latch for recycle enclosure secured to a 6' post.</p> <p>3-sided masonry enclosure with steel-framed, opaque box-ribbed panel gates. The steel gates will match the other metal</p>

			<p>on the building to ensure the refuse enclosure is visually connected to the rest of the project.</p> <p>Streetscape trash receptacle: trash receptacle <i>forms+surfaces</i> tonyo stainless steel body/door, surface mounted litter & recycling receptacle, 30 gallon, powdercoat black texture.</p>
8-4A-7 Stormwater Systems	DC	Compliant as conditioned	Not enough information to review. Generally, this is conditioned in the decision document.
8-4A-8 Utilities	DC	Compliant as conditioned	Not enough information to review. Generally, this is conditioned in the decision document.
8-4B-4 Multi-family Residential Dwelling Units	DC	May not be complaint	<p>All building elevations shall have a minimum portion of the elevation devoted to architectural features designed to provide articulation and variety. These features shall include, but are not limited to, windows, bays and offsetting walls that extend at least two feet (2'); recessed entrances; and changes in material types. Changes in material types shall have a minimum dimension of two feet (2') and minimum area of twenty-five (25) square feet.</p> <p>Entrances shall be adequately covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. It does not appear that the rear entrance, off the parking lot, has weather protection. The applicant has stated that the entrances do not meet the intent of an entrance as they are not primary entrances to the building and thus do not require exterior coverage.</p> <p>Roof forms shall be distinctive and include variety and detail when viewed from the street. Sloped roofs shall have a significant pitch. Flat roofs should include distinctive cornice treatments. It does not appear that the flat roof has a cornice treatment. <i>Per the Design Review Pre-Application meeting, the design was found to meet the intent of the development code and that a stepped or profiled cornice would not be required.</i></p>
8-4C-3 Design Provisions for Nonresidential Structures	DC	No compliance issues noted	<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"> • 60% of the street frontage along the front setback shall be occupied by a structure or plaza. <ul style="list-style-type: none"> ○ The frontage along Clay and 34th Street is occupied by a pedestrian plaza and patio space as well as the structure. • 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. <ul style="list-style-type: none"> ○ There is a plaza provided along Clay. Plaza square footage is shown to be 513sq.ft.

			<ul style="list-style-type: none"> ○ The Plaza includes concrete stem walls where users can sit. It also includes landscaping and public artwork. ○ The applicant excluded additional furnishing as the plaza acts as a primary ingress/egress pathway to the multi-family units. ○ There is a patio area, staff assumes is for the restaurant. <ul style="list-style-type: none"> ● First Floor Facades: First floor facades visible from a public street should include surfaces in windows, showcases, displays, or pedestrian access elements as follows: for retail uses at least fifty percent (50%), for all other uses at least fifteen percent (15%). <ul style="list-style-type: none"> ○ The 34th Street first floor façade is calculated to be greater than 15% of transparent material. As the restaurant is not retail use, the 27.8% glazing is code compliant. <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"> ● Driveway lanes crossing a public sidewalk intersection should be clearly distinguished with special pavement or coloring. This is now depicted in the site plans. It has also been made a condition of approval. <p><i>Objective 3: Buildings shall be designed and constructed of quality materials.</i></p> <ul style="list-style-type: none"> ● Proposed materials include: Dark wood siding, “Charwood” or similar, Garage door to match the dark wood siding, patterned vinyl windows, wood/wood-look at balcony insets and recess. <p><i>Objective 4: The site design shall respect existing notable site features including existing buildings, landscaping, trees and water.</i></p> <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> <ul style="list-style-type: none"> ● The streetscape along 34th Street requires: <ul style="list-style-type: none"> ○ 7’ wide sidewalks, the site plans show 7’-6” sidewalks with landscape bulb-outs. ○ The streetscape requires pedestrian elements such as benches, raised planters, art nodes, bike parking, etc. The originally submitted landscape plans and site plans did
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			<p>not show such features. However, updated site plans show an additional 13 bike parking spaces, an additional bench, and two trash receptacles within and around the streetscape.</p> <ul style="list-style-type: none"> • The streetscape along Clay requires: <ul style="list-style-type: none"> ○ Site plans show that there is to be a new separated sidewalk per city standards and for there to be a new concrete curb and sidewalk to match adjacent per city standards. The sidewalks shall need to meet the 34th Street Streetscape plan requirements to be compliant. It has been conditioned in the drafted decision document. ○ The planting strip is not to be not lawn but with trees and drought tolerant low shrubs. These planter strips, which serve as site drainage, will have Class II trees at 50' intervals with root barriers and shrubbery at 5 shrubs per 150 square feet. Site plans show proposed lawn in the landscape buffer area. This is not compliant with the streetscape plan. The lawn would need to be replaced with drought tolerant shrubs. ○ Site plans currently show Class II trees within the landscape buffer bulb-outs, however there are overhead powerlines that might conflict with the ability to have Class II trees. If there is conflict, 2 Class I trees may be substituted for 1 required Class I tree. ○ Artistic furnishings such as streetlights and bicycle parking shall be provided. Site plans do depict these elements within and around the streetscape, however, the Committee can change or specify where these elements are to be included within the streetscape if the proposal is not adequately meeting the intent code.
8-4C-4 Special Provisions for Specific Non residential Development	DC	May not be complaint	<p>Plaza Requirements:</p> <ol style="list-style-type: none"> 1. To qualify as a pedestrian plaza, an area should have: <ol style="list-style-type: none"> a. Pedestrian access (including handicapped access) into the plaza from the public right of way. b. Paved walking surfaces such as concrete, brick pavers, or other type of pavers on level, stepped, or gently sloping (less than 3 percent grade). c. One linear foot of seating per perimeter linear foot of the plaza. d. Security lighting on site or building mounted. e. A minimum size of five hundred (500) square feet with the shorter dimension of a plaza less than three (3) times the height of surrounding buildings. Plaza is 513sq.ft.

			<p>f. Buildings on plazas should promote and accommodate outdoor activity with balconies, arcades, terraces, decks, and courtyards for residents' and workers' use and interaction.</p> <p>g. Distributed trash containers around the plaza. Trash receptacles are located around the plaza.</p> <p>h. Direct access to occupied indoor space.</p> <p>i. Located so that the build provides buffering from street noise when the location is on a major arterial.</p> <p>2. It appears that the plaza and patio areas do not consist of many items of site furniture. The applicant has stated that the stem walls can act as seating and that public artwork occurs adjacent to it. The updated site plans now show an additional bench within the plaza area near the entrance of the restaurant. It has been drafted in the decision document that all artwork proposed must gain approval from staff prior to installation. Code states that a pedestrian plaza is encouraged to have:</p> <p>a. Site furniture:</p> <ul style="list-style-type: none"> (1) Seating may be on planters, rails, benches, retaining walls and other raised surfaces. (2) Cluster and movable seating for informal gathering and outside eating areas. (3) Locate seating for sun exposure, where views can be taken advantage of, and near to activity centers of a site such as at building entrances and at the intersection of walkways. <p>b. Artwork, or amenities such as fountains, kiosks:</p> <ul style="list-style-type: none"> (1) Interactive art, sculpture, and fountains which people can touch and move. (2) Fountains for visual attraction, to screen traffic noise, and for cooling effects. <p>3. A pedestrian plaza should not be located adjacent to unscreened parking lots or blank walls without wall treatment.</p> <p>HVAC equipment, trash dumpsters, trash compaction, and other service functions should be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. Site plans do not show enough information. However, the applicant has stated that all mechanical equipment will be roof mounted. And if any site/pad mounted equipment is required, it will be screened by landscaping. Condition has been drafted in the decision document.</p>
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8-4D Parking and Off Street Loading Provisions			
8-4D-3 Parking Design and Improvement Standards	DC	No compliance issues noted	
8-4D-4 Parking Use Standards	DC	No compliance issues noted	

8-4D-5 Required Number of Off-Street Parking Spaces	DC	May not be compliant	<p>Total number of vehicular parking spaces required for residential: 5 Total provided: 5 Number of enclosed spaces required: 5 Total provided: 5 Number of guest parking required: 2.5 Number provided: exact unknown, 7 in parking lot shared with commercial. (2.5 guest with 4.5 commercial parking spots) If parking is found to be deficient for either guest or commercial parking spaces. The Design Review Committee can delegate the approval of such deficiencies to City Council.</p> <p>Nonresidential and Mixed Uses: The minimum and maximum number of required off street vehicle parking for nonresidential uses and mixed use shall be determined by the planning official.</p> <table border="1" data-bbox="743 688 1464 835"> <thead> <tr> <th>Dwelling, multi-family</th> <th>Total Required Parking</th> <th>Required Within An Enclosed Garage</th> </tr> </thead> <tbody> <tr> <td>1 bedroom</td> <td>1 * 5 Units= 5</td> <td>1* 5 Units= 5</td> </tr> </tbody> </table> <p>For developments with more than 2 dwelling units there shall be 0.5 additional spaces/unit provided for guest parking.</p> <p>There is one bicycle space required for every 20 vehicle spaces and 1 space per commercial tenant necessitating 1 bicycle spaces. With every 6 dwelling units necessitating 1 bicycle spaces. The application proposes 1 commercial tenant and only 5 residential units, requiring only 1 bicycle parking spot. The application states it provides 9 bicycle parking spots, however it is not indicated in the site plans. Given the nature of the nonresidential use being a Brewery, staff believes that additional bicycle parking should be warranted. 13 additional bicycle parking spots have been included in the streetscape plans, for a total of 22.</p>	Dwelling, multi-family	Total Required Parking	Required Within An Enclosed Garage	1 bedroom	1 * 5 Units= 5	1* 5 Units= 5
Dwelling, multi-family	Total Required Parking	Required Within An Enclosed Garage							
1 bedroom	1 * 5 Units= 5	1* 5 Units= 5							
8-4D-6 Standards for Alternatives to On Site Parking	DC	No compliance issues noted	Applicant has not requested alternatives.						
8-4D-7 Off Street Loading Standards	DC	No compliance issues noted	No off-street loading spaces have been proposed.						
8-4E Transportation and Connectivity Provisions									
8-4E-3 Public Street Connections	DC	No compliance issues noted							
8-4E-4 Internal Circulation Standards	DC	No compliance issues noted							
8-4E-6 Sidewalk Standards	DC	No compliance issues noted	This section of code is superseded by the 34 th Streetscape plan.						
8-4E-7 Pedestrian and Bicycle	DC	No compliance issues noted							

Accessibility Standards			
8-4F Sign Provisions			
8-4F-13 Master Sign Program	DC	No compliance issues noted	
8-4G Sustainable Development Provisions		No compliance issues noted	The development is required to provide 18 points. However, the development is exempt per 8-4G-2 (D).
8-4H Flood Hazard	Planning Official	Complaint 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.
8-4I Landscaping and Tree Protection Provisions			
8-4I-3 General Landscaping Standards and Irrigation Provisions	DRC	No compliance issues noted	
8-4I-4 Landscaping Provisions for Specific Uses	DC	No compliance issues noted	<p>A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping. 30% of the site is 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>34th Street Required: 1 Frontage + 2 (1 per 50ft) = 3 34th Street Provided: 1 Frontage + 2 Class I trees = 3 (Meets code)</p> <p>Clay Street Required: 1 Frontage + 3 (1 per 50ft) = 4 Clay Street Provided: 2 Frontage + 5 Class I trees = 7 (Surplus of 2 Class I trees and 1 Class II tree)</p> <p>A minimum of one tree per one thousand (1,000) square feet of landscaped area and one shrub per one hundred fifty (150) square feet of landscaped area shall be planted. 4,569sqft provided = 4.5 trees and 30.46 shrubs required 36 trees, 89 shrubs and 142 perennials and grasses provided.</p> <p>Perimeter Landscaping Trees: required: 23, provided: 24</p>
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	There does not appear to be any existing trees on the site.
8-4L Open Space Provisions			
8-4L-3 General Open Space Standards	DC	No compliance issues noted	
8-4L-5 Open Space Standards for Multi-family Developments	DC	No compliance issues noted	<p>A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. The Live/work unit does not have private open space.</p> <ul style="list-style-type: none"> • Private open space for second story apartments: 84sqft • Private open space for first story apartment is 90sq.ft. <p>A minimum area of outdoor common open space shall be provided as follows: Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area.</p> <ul style="list-style-type: none"> • Common open space has not been identified. The site requires 1,500sqft of common open space. This has been met.
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 application waivers requested pursuant to 8-6A-4A
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
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) Live-Work-Create <p>The application may be supported by:</p> <p>Goal 1. Nurture the City</p> <ul style="list-style-type: none"> a.) 1.4 Objective: Create a premier destination place to live, work, and recreate. <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 12. Evolve as a Destination</p> <ul style="list-style-type: none"> a.) 12.1 Objective: Support a positive business environment b.) 12.2 Objective: Continue to support commercial and industrial land uses. c.) 12.3 Objective: Create a premier destination for work, recreation, entertainment, culture and commerce.
Garden City Sidewalk Policy	34 th Street Streetscape
Garden City Street Light Policy	A streetlight is installed along E.34th Street in accordance with the policy. A streetlight is installed along Clay Street in accordance with the policy.
Garden City Transportation Needs List	Provide a road section that match on Clay from 32nd to 37th. This project is important to the mobility and functionality of the neighborhood and contains a waterline that is slated by the Public Works Department for upgrade. The improvements should provide detached sidewalk and landscaping with Class II or III street trees to adhere to Garden City Code. A portion of this project is noted in the ACHD IFYWP.