



CITY OF GARDEN CITY

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

File Number: DSRFY2021-0017
Use as Defined By GCC Title 8: Service Provider
Location: 105 W 43rd Street
Applicant: Greg Toolson, JGT Architecture
Re-Application Conference: August 16, 2021
Design Review Hearing: TBD



STAFF REPORT
Prepared by Hanna Veal

Table of Contents

Project Information	3
Discussion	4
Decision Process	5
Agency Comment	6
Public Comment	7
Code/Policy Analysis	7

A. Project Information

Proposed Scope of Work:

Request	Review Process	Notes
Pre-application conference for a design review	8-6B-3 Design Review Committee	Completed on 08/16/2021
Public Hearing	8-6B-3 Design Review Committee	TBD

Project Details:

- 1) Applicant: Greg Toolson
- 2) Owner: Sawyer, Todd T
- 3) Request: New construction for a Service Provider – Pest Control use.
- 4) Title 8 Use: Service Provider
- 5) Definition of Use: The use of a site for an employee or employees of a company or person that provides materials or labor to perform a service or job not located on site. This may include, but is not limited to, building or trades contractor, damage restoration services or cleaning services. This is not the same as a "storage yard" as herein defined nor does this definition include construction or manufacturing on site.
- 6) Site Coverage: 20,347sqft
 - a) Building: 5,569sqft = 27% of the site
 - b) Landscaping: 4,112sqft = 20% of the site
 - c) Paved Areas: 8,759sqft = 43% of the site
- 7) Total number of vehicular parking spaces: 14
 - a) Surface: 14
 - b) ADA: 1
- 8) Total number of bicycle parking: 0
- 9) Trash Enclosure: Republic Services will pick up individual services internal to the development
- 10) Fencing:
 - a) Existing 6ft tall chain link fence with barbed wire proposed to stay around the perimeter of site.
 - b) Proposed 6ft tall wrought iron fence proposed along the frontage of Stockton.
- 11) No Sidewalk proposed.

Site Conditions:

- 1) Existing Use: The lot is currently split into two parcels, the parcel located at 105 W. 43rd is currently vacant.
- 2) Street Address: 105 W 43rd St
- 3) Parcel Number: R2734510454
- 4) Property Description: PAR #0454 OF LOT 31 BLK D FAIRVIEW ACRES SUB NO 2 #0450-S
- 5) Legal Lot of Record: The lot is a legal lot of record, however, the tax parcels are not.
- 6) Property Size: 0.470 acres
- 7) Zoning District: C-2
- 8) Zoning Overlay(s): None

- 9) Comprehensive Plan Land Use Map Designation:
 - a) Activity Node: Transit Oriented Development
 - b) Mixed Use Commercial
- 10) Floodplain Designation:
 - a) 2003 FIRM: Outside of the Special Flood Hazard Area
 - b) 2017 Draft FIRM: 100 Year
- 11) Surrounding Uses:
 - a) Vehicle Service and Storage Yard
 - b) Appears to be Boise Brew, however, record of the use has not been identified and may not be legally established
 - c) Appears to be Idaho Title Loans, Inc. (professional services), however, record of the use has not been identified and may not be legally established.
- 12) Adjacent Zoning: C-2
- 13) Adjacent Comprehensive Plan Designations: Mixed Use Commercial
- 14) Easements on site: There are no records on file with Garden City of existing easements
- 15) Site Access:
 - a) Front: W 43rd Street
 - b) Side: Stockton
- 16) Sidewalks: no sidewalk
- 17) Floodplain Designation:
 - a) 2003 FIRM: Outside of the Special Flood Hazard Area
 - b) 2017 Draft FIRM: 100 Year
- 18) Wetlands on site: none identified

C. Discussion

Associated CUPFY2021-0011

This property was reviewed by Planning and Zoning and approved on July 21, 2021. The majority of the conditions in the decision document defer to the Design Review Committee for final decision.

Nonconforming Property

The property located at 105 W. 43rd street is described as PAR #0454 OF LOT 31 BLK D FAIRVIEW ACRES SUB NO 2 #0450-S. The parcel is currently not legally described as what is shown on the assessor's website. Instead, the warranty deed states, "Lot 31 in Block D of Fairview Acres Subdivision No. 2....". This shows that the lot is still legal but the tax parcels within lot 31 are not. The city does not regard tax parcels, however, if the owner (Todd Sawyer) were to wish to sell one of the parcels, he would need to either complete a minor land division to meet the parcel descriptions, or to combine the two parcels into the original to match the verbiage of the warranty deed.

Both parcels are owned by Todd Sawyer, and the site is to function as one business. However, because the new development's proposed access is through the adjacent parcel, it has been conditioned by staff for the applicant to provide a cross access easement through the parcel located at 107 W. 43rd. This will allow for the rear parcel to be accessible from 43rd street.

Staff was able to analyze the parcel associated with 105 W. 43rd (R2734510454) for code compliance.

Fencing

There is an existing 6ft tall chain link fence with slats and barbed wire surrounding the entire property. The proposal is to remove the chain link fencing along Stockton, but keep the fencing along the south and east property boundary lines. The chain link fencing will be replaced with 6ft tall wrought iron fence along the Stockton frontage of the parcel that which is associated with the application. The adjacent parcel to the west that which allows access to this parcel will be keeping the chain link fencing.

Staff has conditioned that the barbed wire along all existing fencing is to be removed. However, the Committee needs to determine if the chain link fencing also needs to be removed. The adjacent uses to the fence line appear to be storage, and the Planning and Zoning Commission did not require that all the chain link fencing be taken down.

Perimeter Landscaping

Perimeter landscaping shall be provided between other paved vehicular use areas, including driveways, and vehicle storage areas and all property lines. The application proposes 5ft of perimeter landscaping while keeping the 6ft tall chain link fence w/ vinyl slats.

Pedestrian Pathways

There is a proposed plaza area located in front of the primary entrance which connects to Stockton. This connection appears to be 6ft in width.

Additionally, there appears to be no obvious pedestrian pathway system throughout the site/lot. If the overall site is to be functioning as one business, it is recommended that the applicant should consider how pedestrians will travel through the site, especially if the primary vehicular access point will be from 43rd Street.

Front Setback

The front façade appears to be setback 7'-6" from the property line. As a note, ACHD has reviewed the application based on the CUP submittals and required the site to dedicate additional right-of-way to total 10-feet from the centerline of Stockton Street abutting the site. Pave the additional dedicated right-of-way. It is unclear if this front setback meets the ACHD requirements.

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	Decision Authority	Hearing Date
----------	----------------	--------------------	--------------

Authority			
Design Review	N/A	Design Committee	Pre-application conference: 08/16/2021
			Design Review formal hearing: TBD

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

This section will be completed during the report drafted in conjunction with the public hearing:

Agency	Comment Date	Summary
Ada County Highway District		
Garden City Engineer		
Irrigation: Fairview Acres		
Ada County Fire and Rescue		

F. Public Comment

This section will be completed during the report drafted in conjunction with the public hearing.

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 7 Building Regulations			
7-2-1 Building Code	N/A	No compliance issues as conditioned.	A building permit will be required to be completed prior to occupancy of the structure.
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 so long as the function of the lot remains the same and the rear parcel is not sold.	The lot is of legal record in that it is Lot 31 of Fairview Acres. There are two tax parcels located on Lot 31 which do not have property deeds to describe the current parcel configuration. There is a ROS from 1988 the applicant submitted, but it does not have a City Engineer stamp, nor property deeds to describe the ROS configuration. So long as the rear parcel is not sold to another owner and the functionality of the lot is to remain the same, there is no requirement of a minor land division. If the current property owner is to sell one of the parcels, a minor land division will be required.
8-1B-3 Nonconforming Uses		Compliant upon approval	Conditional Use Permit (CUP) is required for the use, and a CUP has been approved.
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	PZ		Garden City Code Table 8-2B-1 requires a conditional use permit in this zone for the proposed use. A CUP has been approved.
8-2B-3 Form Standards	PZ/DC	No compliance issues noted	The required setbacks are: Front: 5ft Interior Side: 5ft Rear: 5ft

			<p>Street side:5ft</p> <p>The allowable maximum height is: n/a</p> <p>The minimum lot size is: n/a</p> <p>There are no encroachments.</p> <p>All properties meet the minimum street frontage.</p>
8-2C	PZ/DC		<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"> The entrance and exit drives shall be designed to prevent traffic hazards and nuisances. All surfaces used for parking shall be constructed with paving, vegetative cover or of dustless material. <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"> All outdoor storage of materials or vehicles shall be maintained in an orderly manner so as not to create a public nuisance. Stored items shall not block sidewalks or parking areas and may not impede vehicular or pedestrian traffic. <p>E. Other Standards Apply: Outdoor storage areas shall comply with section 8-1C-3, Property Maintenance Standards</p>
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	DC/PZ	May not be complaint	<p>There is an existing 6' tall chain link fence with vinyl slats and barbed wire along the perimeter of all property lines. Chain link fencing is a prohibited fencing material thus making the existing fencing a legal nonconforming fence. The committee will need to decide if the fencing will need to be removed, and/or replaced with code compliant fencing, or if it shall remain.</p> <p>There is existing barbed wire along the fence line. There is a condition of approval drafted to remove all existing barbed wire and to prohibit any additional installation of barbed wire.</p>
8-4A-4 Outdoor Lighting	DC/PZ	No compliance issues noted	Appears code compliant. No Comment.
8-4A-5 Outdoor Service and Equipment Areas	DC/PZ	Compliant as conditioned.	<p>Compliance with this section of code can be reviewed at the time of building permit issuance and/or prior to occupancy.</p> <p>All on-site service areas for waste, recycling, or trash; and equipment areas for transformer and utility vaults shall be located in an area not visible from a public street or adjoining property, or shall be screened from view from a public street and adjoining property with a privacy fence.</p>
8-4A-7	DC/PZ	Compliant as	Can be addressed at the building permit level. There is a

Stormwater Systems		conditioned	general condition drafted in the decision document.
8-4A-8 Utilities	DC/PZ	Compliant as conditioned	Can be addressed at the building permit level. There is a general condition drafted in the decision document.
8-4C-3 Design Provisions for Nonresidential Structures	DC	May not be complaint	<p><i>Objective 1: The design of all structures shall have a scale, massing and urban form that has a relationship to the street, the pedestrian, and adjacent properties.</i></p> <p>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.</p> <p>Street Frontage: Sixty percent (60%) of the street frontage along the front setback should be occupied by a structure or a plaza.</p> <p>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.</p> <ul style="list-style-type: none"> The estimated linear frontage along Stockton is about 200ft. the building, according to site plans, is 92ft. The building makes up about 46% of the street frontage. It does propose a plaza, but the plaza square footage is not disclosed. <p>Blank Walls: There is a blank wall facing the adjacent property to the south. No blank walls should front a public street. Any blank walls should be treated in one or more of the following ways:</p> <ul style="list-style-type: none"> Installing a vertical trellis in front of the wall with climbing vines or plant materials; or Providing a landscaped planting bed at least five feet (5') wide or raised planter bed at least two feet (2') high and three feet (3') wide in front of the wall, with plant materials that obscure or screen at least fifty percent (50%) of the wall's surface within three (3) years; Providing artwork (mosaic, mural, sculpture, relief, etc.) over at least fifty percent (50%) of the blank wall surface. <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> <p>Parking Lot Locations: All parking lots should be located to the side and rear of the building fronting on the street. A parking lot may be located between a building and a street when the visual effect of the parking lot has been mitigated by one of the following ways:</p> <ul style="list-style-type: none"> A minimum of ten feet (10') of landscaping has been provided between the parking lot and the view of the surface lot from the street is minimized; There is a 10ft wide landscape buffer zone between the parking lot and Stockton. <p>Pedestrian Pathways: Direct, convenient, and attractive</p>

			<p>pedestrian pathways should be provided that are clearly marked and connect all portions of the site.</p> <ul style="list-style-type: none"> • The site does not propose a pedestrian connection from the primary vehicular entrance on 43rd Street to the primary pedestrian entrance. There is no connectivity between the two sites. There is a connection from Stockton to the primary entrance. <p><i>Objective 3: Buildings shall be designed and constructed of quality materials.</i></p> <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>Building Orientation: Buildings should be oriented to a prominent feature, such as a corner location, a plaza, a street or the river. Buildings and site design should provide inviting entry orientation. Buildings should not turn their backs to the street.</p> <ul style="list-style-type: none"> • The site has architectural features that orient the building towards Stockton and clearly identify it as the primary entrance. However, there is a fence that surrounds the parking lot and pedestrian plaza area that might conflict with the entry way accessibility and appearance of being accessible from Stockton to pedestrians. <p><i>Objective 6: The site development should support and be consistent with the adopted streetscape.</i></p> <p>No comment.</p>
8-4C-4 Special Provisions for Specific Nonresidential Development	DC		<p>The site proposes a plaza.</p> <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. Gated 6ft tall fence might impede this. 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. Size is not depicted on plans. f. Buildings on plazas should promote and accommodate outdoor activity with balconies, arcades, terraces, decks, and courtyards for

			<p>residents' and workers' use and interaction.</p> <ul style="list-style-type: none"> g. Distributed trash containers around the plaza. h. Direct access to occupied indoor space. i. Located so that the build provides buffering from street noise when the location is on a major arterial. <p>2. A pedestrian plaza is encouraged to have:</p> <ul style="list-style-type: none"> a. Site furniture: <ul style="list-style-type: none"> ii. Seating may be on planters, rails, benches, retaining walls and other raised surfaces. iii. Cluster and movable seating for informal gathering and outside eating areas. iv. 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. b. Artwork, or amenities such as fountains, kiosks: <ul style="list-style-type: none"> i. Interactive art, sculpture, and fountains which people can touch and move. ii. 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>
8-4C-5 Prohibitions	DC	No compliance issues noted	<p>There are no visible false fronts, prefabricated structures or prohibited materials proposed with this application.</p> <p>There is not any crushed colored rock/crushed tumble glass utilized on the site.</p>
8-4D Parking and Off Street Loading Provisions			
8-4D-3 Parking Design and Improvement Standards	DC/PZ	No compliance issues noted	The design standards as set forth in section 8-4D-3 , "Parking Design And Improvement Standards", shall apply to any new construction, alteration, or moving of a structure or <u>any new or more intense use of property</u> .
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>The minimum and maximum number of required off street vehicle parking for nonresidential uses and mixed use shall be determined by the planning official based on the following criteria:</p> <ol style="list-style-type: none"> 1. The specific use(s) proposed and/or on the property; 2. Uses in the vicinity of the property; 3. A traffic study, if prepared, forecasting the expected traffic and parking needs expected from the use(s); 4. The availability of on street, shared, and/or public parking within the vicinity of the use; and 5. The availability of public transit, vanpooling or other alternative transportation to serve the use. <p>The applicant has provided the following information:</p> <ol style="list-style-type: none"> 1. 7-9 office employees

			<p>2. Business office hours are 7am-6pm Monday thru Friday</p> <p>3. Average of one (1) walk-in customer per day. Most schedules by phone</p> <p>4. No regular shipping / delivery schedule</p> <p>According to the City of Boise parking code: Office, Business or Professional > 1,000sqft = 1 parking space / 300sqft Required: 3,793sqft/300sqft = 12.6 parking spots</p> <p>Storage does not require additional parking spaces.</p> <p>According to the site plans, there are 14 proposed parking spaces, with 1 being ADA.</p> <p>Garden City Code requires one bicycle parking space for every commercial tenant, and one for every 20 vehicular parking space. The site is required to have at least one bike parking spot. This can be conditioned in the decision document.</p>
8-4D-6 Standards for Alternatives to On Site Parking	DC	No compliance issues noted	Not requested by the applicant.
8-4D-7 Off Street Loading Standards	DC	No compliance issues noted	None proposed.
8-4E Transportation and Connectivity Provisions			
8-4E-2 Applicability			Provisions apply to any new construction, addition, expansion, grading, alteration, or any new or <u>more intense use of property</u> .
8-4E-3 Public Street Connections	DC	Compliant as conditioned	<p>It is unclear if the clear vision triangle is maintained. Compliance with GCC 8-4E-3 can be conditioned in the decision document.</p> <p>The applicant should be aware of the standards for maintaining the clear vision triangle:</p> <ol style="list-style-type: none"> 1. Trees planted within a clear vision triangle shall be pruned to a minimum height of eight feet (8') above the ground or sidewalk surface and fourteen feet (14') above the adjacent street surface. 2. No evergreen trees shall be planted within any clear vision triangle. 3. The maximum height of any berm or vegetative ground cover at maturity within the clear vision triangle shall be three feet (3') from the lowest adjacent street grade. 4. No fences higher than three feet (3') from the lowest adjacent street grade are permitted in the clear vision triangle. 5. No signs taller than three feet (3') are permitted in the clear vision triangle, except for street/stop signs approved by the transportation authority.

8-4E-4 Internal Circulation Standards	DC	No compliance issues noted	Comments have not been received by Republic Services.
8-4E-6 Sidewalk Standards	DC	No compliance issues noted – Discussion warranted	<p>Sidewalks along Stockton are not required per the Garden City Transportation Needs List. However, there is a need for pedestrian oriented features.</p> <p>The Design Review Committee are the final decision body regarding the details of what pedestrian-oriented features means. But the transportation needs list describes that there should be adjacent landscaping and/or art and street furniture.</p> <p>Currently this site has chain link fencing with barbed wire along Stockton. The application has proposed landscaping along Stockton to help separate and shield the proposed parking lot, the plaza, and the structure. They have also proposed a 6ft tall wrought iron fence along the frontage of Stockton to secure the parking lot. The fence is setback 9'-6" from the Stockton property line with landscaping between it and the street.</p> <p>The Transportation Needs List also asks that fencing does not exceed 3 ½ ft, however, it specifically states on the property line. Code requires that a fence cannot be taller than 3 ½ ft within the front setback. Technically the proposed fence meets both these standards.</p>
8-4E-7 Pedestrian and Bicycle Accessibility Standards	DC	May not be complaint	<p>Pedestrian pathways through the site are not obvious.</p> <p>There is a pedestrian connection to the plaza/main entrance of the proposed building to Stockton. However, there is not a clear path from 43rd Street to the primary entrance. The applicant should consider how pedestrians will travel through the site, especially if the primary vehicular access point will be from 43rd Street.</p> <p>All pedestrian pathways shall be a minimum of 4' in width. The proposed pedestrian pathway from the plaza to Stockton is 6ft wide.</p>
8-4G Sustainable Development Provisions		May not be complaint	The commercial development is 5,569sqft. Thus the development is required to provide 18 points. The documentation has not been provided to show if the proposed site meets this standard. The applicant will need to submit a sustainability checklist form showing compliance at the time of the formal hearing.
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-2 Applicability			<p>For all new residential and nonresidential uses, all landscaping standards of this article shall be met.</p>
8-4I-3 General Landscaping Standards and Irrigation Provisions		<p>Compliant as Conditioned –</p>	
8-4I-4 Landscaping Provisions for Specific Uses	<p>DC</p>	<p>No compliance issues noted</p>	<p>A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping. The site provides 4,112sqft of landscaping = 20% of the site. Excluding setback or perimeter landscaping, the site consists of 1,1227sqft of landscaping = 6% of the site.</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. Linear frontage is not depicted in the submitted site plans. Staff roughly measured the linear frontage using GIS tools. Stockton frontage appears to be about 200ft.</p> <p>Trees Required: 1 Streetside + 4 Frontage = 5 Trees</p> <p>Trees Provided: Stockton: 1 Streetside + 5 Frontage = 5 trees</p>
8-4I-5 Perimeter Landscaping Provisions	<p>DC</p>	<p>May not be compliant</p>	<p>Required:</p> <ol style="list-style-type: none"> Between other paved vehicular use areas, including driveways, and vehicle storage areas and all property lines. The adjacent use to the south appears to be using their property as a boat storage location. The proposed parking lot area of this application is adjacent to the boat storage, requiring the perimeter landscaping. The application proposes 5ft of perimeter landscaping and keeping the 6ft tall chain link fence w/ vinyl slats. <p>It appears that there is proposed 5ft wide perimeter landscaping along the western southern property boundary lines. It does not appear that the proposed landscaping will reach a screen consisting of 6ft wide and tall vegetation at maturity. However, the trees proposed within the perimeter landscaping area adjacent to the parking lot will block most sunlight when mature, limiting the undergrowth. Additionally, there are 6 arborvitae proposed along the south and western property boundary lines, helping create some screening with rock or wood mulch in the planter area. This perimeter landscaping is not facing a public right of way, and is surrounded by the existing chain link fencing that which is</p>

			<p>proposed to remain.</p> <p>Add conditions Standards:</p> <ol style="list-style-type: none"> 1. A perimeter landscaping area shall be at least five (5) feet wide measured from the property line to the interior of the lot; 2. A screen consisting of vegetation shall be at least six feet (6') wide and six feet (6') in height at maturity; 3. At least one tree shall be planted for every fifteen (15) linear feet of perimeter length (or as appropriate to the selected species) to quickly establish continuous canopy coverage.
8-4I-6 Parking Lot Landscaping Provisions	DC	No compliance issues noted	
8-4I-7 Tree Preservation Provisions	DC	No compliance issues noted	Site does not have any vegetation.
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 requested
8-6A-5 Administrative Process with Notice		No compliance issues noted	<p>To be completed with formal application</p> <p>A notice of intent was sent to adjoining property owners within 300' and agencies with jurisdiction.</p> <p>If no objections are filed within 15 days, the Design Review Committee's decision shall be considered final.</p> <p>Objections will be heard by City Council following the public hearing provision set forth in section GCC 8-6A-7.</p> <p>Conditions of approval that are deemed necessary to protect the public health, safety, and welfare, and prevent undue adverse impacts on surrounding properties may be required.</p>

Other Items Reviewed	
Plan/Policy	Discussion/ Analysis
Idaho Code 67-6512	Garden City Code noticing requirements are compliant with this Statute.

Local Land Use Planning
Special Use Permits, Conditions,
and Procedures

The statute notes that upon the granting of a special use permit, conditions may be attached to a special use permit including, but not limited to, those:

- (1) Minimizing adverse impact on other development;
- (2) Controlling the sequence and timing of development;
- (3) Controlling the duration of development;
- (4) Assuring that development is maintained properly;
- (5) Designating the exact location and nature of development;
- (6) Requiring the provision for on-site or off-site public facilities or services;
- (7) Requiring more restrictive standards than those generally required in an ordinance;
- (8) Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction.

Prior to granting a special use permit, studies may be required of the social, economic, fiscal, and environmental effects and any aviation hazard as defined in section [21-501\(2\)](#), Idaho Code, of the proposed special use. A special use permit shall not be considered as establishing a binding precedent to grant other special use permits. A special use permit is not transferable from one (1) parcel of land to another.

[Garden City Comprehensive Plan](#)

This application is in future land use designations of the Comprehensive Plan:

- a) Activity Node: Transit Oriented Development
- b) Mixed Use Commercial

The application may be supported by:

Goal 1. Nurture the City

- a.) 1.4 Objective: Create a premier destination place to live, work, and recreate.

Goal 2. Improve the City Image

- a.) 2.4 Objective: Create a vision for the design of all streets and highways consistent with city's urban setting.
- b.) 2.4.1 Proactively develop new streetscape standards that are distinctive to the Garden City built environment. The standards should apply to state highways, major arterials, collectors, local streets, and alleys. The standards should reflect the unique characteristics of the street, the neighborhood and adjacent land uses. Such planning should be in coordination with future development or redevelopment.

Goal 4. Emphasize the "Garden" in Garden City

- a.) 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.

Goal 7. Connect the City

- a.) 7.1.5 Re-develop Osage and Stockton streets as shared mobility corridors that are attractive for pedestrians and bicyclists while maintaining access to local businesses. Consider the opportunities for an art pathway and one-way direction for each street. (See also Action Steps 2.4.1 and 2.4.2)

Goal 12. Evolve as a Destination

- a.) 12.1 Objective: Support a positive business environment
- b.) 12.2 Objective: Continue to support commercial and industrial land uses.
- c.) 12.3 Objective: Create a premier destination for work, recreation,

	<p>entertainment, culture and commerce.</p> <p>The application may not be supported by:</p> <p>Goal 5. Focus on the River</p> <p>a.) 5.5 Objective: Create more accessibility to the Boise River and Greenbelt.</p> <p>Goal 7. Connect the City</p> <p>a.) 7.1.5 Re-develop Osage and Stockton streets as shared mobility corridors that are attractive for pedestrians and bicyclists while maintaining access to local businesses. Consider the opportunities for an art pathway and one-way direction for each street. (See also Action Steps 2.4.1 and 2.4.2</p>
Garden City Sidewalk Policy	<p>No waivers submitted, however, Stockton does not require sidewalks per the Garden City Transportation Needs List</p>
Garden City Street Light Policy	<p>A streetlight is installed along E. 43rd Street in accordance with the policy.</p>
Garden City Transportation Needs List	<p><u>Stockton improvements:</u></p> <p>The improvements to Stockton are imperative to the City due to the waterline replacement that will be done in conjunction with the project. Until the waterlines are replaced water supply will remain inadequate in much of the eastern portion of the City to meet necessary fire flows. There are also additional compelling outcomes of these improvements. Stockton will assist in safety and improved business viability as traffic counts increase on Chinden.</p> <p>Improvements to Stockton incorporate three principal objectives: safety enhancement on Chinden; congestion mitigation on Chinden, and facilitation of economic development within the western part of Garden City (south of Chinden) through safety, comfort, the replacement of water infrastructure and increased traffic on local roads (increased business presence).</p> <p>Garden City has 4" waterlines in Stockton Street, severely limiting water delivery. Replacement of these lines is a top priority in Garden City's capital improvement plans to insure adequate fire flow for current and future development. Increasing the line size within Stockton would allow for the potential of increased property values in the areas serviced by this line.</p> <p>Potential improvements to execute vision:</p> <ul style="list-style-type: none"> • Garden City has requested a feasibility study to be conducted to identify if these roads would be appropriate for drainage for the roadway system to reduce on site drainage needs and assist in flood protection. • 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. This treatment is required to be approved by ACHD prior to implementation. • A maximum speed limit of 10-15 miles an hour. This treatment is required to be approved by ACHD prior to implementation. • No curb, gutter or sidewalk within the right-of-way is required and limited or no parking is desirable. Sidewalk and connections

may still be required on site. This treatment is considered adopted by Garden City for the purposes of redevelopment requirements through the adoption of this plan.

- Lighting
- Controlled access
- Adjacent landscaping and or art and street furniture.
- Fencing > 3.5 not allowed on property line.

43rd Street:

Pathway Connection: 43rd and Ustick Formalize and improve a pathway that is being utilized as a bike/ ped connection at 43rd and Ustick.

Safety Crossing on Chinden at 43rd Street: This request is currently anticipated to be funded for design in 2021. The request is to provide a safe and comfortable crossing at Chinden to facilitate the bike and pedestrian traffic crossing from the Boise bench to the amenities and regional connections at 42nd Street. This is a connection to the requested bike/ pedestrian connection at 43rd and will serve the ability to connect to the node at 42nd and provide a safe route to school. This light is programed in ACHD's IFYWP for 2021 design and 2023 construction.