



CITY OF GARDEN CITY

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File Number: DSRFY2022 - 0014
Application Scope: Pre-Application Conference
Location: 210 E 35th St
Applicant: Cathy Sewell
Pre-Application Report Date: June 20, 2022
Formal Hearing Date: September 19, 2022



Staff Report
Prepared by Hanna Veal

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A. Meeting Summary:

A summary of the September 8, 2022, meeting minutes are as follows:

- I. Cathy Sewell, Matthew Clark, and Brie Katz presented the application.
- II. Staff Hanna Veal presented the staff report.
- III. Public testimony was heard from:
 - a. Kate Folkenstien in opposition; neighborhood would not provide enough amenities to be conducive to a non-vehicular lifestyle. On-street parking should be for guests and non-residence.
 - b. Karl Wirkns; the building is too big; the constructability is going to be expensive; Floodplain is a concern.
 - c. Louis Landry in opposition; letter of intent to approve verbiage is confusing. Is irrigation required? Shared parking is brilliant problem solving. Shaded streets require big street trees. The city needs to require larger street trees.
 - d. Belinda Isley; the massing and design of the structure is too overbearing. Parking per code requirements should be required.
 - e. Jason Jones; Garden City Code 8-4D for mixed-use parking determined on a case by case basis. Judge of judicial review said that it wasn't legal to do as such. Enforcing parking code for mixed-use projects is illegal.
- IV. Cathy Sewell and Brie Katz provided rebuttal:
 - a. Garden City Code requires one parking space for one-bedroom units and two parking stalls for two-bedrooms. Other sections of Garden City Code provided guidance for development plans even though it wasn't applicable.
 - b. Comprehensive plan speaks to maintaining the existing small lots, discouraging large developments.
 - c. Many conversations with neighbors and friends included the fact that they wished they could not have a car.
 - d. Code defines the primary entrance as the entrance used by the most number of users.
- V. Public testimony was closed.
- VI. Discussion included:
 - a. Small deficiencies in parking have been mitigated for in other applications by providing alternatives and surpluses of other mode of transportation.
 - b. Development is similar to Live-Work-Create projects, but the overlay doesn't apply.
 - c. Committee member Hurd believes that the site appears to be sufficient and park itself. Code has many sections of verbiage that indicate less parking is permitted in some circumstances.
 - d. Committee member Labrie does not believe the site provides adequate parking. Residential parking code is specific, and the application is not compliant with the standards.
 - e. Residential connection to the street has not been enhanced. Entry points to the residential units need to act and appear as the primary entrance.
 - f. Proposed height is permitted. C-2 allows for unlimited height. Denying and application based on height is arbitrary.
 - g. Proposed development is a mixed-use multi-family project.
 - h. More direct entryway focal element that provides and identity for the residential entity on the street. Re-design needs to come back for committee review.
 - i. Two secondary accesses are not appropriate.

- VII. Committee member Labrie moved to continue to a date certain of September 19, 2022.

A summary of the June 20, 2022, meeting minutes are as follows:

- I. Cathy Sewell and Mathew Clark presented the application.
- II. Discussion with the Design Review Committee included:
 - a. The lease spaces are intended to be used as home offices or businesses for residents.
 - i. The intent of the project is to provide workspaces for the residents occupying the structure so they don't have to commute. Thus, the need for parking is diminished as there will be less vehicular traffic.
 - b. There is one commercial space located on the first floor.
 - c. The live-work-create overlay would have limited the type of development as desired.
 - d. The commercial space is to act as a primary entrance to other lease spaces and residential units.
 - i. Strengthen the primary entrance elements to the street to show people that the main entrance is "here".
 - ii. The direct stair entrance should act as a secondary entrance.
 - e. The code requires a certain amount of parking. As a site that is promoting a commercial aspect and 8-9 potential businesses, the site should be able to support the developments desired function, which includes providing adequate guest parking.
 - i. Alternatives to parking in addition to vehicle ride-sharing should be pursued. A parking analysis should be performed and submitted.
 - ii. There are about 30+ enclosed and surface bike parking spaces.
 - iii. Two spaces for on-street parking spaces.
 - f. ACHD requires a 10' landscape buffer for a Class III Street tree.
 - g. Tree calipers need to be mitigated for at a 1:1 ratio.
 - h. If the perimeter landscaping is enhanced where it is not 5' in width and the enhancement creates a better pedestrian connection, it could be permitted.
 - i. Landscaping along the roof cornices can mitigate for long rooflines.

B. Project Information

Proposed Scope of Work:

Request	Review Process	Notes
Pre-application conference for a design review	8-6B-3 Design Review Committee	June 20, 2022
Public Hearing	8-6B-3 Design Review Committee	September 6, 2022; September 19, 2022

Project Details:

- 1) Proposed development: New Construction
- 2) Site Coverage: 0.280 acres/12,197 sq ft

- a) Building: 8,023sq ft = 65% of site
- b) Landscaping: 2,229sq ft = 18% of site
- c) Paved Areas: 2,674sq ft = 21% of site
- 3) Square footage dedicated to uses:
 - a) Mixed-Use Residential
- 4) Number of Structures: 1
- 5) Number of residential units total:
 - a) One bedroom units: 10
 - b) More than one bedroom units: 5
- 6) Number of work Units: 7
- 7) Commercial Lease Spaces: 1
- 8) Total number of vehicular parking spaces: 17
 - a) Enclosed: 17
 - b) ADA: 1
 - c) On-Street: 2
- 9) Total number of bicycle/scooter parking: 34
 - a) Enclosed: 16
 - b) Surface: 18
- 10) Trash Enclosure: The refuse will be in a common location interior to the development
- 11) Fencing: Existing fence to remain and new fencing proposed.
- 12) Sidewalk:
 - a) Detached proposed
- 13) Landscaping:
 - a) Street Trees: 3, class II
 - b) Parameter Landscaping: 10ft perimeter landscaping around entire property.
- 14) Closest VRT Stop: VRT Bus 8x, W Chinden Blvd & W 39th St SWC

Site Conditions:

- 1) Street Address: 210 E 35th St Garden City, ID 83714
- 2) Parcel Number(s): R2734540260
- 3) Property Description: LOTS 5/6 BLK 28 FAIRVIEW ACRES SUB NO 5 #509/109
- 4) Legal Lot of Record: Yes
- 5) Property Size: 0.280 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) The project is not located in the floodplain according to the 2003 FIRM.
 - b) The project is in the floodplain according to FEMA's most recent modeling of the Lower Boise River, adopted by resolution 1083-20
- 10) Adjacent Uses:
 - a) Dwelling Units (attached and detached)
 - b) Professional Service – Point Architects
 - c) Professional Service – Wave Property Management
 - d) Eating Establishment Full Services = Wepa!
- 11) Existing Use: Single Family Residence

- 12) Easements on site: There are no records on file with Garden City of existing easements
- 13) Site Access:
a) E. 35th St
- 14) Sidewalks: No sidewalk
- 15) Wetlands on site: none identified

C. Discussion

Discussion for September 19, 2022

Per the Design Review Committee's request for resubmittals, the applicant has submitted revised drawings. Revised drawings A3.0 and A3.1 show proposed changes to the residential and the courtyard entryways. A new sheet, A3.0-1 was also submitted to show the entry locations in more detail, as well as landscape treatment around the ground floor commercial lease space. This lease space has been identified as a café with outdoor patio space.

Please refer to the applicant's submitted letter addressing the details of the new design.

Code Analysis

This project, as defined by code, is at minimum, a "dwelling unit; multi-family"¹ residential development. However, because of the commercial aspects included within the proposal, staff has classified the request as a mixed-use, multi-family application. It is mixed-use due to the combination of commercial and residential components. It has been further identified as a multi-family development to help classify the style of dwelling units found within the mixed-use proposal.

Garden City Code 8-4B-4 Design Provisions for Residential Structures - Multi-Family Residential Dwelling Units is applicable in addition to Garden City Code 8-4C Design Provisions for Nonresidential Structures due to the mixed-use (residential and commercial) nature of the project.

Both GCC 8-4B-4 and 8-4C are applicable due to the proposal for a new, residential, and commercial development located within the C-2 zoning district.

8-4B-4.B.2 states that "Main entrances, which are the primary point(s) of entry where the majority of building users will enter and leave, shall be designed as an obvious entrance and focal point of the building through architectural treatment, lighting, and address identification." The word "users" was discussed during the September 8, 2022, hearing, to no resolution. Staff has historically interpreted this section of code to require that the residential entryways of residential buildings require code compliance. It might be a mixed-use development, but the primary user of the building will be the residents living within. This section of code is only applicable to the residential aspects of the development. The Design Review Committee has provided comments regarding the lack of architectural treatments to help identify an obvious residential entrance.

¹ "Dwelling Unit; Multi-Family is defined as "A structure or property containing three (3) or more principal dwelling units. The term "multi-family dwelling unit" includes apartments and condominiums with varying arrangements of entrances and party walls."

Garden City Code 8-4C-4 is applicable to the commercial/non-residential components of the project. It states similar standards to that as mentioned above of 8-2B-4, however, it goes into more detail as to where the location of the commercial primary entrance shall be, and what design features need to identify it.

Parking

Parking is still considered deficient. Staff has only done calculations based on what code requires of the residential units, and what staff has historically calculated for commercial spaces. Staff, while having acknowledged the applicant's efforts to provide alternatives to on-site vehicular parking, has not granted a specific numerical reduction. T

The site is deficient:

11 residential + 11 commercial = 22 parking spaces

(GCC 8-4D calculations + 1 parking space/ 300 commercial sqft = total parking requirement)

New Design Review Findings

As of September 12, 2022, the Design Review findings have been updated in accordance with the Ordinance No. 1024-22. These changes have been reflected in the drafted decision document findings.

Previous Discussions

The Sonder is a 15-unit multi-family development with 7 work units on the second floor and one leasable tenant space on the ground floor. The project consists of studio², one-bedroom, and two-bedroom apartments. While the project is located within the Live-Work-Create overlay district and is designed to meet the intentions of the overlay, it is not using the overlay district standards set forth in code. As a result, Garden City Code 8-3C provisions do not apply and the application has been processed as a mixed-use multi-family development. Applicable sections of code have been reviewed and comments can be found in the staff analysis portion of this report. For more information regarding the application, please refer to the submitted Statement of Intent.

There are 15 residential units proposed in this project. Of the 15, 7 units have associated but detached "work" units located on the second floor called "The Courtyard". In the owner's letter to the Design Review Committee, it is mentioned that the second-floor workspaces are not intended for outside retail tenants. Instead, the concept is for them to be used as workspaces by residents of the building, but for them to not be directly linked to an individual unit to allow for flexibility.

Work Units/ Commercial Space and Parking Requirements

The Live-Work-Create overlay code standards are mentioned throughout the letter of intent and the owner's letter to the Committee. One instance of the overlay being mentioned is in relation to parking. Staff would like to clarify that if this application were to use the overlay standards, the work units would still require additional parking.

² Studio apartments are considered one-bedroom units.

LWC code requires working spaces over five hundred (500) square feet of interior floor area shall be required to provide one parking space for every one thousand five hundred (1,500) square feet or portion thereof; or the number of parking spaces needed to serve employee and patrons This application provides 3,505sqft of commercial space which would result in the requirement of 2.3 vehicular parking spaces.

Because the project has chosen to not apply the LWC overlay, Garden City Code 8-4D standards apply. Like that of the LWC overlay calculations, staff has historically calculated the parking requirements based on the total commercial square footage provided. For every 300sqft of commercial space provided, 1 vehicular parking space is required on-site. The staff analysis goes into more detail regarding the parking requirements, but in summary, the site is required to provided 11 vehicular parking spaces based off the workspaces and commercial lease space square footage provided.

Considering the lack of 11 residential vehicular parking stalls, the site is deficient a total of 22 parking spaces.

To mitigate for the lack of parking, the applicant has provided ample enclosed and exposed bicycle parking spaces (34), proposed a car-share program for residents to use, mentioned their proximity to the Greenbelt, availability of ride-share services such as Uber and Lyft, and the discounted ride-share service Valley Regional Transit offers for those needing a ride to a bus stop.

Staff has conditioned to require a board or computer located in a public space that provides information including carpooling, transit trip planning assistance, transit maps, and maps of preferred bike routes. It has also been conditioned to required information regarding the Valley Reginal Transit Lyft discount information for the duration of that service.

The applicant has also conducted a series of parking studies within a two-block radius of the property to which they claim current on-street parking availability is plentiful.³ The study mentioned the streets that were analyzed; mentioning that the public parking lot off 36th Street (city owned) was included in the analysis. According to their four studies, a conservative average of 7 parking spots per side on each block (about 63% and 86%) of the on-street parking spaces were available. The study also mentioned the dirt parking lot located off 34th Street as an area for parking, however, to clarify this "parking lot" is private property and is associated with the Casino Beach Subdivision (SUBFY2021-0005) which was approved last year.

The City recognizes that the standard parking code found within 8-4D-5 becomes more restrictive as density increases. The City also recognizes that mixed-use developments require less parking by providing commercial spaces beneath the residential units; thus decreasing the generation of vehicular trips. Garden City Code 8-3D-3(C)(2) attempts to recognize this by requiring less parking within the Neighborhood Commercial Nodes identified in the Comprehensive Plan. Despite this code allowing for deviations from regular parking standards,

³ The parking analysis information can be found in the owner's letter to the committee and the Sonder Parking Study Summary Document Exhibit A.

this project does not qualify as it is not within the node and therefore not able to apply the overlay.

We have been active in developing this part of Garden City and have observed surrounding multi-family projects and trends. The Trailwinds project on 42nd is a good example and demonstrates that using the City's multi-family parking standards in this area is not necessary. Trailwinds has a large surface parking facility that takes up more than half of the site and it is consistently under parked.

In all, the site is deficient 3 residential spaces, 8 guest spaces, and 11 commercial/work spaces.

The number of parking spaces proposed could be considered sufficient to serve the project because:

1. The mixed-use proposal will capture trips and the small-scale commercial is focused on serving the developments residents and other nearby walkable residents.
2. There is available street parking on the surrounding streets.
3. The project focuses on alternative modes of transportation through the ride-share program, and surplus of bicycle/scooter parking. The project's proximity to the Greenbelt could ensure the success of non-vehicular transportation.
4. The new developments within the neighborhood will create a more walkable neighborhood once constructed.
5. The 7 work units proposed are to be utilized by the residence of The Sonder, generating less vehicular trips than what a standard commercial space would.

The number of parking spaces proposed could not be considered sufficient to serve the project because:

1. The mixed-use proposal will generate additional vehicular trips to the project location and the project does not supply enough on-site parking for its residents, guests, and customers.
2. There are many large-scale developments in the surrounding neighborhood that will also be utilizing the on-street parking spaces, making on-street parking more difficult as the are develops. Additionally, the two parking lots mentioned in the submitted parking study are not considerable due to the City's parking lot being limited in usable hours, and the dirt parking lot of the Casino Beach Subdivision being on private property.
3. There is not a public transit line or stop within close proximity to the project.
4. The existing uses surrounding the project do not promote a walkable neighborhood.

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: 6/20/2022 Design Review formal hearing: September 6, 2022; September 19, 2022

Required Findings:

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](#):

- ~~The proposed design is in conformance with the purpose of the zoning district and all dimensional regulations of that district;~~ The proposed design shall comply with all design standards in this Title
- ~~The proposed design adheres to standards for the protection of health, safety, and general welfare;~~ The proposed design shall provide effective bicycle and pedestrian access and movement to, from, within, and across the site;
- ~~The proposed design creates a sense of place and contributes to the uniqueness of the different districts and neighborhoods within the city;~~ The proposed design shall be compatible with or improve the public’s use of existing and planned public spaces, including but not limited to the greenbelt and pathways, sidewalks, parks, roadways, open space, public facilities, Boise river and waterways, canals, and other surface irrigation;
- ~~The proposed design improves the accessibility of development to nonmotorized and public modes of transportation;~~ The proposed design shall be compatible with the neighborhood in scale and intensity;
- ~~The proposed design supports a development pattern in nodes rather than strip commercial along arterial corridors;~~ The proposed design shall not create an adverse impact on the surrounding neighborhood;
- ~~The proposed design supports a compact development pattern that enables intensification of development and changes over time;~~ and The proposed architecture and site improvements shall have facades, features, materials and building form, and other physical improvements that are compatible with or enhance the neighborhood;
- ~~The proposed design provides outdoor spaces and landscaping compatible with the southwest Idaho climatic conditions and that encourage pedestrian activity.~~ The proposed design and landscape shall improve the design and function of the site and be consistent with southwest Idaho climatic conditions; and

8. ~~There has been no denial of any application on this property within one year.~~ The proposed design shall be compatible with applicable natural, scenic, and historic features, including but not limited to wetlands, the Boise River, waterways, and historic structures.

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.

If there is a denial, state code requires that the decision maker identify what could be done to obtain approval.

Appeals of Decision:

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 reflects the record up until the drafting of this document:

Agency	Comment Date	Summary
Garden City Engineer Link to Full Comment	08/20/2022	<ul style="list-style-type: none"> Standard Comments Lot Line Consolidation will be required
Department of Environmental Quality Link to Full Comment	08/12/2022	<ul style="list-style-type: none"> Standard Comments.

F. Public Comment

This section reflects the record up until the drafting of this document:

Name	Comment Date	Summary
Janet Hasson	08/26/2022	<ul style="list-style-type: none"> Oppose the Request
Stacy Quick	08/29/2022	<ul style="list-style-type: none"> Oppose the Request
Adam Straubinger	08/30/2022	<ul style="list-style-type: none"> Oppose the Request
Kim Spears	09/06/2022	<ul style="list-style-type: none"> Oppose the Request
Belinda Isley	09/04/2022	<ul style="list-style-type: none"> Oppose the Request

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 shall be required prior to the construction of the development.
8-1B-2 Nonconforming Structures		No compliance issues noted	
8-1B-3 Nonconforming Uses		Complaint as Conditioned	Conditional Use Permits will be required of those commercial uses that are required to by Garden City Code. These permits can be obtained at a later date in time, as the particular uses are unidentified.
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	Multifamily Dwellings are a permitted use. The non-residential components have not been identified.
8-2B-3 Form Standards	DC	No compliance issues noted	The required setbacks are: Front: 5' Interior Side: 5' Rear: 5' Street side: 5' The allowable maximum height is: n/a The minimum lot size is: n/a There are not encroachments All improvements are more than 70' from the Boise River. All properties meet the minimum street frontage.
8-2C-15 Multi-Family		Compliant as conditioned	Buildings within site are setback be a minimum of 10 feet, meeting the ten feet (10') requirement. All multi-family developments shall provide amenities. This proposal is compliant with this requirement. 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. 1. Quality of life amenities provided: a) enclosed bike storage b) bike storage 2. Open space: a) Community Lounge and Courtyard space; b) community garden; c) Pet relief landscaped walkway 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.
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	DC	Compliant as conditioned	This proposal identifies an existing fence that is to remain, however, details are not provided in the submitted materials. The existing fence will be required to be code compliant. If the fence is made of prohibited fencing materials, for example chain-link fencing, removal will be required. Any future fence or wall will be required to be in compliance with code at the time of development.

8-4A-4 Outdoor Lighting	DC	Complaint as Conditioned	Lighting plan submitted. The outdoor lighting is subject to further review and will be required to be in compliance with code at the time of development.
8-4A-5 Outdoor Service and Equipment Areas	DC	Complaint as Conditioned	This proposal appears to hide the proposed equipment and storage areas either by screening them with a fence or enclosing them within the building. Any outdoor service equipment. Any future outdoor service equipment area will be required to be in compliance with code at the time of development.
8-4A-7 Stormwater Systems	DC	Complaint as Conditioned	A draft condition of approval has been provided requiring that the stormwater systems be built in compliance with provisions of 8-4A-7.
8-4A-8 Utilities	DC	Complaint as Conditioned	Another draft condition of approval is provided requiring that all utilities be underground.
8-4A-9 Waterways	DC	No compliance issues noted	There does not appear to be Boise River irrigation facilities to the site.
8-4B-4 Multi-family Residential Dwelling Units	DC	May not be complaint – discussion needed	Building setbacks shall consider windows, entrances, porches and patios, and how they impact adjacent properties. Main entrances, which are the primary point(s) of entry where the majority of building users will enter and leave, shall be designed as an obvious entrance and focal point of the building through architectural treatment, lighting, and address identification. <ul style="list-style-type: none"> - Primary residential entrance access is around the northeast corner, to a residential lobby area. - Signage has been added to the southwest and southeast corners indicating the residential entrance to the lobby and the courtyard entrance to the work units. (See Perspectives) - First floor tenant signage option located on windowpanes of storefront. (See Elevations Sheet E3.1). - Tenant signage location option wall mount sign facing 35th Street. (See Elevations Sheet E3.1). - Additional hardscaping proposed between 35th Street and sidewalk at an angle to help draw attention to the corner of the lease space/lobby pathway. (See Landscape sheet L1.0). - Public artwork location on wall above the residential entry. (See Site plan sheet A1.1).

			<ul style="list-style-type: none"> - Public artwork location above courtyard entry. (See Site plan sheet A1.1). - Building directory for work units next to doorway for stairwell access. (See Site plan sheet A1.1).
8-4C-3 Design Provisions for Nonresidential Structures	DC	Based on pre-application recommendations, discussion might be warranted	<p>Because the project includes multiple commercial lease spaces, GCC 8-4C-3 standards will apply.</p> <p><i>Objective 1: The design of all structures shall have a scale, massing and urban form that has a relationship to the street, the pedestrian, and adjacent properties.</i></p> <ul style="list-style-type: none"> • No Comment. <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"> • No Comment. Pedestrian pathways appear throughout the development. <p><i>Objective 3: Buildings shall be designed and constructed of quality materials.</i></p> <ul style="list-style-type: none"> • No Comment. <p><i>Objective 4: The site design shall respect existing notable site features including existing buildings, landscaping, trees and water.</i></p> <ul style="list-style-type: none"> • No comment. <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> <ul style="list-style-type: none"> • 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. • Buildings should be articulated to reduce the apparent scale. Architectural details that are used to articulate the structure may include reveals, battens, and other three-dimensional details that create shadow lines and break up the flat surfaces of the facade. <p><i>Objective 6: The site development should support and be consistent with the adopted streetscape.</i></p> <ul style="list-style-type: none"> • No Comment.
8-4C-5 Prohibitions	DC	No compliance issues noted	There are no visible false fronts, prefabricated structures or prohibited materials proposed with this application.
8-4D Parking and Off Street Loading Provisions			
8-4D-3 Parking Design and	DC	No compliance issues noted	

Improvement Standards												
8-4D-4 Parking Use Standards	DC	No compliance issues noted										
8-4D-5 Required Number of Off-Street Parking Spaces	DC	Not Complaint	<p>One Bedroom: Enclose 10 Two Bedroom: Enclosed 5 and Surface: 5 Guest Parking: Surface: 8 Total Parking Required: 28</p> <p>Total provided: 17 The residential units are deficient by 11 <i>*Deficient 3 residential and 8 guest parking spaces.</i></p> <table border="1"> <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 * 10 Units= 10</td> <td>1* 10 Units= 10</td> </tr> <tr> <td>More than 1 bedroom</td> <td>2* 5 Units= 10</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. 8 guest parking spaces required.</p> <p>The application proposes 7 workspaces and 1 commercial leasing space.</p> <p>Garden City Code does not determine how many parking spaces are required per the commercial use. In most recent applications, the City has applied a 1 vehicular parking space rule per 300sqft of commercial space offered. The site provides about 3,505sqft necessitating 11 commercial parking spaces.</p> <p>The application is deficient 22 parking spaces. This calculation does not include the one on-street parking space that is allowed per code. If it is included, the site is deficient 21 parking spaces.</p> <p>There is one bicycle space required for every 6 dwelling units and 1 space per commercial tenant necessitating 11 bicycle spaces when they are providing 34.</p>	Dwelling, multi-family	Total Required Parking	Required Within An Enclosed Garage	1 bedroom	1 * 10 Units= 10	1* 10 Units= 10	More than 1 bedroom	2* 5 Units= 10	1* 5 Units= 5
Dwelling, multi-family	Total Required Parking	Required Within An Enclosed Garage										
1 bedroom	1 * 10 Units= 10	1* 10 Units= 10										
More than 1 bedroom	2* 5 Units= 10	1* 5 Units= 5										
8-4D-6 Standards for Alternatives to On Site Parking	DC	Discussion required	<p>The applicant has requested that the bicycle, scooter, and vehicle sharing program and proximity to the Greenbelt be considered when determining the need for parking. The applicant has also noted that rideshare companies such as Uber and Lyft are options for patrons to utilize. Valley Regional Transit (VRT) has established a system where customers have discounted rates if they are using Lyft to get to a bus stop. The parking study the applicant has provided notes that ample on-street parking is available.</p>									
8-4E Transportation and Connectivity Provisions												
8-4E-3 Public Street Connections	DC	Complaint as Conditioned	There is a general condition of approval requiring that all streets and driveways shall adhere to the standards of a clear vision triangle at all times.									

8-4E-4 Internal Circulation Standards	DC	No compliance issues noted	The drive is 20' or greater in width.
8-4E-6 Sidewalk Standards	DC	Compliant as conditioned	5' wide detached sidewalk with a landscape buffer including street trees is provided per code requirements. The width of the landscape buffer is not clearly identified. The landscape buffer shall be at least 6' with root barrier or 8' without root barrier. Street trees as shown in the plans are Class II Autumn Gold Maidenhair Trees, reaching 45'H x 35'W. Sidewalks shall be designed to flare around mailboxes, utility boxes and other impediments to pedestrian circulation to maintain a minimum five feet (5') of travel width.
8-4E-7 Pedestrian and Bicycle Accessibility Standards	DC	No compliance issues noted – Discussion warranted	No comment related to code requirements. During the pre-application conference there were concerns of how the public will be able to easily access the leased “work” spaces on the second level of the property. Discussion might be warranted to address the changes made to the submittal.
8-4F Sign Provisions			
8-4F-13 Master Sign Program	DC	Compliant as conditioned	A master sign program is required for any new mixed-use building with more than one occupant. A master sign program shall be included for review during the time of building permit review.
8-4G Sustainable Development Provisions		No compliance issues noted	The development is exempt based on
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	Compliant as conditioned ⁴	A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping. 2,229sqft = 18% of site. 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. E. 35 th Street (100LF) Trees Required: 1 Street + 2 Frontage

⁴ There are discrepancies between the submitted Landscape plans dated July 21, 2022 and the Cover Page sheet G0.0 dated July 21, 2022. It has been conditioned to require similar hardscape, building footprint, and landscape calculations.

			<p>Trees Provided: 1 Street + 2 Frontage</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. 2,282sqft of landscaping provided = 2 trees required. 31 total trees provided. Code compliant shrubs provided.</p>
8-4I-5 Perimeter Landscaping Provisions	DC	No compliance issues noted	<p>5' wide perimeter landscaping required around the entire perimeter of the property. It appears that 10ft is provided in some sections, but site plans do not clearly show width of all perimeter landscaping.</p> <p>Discussion during the pre-application conference determined that if the perimeter landscaping is enhanced where it is not 5' in width and the enhancement creates a better pedestrian connection, it could be permitted.</p>
8-4I-6 Parking Lot Landscaping Provisions	DC	No compliance issues noted	
8-4I-7 Tree Preservation Provisions	DC	No compliance issues noted	<p>Full mitigation of all healthy trees will be required at a 1:1 ratio.</p> <p>Resubmittals from August 30, 2022, contain a current landscape plan, identifying existing trees. No mitigation is required in the following:</p> <ol style="list-style-type: none"> 1) Existing prohibited trees as specified in the "Garden City Design And Construction Guide" within the street buffer or parking lot; Garden City does not have a Design and Construction Guide at the moment. But the Tamarisk is considered an invasive species 2) Existing dead, dying, or hazard trees certified prior to removal by a certified arborist; The 36" cal. Silver Maple is in poor condition. 3) Trees that are required to be removed by another governmental agency having jurisdiction over the project. ACHD is requiring removal of the 36" Cottonwood. <p>The existing trees do not require mitigation.</p>
8-4L Open Space Provisions			
8-4L-3 General Open Space Standards	DC	No compliance issues noted	Common courtyard and rooftop deck provided. Common laundry facilities, and lobby.
8-4L-5 Open Space Standards for Multi-family Developments	DC	No compliance issues noted	<p>For any new multi-family development: A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. Provided.</p> <p>For any new multi-family development: A minimum area of outdoor common open space shall be provided as follows:</p> <p>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. 14 units x 250 = 3,500 required.</p>

			Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. 350sqft x 1 unit = 350sqft required. 3,850sqft open space required : 10,638sqft provided.
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	A notice of intent was sent to adjoining property owners within 300' and agencies with jurisdiction. If no objections are filed within 15 days, the Design Review Committee's decision shall be considered final. Objections will be heard by City Council following the public hearing provision set forth in section GCC 8-6A-7. 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.

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"> a) Activity Node: Neighborhood Destination b) 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.) 4.2 Objective: Promote community gardens. b.) 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>

	<p>a.) 12.1 Objective: Support a positive business environment</p> <p>b.) 12.2 Objective: Continue to support commercial and industrial land uses.</p> <p>c.) 12.3 Objective: Create a premier destination for work, recreation, entertainment, culture and commerce.</p>
Garden City Sidewalk Policy	No waiver requested.
Garden City Street Light Policy	A streetlight is installed along E. 35th Street in accordance with the policy.