



DEVELOPMENT SERVICES DEPARTMENT

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DESIGN REVIEW REPORT AND DECISION

File Number: DSRFY2024 - 0007

Review Status: INITIAL REVIEW- NOT APPROVED

Plan Review Number: 1

Reviewer: Hanna Veal

Design Consultant: Brett Labrie

Design Consultant: Derek Hurd

Date: March 4, 2024

Applicant: Jorre Delgado



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SITE INFORMATION

- 1) Owner: KC EMERALD PROPERTY HOLDINGS LLC
- 2) Street Address: 5443 N. Glenwood St,
- 3) Ada County Tax Parcel Number(s): R8191508280¹
- 4) Property Description: LOT 34 STRAWBERRY GLENN
- 5) Legal Lot of Record: Yes
- 6) Property Size: 4.1 acres²
- 7) Zoning District: C-2 General commercial
- 8) Zoning Overlay: None
- 9) Comprehensive Plan Land Use Map Designation:
 - a) Green Boulevard Corridor
 - b) Future Planning Area
- 10) The project is in the:
 - a) outside of the Special Flood Hazard Area according to the 2020 adopted FIRM (the FIRM has adopted seclusion and utilizes the 2003 Flood Insurance Study).
 - b) outside of the Special Flood Hazard Area according to FEMA's most recent model as adopted by resolution 1083-20.
- 11) Adjacent Uses:
 - a) Drinking Establishment, full service
 - b) Eating establishment, full service
 - c) Personal Services
 - d) Warehouse and storage, wholesale
- 12) Existing Use: Commercial building with multiple tenants occupying area/Parking lot/Vacant area
- 13) Easements on site:
 - a) EASEMENTS: SG L34 B1 WATER SEWER EASEMENT; 8435457; PUBLIC UTILITY EASEMENT
 - b) Cell Tower Easement
 - c) Access Easement; 20'
 - d) IPCO Easement; 8'
- 14) Easements adjacent to site:
 - a) EASEMENTS: STONEWOOD PARK SUB PLAT; 200900051; UTILITY, DRAINAGE, IRRIGATION EASEMENT, 10'
 - b) EASEMENTS: ASHLAND PLAZA SUB PLAT; 200600008; 8' UTILITY, IRRIGATION, STORM DRAIN, E-I EASEMENT
 - c) EASEMENTS: ASHLAND PLAZA SUB PLAT; 200600008; 6' INGRESS-EGRESS EASEMENT
 - d) EASEMENTS: ASHLAND PLAZA SUB PLAT; 200600008; 30' UTILITY, IRRIGATION, SD AND SL EASEMENT
 - e) EASEMENTS: STONEWOOD PARK SUB PLAT; 200900051; EGRESS-INGRESS EASEMENT
- 15) Site Access:
 - a) Front: N. Glenwood St.
- 16) Sidewalks: Existing attached sidewalk
- 17) Wetlands on site: None identified

¹ Cell Tower Leased area on same parcel described as “(#08191508280 CELL TOWER LEASE STRAWBERRY GLENN P1BOICIMS16 & #08191508281 CELL TOWER LEASE STRAWBERRY GLENN P1SPECCOM04)”

² (The existing site will be divided into two parcels via a minor land division; the future project will be located on the southerly portion of the property and will consist of 2.05 acres)

PROJECT INFORMATION

- 1) Proposed development: New construction
- 2) Noticing was completed on: January 26, 2024
- 3) The neighborhood meeting was held on: February 7, 2024
- 4) Proposed Site Coverage: 2.05 acres = 89,298sqft³
 - a) Building: 52,778sqft = 60% of the site
 - b) Landscaping: 7,296sqft = 8% of the site
 - c) Paved Areas: 10,213sqft = 11% of the site
- 5) Number of Proposed Structures: 1
- 6) Number of residential units total: 170
 - a) One-bedroom units: 90
 - b) More than one bedroom units: 80
- 7) Total number of vehicular parking spaces: 271
 - a) Enclosed: 245
 - b) Surface: 26
- 8) Total number of bicycle parking: 191
 - a) Enclosed: 169
 - b) Surface: 22
- 9) Trash Enclosure: The refuse will be in a common location internal to the development.
- 10) Fencing:
 - a) 6' closed vision fencing on the west side of the site (Horizontal wood slats, 2"X8" with 1/4" gaps black metal posts & rails)
 - b) 4' black tube steel fencing surrounding the dog run.
 - c) Existing fencing on the southside of the site will not be removed as such is located on the adjacent property and is designed as a security fence for that property.
- 11) Sidewalk:
 - a) None proposed, existing to remain.
- 12) Landscaping:
 - a) Street Trees: 3 Class II trees, and 2 evergreen pines
 - b) Parameter Landscaping: trees and shrubs
- 13) Connections:
 - a) Closest VRT Stop:
 - i) 308ft N Glenwood St & Backstretch Blvd NWM
 - ii) 0.1 mi N Glenwood St & Backstretch Blvd NEC
 - b) Greenbelt: ~1.2 mi

AGENCY COMMENTS

The following agency comments were provided:

Agency	Comment Date	Summary
Republic Services Link to Comment	01/18/2024	Trash enclosure meets requirements.
City Engineer Link to Comment	01/20/2024	<ul style="list-style-type: none"> • The applicant statement notes that the parcel of land will be split. Please provide the proposed Minor Land Division for review. • The affidavit of legal interest provided with the application has been executed by a person that does not appear to have authority to sign for the landowner. Please provide corrected

³ Calculations were performed assuming a minor land division would be completed.

		<p>affidavit or provide evidence that the entity signing the affidavit is the landowner.</p> <ul style="list-style-type: none"> • Prior to performing any grading on the site, the applicant must prepare and have approved by the city an erosion and sediment control plan. • Approval of the project by the Idaho Transportation Department will be required. • Approval of the project by the North Ada County Fire and Rescue District will be required. Should fire flow requirements exceed those available, the land use, improvement of off-site city water lines or other efforts may be necessary to obtain approval of plans. • The review by the District will need to include review of locations of fire hydrants. • New water and sewer services must be reviewed and approved by the city's Public Works Department. • The applicant is responsible to verify that adequate water system supply is available to provide any fire suppression water needs. • The applicant is responsible to confirm/verify that adequate sewer capacity is available and that the existing system depth is adequate to serve the site. • Public water lines need to be at least 25 feet from storm water seepage beds. • It appears the existing 10 foot wide Garden City public utility easement along the west property line is not adequate to cover the existing infrastructure. A new easement is necessary. • The application notes existing irrigation facilities along the Glenwood frontage. Any impact to the facility must be approved by the irrigation entity. • A Conceptual Grading Plan has been provided as part of the submittal. However, the plan is not sealed, dated and signed by the design professional. The plan notes that it is "not for regulatory approval, permitting or construction". As it is not sealed, dated and signed, our office will not review the plan. • A site grading and drainage plan will be required that is sealed, dated and signed by the design professional. Said plan must be reviewed and approved by the city. • Roof drainage must be accounted for and disposed of in the site storm water facility. • A storm water design report and a drainage system operation and maintenance manual for handling of storm water prepared by an Idaho licensed design professional that is sealed, dated and signed will be required. Compliance with the storm water ordinance and policies of the city will be required. Drainage must be maintained on-site. • A site geotechnical report will be required for the design of the on-site storm water system prepared and sealed, dated and signed by a qualified license professional. Said report must identify the depth to seasonal high groundwater, provide a profile of encountered soils and their infiltration rates. The report also must provide a design infiltration rate recommendation for the storm water system. The storm water design must provide for at least three feet of vertical separation between the bottom of the storm water facility and the seasonal high groundwater. • Reviewing the amount of ground to be covered by this project with hard surface, we suggest careful consideration
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		<p>of site storm water. Groundwater depths are relatively shallow in Garden City. Handling storm water in compliance with the storm water design manual usually requires notable footprints and separation from structures (at least 10 horizontal feet).</p> <ul style="list-style-type: none"> • The landowner must enter into an agreement with the city that will be recorded addressing mandatory maintenance of the site's storm water system. The agreement must be fully executed, have conditionally approved plans attached and be recorded by the city with final plan approval. • The applicant should review the original FEMA work maps (not the current adopted maps) as the city has been placed in seclusion. The current maps (June 2020) do not display the possible future risk of the flooding potential of the Boise River. If the lowest floor building elevation is below the draft map BFE, a Flood Risk Acknowledgement form will be required from the landowner/developer. • The work maps are available on the city's website. They are attached to a city council resolution 1083-20 dated 22 June 2020. • There are numerous easements and uses (cell towers) on the property. Any easement/use impacted by the proposed project will need to be dealt with – abandoned, protected or relocated.
<p>DEQ Link to Comment</p>	01/24/2024	General requirements provided
<p>ACHD Link to Comment</p>	01/31/2024	The Ada County Highway District (ACHD) has reviewed the submitted application for the application referenced above and has determined that there are no improvements required to the adjacent street(s).
<p>North Ada County Fire and Rescue Link to Comment</p>	01/08/2024	<ul style="list-style-type: none"> • Fire hydrants, capable of producing the required fire flow, shall be located so that no part of the structure is more than 600-feet from the hydrant. (IFC 507.3, IFC B104, IFC B105, IFC C105). An additional hydrant will be required on site as the nearest hydrant is well in excess of 600' from the most remote portion of the first story of the building. • Fire hydrants, capable of producing the required fire flow, shall be located along approved fire lanes. Fire hydrant spacing shall meet the requirements of IFC table C105.1.1 (IFC 507.3, IFC B105, IFC C105). • Buildings equipped with a standpipe system installed shall have a fire hydrant within 100 feet of the fire department connections. (IFC 507.5.1.1) An additional fire hydrant will most likely be required to meet this requirement. The hydrant needs to be installed on the same side of the fire lane as the building and shall not cut off any entrances/exits to the site nor any fire apparatus access roads when connected by supply hose to the fire apparatus. • Structures greater than 30-feet in height will require aerial fire access roadways. These roadways shall be a minimum of 26-feet in width and located at least 15-feet but no more than 30-feet from the building. (IFC D105) The plans show the building roof height to be over 80 feet. Aerial access is required. Aerial access is required by the AHJ to be along the long side of the building. • Dead-end fire apparatus access roads exceeding 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC 503.2.5) • Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a

		<p>building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1) This requirement will be extended to 200 feet with the installation of fire sprinklers throughout the building.</p> <ul style="list-style-type: none"> • Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (IFC 503.2.1) All fire lanes on this property not designated as aerial access roadways shall comply with this requirement. 8. The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. (BCC 5-12-19, IFC 503.2.4) • Fire apparatus access roads shall have an approved driving surface of asphalt, concrete or other approved driving surface and can support the imposed load of fire apparatus weighing at least 75,000 pounds. Please provide documentation the road surface meets this standard. (IFC D102.1) • For streets having a width less than 33 feet back of curb to back of curb parking shall be restricted on one side; for streets having a width less than 27 feet back of curb to back of curb parking shall be restricted on both sides. A note on the face of the final plat is required noting the parking restriction prior to signing of the final plat by the Boise City Engineer. In addition, No Parking signs shall be installed in accordance with the requirements of the IFC. (BCC5-12-32, IFC 503.8) Parking will only be allowed in marked parking stalls. All roadways within the project considered aerial fire apparatus access roads or standard fire lanes. “No Parking – Fire Lane” signage is required throughout the project. • Please submit an application for a fire sprinkler permit to the City of Boise for review. • The NACFR District will want a traffic study performed by ITD and may make further comment once the study’s results have been made available for review. • Fire Department required fire hydrants, access, and street identification shall be installed prior to construction or storage of combustible materials on site. Provisions may be made for temporary access and identification measures. • Specific building construction requirements of the International Building Code, International Fire Code and NACFR Rules will apply. However, these provisions are best addressed by a licensed Architect at time of building permit application
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PUBLIC COMMENT

The following public comments were provided: None provided as of the drafting of this document.

MEETING SUMMARY

This is a summary of the discussions that occur at the Design Review consultation meetings. There have been no previous consultations on this project.

CODE AND POLICY REVIEW

Discussion

This is a drafted staff report and decision provided to help guide preliminary discussion and identify code compliance issues. Many of the sections have been highlighted to show lack of compliance or lack of information in the materials provided. No decision will be made regarding this application at this time.

There are items that warrant discussion beyond code compliance including but not limited to regional transportation, vehicular and pedestrian connectivity, alignment with the comprehensive plan's vision, and easements.

A list of items needing to be resolved:

1. Affidavit of legal interest needs to be corrected;
2. New Garden City public utility easement required along the western property boundary line, current easement is not enough (see city engineer's comments);
3. Cross access easement for access to parking garage at rear of property and for Republic Services trash pick-up;
4. Clarification of access and easements related to the wireless communications facility;
5. Perimeter landscaping required along the proposed northern property boundary line; the parking lot proposed in this area cannot remain which would cause the vehicle parking counts to become noncompliant with code. Parking lot landscaping was not reviewed as it is not allowed in this location;
6. Affidavit of non-ownership for chain-link fencing and barbed wire;
7. The 2nd rooftop patio location needs to be resolved, there are conflicting plans;
8. The building does not meet the street frontage requirements, nor does it propose a plaza or a pedestrian pathway to the public sidewalk from the main entrance;
9. The stormwater swale adjacent to Glenwood needs to be designed in such a way to allow for the required street trees, and for a direct and convenient pathway from the main entrance to the sidewalk.

New Local Street Discussion:

Garden City consists of both regional and local transportation systems that impact its land uses, livability, utility infrastructure, policing, recreation, and economic status and opportunities of our community. Multiple agencies within Garden City control the transportation system, including the Idaho Transportation Department (ITD) and Ada County Highway District (ACHD). These transportation agencies have different needs, criteria, and funding programs.

[The Garden City Transportation Needs List](#) serves as a document that addresses the transportation system's needs within Garden City and is updated and adopted on an annual basis. Each year the list of identified needs is refined, incorporating issues identified throughout the year while removing items that have been addressed.

The Garden City Transportation Needs List identifies a new local street between Coffey and Glenwood to help mitigate current and future traffic within the area. Garden City has requested that ACHD and ITD review the traffic patterns in the surrounding area, while ITD has requested

a Traffic Impact Study specifically for this development application, and ACHD is in support of the City requiring a new local roadway through the site to align with River Pointe Drive on the north side of Marigold. ACHD has recommended that the new roadway be constructed as a 36-foot-wide commercial street section with vertical curb, gutter, and 5-foot-wide concrete sidewalk on both sides.

The new roadway would be the first step in a long-range planning effort to construct a new “Main Street” that runs north-south along the eastern edge of ITD District 3 headquarters in accordance with the [Garden City Livable Streets Plan](#). Construction of the street connection is to happen as redevelopment occurs.

The Idaho Transportation Department (ITD) and the City of Garden City have partnered to create a fresh Corridor Plan for Glenwood (Idaho Highway 44) from the junction of State Street and Chinden Blvd. This section of highway is a critical connection in the heart of the Treasure Valley metro area. It is one of the few crossings over the Boise River, and connects the two primary east-west commuter routes north of Interstate 84. The highway is a major business corridor with dozens of services and shops along it, and the primary route to the Ada County Fairgrounds. Glenwood also connects neighborhoods north and south to the Boise River Greenbelt, a premier recreational and non-motorized commuter facility.

COMPASS conducted a three scenario study based on regional travel demand models called the [Glenwood Project Travel Model Analysis](#). The three scenarios were based on growth assumptions for the Ada County Fairgrounds and were not related to DSRFY2024-0007. However, it does show the potential adverse effects of the adjacent Ada County property being developed, which would directly affect Glenwood, Marigold, and other surrounding roadways utilized by the residences of DSRFY2024-0007.

Currently, the Glenwood Street corridor carries nearly 40,000 vehicles per day, and nearly 2,000 vehicles northbound in the PM peak hours (based on 2021 Automatic Traffic Recorder averages). Under current conditions, Glenwood experiences congestion, and based on the Ada County Fairgrounds growth assumptions, Glenwood would see a traffic increase of 5-10%, with congestion travel speeds reducing by 65-75%. Additionally, Coffey Street, Alworth Street, and Kent Lane., would see forecasted traffic demands at nearly 100%.

This study proves that additional local roadway connections are created to help create alternative transportation options to enhance the network.

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 Applicable Code Sections		
Code Section	Compliance	Analysis/ Discussion
Title 8, Chapter 1: General Regulations		
8-1A-4 Applicability		The regulations of Garden City Code, Title 8 Development Code of the City, shall apply and govern development and use of all properties within the corporate limits of the city.
8-1B-1 Nonconforming Properties	No compliance issues noted	Legal parcel of record as described

8-1B-2 Nonconforming Structures	Compliant as Conditioned	Existing commercial building on the parcel may have encroachments. Existing non-conforming buildings may remain. A minor land division approval and recording will be required prior to the issuance of a building permit.
8-1B-3 Nonconforming Uses	No compliance issues noted	Multi-Family Developments are a permitted use. Any use within the existing commercial building has not been reviewed as part of this application. All existing tenants shall have already obtained a certificate of occupancy or a business compliance prior to occupying the space.
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.
8-2B-3 Form Standards	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 no encroachments All improvements are more than 70' from the Boise River.
8-2C-15 Multi-Family	No compliance issues noted	Buildings within site are setback at least 10' meeting the 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 seventy-five (75) units or more, four (4) amenities shall be provided, with at least one from each category. 1. Quality of life amenities: fitness facilities and enclosed bike storage. 2. Open space: community garden (rooftop) 3. Recreation amenities: pool 4. Other amenities provided: Dog run and sitting areas/patios throughout the site with fire pits and grills. 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. For developments with twenty (20) units or more the following are required:

		<ol style="list-style-type: none"> 1. A property management office. 2. A maintenance storage area. 3. A central mailbox location, including provisions for parcel mail that provide safe pedestrian and/or vehicular access. 4. A directory and map of the development at an entrance or convenient location for those entering the development. <p>These items have been provided and the application is conditioned to require the facilities for the duration of the use.</p>
Title 8, Chapter 4: Design and Development Regulations		
8-4A-3 Fences and Walls	Compliant as Conditioned	<p>The application proposes code compliant fencing:</p> <ul style="list-style-type: none"> - 6' closed vision fencing on the west side of the site (Horizontal wood slats, 2"X8" with 1/4" gaps black metal posts & rails) - 4' black tube steel fencing surrounding the dog run. <p>There is existing chain link fencing with barbed wire located along the southern property boundary line, around the wireless communication facility leased space, and along the western property boundary line. Chain link fencing and barbed wire are both prohibited fencing materials. Removal of these fences will be required unless an affidavit of non-ownership is submitted. A condition has been drafted.</p> <p>Any future fence or wall will be required to be in compliance with code at the time of development.</p>
8-4A-4 Outdoor Lighting	Compliant as conditioned	<p>This proposal does not identify any outdoor lighting. Any future outdoor lighting will be required to be in compliance with code at the time of development.</p>
8-4A-5 Outdoor Service and Equipment Areas	Compliant as Conditioned	<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> <p>HVAC equipment, trash dumpsters, recycling, trash compaction, and other service functions shall 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.</p> <p>The mechanical equipment is proposed on the roof of the building, concealed by parapets provided at the roof level of the building. See "Mechanical Screening Exhibit" site plan sheet A311. No service areas or mechanical systems are proposed on the ground level.</p> <p>Any utility boxes required by other agencies at the ground level will require screening.</p> <p>The trash enclosure proposed along the northwest side of the building is proposed to be screened by a metal art. Details of metal art are not provided. Trash enclosure will need to be fully screened from adjacent property (including the new parcel created as part of the required minor land division.)</p>
8-4A-7 Stormwater Systems	Compliant as Conditioned	<p>A draft condition of approval has been provided requiring that the stormwater systems be built in compliance with provisions of 8-4A-7.</p> <p>Stormwater swales incorporated into required landscape areas shall be vegetated with grass or other appropriate plant materials. Such swales shall</p>

		<p>also be designed to accommodate the required number of trees as well as pedestrian connectivity to the public sidewalk.</p> <p>Gravel, rock, or cobble stormwater facilities are not permitted on the surface of required landscape areas, unless designed as a dry creek bed or other design feature.</p>
8-4A-8 Utilities	Compliant as Conditioned	All utilities for a new structure shall be installed underground. For the purposes of this section, the term "utilities" shall include, but not be limited to, electric, natural gas, water, wastewater collection, storm drainage, telephone, and cable services. A condition has been drafted.
8-4B-4 Multi-family Residential Dwelling Units	Not Determined	<p>These provisions will also be reviewed in conjunction with the subsequent individual building permits.</p> <p>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. Discussion required, consultant comments.</p> <p>Entrances shall be adequately covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. Not enough information to review.</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. Discussion required, consultant comments.</p>
8-4C-3 Design Provisions for Nonresidential Structures	Not Determined	<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"> - 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. Sixty percent (60%) of the street frontage along the front setback should be occupied by a structure or a plaza. Not compliant. The building is setback approximately 50' (no measurements provided). 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. A plaza is not provided. - First floor facades visible from a public street should include surfaces in windows, showcases, displays, or pedestrian access elements at at least 15%. Not enough information provided. Windows are provided, however they appear to be behind the covered drive though/porch. <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"> - Pedestrian pathways should be designed to provide a direct connection between the main building entrance and the public sidewalk. Not compliant. No pathway is provided. <p><i>Objective 3: Buildings shall be designed and constructed of quality materials.</i></p> <ul style="list-style-type: none"> - No compliance issues noted. <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 compliance issues noted.

		<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. Discussion required. - 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. Discussion required. <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 compliance issues noted.
8-4C-4 Special Provisions for Specific Non residential Development	Not Determined	<p>Plaza Requirements to meet street frontage requirements: To qualify as a pedestrian plaza, an area should have:</p> <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. f. Buildings on plazas should promote and accommodate outdoor activity with balconies, arcades, terraces, decks, and courtyards for residents' and workers' use and interaction. 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>A pedestrian plaza is encouraged to have:</p> <ol style="list-style-type: none"> a. Site furniture: <ol 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. b. Artwork, or amenities such as fountains, kiosks: <ol 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.
8-4C-5 Prohibitions	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	Not Determined	Vehicle parking:

[Improvement Standards](#)

Table 8-4D-1: MINIMAL DIMENSIONAL STANDARDS FOR MOTOR VEHICLE STALLS				
Parking Angle	Stall Width	Stall Depth	Length Per Car	Driveway Width* Must also meet fire requirements
Standard				
90°	9'0"	20'0"	9'0"	22'0"
45°	9'0"	20'6"	12'9"	13'0"

Parking Provided:

240 standard 90-degree parking spaces:

Stall Width: **Unknown**

Stall Depth: **Unknown**

Length per car: **Unknown**

22 Standard 35-degree parking spaces:

Stall Width: **Unknown**

Stall Depth: **Unknown**

Length per car: **Unknown**

Parking lots shall be designed in accordance with chapter 4, article I of Garden City Code.

Parking areas shall be designed so that motor vehicles are able to turn around within the site boundaries. **The 35 degree angle parking found on the north side of the new parcel does not meet this requirement. The vehicles will be utilizing the adjacent property (created through the minor land division) to both enter and exit the parking spaces. There has not been a cross access easement proposed to allow for this configuration. Additionally, the parking lot location will need to be relocated, as the site does not provide perimeter landscaping along this northern property boundary line where it is required.**

Motor Vehicle Parking Structure Design Shall meet all design criteria as set forth in section [8-4C-4](#) of Garden City Code. The ground floor adjacent to public right-of-way shall be designed so that the facades appear to be commercial in nature. **The presence of the vehicle parking garage accounts for about half of the façade facing Glenwood. A major portion of that is dedicated to the vehicular entrance. Discussion required.**

[8-4D-4 Parking Use Standards](#)

No compliance issues noted

[8-4D-5 Required Number of Off-Street Parking Spaces](#)

No compliance issues noted

Dwelling Parking		
Dwelling Type	Required Parking Spaces Per Each Dwelling Unit (Including Covered And Uncovered)	Required Covered Parking Per Each Dwelling Unit
Studio and 1 bedroom	1	1
More than 1 bedroom	2	1

Guest Parking

For developments with more than two (2) dwelling units there shall be one-half (0.5) additional parking space/unit provided for guest parking for the first ten (10) dwelling units. There shall be one-tenth (0.1) parking space/unit provided for guest parking for every unit after the first ten (10) units.

Residential Units Parking Required:

1-bedroom: 90 Enclosed

		<p>2-bedroom: 80 Enclosed and 80 surface Total: 170 Enclosed and 80 Surface</p> <p><u>Residential Units Parking Provided:</u> 1-bedroom: 90 enclosed 2-bedroom: 160 enclosed *The site provides 251 enclosed vehicular spaces and 22 surface</p> <p><u>Guest Parking:</u> Required: 21 Provided: 21 <i>A maximum of thirty percent (30%) of the required parking spaces can be compact. Multifamily, mixed use, and nonresidential compact spaces shall be clearly marked as such on the pavement or curb or otherwise signed.</i></p> <p><u>Bike Parking</u> <i>Require 0.5 spaces/du for the first 10 du, then 0.1 spaces/unit for every unit after 10; AND 1 covered space per du.</i> Bicycle parking required: 186 Bicycle parking provided: 191</p>
8-4D-6 Standards for Equivalent Parking Adjustments	No compliance issues noted	Equivalent parking was not requested.
8-4D-7 Off Street Loading Standards	No compliance issues noted	No off street loading proposed.
8-4E Transportation and Connectivity Provisions		
8-4E-3 Public Street Connections	No compliance issues noted	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	No compliance issues noted	
8-4E-6 Sidewalk Standards	No compliance issues noted	Existing attached sidewalks proposed to remain.
8-4E-7 Pedestrian and Bicycle Accessibility Standards	Not Compliant	A pathway system shall extend through the development site and connect the street sidewalk to all primary building entrances. The primary entrance on Glenwood does not connect to the public sidewalk. Some plans show connection, others like the site plan, and landscape plan do not demonstrate this.
8-4F Sign Provisions		
8-4G Sustainable Development Provisions	Not Determined	The development is required to provide 6 points. Documentation was not provided showing compliance. A waiver request has been submitted due to the property's exemption. However, the applicant did not provide documentation of how it was exempt per 8-4G-2 (D).
8-4H Flood Hazard	Compliant as Conditioned	The planning official is the decision maker on items regarding 8-4H. 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	May not be compliant	Not enough information to review.
8-4I-4 Landscaping Provisions for Specific Uses	May not be compliant	<p>A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping. Site Area: 2.05 acres = 89,298sqft Required Landscape: 4,465sqft Provided Landscape: 7,296sqft It is unclear what parts of the open space were calculated as part of the landscaping, the landscape plans do not show landscaping square footage.</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. Not enough information to review. Plans do not show the width and length of new parcel. More information required for review.</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. Landscaping provided: 7,296sqft Trees required: 7 Shrubs provided: 49 Trees and shrubs were provided in accordance with this standard.</p>
8-4I-5 Perimeter Landscaping Provisions	Not Compliant	<p>Perimeter landscaping is required along the common property line between an adjacent nonresidential use and a residential use. Perimeter landscaping is not provided between the future northern parcel and the multi-family parcel. The application proposes 35-degree angle parking which is not compliant with this code provision. Perimeter landscaping at least 5' in width is required in this area.</p>
8-4I-6 Parking Lot Landscaping Provisions	Not Applicable	Not reviewed, as the proposed parking lot is not compliant with perimeter landscaping provision as mentioned above.
8-4I-7 Tree Preservation Provisions	No compliance issues noted	No existing trees on the proposed site.
8-4L Open Space Provisions		
8-4L-3 General Open Space Standards	No compliance issues noted	Common open space shall be designed as an integral part of a residential development project.
8-4L-5 Open Space Standards for Multi-family Developments	May not be compliant	<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.</p> <ul style="list-style-type: none"> - Each dwelling unit has a balcony that is ≥80sqft and 6' in width. - Rooftop gardens are also provided. <p>For any new multi-family development: A minimum area of outdoor common open space shall be provided as follows:</p>

		<ul style="list-style-type: none"> - 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>Open Space Required: 250sqft/DU * 170 = 42,500 Open Space Provided: 42,800sqft</p> <p>*Dimensions of open space were not provided. More information needed to confirm compliance.</p> <p>**2nd floor roof patio location is not clear. Renderings and site plans have conflicting information. More information needed to confirm compliance.</p>
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 and staff started processing the application.
8-6A-4 Required Application Information	N/A	Application waivers requested pursuant to 8-6A-4A: <ul style="list-style-type: none"> - Lighting Plan - Ada County Approved Addresses - Sustainability Checklist
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 Consultants recommendation and Planning Official'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> <p>The land use map shows generalized designations for future land uses. The map also identifies unique possibilities for land use and areas for future studies. The following is an explanation for the designations shown in the legend on the land use map.</p> <p>10. GREEN BOULEVARD CORRIDOR: The state highways and arterials are identified as green boulevard corridors. This is a bold statement that these corridors should be dramatically changed from the current single purpose function for moving vehicles. The intent of this designation is to create more multi-modal characteristics on these corridors, including sidewalks with parkways, bus stops, landscape medians with pedestrian refuges and channelized left-turn lanes. Mobility for vehicles should be maintained, but improvements to the safety and convenience for transit and pedestrians is needed that will influence changes in the adjacent land uses. Existing uses, including commercial uses, are allowed in the corridors. New uses, including commercial uses, should be designed to encourage multi-modal over single occupancy vehicles. Uses which generate high volumes of single occupancy vehicular traffic should be restricted. Development</p>

regulations in the corridor should include access management including number and spacing of driveways, location of parking behind the buildings and maximum setback requirements from the street.

11. **FUTURE PLANNING AREA:** Future Planning Areas have been identified for large parcels of vacant or under-developed land including the area west of the city within the Area of City Impact; the area around the Idaho Expo Center, including the Idaho Department of Transportation (ITD) District 3 Headquarters; and the Ada County Highway District (ACHD) operations and maintenance property surrounding at 37th and Adams. This designation is intended to identify these areas for further master plan or site-specific planning efforts. The large size of these areas provides a unique opportunity for master planning with consideration for a mix of uses and residential housing types; street, sidewalk and bicycle networks and connectivity; spaces for public uses including parks, open spaces, plazas; and infrastructure improvements including water and sewer. Each of the designated Future Planning Areas present unique opportunities and challenges that should be considered in the master planning for the area.

Area of City Impact West:

- Access from Chinden Boulevard and through the site with connections to the city.
- Mitigation of the industrial impacts of noise, dust and truck traffic from the existing gravel operations.
- The opportunity for renovation of the gravel operation site for future flood protection, park and recreation uses.

Idaho Expo and ITD District 3 Headquarters:

- Connections through the site including extension of Adams/ Alworth Street to Glenwood at Marigold Street, and between Glenwood and Coffey Streets.
- Opportunity for creating a town center for the city.
- More efficiency in the use of land through eliminating large parcels of currently underutilized parking with year-round, community benefitting uses such as schools, hospitals, and performance space.
- Improved access and utilization of the Boise River and floodplain for park land in exchange for highest and best commercial uses at the Glenwood/Chinden Intersection.

ACHD Site:

- Opportunity to open additional access and river frontage to the public.
- Regeneration of the existing operations and maintenance yard along the river to the highest and best use.
- Challenge in creating higher intensity use of the site that transitions and is compatible with the surrounding neighborhood.

The application may be supported by:

Goal 1. Nurture the City

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

Goal 2. Improve the City Image

- 2.1 Objective: Encourage new and distinctive neighborhoods.
- 2.3 Objective: Promote quality design and architecturally interesting buildings.

Goal 4. Emphasize the “Garden” in Garden City

- 4.1 Objective: Beautify and landscape.

	<ul style="list-style-type: none"> • 4.2 Objective: Promote community gardens. • 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art. <p>The application may not be supported by:</p> <p>Goal 7. Connect the City</p> <ul style="list-style-type: none"> • 7.1 Objective: Create pedestrian and bicycle friendly connections. • 7.2 Objective: Promote public transportation along State, Chinden, Glenwood and Adams with stops in neighborhoods and with pedestrian and bicycle connections to major city destinations including schools.
Garden City Sidewalk Policy	Attached sidewalk to remain.
Garden City Street Light Policy	The policy notes that a streetlight may be required at intersections and no further than 400' from another streetlight. A streetlight is not installed within 400' of the proposed development. A streetlight will be required to meet the standards of this policy subject to Public Works and ITD permissions.
Garden City Transportation Needs List	See discussion.

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](#). The Planning Official and City Council have decision authority once a Design Review Consultation has occurred.

Decision

Pursuant to GCC 8-6A-5, staff shall take one of several actions:

- Intent to approve as submitted;
- Intent to approve with changes;
- Request changes and resubmittal;
- Recommend denial; or
- Recommend public hearing.

Once the decision is rendered it will be sent to the applicant and interested parties. If the determination is a recommendation for a public hearing or if a person with standing objects, a hearing with City Council or Planning and Zoning Commission will be scheduled.

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. Verbal objections will not be accepted. Written objections received after the 15-day objection period will not be accepted.

When a design review consultation is required as part of an application that requires a public hearing, public testimony regarding design will be heard by the planning and zoning commission at the planning and zoning commission's scheduled hearing.

REQUIRED FINDINGS, CONCLUSIONS OF LAW AND DECISION

Required Findings

In order to approve a design review application after a recommendation by the design review consultant(s), the decision maker shall make a determination with written reasoned statements on the following findings:

GCC 8-6B-3_Required Findings	Determination	Reasoned Statements
<p>1. The proposed design shall comply with all design standards in Garden City Code, Title 8.</p> <p>2. The proposed design shall provide effective bicycle and pedestrian access and movement to, from, within, and across the site.</p> <p>3. 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.</p> <p>4. The proposed design shall be compatible with the neighborhood in scale and intensity.</p> <p>5. The proposed design shall not create an adverse impact on the surrounding neighborhood.</p> <p>6. 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.</p> <p>7. The proposed design and landscape shall improve the design and function of the site and be consistent with the southwest Idaho climatic conditions; and</p> <p>8. 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.</p>	<p>Not Determined: This will be completed in conjunction with the formal decision</p>	<p>TBD: This will be completed in conjunction with the formal decision</p>

The Planning Official reviewed the application with regard to Garden City Code, Title 8, Chapter 4, and based on the conditions required herein, concludes the application **TBD** the standards of approval under **GCC 8-6B-3 Design Review**.

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law contained herein, the Planning Official hereby **TBD** the application, subject to the following conditions:

IN APPROVAL

Scope of this permit:

1. The scope of this permit is to allow for the use and new construction of a multi-family development.
2. The building permits must be in conformance with the approved plans. Staff may approve minor changes to the approvals so if they are compliant with Garden City Code including:
 - a. Substitutions of plant species, if there is no reduction in landscaping and the species are comparable in height and width. Substitutions of trees must be of the same or larger tree classification and be comparable or larger in tree canopy and height.
 - b. Less than 5% of rearrangement of elevations or building façade materials if there is no reduction in building modulation, fenestration, or glazing.
 - c. Less than 5% of rearrangement of site.

Prior to Building Permit

1. The structural elevations shall be in conformance with this approval as reviewed and approved or otherwise conditioned.
2. The ability to serve shall be provided.
3. A minor land division shall be reviewed and approved by the city, and recorded by the county.
4. Submit a sustainability checklist that demonstrates compliance with, or an exemption from Garden City Code 8-4G.
5. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit.
6. There shall be a minimum of 271 vehicular parking spaces provided; with a minimum of 170 to be enclosed.
7. There shall be a minimum of 186 bicycle parking spaces provided; with 170 enclosed.
8. The landscaping shall be in conformance with this approval as reviewed and approved or otherwise conditioned.
 - a. If any trees are to be removed from the site, a tree mitigation plan must be submitted in compliance with GCC 8-4I-7 Tree Preservation provisions.
 - i. Any trees removed prior to the certified arborist's report being submitted will be considered to have been healthy, and thus, mitigation will be required.
 - b. A minimum of one class II or class III tree shall be planted in the frontage of every adjacent streetside. An additional class II or III tree shall be planted in the corresponding setback for every increment of fifty feet (50') of linear feet of frontage.
 - i. The frontage of N. Glenwood Street shall have a total of **X** Class II or III trees.
 - ii. Trees shall be planted adjacent to N. Glenwood Street back of sidewalk.
 - c. At least 5% of the site shall consist of landscaping.
 - d. **Perimeter landscaping shall be installed along the northern property boundary line, placing the proposed parking lot.**
9. Any future outdoor lighting will be required to be in compliance with code at the time of development.

10. All stormwater systems must comply with Garden City Code 8-4A-7.
 - a. Stormwater swales incorporated into required landscape areas shall be vegetated with grass or other appropriate plant materials. Gravel, rock, or cobble stormwater facilities are not permitted on the surface of required landscape areas, unless designed as a dry creek bed or other design feature.
11. All vehicle parking spaces shall meet the minimum dimensional standards set forth in Garden City Code 8-4D-3.

Prior to Occupancy:

1. Occupancy of the site shall not commence until after a Certificate of Occupancy has been obtained from Garden City Development Services Department.
2. A building permit including fire and environmental review shall be applied for and approved by Garden City Development Services Department.
3. A copy of recorded legally binding documents that states the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features shall be provided to the City.
4. A keyless entry system, or suitable alternative, to provide police access to the common corridors under exigent circumstances shall be installed and maintained. The keyless entry system or alternative shall be subject to review and approval by the Garden City Police Department.
5. All chain link fencing and barbed wire shall be removed and/or replaced with code compliant fencing.
 - a. If the fencing is not owned by the subject property owner, then a notarized affidavit of non-ownership shall be submitted to the Development Services Department to waive the requirement for removal.
6. Contrasting hardscape material shall be installed at the drive aisles to better identify the pedestrian crossings along N. Glenwood Street.
7. Bicycle Parking
 - a. Bicycle parking spaces shall be placed in such a way that when mounting and dismounting the bicycles do not reverse into the sidewalk traffic area, or N. Glenwood Street.
 - b. All bicycle parking shall be located so as to not prevent the sidewalk traffic from maintaining a continuous momentum.
8. All HVAC systems and outdoor service and equipment areas shall be identified in building plans for permit review and screened to be compliant with Garden City Code 8-4A-5 Outdoor Service and Equipment Areas.
 - a. Utility boxes and transformers will also require screening. Coordination with Idaho Power will be required.
9. A pathway system shall extend through the development site and connect the street sidewalk to all primary building entrances.
 - a. A pathway shall be a minimum width of four feet (4').
 - b. Pedestrian amenities shall be provided along sidewalks and pathways to support defensible space, crime prevention, pedestrian comfort and accessibility.

Site Specific Requirements for the Duration of the Use:

1. The following amenities shall be provided or replaced with an amenity from the same category of amenity as identified in Garden City Code: Open Space, Recreation, and Quality of Life
 - a. At least four amenities shall be provided, with at least one from each category.

- b. At least 42,500sqft of common open space shall be provided based on the approved plans.
2. A property management office must be on site, and tenants, and outside members of the public or police must be able to get a hold of emergency services 24- hours of the day.
3. A maintenance storage area must be provided.
4. A central mailbox location is provided in accordance with this approval.
5. A directory and map of the development is located at the entrance or convenient location for those entering the development.
6. All roof and wall mounted mechanical, electrical, communications, and service equipment should be screened from public view from the adjacent public streets and properties by the use of parapets, walls, fences, enclosures, or by other suitable means.

General Requirements:

1. This review and approval is specific to the design of the project. Final approval is subject to the approval of other reviewing agencies. Any more restrictive standards adopted and made applicable by any Transportation Authority, Fire Authority or other Federal, State or Local regulatory agencies shall prevail. This approval shall not annul any portion of Garden City Code or other applicable regulation unless specifically noted.
2. Any changes to the plans and specifications upon which this approval is based, other than those required by the above conditions, will require submittal of an application for modification and approval of that application prior to commencing any change.
3. All improvements and operations shall comply with applicable local, state and federal requirements and procedures whether specifically addressed in the analysis of this application or not. This shall include but not be limited to 8-4A General Provisions of Design and Development Regulations; 8-4I-3 and Landscape Maintenance Provisions 8-4I-9; and Standards for Transportation and Connectivity Provisions identified in 8-4E.
4. All utilities on the site, including telephone, cable television, and electrical systems shall be underground and in compliance with Garden City Code 8-4A-8.
5. Driveway openings in curbs shall comply with the requirements of the Transportation Authority. The driveway shall be straight or provide a 28-foot inside and 48-foot outside turning radius.
6. Plant materials which exhibit evidence of insect pests, disease, and/or damage shall be appropriately treated to correct the problem. Dead plant materials shall be replaced.
7. Where landscaping might impact motorist or pedestrian sight distance, shrubs shall be maintained below three feet (3') in height and trees shall be pruned so that the lowest branches will be at least seven feet (7') above the ground level.
8. A three-foot (3') clearance zone shall be maintained around the circumference of fire hydrants.
9. Retain and protect existing trees, vegetation, and native soils and integrate these features into the overall landscape plan as required by or exempted from Garden City Code 8-4I and as shown in the approved landscape plans.
10. Required landscape areas shall be at least seventy percent (70%) covered with vegetation at maturity, with mulch used under and around the plants. Use of mulch, organic or rock as the only ground cover in required planting areas is prohibited.
11. If trees are staked, the stakes shall be removed within twelve (12) months to prevent damage to the tree.
12. All planting areas that border driveways, parking lots, and other vehicle use areas shall be protected by curbing, wheel stops, or other approved protective devices.

13. Trees shall be planted at least three feet (3') from curbs, sidewalks, driveways and other hard surfaces to buffer from stress caused by vehicle overhang and compacted soils or planted with sufficient space to provide for the full maturity of the particular tree species.
14. All other plant material, except sod or ground cover, shall be set back a minimum of one foot (1') from any curb edge to protect from vehicle overhang and mechanical damage.
15. The landscape installation shall stabilize all soil and slopes.
16. All required landscaping shall be provided with an automatically controlled irrigation system in conformance with the best management practices for automatic irrigation systems.
17. Demonstrate compliance with or an exemption from Garden City Code 8-4G prior to certificate of occupancies.
18. This approval is for this application only. Additional permits, licenses and approvals may be necessary. All other applicable permits must be obtained prior to a Certificate of Occupancy.
19. Property Maintenance Standards shall be maintained as required by Garden City Code.
20. The property owner is responsible for the maintenance of all landscaping and screening devices required.
21. All outdoor living spaces must comply with Garden City Cod 8-3C General Provisions-Living Space Requirements.
22. All outdoor service and equipment areas shall comply with Garden City Cod 8-4A-5 Outdoor Service and Equipment Areas.
23. All stormwater systems must comply with Garden City Code 8-4A-7.
24. System Installation Required: Each and every lot within the subdivision shall have underground pressurized irrigation water. The pressurized irrigation system shall be constructed and installed at the same time as the domestic water lines but shall not necessarily be in the same trenches.
25. Materials submitted after the decision shall not be considered part of the record for this decision. If additional materials or information is submitted after the decision the application may be remanded to the decision-making body during which time the decision shall be stayed provided that there is no immediate threat to life or safety.
26. Any changes in the design, construction, operation or use shall be brought to the immediate attention of the Planning Official for determination if the changes are in substantial conformance with the City's action. Any modification to approved plans shall require submittal and approval of these modifications prior to construction. Final approval is based on substantial conformance with the plans reviewed and approved.
27. Any substantial changes to the design shall be reviewed by the Design Review Committee for compliance with Garden City Code 8-4. Any other changes that are not in substantial conformance with the approval shall be remanded to the decision-making body.
28. Occupying the site prior to Certificate of Occupancy is a criminal offense.
29. The date of action is the date the decision body formalizes their decision. The decision body may formalize their decision by approving a draft decision or a draft decision with noted changes at the hearing. The date of action may be a different date than the applicant is provided with a signed copy of the decision.
30. Pursuant to 8-6A-9 Appeals, those with standing may appeal a decision within fifteen days from the date of action.
31. This approval shall expire one (1) year from its approval, unless otherwise extended as allowed by Garden City Code .
32. If any term or provision of this decision, to any extent, is held invalid or unenforceable, the remaining terms and provisions hereof shall not be affected thereby, but each such remaining term and provision shall be valid and enforced to the fullest extent permitted by law.

IN DENIAL

1. The date of action is the date the decision body formalizes their decision. The decision body may formalize their decision by approving a draft decision or a draft decision with noted changes at the hearing. The date of action may be a different date than the applicant is provided with a signed copy of the decision.
2. Pursuant to 8-6A-9 Appeals, those with standing may appeal a decision within fifteen days from the date of action.
3. If any term or provision of this decision, to any extent, is held invalid or unenforceable, the remaining terms and provisions hereof shall not be affected thereby, but each such remaining term and provision shall be valid and enforced to the fullest extent permitted by law.

TBD

Development Service Staff

Date

IMAGES