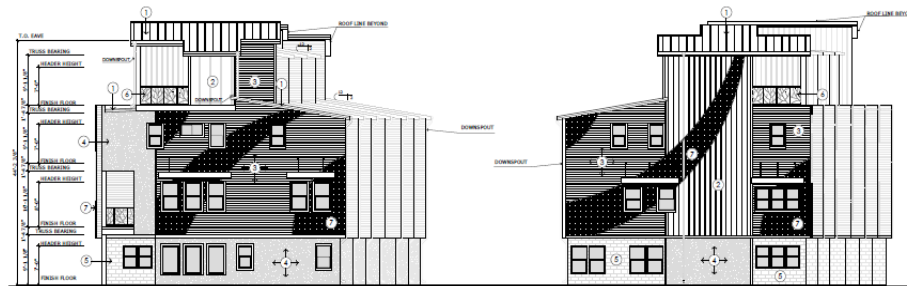


CITY OF GARDEN CITY

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

Application: Planned Unit Development (PUD) for a Multi-family live-work development
File Number: PUDFY2021-0001
Location: 116, 118, and E. 33rd Street
Applicant: Jeff Hatch
Planning and Zoning: August 18, 2021
Design Review Committee Pre-Application Conference: June 21, 2021
Design Review Formal Hearing: July 19, 2021
City Council: September 13, 2021



NORTHEAST ELEVATION - CLAY ST.

SCALE: 1/8"=1'-0"



SOUTHEAST ELEVATION - 33RD ST.

Staff Report
Prepared by Hanna Veal

Table of Contents

A. Record Documents	3
B. Recommendation Summary	3
C. Reconciliation.....	3
D. Discussion.....	4
E. Project Information	4
F. Decision Process	6
G. Agency Comment.....	8
H. Public Comment	9
I. Code/Policy Analysis	10

A. Record Documents ([link to all file documents](#))

Individual links:

1. Application Materials
 - a) [PUDFY2021-0001 Application and Materials](#)
 - b) [PUDFY2021-0001 Resubmittals 06302021](#)
 - c) [PUDFY2021-0001 Resubmittals 08112021](#)
 - d) [PUDFY2021-0001 Design Review Committee Exhibit from 07192021](#)
 - e) [BLDFY20221-0143 Supplemental Material: Site Plan for Adjacent Property](#)
2. Staff Reports
 - a) [Design Review Staff Report Dated July 19, 2021](#)
 - b) [Planning and Zoning Staff Report July 21, 2021](#)
 - c) [Planning and Zoning Staff Report August 18, 2021](#)
3. Agency Comments: linked in [Section F](#)
4. Public Comments: linked in [Section G](#)
5. Noticing Documents
 - a) [City Noticing](#)
 - b) [Property Posting for Design Review Committee](#)
 - c) [Property Posting for Planning and Zoning](#)
 - d) [Property Posting for City Council](#)
6. Recommendations
 - a) [Design Review Committee](#)
 - b) [Planning and Zoning](#)
7. [Draft Potential Recommendation/ Decision](#)

B. Recommendation Summary:

The Design Review Committee recommended approval of the application on July 19, 2021, and the Planning and Zoning Commission recommended approval of the application on August 18, 2021.

C. Reconciliation:

Following the Design Review Committee approval recommendation on July 19, 2021, the applicant asked to apply the Live Work Create Overlay (LWC) to the application. As a result, while the project did not change, the staff analysis provided to the Design Review Committee and the Planning and Zoning Commission differ in code review as do the approval recommendations regarding code applied and requested waivers. The draft conditions from both bodies are included in the draft potential City Council decision.

Typically, staff endeavors to reconcile the recommendations from both bodies into one potential draft decision. In this instance, the staff has utilized the Planning and Zoning Commission's recommendation as a basis for the draft potential decision document as it utilizes the LWC Code as a basis for review.

D. Discussion

Significant points of discussion at the Planning and Zoning Commission or Design Review Committee are found below.

Waivers Recommended.

There are eight waivers recommended by the Planning and Zoning Commission. They include:

1. 5' Minimum rear setback line
2. Living space to working space ratio no great than 25%
3. 10' setback between structures
4. 10' minimum perimeter landscaping
5. Minimum 10'x20' parking space dimension
6. Common open space
7. Live space average exceeding 1,000 square feet
8. Building height vertical plain recession¹

The waivers are discussed in the [Section J. Code/ Policy Review](#).

E. Project Information

This application is for a Planned Unit Development per Garden City Code 8-7A-2 Definition of Terms:

Planned Unit Development: Property planned as a whole that demonstrates innovation in design to protect natural features or create public amenities through more flexible standards, such as lot sizes, densities, and setbacks, than those restrictions that would normally apply under these regulations.

Code Waivers Requested:

- 1) 5' Minimum rear setback line
- 2) Living space to working space ratio no great than 25%
- 3) 10' setback between structures
- 4) 10' minimum perimeter landscaping
- 5) Minimum 10'x20' parking space dimension
- 6) Minimum vehicular parking spaces
- 7) Common open space
- 8) Live space average exceeding 1,000 square feet
- 9) Building height vertical plain recession

Project Details:

¹ Please note, a waiver for more than four units on a common drive was recommended but is unnecessary as the provision is found in 8-5A-5(D), a standard required of a subdivision that is not applicable to this application.

- 1) Proposed development: new construction of a 14 unit live-work development. The application does not propose a subdivision, therefore has been analyzed as a multi-family development.
- 2) Site Coverage:
 1. Building: 49% of the site
 2. Landscaping: 14.9% of the site
 3. Total Impervious Surface: 15.3%
 4. Permeable Hard Surface: 20.7%
- 3) Square footage dedicated to uses:
 1. Residential: 38,806 square feet
- 4) Number of Structures: 4 Residential
 1. Three-bedroom units: 6
 2. Four-bedroom units: 8
- 5) Total number of vehicular parking spaces: 30
 1. Enclosed: 22
 2. Surface: 0
 3. On-Street: 8
 4. Off-site with a cross parking agreement: 0
- 6) Total number of bicycle parking: 13
 1. Enclosed: 0
 2. Surface: 13
- 7) Trash Enclosure: Trash carts will be stored individually in garages. Carts will be brought curbside for pickup.
- 8) Fencing:
 1. 3' tall decorative screen fence.
- 9) Sidewalk:
 1. Detached proposed along Clay and 33rd Street.
- 10) Landscaping:
 1. Street Trees: 9 Class I and II street trees.
 2. Parameter Landscaping:
 - i) South Property boundary: 4' wide perimeter landscape buffer
 - ii) West Property Boundary: 5' wide perimeter landscape buffer

Site Conditions:

- 1) Street Address: SW corner of E. 33rd Street and Clay Street.
 - a) 116 E. 33rd Street, Garden City Idaho, 83714; Ada County Parcel Number R2734541190. LOT 9 BLK 33 FAIRVIEW ACRES SUB NO 5
 - b) 118 E. 33rd Street, Garden City Idaho, 83714; Ada County Parcel Number R2734541200. LOT 10 BLK 33 FAIRVIEW ACRES SUB NO 5
 - c) E. 33rd Street, Garden City Idaho, 83714; Ada County Parcel Number R2734541210. LOT 11 BLK 33 FAIRVIEW ACRES SUB NO 5
- 2) Legal Lot of Record: Yes
- 3) Property Size: 0.516 acres
- 4) Zoning District: C-2
- 5) Zoning Overlay(s): None
- 6) Comprehensive Plan Land Use Map Designation:
 - a) Activity Node: Neighborhood Destination
 - b) Live-Work-Create

- 7) Floodplain Designation:
 - a) 2003 FIRM: Outside of the Special Flood Hazard Area
 - b) 2017 Draft FIRM: 100 Year
- 8) Adjacent Uses:
 - a) Vacant Land
 - b) Professional Services
 - c) Research and Development
 - d) Accessory Use: Artist Studio
 - e) Food Store
 - f) Vehicle Services
- 9) Existing Use: Vacant
- 10) Easements on site:
 - a) Fairview Acres Lateral Water Association running through the site.
- 11) Site Access:
 - a) Front: N. Clay Street
 - b) Side: n/a
 - c) Rear: n/a
- 12) Sidewalks: There are no sidewalks.
- 13) Wetlands on site: none identified

F. 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	Unit	Recommendation Authority/ Hearing Date	Decision Authority
Planned Development		Planning and Zoning Commission: Hearing June 16, 2021, moved to July 21, 2021. Moved to August 18, 2021. and Design Review Committee: Pre-application conference June 21, 2021. Formal Hearing July 19, 2021.	City Council: Hearing July 12, 2021, moved to August 9, 2021. Moved to September 13, 2021

Required Findings:

CONDITIONAL USE PERMIT: To approve a conditional use permit, the Planning and Zoning Commission must find the application meets the following findings found in [GCC 8-6B-2](#):

1. The use is appropriate to the location, the lot, and the neighborhood, and is compatible with the uses permitted in the applicable zoning district;
2. The use will be supported by adequate public facilities or services to the surrounding area, or conditions can be established to mitigate adverse impacts;

3. The use will not unreasonably diminish either the health, safety, or welfare of the community; and
4. The use is not in conflict with the comprehensive plan or other adopted plans, policies, or ordinances of the city.

PLANNED UNIT DEVELOPMENT: To approve a planned unit development, the decision-making body must find the application meets the following findings, found in GCC 8-6B-7. E:

1. The applicant has demonstrated that the proposed development can be initiated within two (2) years of the date of approval;
2. Each individual unit of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which would not be achieved under standard district regulations;
3. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic and increased densities will not generate traffic in such amounts as to overload the street network outside the PUD;
4. Any proposed commercial development can be justified at the locations proposed;
5. Any exception from standard district requirements is warranted by the design and other amenities incorporated in the final development plan, in accordance with the PUD and the adopted policy of the council;
6. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development;
7. The PUD is in general conformance with the comprehensive plan; and
8. The existing and proposed utility services are adequate for the population densities and nonresidential uses proposed.
9. There has been no denial of any application on this property within one year.

Decision:

After hearing the evidence and considering the application, the decision maker shall make their decision. The decision maker shall report the facts upon which it based its conclusion, the ordinance and standards used in evaluating the application, the actions, if any, that the applicant could take to obtain a permit, and whether a permit is granted, granted with conditions, or denied. The decision maker shall make its findings and decision no later than by the next regular scheduled meeting.

The Planning and Zoning Commission and Design Review Committee are recommending bodies for this application.

Recommendation

The Recommending Authority may take one of the following actions:

1. Recommend the City Council grant/ approve the application as applied;
2. Recommend the City Council grant/ approve the application with conditions as drafted or as amended to the City Council;
3. Recommend the City Council deny the application; or

4. Request the applicant return with revised materials for additional review.

The City Council is the final decision maker for this application.

Decision

The City Council may take one of the following actions:

1. Sustain the recommendation as presented to the City Council;
2. Modify the recommendation with conditions;
3. Reject the recommendations; or
4. Remand the application to a recommending body for additional proceedings and findings.

Appeal of Decision:

Pursuant to Garden City Code [Table 8-6A-1 Authorities and Processes](#), the Design Committee and Planning and Zoning Commission are recommending authorities and the City Council is the final decision maker for the requested application. The recommendations of the Design Committee and the Planning and Zoning Commission does not constitute a final decision on the application.

The applicant or someone with standing may request City Council to reconsider their decision. A reconsideration request may be made within 14 days of the formal decision being rendered. Final decisions are subject to a 28-day right to judicial review pursuant to The Idaho Administrative Procedures Act, Chapter 65 Title 67 Idaho Code. A takings analysis pursuant to Idaho Code may be requested on final decisions.

G. Agency Comments

The following agency comments were provided:

Agency	Comment Date	Summary
Garden City Engineer Link to Full Comment	05/28/2021	<ul style="list-style-type: none"> • We note the parcels apparently have at least partial 50% tenant in common ownership with entities other than THS Custom Homes LLC. Do the affidavits of legal interest cover all owners? • 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. • Approval of the project by the Ada County Highway District will be required. • The applicant is responsible to verify that adequate water system supply is available to provide any fire suppression water needs.

		<ul style="list-style-type: none"> The applicant is responsible to verify that adequate sewer capacity is available and that the existing system depth is adequate to serve the site. Numerous items required for the application submittal were asked to be waived. We have no objection to waiving the requirements. However, the applicant is advised that once the items requested to be waived are provided (all are necessary for the review and approval of the project with construction plans) and if the items require changes to the development, the applicant may have to alter the project and seek a modification approval.
ACHD Link to full comment	06/14/2021	<ul style="list-style-type: none"> Provide ACHD with a road trust deposit in the amount of \$15,000 for future improvements to Clay Street. Construct 33rd Street as ½ of a 36-foot-wide local commercial street section to include pavement widening to total 18-feet from centerline, vertical curb, gutter, a 7-foot-wide planter strip, and 5-foot-wide detached sidewalk. If street trees are desired, then an 8-foot-wide planter strip should be provided. Permeable pavers are allowed in the parking areas on 33rd Street, provided they are designed in accordance with ACHD Policy and BMP and located a minimum of 50-feet from Clay Street. Provide a permanent right-of-way easement for detached sidewalk located outside of the dedicated right-of-way to extend to 2-feet behind back of sidewalk. Prior to plan submittal, revise the site plan to remove the alley from the plan or provide documentation of the alley right-of-way for staff to review and determine if it is public right-of-way. Construct a 22-foot-wide curb return type driveway from the site onto Clay Street located approximately 92-feet west of the intersection of Clay Street and 33rd Street, as proposed

H. Public Comment

The following public comments were received:

Name	Date	Comment
Georgina Baronian	06/21/2021	Neutral; Arial apparatus questions in relation to the width of the street.

J. 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.

Live Work Create Overlay Applied

In an effort to provide a comparative analysis of the codes reviewed by the Design Review and the Planning and Zoning Commission, the staff provided the analysis provided to both recommending bodies. The chart shown below shows white rows and grey rows. The white rows show comments the Design Review Committee saw, which were analyzed utilizing the base zoning standards. The grey rows show an analysis of the Live-Work-Crete (LWC) overlay, which the Planning and Zoning Commission utilized for their review. Some sections of code are superseded by general Garden City Code, to which staff has noted. Some sections share standards and sometimes additional LWC standards are required on top of the general code standards. Staff has presented the information in this way to provide a comparative analysis as the application is not code compliant under the LWC Overlay, nor the General Garden City Code.

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		Compliant as conditioned	It is noted that the site is comprised to several lots of record. The existing parcels of ground will need to be consolidated into one parcel via an application process with the city. This is included as a potential condition of approval.
Title 8, Chapter 2: Base Zoning District Regulations			
8-2B-1 Purpose		No compliance issues noted Superseded by GCC 8-3C	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.
	CC	No compliance issues noted	The applicant has requested that the Surel Mitchell Live Work Create overlay be applied to this application.
8-2B-2 Allowed Uses		No compliance issues noted Superseded by GCC 8-3C	Single Family Attached Dwellings, Multifamily Dwellings are permitted uses.
	CC	No compliance issues noted	The Surel Mitchell Live Work Overlay is applied to this review. The single family attached dwelling, and multi-family dwelling

			unit uses are permitted within the overlay. There are no compliance issues if the section of code is to be applied
8-2B-3 Form Standards		Not complaint Superseded by GCC 8-3C	<p>The required setbacks are: Front: 5' Interior Side: 5' Rear: 5' Street side: 5'</p> <p>No maximum height</p> <p>No minimum lot size</p> <p>There are encroachments.</p> <ul style="list-style-type: none"> - The rear setback is 3ft 11 ½ inches. The applicant has requested a waiver to the minimum 5ft rear setback. <p>All properties meet the minimum street frontage.</p>
		Waiver Requested See GCC 8-3C-3 for LWC standards.	The Surel Mitchell Live Work Overlay is applied to this review. However, it should be noted that the application is not compliant with the form standards identified in the C-2 zoning district, nor the LWC District, as there is an encroachment. The applicant has requested a waiver to allow for the encroachment.
8-2C-15 multi-Family	CC	<p>Waiver Requested</p> <p>Compliant as conditioned if waiver is granted</p>	<p>Buildings within site are setback 7.0 feet, not meeting the spacing of ten feet (10') between buildings requirements. The applicant has requested a waiver to allow for the distance between buildings within the site to be 7.0 feet</p> <p>The number of amenities required for multi-family developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories. The application has provided:</p> <ol style="list-style-type: none"> 1. Quality of life amenities: public art visible by the public 2. Open space: ponds or water features; 3. Recreation amenities: walking trails along the open canal <p>All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features. A draft potential condition of approval requiring that such documentation be provided to the City has been included.</p>
			Garden City Code 8- 2C-15 multi-Family code still applicable.
Title 8, Chapter 3: Overlay Zoning District Regulations			
8-3A Overlay Zoning District Regulations – General Provisions	CC	No compliance issues noted	Pursuant to 8-3A and 8-3C, the provisions of the overlay district are utilized voluntarily at the request of an applicant. Also pursuant to the same code articles, the standards for an overlay district are in lieu of and/or in addition to the standards in the base zoning district.

8-3C-2 [Surel Mitchell Live-Work-Create] Applicability	CC	No compliance issues noted	<p>Pursuant to 8-3A and 8-3C, the provisions of the overlay district are utilized voluntarily at the request of an applicant. Also pursuant to the same code articles, the standards for an overlay district are in lieu of and/or in addition to the standards in the base zoning district. The base zoning standards are found in 8-2B Base Zoning District Regulations and include use, density, and form standards.</p> <p>Garden City Code 8-3C lists standards that are not applicable to the standards of 8-2B such as design, parking, and landscaping standards. Those standards are found in 8-4 (Design and Development Regulations) and are not base zoning district standards. The purpose statement notes that the intent is related to implementation of the character of the neighborhood both through maintaining small, scaled development character and design standards.</p> <p>When a conflict in between codes occurs, 8-1A-5B (Interpretation – Conflicting Provisions) requires the more restrictive provision be used. Staff has interpreted omissions from criteria not addressed in 8-3C that is otherwise addressed in Title 8 as a conflict and applied the criteria found in Title 8.</p>
8-3C-3 A Surel Mitchell Live-Work-Create General Provisions Dimensions	CC	<p>Waivers requested</p> <p>Compliant as conditioned if waiver is granted</p>	<p>This subsection section supersedes 8-2B-3 (Form Standards).</p> <p>LWC required setbacks are: Front: 5'-15' Interior Side: 0'/5' Rear: 5' Street side: 5'</p> <p>The building structures that contain the live-work units appear to be compliant with all setbacks except for the rear setback. The applicant has requested a waiver to the minimum 5ft rear setback. The rear setback proposed is 3ft 11 ½ inches.</p> <p>A building permit, BLDFY2021-was approved in August., it is a proposal for a three-story (34ft), single-family dwelling unit adjacent to the PUDFY2021-0001 southern property boundary line. The structure is proposed to be about 7ft away from their northern property boundary line. If both permits were to be approved, there would be a 10 – 11½ ft separation between the proposed structures.</p> <p>This encroachment may be allowed by the PUD waiver request.</p> <p>The lot is 22,476.96 square feet. The allowable maximum height is: 45' for lots greater than 11,000 square feet.</p> <p>The minimum lot size is 3,000 square feet with the maximum lot coverage being 55%. (Building lot coverage is only 49%)</p> <p>Subsection A.1 requires the front building setback to accommodate a five-foot (5') sidewalk and a two-foot (2') building zone or be consistent with a streetscape plan</p>

			<p>adopted by the city. Resolutions 1062-19 and 1063-19 adopted a streetscape plan along E. 33rd Street and N. Clay St. The front setback appears to be consistent with the adopted streetscape.</p> <p>Subsection A.6 allows a five-foot (5') and a zero-foot (0') setback adjacent to other lots within the overlay district. However, pursuant to subsection F.5, buildings 24' in height or higher requires the building height to step back in a vertical plane ten feet (10') from the side property lines. The proposed townhome style dwelling units are 47'-8" tall as shown on the Exterior elevations from June 21st, 2021. The lack of step back of the vertical plane may be allowed by the PUD waiver request.</p>
8-3C-3B General Provisions-Workspace Requirements	CC	Compliant as conditioned	<p>Subsection B. requires a minimum of 250 sq. ft. for interior working spaces.</p> <p>There is a total of 3,640 square feet of workspace proposed: with each workspace ranging between 266 and 252 square feet.</p> <p>The workspaces are split into two different areas or rooms. For example, Workspace 1 is split up into two rooms on the first floor, a 104 square feet office space and a 162 square feet office space for a total of 266 square feet of working area. As conditioned, all workspaces meet the minimum 250 square feet requirement.</p> <p>Potential drafted conditions of approval include:</p> <ol style="list-style-type: none"> 1. All live spaces must have an associated indoor workspace of at least 250 square feet on the site. 2. A legal mechanism shall be produced, to be reviewed administratively, that links the use of the live units to its intended workspace. 3. All workspaces have must an associated live space on site that has been reviewed and approved through the building permit process as a dwelling.
8-3C-3C General Provisions – Living Space Requirements	CC	<p>Waiver requested</p> <p>Compliant as conditioned if waiver approved</p>	<p>There are two different styles of units. Units 1-4 and 8-11 are the larger units being 2,400 square feet total and Units 5-7 and 12-14 are smaller at 2,200 square feet.</p> <p>Excluding the workspaces, the proposed live spaces are 2,134 square feet or 1,948 square feet. For development sites with multiple work-live spaces the minimum living space size is 220 square feet and cannot exceed an average size of 1,000 square feet. The applicant has requested a waiver to this standard.</p> <p>The requirements of a bedroom, closet space, bathroom, and kitchen have been shown on floor plans, but can be evaluated administratively during the building permit process as these requirements do not directly affect the exterior of the structures.</p>

			<p>Subsection C.5 requires a minimum of 80 square feet of outdoor open space provided for each living space and is satisfied through porches, patios, decks, and/or yards. Required setbacks, landscaping, entryway and other accessways cannot count toward this minimum.</p> <ul style="list-style-type: none"> - Unit 1: 328 square feet of private open space through patio/ deck, and rooftop deck. - Units 2-4, 8-11: 328 square feet of private open space through patio/ deck, and rooftop deck. - Units 5, 6, 12-14 276 square feet of private open space through patio/ deck, and rooftop deck. - Unit 7: 276 square feet of private open space through patio/ deck, and rooftop deck.
8-3C-3D Combined Work-Live Space Requirements	CC	<p>Waiver requested</p> <p>Compliant as conditioned if waiver approved</p>	<p>Combined Work-Live Space Requirements: Neither a living space nor a working space shall be less than twenty five percent (25%) of the combined floor area of the site. The proposed development as a whole has a living space to workspace ratio averaging at 25%. The larger units are at 22% and the smaller units are at 29%. A waiver has been drafted.</p>
8-3C-3E General Provisions – Multiple Work-Live Space Requirements	CC	No compliance issues noted	<p>Subsection E.2 requires each work live space to have a clearly defined separate access from other work-live units. According to the site plan, entrances appear to be provided to the residential/work live units along E. 33rd Street and interior to the property along the canal pathway.</p>
8-3C-3F General Provisions - Design	CC	<p>Waiver requested</p> <p>Compliant as conditioned if waiver approved</p>	<p>Subsection F is specific to the design of the application and includes regulations related to facades, windows, public entrances, rooflines, building height, pattern variations, and materials.</p> <p>Subsection F.5 states that buildings higher than thirty-five feet (35'), the height above twenty-four feet (24') shall step back from the <i>front</i> property line. For buildings of twenty-four feet (24') or higher, the building height shall step back in a vertical plane ten feet (10') from the <i>side</i> property lines. The third story and rooftop deck, as the other components are below 24' in height.</p> <p>As the height of the dwelling units are more than 24' in height, it is required that the buildings step back in vertical plane 10' from the front and side property lines. A waiver has been drafted.</p>
8-3C-3G General Provisions - Parking	CC	Compliant as conditioned	<p>The application proposes 35 parking spaces for the 14 proposed units. Of the 35 spaces proposed there are 22 spaces proposed on site within the garages. The remaining 8 spots are proposed as on street parallel parking on Clay and 33rd Street.</p>

			<p>Subsection G requires that there be one off street parking space for each living space. 14 spaces are required, 14 spaces are provided. Residential units are adequately parked to this standard.</p> <p>8-3C-3(G)(3) has been the subject of appeals for the previous applications for the same form and use. This subsection states: 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 (emphasis added) the number of parking spaces needed to serve employee and patrons as determined by the Planning and Zoning Commission.</p> <p>The 'or' in the code has been emphasized, because if proposed parking meets the standards, it does not need to be reviewed by the Planning and Zoning Commission. It should also be noted that the Commission has reviewed this application and did not recommend a waiver for the required number of parking spaces.</p> <p>The application, as proposed, does not include any workspace greater than 500 square feet. The total proposed workspace is 3,640 square feet. If interpreted that workspace under 500 square feet does not require a parking space, then no additional spaces are required. If it is interpreted that for every 1,500 square feet of workspace a parking space is needed, an additional 3 spaces are required. As a standard, the more restrictive application of code is utilized. This would necessitate 17 total spaces.</p> <p>The proposal includes 22 on-site parking spaces, which meets the 17-parking space requirement. However, those 22 parking spaces are all within the enclosed garages. The intent of code is to provide parking for customers and employees who visit or work in the workspace. Just because the development meets the parking minimums does not mean that the provided parking meets the intent of what code is trying to achieve.</p> <p>Code notes that one on-street parallel parking space can count towards the minimum requirement. It also states that there can be multiple diagonal or right angle on-street parking spaces to meet code minimums. This proposal identifies 8 parallel spaces in front of the project.</p> <p>There has been a potential condition for approval drafted in the decision document to require 16 on-site parking spots.</p> <p>The proposal does not show any ADA compliant parking spaces. As this application is proposing workspaces, ADA regulations must apply as they are federal regulations. The application is conditioned to require an ADA compliant space to conform with ADA requirements.</p> <p>In order to alleviate the parking deficiency, the applicant has proposed that the garages either be open during business hours, or that the garages could be built as carports. This proposal did not result in a formal recommended condition of</p>
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			<p>approval as of yet. Staff has added a new potential condition of approval, duration of use #4, that states: "A minimum of two on-site parking spaces shall not be enclosed in a garage and open to the public during working hours. These spaces shall be marked or otherwise clearly identifiable as commercial spaces."</p> <p>It is noteworthy that the applicant has also requested waivers related to the minimum parking size requirement of 10' X 20'. Please refer to analysis of 8-4D-3</p>
8-3C-3H General Provisions - Landscaping	CC	No compliance issues noted	<p>Along interior property lines with a zero-foot (0') setback, a fence shall be provided along the entire length of the property line not otherwise occupied by a building: Proposed</p> <p>One tree shall be provided per two thousand five hundred (2,500) square feet of the development site with one tree located along the street frontage of the development site. Trees shall be a minimum of two-inch (2") caliper and a species with shade canopies.</p> <ul style="list-style-type: none"> - The development site is 22,477 square feet. Requiring 9 trees. - 9 Trees are provided, with all trees being street trees along N. Clay and 33rd Street.
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	CC	No compliance issues noted	3' tall decorative screen fence.
			Garden City Code 8-4A-3 still applicable.
8-4A-4 Outdoor Lighting	CC	No code compliance issues noted	
			Garden City Code 8-4A-4 still applicable.
8-4A-5 Outdoor Service and Equipment Areas	CC	Complaint as Conditioned	
			Garden City Code 8-4A-5 Still applicable.
8-4A-7 Stormwater Systems	CC	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.
			Garden City Code 8-4A-7 Still applicable.
8-4A-8 Utilities	CC	Complaint as Conditioned	Draft condition of approval is provided requiring that all utilities be underground.
			Garden City Code 8-4A-8 still applicable.
8-4B-4 Multi-family Residential Dwelling Units	CC	Complaint as Conditioned	Entrances shall be adequately covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided.

			Multiple Buildings On One Site: Development of multiple structures on one site shall comply with the requirements set forth in subsection <u>8-4C-4B</u> , "Multiple Nonresidential Structures On One Development Site", of this chapter.
			Garden City Code 8-4B-4 still applicable.
8-4C-3 General Design Provisions for Nonresidential Structures	CC	No compliance issues noted	<p><i>Objective 1: The design of all structures shall have a scale, massing and urban form that has a relationship to the street, the pedestrian, and adjacent properties.</i></p> <ul style="list-style-type: none"> The provisions of this subsection are superseded by 8-3C-3F as that section addresses setbacks and provides specific façade standards. <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"> The provisions of subsection B.1 are superseded by 8-3C-3G (Work/Live/Create Overlay – Parking) as the parking location and design are addressed in the overlay district requirements. The provisions of subsection B.3 apply to this proposal as the overlay district does not specifically regulate or waive pedestrian pathway requirements. The site plan depicts a pedestrian pathway network. <p><i>Objective 3: Buildings shall be designed and constructed of quality materials.</i></p> <ul style="list-style-type: none"> The provisions of this subsection are superseded by 8-3C-F7, as the overlay addresses material requirements. <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"> Scraped sites are recommended to be in conformance with 8-4I (Landscaping and Tree Protection Provisions). Compliance with 8-4I is already required elsewhere in Title 8. <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"> The applicant has proposed what appears to be a mixture of board and batten siding, lap siding, stucco, CMU, and wire meshing. <p><i>Objective 6: The site development should support and be consistent with the adopted streetscape.</i></p> <ul style="list-style-type: none"> City Council Resolutions 1062-19 and 1063-19 adopted the streetscape designs of the 34th Street

			Specific Area Plan and applied them to E. 33rd Street and N. Clay Street.
8-4C-4 Special Provisions for Specific Nonresidential Development	CC	Complaint as Conditioned	<p>HVAC equipment, trash dumpsters, trash compaction, and other service functions should be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.</p> <p>All onsite service areas for waste, recycling, or trash; and equipment areas for transformer and utility vaults should be located in an area not visible from a public street or adjoining property or should be fully screened from view from a public street and adjoining property with a privacy fence.</p>
		Complaint as Conditioned	<p>The provisions of this subsection apply to this proposal.</p> <p>Subsection A.1 notes that Doorways along sidewalks should be recessed three feet (3') off the sidewalk. It does not appear that the doorway is recessed by three feet. There is a condition for approval drafted to require that doors shall be recessed at least 3 feet from the sidewalk.</p> <p><u>Multiple nonresidential structures on one site:</u> The proposed pedestrian path system appears to provide both internal and external connectivity.</p>
8-4C-5 Prohibitions	CC	No compliance issues noted	<p>There are no visible false fronts, prefabricated structures or prohibited materials proposed with this application.</p> <p>There is no crushed colored rock/crushed tumble glass utilized on the site.</p>
			Garden City Code 8-4C-5 still applicable.
8-4D Parking and Off-Street Loading Provisions			
8-4D-3 Parking Design and Improvement Standards	CC	<p>Waiver Requested</p> <p>Compliant as conditioned if waiver is granted</p>	<p>Parking spaces are required to be at least 10'x20'. Making side-by-side garages at least 20'x20'. Units 5,6,7, & 14,15, 16 are only 18'x21'. The width of the garage is not code compliant. This has been drafted as a waiver.</p>
		Compliant as conditioned	<p>If the LWC overlay is not applied, Garden City Code 8-4D governs parking requirements. Under GCC 8-4D a total of 35 parking spaces would be required while only 22 are provided on-site. If these standards were to apply, the parking being would be deficient 13 parking spaces.</p>
8-4D-4 Parking Use Standards	CC	No compliance issues noted	No comment.
		8-3C-3G	<p>The provisions of the overlay district supersede this subsection. Required parking counts are noted in the overlay district and are reviewed in a previous section of this report.</p>
8-4D-5 Required Number of Off-	CC	Not compliant	<p>Total number of vehicular parking spaces required: 35 Total provided: 22 on site + 8 on-street = 30</p>

Street Parking Spaces		Vehicular parking spaces required is superseded by 8-3C-3(G)	<p>Site is deficient 13 parking spaces if on-street is not included. If on-street parking is included, the site is still deficient by 5 vehicular parking spaces.</p> <p>Number of enclosed spaces required: 14 Total provided: 22 Number of surface spaces required: 6 Total Provided: 0 on site, 8 on-street</p> <p>While the development offers an adequate amount of enclosed parking for the residences, the remaining 6 required surface spots are not accounted for.</p> <p>Guest Parking required: 7 Guest parking provided: 0 on-site, 8 on-street. Guest parking is not provided for on site.</p> <p>The 13 missing required parking spaces are differed to the 8-on street parking spaces. Residents, their guests, and neighboring guests are forced to use the 8 provided spots along Clay and 33rd.</p> <table border="1" data-bbox="743 810 1463 982"> <thead> <tr> <th>Dwelling, multi-family</th> <th>Total Required Parking</th> <th>Required Within an Enclosed Garage</th> </tr> </thead> <tbody> <tr> <td>More than 1 bedroom</td> <td>2* 14 Units= 28</td> <td>1* 14 Units= 14</td> </tr> </tbody> </table> <p>For developments with more than 2 dwelling units there shall be 0.5 additional spaces/unit provided for guest parking.</p> <p>There is one bicycle space required for every 6 dwelling units necessitating 4 bicycle spaces. There are 13 bike parking spaces provided.</p>	Dwelling, multi-family	Total Required Parking	Required Within an Enclosed Garage	More than 1 bedroom	2* 14 Units= 28	1* 14 Units= 14
Dwelling, multi-family	Total Required Parking	Required Within an Enclosed Garage							
More than 1 bedroom	2* 14 Units= 28	1* 14 Units= 14							
		Refer to GCC 8-3C-3G	The provisions of the overlay district supersede this subsection. Required parking counts are noted in the overlay district and are reviewed in a previous section of this report.						
8-4E Transportation and Connectivity Provisions									
8-4E-3 Public Street Connections	CC	Complaint as Conditioned	Public street connection at Clay Street for a private drive to access all residential units. 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.						
			Garden City Code 8-4E-3 still applicable.						
8-4E-4 Internal Circulation Standards	CC	No compliance issues noted	The drive is 20' or greater in width. There is clear pedestrian access from the public sidewalk to the entrance.						
			Garden City Code 8-4E-4 still applicable.						
8-4E-5 Private Street Standards	CC	Compliant as conditioned	All private streets shall be designed and constructed to the following standards: A. The private street shall be constructed on a perpetual ingress/egress easement or a single platted lot that provides access to all applicable properties.						

			<p>B. The private street shall be constructed within the easement and shall have a travel lane width of twenty-six feet (26').</p> <p>C. The private street shall provide sufficient maneuvering area for emergency vehicles as determined and approved by the fire authority.</p> <p>D. The private street name(s) shall obtain approval from the Ada County Street name committee.</p> <p>E. A binding contract that establishes the party or parties responsible for the repair and maintenance of the private street including regulations for the funding shall be recorded with a final plat. No building permit shall be issued until the contract has been recorded.</p>
			Garden City Code 8-4E-5 still applicable.
8-4E-6 Sidewalk Standards	CC	No compliance issues noted	<p>This project is located along 33rd and Clay Street. These streets have been designated under resolution NO. 1062-19 for having detached sidewalks. The resolution states "A 5' wide concrete sidewalk sits behind a 6' planting strip next to the vertical curbs. The planting strip here will not be planted with lawn but with trees and drought tolerant low shrubs. The trees will be within a root barrier. This section will be used at 33rd Street, 35th Street, and Clay Street."</p> <p>This streetscape is not too dissimilar from the standard sidewalk requirements. Except, the streetscape plans ask for Artistic furnishings such as streetlights and bicycles are provided above minimums to add to a strong theme and feel of the development, which has been proposed.</p>
			Garden City Code 8-4E-6 still applicable.
8-4E-7 Pedestrian and Bicycle Accessibility Standards	CC	No compliance issues noted	No comment.
		No compliance issues noted	The provisions of this subsection apply in additions to the standards of the overlay district, as pedestrian connectivity is not addressed by the overlay district. The application documents show a pathway system proposed throughout the development.
8-4G Sustainable Development Provisions	CC	No compliance issues noted	The development is required to provide 6 points. The application has met this requirement.
			Garden City Code 8-4G still applicable.
8-4H Flood Hazard	Planning Official	Complaint as Conditioned	The City highly encourages that the applicant to 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.

			Garden City Code 8-4H still applicable.
8-4I Landscaping and Tree Protection Provisions			
8-4I-3 General Landscaping Standards and Irrigation Provisions	CC	No compliance issues noted	11 trees are required throughout the development, including street trees. The proposal has only 9 trees, all of which are street trees along the frontage of Clay and 33 rd . The property has proposed 3 species, which is code compliant.
		No compliance issues noted	The provisions of this subsection apply in addition to the standards of the overlay district, as the overlay district does not address or waive landscaping standards.
8-4I-4 Landscaping Provisions for Specific Uses	CC	Complaint as Conditioned	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. Clay Street Required (166.8ft): 1 Streetside + 3 Frontage 33 rd Street Required (166.2ft): 1 Streetside + 3 Frontage Clay Street Provided: 1 Streetside + 2 Frontage (Deficient 1) 33 rd Street Provided: 1 Streetside + 5 Frontage (Surplus of 2) Net surplus of 1 street tree. 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. Landscape provided: 3,357 square feet = 3 trees and 22.38 required. There are no additional trees provided throughout the site. There is only the 1 additional street tree. Site is deficient 2 trees. <ul style="list-style-type: none"> - Trees may be substituted for up to one-half (1/2) of the required shrubs at the rate of one tree for ten (10) shrubs and vice versa. - 179 shrubs/perennials/ornamental grasses provided. - If the substitution rule applies, 20 shrubs could meet the requirement of 2 trees while still providing the required minimum number of shrubs.
		No compliance issues noted Refer to GCC 8-3C-3H	The provisions of the overlay district supersede the required tree count provisions of this subsection. All other provisions of this subsection apply. Subsection B.1 requires a minimum of five percent (5%) of the gross site area be landscaped (excluding setback and perimeter landscaping). The landscape plan indicates that 14.9% of the site is landscaped.
8-4I-5 Perimeter	CC	Waiver Requested	Required along the common property line between an adjacent nonresidential use and a residential use or vacant residentially zoned property.

Landscaping Provisions		Compliant as conditioned if waiver is granted	<p>Required along the common property line between a multi-family residential use and a single-family or two-family residential use or vacant single-family or two-family zoned property.</p> <p>The South Property boundary is required to have a 10' perimeter landscaping buffer. This has been interpreted as least 5' wide perimeter landscaping on the developing property as well as the adjacent property when it redevelops. This is not provided. The application proposes 3'-11 1/2" perimeter area within the setback. This perimeter landscaping is taking up the entirety of the rear setback which consists of shrubs, perennials, and ornamental grasses. Most of which do not reach 6' in height.</p> <p>Typical conditions driven by code standards include the following:</p> <ol style="list-style-type: none"> 1. A screen consisting of vegetation shall be at least six feet (6') wide and six feet (6') in height at maturity; 2. At least one tree shall be planted for every fifteen (15) linear feet of perimeter length (or as appropriate to the selected species) to quickly establish continuous canopy coverage. <p>The proposed perimeter shrubbery of PUDFY2021-0001 might not be sufficient enough to help block the car lights of those residents in either the PUD or the adjacent new structure being constructed per building permit BLDFY2021-0143. The way the drive isles alight look as if the headlights from adjacent properties might shine into the windows of either development. Additionally, the pedestrian pathway proposed in the PUD will terminate at the proposed detached garage of the building permit.</p> <p>Design Review Committee commented: "Perimeter landscaping along the Southeast property line is acceptable so long as there is additional structural design to help meet the intent of perimeter landscaping." The southwest façade has changed from the original proposal by including additional architectural features. These features include varying materials, wire mesh accents and a public art wall the corner nearest to 33rd St. The perimeter landscaping has not changed. There is a waiver included in the draft decision document.</p>
		No compliance issues noted Refer to GCC 8-3C-3H	The provisions of the overlay district supersede the provisions of this subsection. The overlay district contains requirements for perimeter landscaping and are reviewed in a previous section of this report.
8-4I-7 Tree Preservation Provisions	CC	Complaint as Conditioned	<p>Site development shall make all feasible attempts to maintain existing trees four-inch (4") caliper or greater within their design.</p> <p>Mitigation shall be required for all existing trees four-inch (4") caliper or greater that are removed or damaged from the site.</p>

			<ul style="list-style-type: none"> - Mitigation is required for all such trees removed within eighteen (18) months prior to issuance of the building permit for construction on the site or damaged during construction. - Mitigation shall be replacement of the total calipers lost on site up to an amount of one hundred percent (100%) replacement. (Example: Two 10-inch caliper trees removed may be mitigated with four 5-inch caliper trees, five 4-inch caliper trees, or seven 3-inch caliper trees.) - No mitigation is required in the following: 1) existing prohibited trees as specified in the "Garden City Design and Construction Guide" within the street buffer or parking lot; 2) existing dead, dying, or hazard trees certified prior to removal by a certified arborist; 3) trees that are required to be removed by another governmental agency having jurisdiction over the project.
		Complaint as Conditioned	<p>The provisions of this subsection apply in addition to the standards of the overlay district, as the overlay district does not address or waive required tree mitigation.</p> <p>Tree mitigation is required pursuant to this section unless existing trees are certified to be dead, diseased or a hazard by an arborist. A potential condition of approval has been drafted in the decision document to require a tree mitigation plan.</p>
8-4L Open Space Provisions			
8-4L-3 General Open Space Standards	CC	No compliance issues noted	
			Garden City Code 8-4L-3 still applicable.
8-4L-5 Open Space Standards for Multi-family Developments	CC	<p>Waiver requested</p> <p>Compliant as conditioned if waiver is granted</p>	<p>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"> - Unit One: 328 square feet of private open space through patio/ deck, and rooftop deck. - Units 2-4, 8-11: 328 square feet of private open space through patio/ deck, and rooftop deck. - Units 5, 6, 12-14 276 square feet of private open space through patio/ deck, and rooftop deck. - Unit 7 276 square feet of private open space through patio/ deck, and rooftop deck. <p>For any new multi-family development: A minimum area of outdoor common open space shall be provided as follows: Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area.</p> <p>The two-unit types are 2,400 square feet or 2,200 square feet. Requiring at least 4,900 square feet of common open space. The site does not appear to meet this minimum requirement as it is not identified on the site plans. They have, however, stated in the resubmittals from August 11, 2021, that the site features 2,900 square feet along the northwestern property line. A waiver has been drafted.</p>

			All common open space shall be the responsibility of the owner or an owners' association for the purpose of maintaining the common area and improvements.
		Compliant as conditioned See GCC 8-3C-3C	<p>The provisions of this subsection apply in addition to the standards of the overlay district.</p> <p>The overlay district requires 80 square feet of private open space as does GCC 8-4L. There appears to be no code compliance issues regarding private open space.</p> <p>The overlay district does not speak to common open space of multi-family development requirements. Thus GCC 8-4L-5 is the governing standard. All comments above are still applicable.</p> <p>See GCC 8-3C-3C</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, a notice of application acceptance was issued to the applicant, and staff started processing the application.
8-6A-4 Required Application Information			<p>Application waivers requested pursuant to 8-6A-4A:</p> <ul style="list-style-type: none"> - Topographic Survey - Grading Plan - Hydrology Report - Natural Hazard and Resources Analysis - Covenants and Deeds Restrictions - Approved Addresses - Dedications and Easements
8-6A-5 Administrative Process with Notice		No compliance issues noted	<p>A notice of intent was sent to adjoining property owners within 300' and agencies with jurisdiction.</p> <p>If no objections are filed within 15 days, the Design Review Committee's decision shall be considered final.</p> <p>Objections will be heard by City Council following the public hearing provision set forth in section GCC 8-6A-7.</p> <p>Conditions of approval that are deemed necessary to protect the public health, safety, and welfare, and prevent undue adverse impacts on surrounding properties may be required.</p>
8-6B-7 Planned Unit Development	CC	May not be code complaint	<p>The purpose of the Planned Unit Development states: "The intent of this section is to provide for well planned developments which conform to the objectives of this title but may deviate in certain respects from the zoning map and the district regulations. It is not the intent that the planned unit development process be used solely for the purposes of deviation from the dimensional standards in the district unless the following objectives are also achieved:</p> <ol style="list-style-type: none"> 1. Provide a maximum choice of living environments by allowing a variety of housing and building types, and

			<p>permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks and area requirements;</p> <ol style="list-style-type: none"> 2. Create a more useful pattern of open space and recreation areas; and, if permitted as part of the project, more convenience in the location of accessory commercial uses, industrial uses and services; 3. Establish a development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation and prevents the disruption of natural drainage patterns; 4. Use land more efficiently than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets; and 5. Develop a land pattern in harmony with land use density, transportation, and community facilities objectives of the comprehensive plan.” <p>Please note, the purpose does not specifically state if waivers can be applied to the provisions found in GCC 8-6B-7.</p> <p>Separation between structures is proposed to be less than 10’ required in 8-6B-7 (C)(4)(d). There is a waiver requested of the same setback noted in the multi-family provisions, GCC 8-2C-15</p> <p>The application was initially reviewed as a residential application. After the Design Review Committee recommendation, the applicant requested that the GCC LWC standards be applied. There is a 1:1 live: work ratio required when applying the GCC LWC standards, thus, likely becoming a mixed-use development. Garden City Code does not specifically define “residential development” and “mixed-use”. The closest that code comes to defining the terms is in the zoning district purpose statements. The purpose of the LWC states: “The purpose of the Surel Mitchell work-live-create (WLC) neighborhood overlay district is to create a neighborhood that allows commercial or small-scale manufacturing activity with dwelling units located within, near, or nearby the working spaces.”</p> <p>As review standards changed mid review, this detail was not previously noted in reviews presented to the recommending bodies. The site area is 22, 497 square feet. The site must be 1 acre (43,560 square feet) for mixed use and 14, 500 square feet for mixed use.</p> <p>The residential use component proposed is “multi-family”. Residential with 10 units or more must provide a variety of housing, there are two-unit types of units provided.</p>
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Other Items Reviewed	
Plan/Policy	Discussion/ Analysis

[Garden City Comprehensive Plan](#)

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

- a) Activity Node: Neighborhood Destination
- b) Live-Work-Create

The application may be supported by:

Goal 1. Nurture the City

- a.) 1.4 Objective: Create a premier destination place to live, work, and recreate.
- b.) 1.5.4: Establish a program which would allow for trees, benches, streetlamps, public art, and gardens, to be dedicated in tribute to the historical, cultural, or artistic life of the city.

Goal 2. Improve the City Image

- a.) 2.1 Objective: Encourage new and distinctive neighborhoods.
- b.) 2.3 Objective: Promote quality design and architecturally interesting buildings.
- c.) 2.4 Objective: Create a vision for the design of all streets and highways consistent with city's urban setting.
- d.) 2.4.4: Encourage permeable, pervious, or porous paving, especially in areas in the floodplain.

Goal 4. Emphasize the "Garden" in Garden City

- a.) 4.1.3 Adopt an ordinance that establishes minimum standards for tree requirements, and tree protection and maintenance on all property. Work to resolve conflicting objectives for tree protection with the street and storm drainage maintenance requirements of the ACHD.
- b.) 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.
- c.) 4.3.1: Continue to require sidewalks and landscaping in all new development, and in major alterations and re-use of existing commercial sites.
- d.) 4.1.4: Improve the landscaping standards for all new development. The standards should address minimum size, plant materials, maintenance requirements, irrigation, and landscape design that complement the urban environment.

Goal 7. Connect the City

- a.) 7.4 Objective: Maintain and improve standards for sidewalks, curbs, and gutters.
- b.) 7.4 Objective: Maintain and improve standards for sidewalks, curbs, and gutters.

The application may not be supported by:

Goal 3. Create a Heart for the City

- a.) 3.2.2 Amend the Land Use Code to require public gathering spaces in all new developments.

Goal 4. Emphasize the "Garden" in Garden City

- a.) Improve the landscaping standards for all new development. The standards should address minimum size, plant materials, maintenance requirements, irrigation, and landscape design that complement the urban environment.

Goal 6. Diversity in Housing

- a.) 6.2 Objective: Continue to be a leader and set an example for the region in creating a diversity of housing.
- b.) 6.3.1 Provide for a variety of housing types in the Land Use Code including smaller cottage and second housing units. Allow for housing that attract niche markets such as senior housing, live-work structures, and cooperative housing.

	c.) 6.3.2 Continue to explore opportunities that encourage mixed income housing in new developments.
Garden City Sidewalk Policy	Clay and 33 rd Street are part of the 34 th streetscape resolution.
Garden City Street Light Policy	A streetlight is installed along E. 33 rd Street in accordance with the policy.
Garden City Transportation Needs List	<p><u>Clay: 32nd to 37th</u> Provide a road section that match on Clay from 32nd to 37th. This project is important to the mobility and functionality of the neighborhood and contains a waterline that is slated by the Public Works Department for upgrade. The improvements should provide detached sidewalk and landscaping with Class II or III street trees to adhere to Garden City Code. A portion of this project is noted in the ACHD IFYWP.</p> <p><u>33rd Street: Greenbelt to Brown</u> Provide a road section that matches the improvements being on 36th Street with bulb outs meeting the detached sidewalk requirement. This will tie into the requested crossing of Chinden at 33rd Street. This road contains several properties that have already redeveloped in the manner that will encourage redevelopment. As seen on 36th Street, street improvements act as a public private partnership making infill more probable.</p>