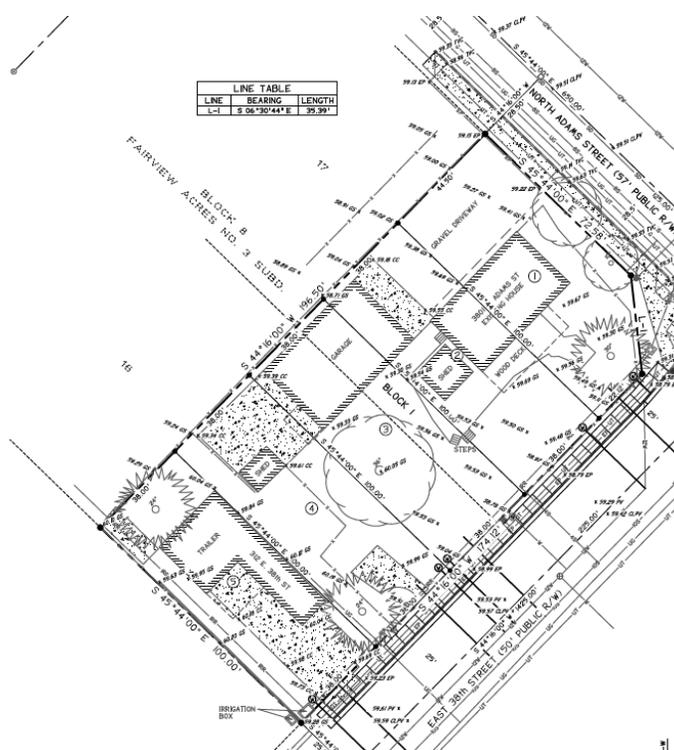




## CITY OF GARDEN CITY

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

**File Number:** SUBFY2020 – 4  
**For:** Combined Preliminary/Final Plat Subdivision  
**Location:** 3801 N. Adams St., Garden City, Idaho  
**Applicant:** Robert O'Dell with Key2Homes, LLC  
**Hearing Date:** February 3, 2020



Garden City Design Committee  
Staff Contact: Chris Samples

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**City of Garden City  
Staff Report**

## **A. Project Overview**

### **Project Description:**

Robert O'Dell, representing Key2 Homes, LLC., is requested approval recommendations for a proposed combined preliminary and final plat subdivision for a proposed five-unit residential subdivision. The property is located at 3801 N. Adams Street, Garden City, ID 83714; Ada County Parcel # R2734502637.

### **Proposed Scope of Work:**

Request	Review Process	Notes
Combined Preliminary/Final Subdivision Plat	8-5 Land Division Regulations	None

### **Project Details:**

- 1) Proposed development: Five lot subdivision intended for the use Dwelling Unit, Single Family Detached
- 2) Number of buildings: 5
- 3) Number of housing units: 5
- 4) Parking spaces:
  - a) Garage Spaces: 5
  - b) Uncovered Spaces: 10
- 5) Site Coverage: Not depicted
- 6) Trash Enclosure: Not depicted

### **Site Conditions:**

- 1) Address: 3801 N. Adams St., Garden City, ID 83714
- 2) Parcel Number: R2734502637
- 3) Property Size: 0.445 acres
- 4) Zoning District: R-3
- 5) Comprehensive Plan Land Use Map Designation:
  - a) Mixed Use Commercial
- 6) Legal Parcel of Record: Documentation required to verify
- 7) Floodplain Designation:
  - a) 2003 FIRM: X
  - b) 2017 Draft FIRM: AE

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- 8) Surrounding Uses: Only note uses that we have record of within 600' of the property
- Public Use
  - Dwelling Unit, Single Family Detached
  - Commercial Uses
- 9) Existing Use: Dwelling Unit, Single Family Detached (as nonconforming manufactured homes)
- 10) Easements: None found on file
- 11) Site Access: E. 38<sup>th</sup> St.
- 12) Sidewalks: None existing

**Required Decisions:** The following decision processes are required for the project:

Decision	Recommendation Authority	Decision Authority	Hearing Date
Combined Preliminary/Final Plat Subdivision	<ul style="list-style-type: none"> <li>Design Committee</li> <li>P&amp;Z Commission</li> </ul>	City Council	<ul style="list-style-type: none"> <li>Design Committee: 2/3/2020</li> <li>P&amp;Z Commission: 2/19/2020</li> <li>City Council: 3/9/2020</li> </ul>

**Standards for Review:** The following standards were reviewed for this application:

Design Standards of Review	
Standard	Staff Comments
<a href="#">8-2B Base Zoning District Provisions</a>	No compliance issues noted
<a href="#">8-4A General Provisions</a>	Lighting plan waiver requested
<a href="#">8-4B Residential Design Provisions</a>	No compliance issues noted
<a href="#">8-4D Parking and Loading Provisions</a>	Compliance issues noted re: parking access
<a href="#">8-4E Transportation and Connectivity Provisions</a>	Sidewalk waiver requested
<a href="#">8-4I Landscaping and Tree Protection Provisions</a>	More information needed to review
<a href="#">8-4L Open Space Provisions</a>	Compliance issues noted re: no open space shown
Subdivision Standards of Review	
Standard	Staff Comments
<a href="#">8-5A General Provisions and Standards</a>	
<a href="#">8-5B-5 Required Findings</a>	Compliance issues noted

**Plans, Policies and Studies:** The following plans, policies and studies were reviewed for this application:

Plans, Policies and Studies	
Plan/Policy/Study	Staff Comments
<a href="#">Plan: Garden City Comprehensive Plan</a>	Compliance issues noted
<a href="#">Policy: Garden City Sidewalk Policy</a>	Sidewalk waiver requested
<a href="#">Policy: Garden City Street Light Policy</a>	Streetlight installed within 400' of property

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**Terms and Definitions:** The following relevant terms were referenced in this report:

Relevant Terms and Garden City Code Definition (GCC 8-7A)	
Term	Definition
Dwelling, Single-Family Detached:	A structure consisting of one (1) or two (2) dwelling units and separated from other dwelling units by open space.
Subdivision	The result of an act of dividing an original lot, tract or parcel of land into two (2) or more parts for the purpose of transfer of ownership or development; which may also include easements and the dedication of a public street or designation of private lanes or rights-of-way, and the addition to, or creation of, a cemetery.

**Staff Pre-Application Conference:** On November 12, 2019 a pre-application conference was completed with staff. On December 18, 2019 an additional pre-application conference was held.

**Noticing:** The following noticing was completed for this application:

Public Hearing Noticing		
Noticing Requirement	Required Date	Completion Date
Letter of Acceptance	1/24/2020	1/24/2020
Radius Notice	12/22/2019	12/20/2019
Interested Parties Notice	N/A – No interested parties on file	
Legal Notice	1/18/2020	1/15/2020
Agency Notice	1/18/2020	1/18/2020
Property Posting Sign	1/23/2020	1/21/2020
Affidavit of Property Posting and Photos	1/27/2020	1/21/2020
Agenda Posting	1/31/2020	1/24/2020

**Exhibits:** [Link](#)

- 1) Staff Report
- 2) Application
- 3) Letter of Intent/Compliance Statement
- 4) Fire flow Test
- 5) Ability to Serve Letter
- 6) Waiver of Application Requirements Request
- 7) Affidavit of Legal Interest
- 8) Irrigation Company Letter
- 9) Subdivision Cross Access Agreement
- 10) Plan Sheets:
  - a) Preliminary Plat
  - b) Landscaping Plan
  - c) Elevations
- 11) Noticing Documents
- 12) Agency Comments:
  - a) Central District Health Department comments received 1/23/2020

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- b) Idaho Department of Environmental Quality comments received 1/23/2020
- c) City Engineer comments received 1/30/2020

## **B. Agency and Public Comments**

**Agency Comments:** The following agency comments were provided:

<b>Agency</b>	<b>Comment Summary</b>
Garden City Engineer	<ul style="list-style-type: none"> <li>• Standard comments applied</li> <li>• Concurrence with subdivision application waiver requests</li> <li>• Additional information requested for final plat signature</li> </ul>
Central District Health Department	<ul style="list-style-type: none"> <li>• Standard subdivision comments</li> </ul>
Idaho Department of Environmental Quality	<ul style="list-style-type: none"> <li>• Standard application comments</li> </ul>

**Public Comments:** No public comments were received at the time of this report's drafting.

## **C. Design Standards**

<b>STANDARDS FOR REVIEW</b>	
<b>City Code</b>	<b>City Standards/Staff Comments</b>
<b><u>GCC 8-2B Base Zoning District Provisions</u></b>	
<b>GCC 8-2B-1 Purpose</b>	Minimum density – R-3 Zone: None (not located within TOD Node)  Proposed density: 11.24 units per acre.
<b>GCC 8-2B-2 Allowed Uses</b>	The proposed use is “Dwelling Unit, Single Family, Detached”. The use is permitted in the zone.
<b>GCC 8-2B-3 Form Standards</b>	Table 8-2B-2 - Required Form Standards – R-3 Zone: <ul style="list-style-type: none"> <li>• Front Setback: 5’ (structure)/20’ (garage)</li> <li>• Rear Setback: 15’</li> <li>• Interior Side Setback: 0’/5’ (one setback per interior side)</li> <li>• Street Side Setback: 5</li> <li>• Maximum Height: None</li> </ul>

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	<p>The applicant has proposed the following setbacks:</p> <ul style="list-style-type: none"> <li>• Front Setback: Not depicted</li> <li>• Rear Setback: Not depicted</li> <li>• Interior Side Setback: 6'</li> </ul> <p>More information is needed concerning the setbacks to determine compliance.</p>
<b><u>GCC 8-4A General Provisions</u></b>	
<b>GCC 8-4A-3 Fences and Walls</b>	Fence material information was not provided and is needed to determine compliance.
<b>GCC 8-4A-4 Outdoor Lighting</b>	A waiver of the required lighting plan has been requested. Lighting is usually reviewed administratively during the building permit process.
<b>GCC 8-4A-5 Outdoor Service and Equipment Areas</b>	The application does not contain information concerning the location of HVAC equipment or trash receptacles.
<b>GCC 8-4A-7 Stormwater Systems</b>	Stormwater systems are usually reviewed administratively during the building and public works permit processes.
<b>GCC 8-4A-8 Utilities</b>	Utilities are usually reviewed administratively during the building and public works permit processes.
<b><u>GCC 8-4B Design Provisions for Residential Structures</u></b>	
<b>GCC 8-4B-3 Single-Family and Two-Family Attached and Detached Residential Dwelling Units</b>	No compliance issues noted.
<b><u>GCC 8-4D Parking and Off-Street Loading Provisions</u></b>	
<b>GCC 8-4D-3 Parking Design and Improvement Standards</b>	<p>The applicant has proposed three access points on E. 38<sup>th</sup> Street and for vehicles to directly back onto this street. GCC 8-4D-3A-7 prohibits vehicles from backing directly onto a public street. A reconfiguration of the building layout appears to be necessary to meet this requirement.</p> <p>Possible solutions that could comply with code may</p>

	<p>include:</p> <ol style="list-style-type: none"> <li>1. Design the site to allow for rear loading garages and pull through access.</li> <li>2. Design for attached structures with a shared garage beneath the dwelling units.</li> <li>3. Apply for a planned unit development for waiver of this requirement. However, this would require having multiple housing types (e.g. attached and detached units) to qualify to apply for this entitlement.</li> </ol>
<b>GCC 8-4D-4 Parking Use Standards</b>	No compliance issues noted.
<b>GCC 8-4D-5 Required Number of Parking Spaces</b>	<p>Required parking for the use “Dwelling Unit, Single Family, Detached”:</p> <ul style="list-style-type: none"> <li>• Two garage spaces per unit</li> <li>• 0.5 guest parking spaces</li> </ul> <p>Total spaces required for five units: 13 spaces:</p> <ul style="list-style-type: none"> <li>• Two parking spaces per unit (one within an enclosed garage)</li> <li>• Three guest parking spaces to be placed within driveways</li> </ul>
<b><u>GCC 8-4E Transportation and Connectivity Provisions</u></b>	
<b>GCC 8-4E-3 Public Street Connections</b>	The applicant has proposed multiple access points on E. 38 <sup>th</sup> Street. Although ACHD has the authority to approve these access points, the parking configuration does not meet the requirements of GCC 8-4D-3A-7.
<b>GCC 8-4E-4 Internal Circulation Standards</b>	Internal circulation has not been proposed.
<b>GCC 8-4E-5 Private Street Standards</b>	Not applicable. A private street has not been proposed.
<b>GCC 8-4E-6 Sidewalk Standards and The Garden City Sidewalk Policy</b>	The applicant has requested a partial waiver to the sidewalk requirements of this section and the policy. The applicant has requested an attached sidewalk, as depicted in the landscaping plan. However, waiver documentation pursuant to the policy has not been

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	attached. The merits of the waiver cannot be evaluated in this report.
<b>GCC 8-4E-7 Pedestrian and Bicycle Accessibility Standards</b>	Direct pedestrian connectivity has been proposed from E. 38 <sup>th</sup> Street.
<b><u>GCC 8-4I Landscaping and Tree Protection Provisions</u></b>	The landscaping plan does not provide enough information to determine compliance. This includes information concerning tree classification, species dimensions at maturity, and dimensions of bark mulch and sod (overall dimensions provided for each lot, but not specific the areas within each lot).
<b><u>GCC 8-4L Open Space Provisions</u></b>	
<b>GCC 8-4L-3 General Open Space Standards</b>	Open space has not been identified within the proposal.
<b>GCC 8-4L-4 Open Space Standards for Single-Family, Townhouse, and Two-Family Duplex Developments</b>	Open space has not been identified within the proposal.

## **E. Subdivision Standards**

<b>STANDARDS FOR REVIEW</b>	
<b>City Code</b>	<b>City Standards/Staff Comments</b>
<b><u>GCC 8-5 Land Division Regulations</u></b>	
<b>GCC 8-5A-4 General Standards</b>	All subdivisions are required to meet the following minimum standards:

	<table border="1"> <thead> <tr> <th data-bbox="748 191 1101 226">Standard</th> <th data-bbox="1101 191 1390 226">Code Section</th> </tr> </thead> <tbody> <tr> <td data-bbox="748 226 1101 262">Design review</td> <td data-bbox="1101 226 1390 262">Title 8, chapter 4, articles B and C</td> </tr> <tr> <td data-bbox="748 262 1101 298">Driveways</td> <td data-bbox="1101 262 1390 298">Title 8, chapter 4, article E</td> </tr> <tr> <td data-bbox="748 298 1101 333">Erosion control</td> <td data-bbox="1101 298 1390 333">Title 4, chapter 15</td> </tr> <tr> <td data-bbox="748 333 1101 369">Floodplain</td> <td data-bbox="1101 333 1390 369">Title 8, chapter 3, article B</td> </tr> <tr> <td data-bbox="748 369 1101 405">Landscaping</td> <td data-bbox="1101 369 1390 405">Title 8, chapter 4, article I</td> </tr> <tr> <td data-bbox="748 405 1101 441">Open space</td> <td data-bbox="1101 405 1390 441">Title 8, chapter 4, article L</td> </tr> <tr> <td data-bbox="748 441 1101 476">Parking</td> <td data-bbox="1101 441 1390 476">Title 8, chapter 4, article D</td> </tr> <tr> <td data-bbox="748 476 1101 512">Planned unit development</td> <td data-bbox="1101 476 1390 512">Title 8, chapter 6, article B</td> </tr> <tr> <td data-bbox="748 512 1101 548">Private streets</td> <td data-bbox="1101 512 1390 548">Title 8, chapter 4, article E</td> </tr> <tr> <td data-bbox="748 548 1101 583">Public water and sewer systems</td> <td data-bbox="1101 548 1390 583">Title 6</td> </tr> <tr> <td data-bbox="748 583 1101 619">Sidewalks</td> <td data-bbox="1101 583 1390 619">Title 8, chapter 4, article E</td> </tr> <tr> <td data-bbox="748 619 1101 655">Storm drainage and discharge control</td> <td data-bbox="1101 619 1390 655">Title 4, chapter 14</td> </tr> <tr> <td data-bbox="748 655 1101 690">Street design and development standards</td> <td data-bbox="1101 655 1390 690">Title 8, chapter 4, article E</td> </tr> <tr> <td data-bbox="748 690 1101 726">Sustainable development provisions</td> <td data-bbox="1101 690 1390 726">Title 8, chapter 4, article G</td> </tr> <tr> <td data-bbox="748 726 1101 762">Utilities</td> <td data-bbox="1101 726 1390 762">Title 8, chapter 4, article A</td> </tr> <tr> <td data-bbox="748 762 1101 798">Zoning district provisions</td> <td data-bbox="1101 762 1390 798">Title 8, chapter 2, article B</td> </tr> </tbody> </table>	Standard	Code Section	Design review	Title 8, chapter 4, articles B and C	Driveways	Title 8, chapter 4, article E	Erosion control	Title 4, chapter 15	Floodplain	Title 8, chapter 3, article B	Landscaping	Title 8, chapter 4, article I	Open space	Title 8, chapter 4, article L	Parking	Title 8, chapter 4, article D	Planned unit development	Title 8, chapter 6, article B	Private streets	Title 8, chapter 4, article E	Public water and sewer systems	Title 6	Sidewalks	Title 8, chapter 4, article E	Storm drainage and discharge control	Title 4, chapter 14	Street design and development standards	Title 8, chapter 4, article E	Sustainable development provisions	Title 8, chapter 4, article G	Utilities	Title 8, chapter 4, article A	Zoning district provisions	Title 8, chapter 2, article B
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<b>GCC 8-5A-5 Design Standards</b>	<p>The proposal does not appear to meet the following standards:</p> <ul style="list-style-type: none"> <li>• GCC 8-4D (Parking)</li> <li>• GCC 8-4L (Open Space)</li> </ul> <p>The standards of Titles 4 and 6 are reviewed during the public works permit and building permit processes.</p>																																		
<b>GCC 8-5A-6 Improvement Standards</b>	<p>Subsection D.1 requires driveway openings to comply with the requirements of the transportation authority (ACHD). However, as noted above, the proposed parking configuration is not compliant with GCC 8-4D-3A-1 which directly affects the driveway openings.</p> <p>Improvement standards are usually reviewed administratively during the public works permit process.</p>																																		
<b>GCC 8-5B-5 Required Findings</b>																																			
<b>Finding A</b>	<p>Finding: The subdivision is in conformance with the comprehensive plan;</p> <p>Analysis: The subdivision appears to be in general conformance with the Comprehensive Plan. An analysis follows later in this report.</p>																																		

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<p><b>Finding B</b></p>	<p>Finding: The subdivision is in conformance with all applicable provisions of this title;</p> <hr/> <p>Analysis: As noted in this report, the proposed development does not appear to be in conformance with the following applicable provisions of this title:</p> <ul style="list-style-type: none"> <li>• GCC 8-4D (Parking)</li> <li>• GCC 8-4L (Open Space)</li> </ul> <p>As noted in this report, more information is needed to determine compliance with the following applicable provisions of this title:</p> <ul style="list-style-type: none"> <li>• GCC 8-4I (Landscaping and Tree Preservation Provisions)</li> </ul> <p>As noted in this report, more information is needed to determine whether the following applicable provisions can be waived:</p> <ul style="list-style-type: none"> <li>• GCC 8-4E-6 (Sidewalk Standards)</li> </ul> <p>Sidewalks are required by GCC 8-4E-6 unless a waiver is granted.</p>
<p><b>Finding C</b></p>	<p>Finding: Public services are available or can be made available; and are adequate to accommodate the proposed development;</p> <hr/> <p>Analysis: As noted in this report, more information is needed to determine whether the following applicable provisions can be waived:</p> <ul style="list-style-type: none"> <li>• GCC 8-4E-6 (Sidewalk Standards)</li> </ul> <p>Sidewalks are a public service intended to provide safe pedestrian transportation.</p>
<p><b>Finding D</b></p>	<p>Finding: The subdivision is in conformance with scheduled public improvements in accord with the city’s capital improvement program;</p>

	Analysis: Not applicable. The proposed subdivision is not affected by the city's capital improvement program.
<b>Finding E</b>	Finding: There is public financial capability of supporting services for the proposed development;
	Analysis: The record does not contain evidence that supporting services could not be provided to the proposed development.
<b>Finding F</b>	Finding: The development will not be detrimental to the public health, safety or general welfare; and
	<p>Analysis: As noted in this report, the proposed development does not appear to be in conformance with the following applicable provisions of this title and could be detrimental to the public health, safety or general welfare:</p> <ul style="list-style-type: none"> <li>• GCC 8-4D (Parking)</li> <li>• GCC 8-4L (Open Space)</li> </ul> <p>More information is needed to determine whether the following applicable provisions can be waived and not be a detriment to the public health, safety, and welfare:</p> <ul style="list-style-type: none"> <li>• GCC 8-4E-6 (Sidewalk Standards)</li> </ul> <p>More information is needed to determine compliance with the following applicable provisions of this title, which can affect the public health, safety, and welfare:</p> <ul style="list-style-type: none"> <li>• GCC 8-4I (Landscaping and Tree Protection Provisions)</li> </ul>
<b>Finding G</b>	Finding: The development preserves significant natural, scenic or historic features.
	Analysis: Not applicable. The record does not indicate there are natural, scenic or historic features on the site.

## **G. Plans, Policy and Study Analysis**

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Plan/Policy/Study	Staff Comments
<b><u>Garden City Comprehensive Plan</u></b>	<p>Comprehensive Plan Map Designation - Mixed Use Commercial:</p> <p><i>The mixed-use commercial designation is for the area south of Adams Street. The intent of this designation is to create an area for mixed uses, including residential, office, retail, and small scale industrial, that are more urban in character than in the mixed-use residential area. Three story buildings and 40%- 60% lot coverage, with aggregated open spaces for pocket parks should guide the development pattern in this area.</i></p> <p>Applicable Goals, Objectives, Action Steps:</p> <p>Goal 1: Nurture the City 1.4 Objective: Create a premier destination to live, work, and recreate.</p> <p>Goal 2: Improve the City Image 2.1 Objective: Encourage new and distinctive neighborhoods. 2.3 Objective: Promote quality design and architecturally interesting buildings.</p> <p>Goal 4: Emphasize the “Garden” in Garden City 4.1 Objective: Beautify and landscape 4.3 Objective: Beautify streets, sidewalks, and gateways with landscaping, trees, and public art.</p> <p>Goal 5: Focus on the River 5.5 Objective: Create more accessibility to the Boise River and Greenbelt 5.5.2 Action Step: Develop a city-wide pathway and sidewalk plan with links to the Boise River Greenbelt. Consider linear pathways adjacent to existing waterways such as the Thurman Mill Ditch and waterways to the Settler’s Canal that can link to the river and provide alternative locations for parking and river activity staging.</p> <p>Goal 6: Diversity in Housing 6.2 Objective: Continue to be a leader and set an</p>

	<p>example for the region in creating a diversity of housing.          6.3 Objective: Maintain the diversity of housing.</p> <p>Goal 7: Connect the City          7.3 Objective: Protect neighborhoods from through traffic</p> <p>Goal 12: Evolve as a Destination          12.3 Objective: Create a premier destination for work, recreation, entertainment, culture, and commerce.</p> <p>Analysis: The proposed development may contribute to the mixed-use designation by adding three story residential units to an otherwise commercial area.</p>
<p><b><u>Garden City Sidewalk Policy</u></b></p>	<p>The Garden City Sidewalk Policy was reviewed as part of this application. A waiver to the policy has been requested and is addressed above.</p>
<p><b><u>Garden City Street Light Policy</u></b></p>	<p>The Garden City Streetlight Policy was reviewed as part of this application. A streetlight is required every 400' along a public street. A streetlight is installed within 400' of the property.</p>

**H. Recommendation**

**Recommendation Options:**

The Design Committee may take one of the following actions:

1. Recommend approval of the application as presented;
2. Recommend approval of the application with conditions;
3. Request the applicant return with revised materials for additional review;
4. Recommend denial of the application.

**Recommendation of the Design Committee:**

At the hearing, the Design Committee will make a motion to make a recommendation to the City Council on the requested application. The Design Committee will review and approve the legal findings at the next scheduled hearing and a recommendation will be formally rendered.

Pursuant to Garden City Code Table 8-6A-1 (Authorities and Processes), the Design Committee is a recommending authority and the City Council is the final decision maker for the requested

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application. The recommendation of the Design Committee does not constitute a final decision on the application.

The Planning and Zoning Commission will hold a recommendation hearing on the application on February 19, 2020 at 6:30 pm in the City Council Chambers.

The City Council will hold a decision hearing on March 9, 2020 at 6:00 pm in the City Council Chambers.