



DEVELOPMENT SERVICES DEPARTMENT

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

DESIGN REVIEW REPORT AND DECISION

File Number: DSRFY2026 - 0013

Review Status: INITIAL REVIEW- NOT APPROVED

Plan Review Number: 1

Reviewer: Mariia Antonova

Design Consultant: Brett Labrie

Design Consultant: Derek Hurd

Date: July 20, 2026

Applicant: Alexis Kurland with Waechter Architecture



REPORT CONTENT

SITE INFORMATION3

PROJECT INFORMATION4

AGENCY COMMENTS4

PUBLIC COMMENT7

MEETING SUMMARY8

CODE AND POLICY REVIEW8

DECISION PROCESS23

REQUIRED FINDINGS, CONCLUSIONS OF LAW AND DECISION24

IMAGES30

SITE INFORMATION

- 1) Owner: ARMSTRONG & CO LLC
- 2) Street Address: 212 E 34th Street
- 3) Ada County Tax Parcel Number(s): R2734540760
- 4) Property Description: LOT 7 BLK 31 FAIRVIEW ACRES SUB NO 5
- 5) Legal Lot of Record: Yes
- 6) Property Size: 0.17 acres or 7,405 SF
- 7) Zoning District: C-2 Mixed-Use commercial
- 8) Zoning Overlay: None
- 9) Comprehensive Plan Land Use Map Designation:
 - a) Live-Work-Create
 - b) Activity Node: Neighborhood Destination
- 10) The project is in the:
 - a) 500 Year 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) 100 Year of the Special Flood Hazard Area according to FEMA's most recent model as adopted by resolution 1083-20.
- 11) Adjacent Uses:
 - a) Vacant Lots
 - b) Dwelling unit, single family detached
 - c) Eating establishment, full service
 - d) Eating establishment, limited service
- 12) Existing Use: Vacant Lot
- 13) Easements on site : UTILITY, DRAINAGE, IRRIGATION EASEMENT
- 14) Site Access:
 - a) Front: E 34th Street
- 15) Sidewalks: No sidewalk
- 16) Wetlands on site: None identified

PROJECT INFORMATION

- 1) Proposed development: New construction
- 2) Noticing was completed on: [Click or tap to enter a date.](#)
- 3) The neighborhood meeting was held on: June 29, 2026
- 4) Site Coverage:
 - a) Building: 2,187 SF, % of the site
 - b) Landscaping: # SF, % of the site [Not enough information](#)
 - c) Paved Areas: # SF, % of the site [Not enough information](#)
- 5) Square footage dedicated to uses:
 - a) restaurant & taproom: 2,943 SF
 - b) dwelling units: 1,153 SF
- 6) Number of Structures: 1
- 7) Total number of vehicular parking spaces:
 - a) [Surface: 4](#)
 - b) Off-site with a cross parking agreement: <#>
- 8) Total number of bicycle parking:
 - a) Surface: 20
- 9) Trash Enclosure: [The refuse will be individual services and picked up from the street;](#)
- 10) Fencing: Not enough information
- 11) Sidewalk:
 - a) detached proposed
- 12) Landscaping:
 - a) Street Trees: 1 class II tree
 - b) Parameter Landscaping: junipers, shrubs, ornamental grass, trees
- 13) Connections:
 - a) Closest VRT Stop:
 - i) ~0.3 mi; W Chinden Blvd & E 36th St NEC
 - b) Greenbelt: ~450 ft.

AGENCY COMMENTS

The following agency comments were provided:

Agency	Comment Date	Summary
Ada County Highway District Link to Comment	7/7/2026	- Construct 34th Street as ½ of a 36-foot wide commercial street section to include pavement widening, vertical curb, gutter, an 8-foot wide planter strip and 5-foot wide detached concrete sidewalk, abutting the site. - Dedicate right-of-way on 34th Street abutting the site to 2-feet behind back of sidewalk, or for detached sidewalk, dedicate right-of-way to 2-feet behind back of curb and provide a permanent right-of-way easement from the right-of-way line to 2-feet behind back of sidewalk. Sidewalk shall be located wholly within right-of-way or wholly within an easement. - Construct a 22-foot wide curb return type shared driveway onto 34th Street that will provide access to the site and the adjacent parcel to the south (11-feet on this site and 11-feet on the south parcel) located 118-feet south of Carr Street, as proposed. - If a multi-use pathway is to be constructed within or adjacent to the site, then the design of those facilities shall be consistent with ACHD's Multi-Use Path & Raised Bike Lane Tool Kit. Additional right-of-way dedication may be required at all intersections (streets and driveways) to

		accommodate setbacks. Contact Development Review with questions prior to plan submittal. • Submit civil plans to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD. • There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time. The impact fee assessment will not be released until the civil plans are approved by ACHD. • Comply with all Standard Conditions of Approval.
Garden City Engineer Link to Comment	7/13/2026	• Affidavit of Legal Interest The form provided has been signed by an individual. It appears the land is owned by Armstrong & Company LLC. The form needs to be redone with Casey Armstrong executing the form in capacity as the company officer. • Ada County Highway District Approval Approval of the project by the Ada County Highway District will be required. • Fire District Approval 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 access and locations of fire hydrants. • Gravity Irrigation Facilities Should any modifications to any gravity or pressure irrigation facilities occur, the change requires an approval of the project from the irrigation entity. Should changes occur, the applicant must review the changes and determine if an Army Corps of Engineers 404 permit will be necessary to obtain. • Water and Sewer Connections 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 service depth is adequate to serve the project. • Erosion and Sediment Control Prior to performing any new grading on the site, if any, the applicant must prepare and have approved by the city an erosion and sediment control plan. • Site Geotechnical Report and Grading and Drainage Plan A site geotechnical report meeting the city's storm water design manual and a storm water design report for handling of storm water each prepared by an Idaho licensed design professional that is sealed, dated and signed is required. Compliance with the storm water ordinance and policies of the city will be required. Drainage must be maintained on-site. The grading plan must assure that proposed elevations match the perimeter ground and storm water capture remains on the site. The storm water report needs to address how roof drainage will be managed. The storm water report needs to include a section on depth to seasonal high groundwater and what its expected elevation is. Vertical separation from the storm water system to seasonal high groundwater must be at least three feet. We note an existing building that is off-site and in very close proximity to the northeasterly boundary of the subject property. Does run-on drainage from the adjacent building impact the subject property? If so, said drainage will need to be addressed.

		• Storm Water Operation and Management Agreement 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 approved plans attached and be recorded by the city with final plan approval. • Storm Water Operation and Maintenance Manual The design professional must provide a storm water operation and maintenance manual that is sealed, signed and dated by the design professional. Said manual must be reviewed and approved by the city. • FEMA Flood Maps The parcel appears to be fully within FEMA Zone X (panel 16001C0276J). The applicant must also review the original FEMA work maps (not the current adopted maps) in the city's Resolution 1083-20 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 link for the resolution is near the bottom of the following page on the Garden City website: Flood Information City Of Garden City
North Ada County Fire and Rescue Link to Comment	7/13/2026	• 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). • 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). • 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 elevations show the top of the parapet at 31'4". The drive aisle into the lot will need to meet this aerial access requirement. Or, the parapet height needs to be lessened to 30' above grade or less. • Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1) • 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) • The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. (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. No Parking signs shall be installed in accordance with the requirements of the IFC. (IFC 503.8) General Requirement: 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 and International Fire Code will apply. However, these provisions are best addressed by a licensed Architect at time of building permit application.

Republic Services From initial submittals Link to Comment	5/18/2026	This letter is to inform the Garden City the project pertaining 212 34th St. for Hanna Ball have met the requirements for Enclosure Design standards. Republic Services approve of their plans.
DEQ Link to Comment	6/29/2026	While DEQ does not review every project on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: https://www2.deq.idaho.gov/admin/LEIA/api/document/download/15083 .

PUBLIC COMMENT

The following public comments were provided:

Commenter	Comment Date	Summary
Taylor Clark Link to Comment	6/11/2026	As a neighbor, I would like to voice my support for the proposed mixed-use project which would provide additional housing and commercial space in the community. The proposed building is a height that will blend in with the neighborhood, and we can expect to see lots of people walking and biking to the commercial space. With that, it would be nice to have even more bicycle parking for the project. An interesting option would be to utilize bike bollards (pictured in the rendering along the drive aisle) as bike parking as well.
Kim Spears Link to Comment	07/14/2026	I oppose allowing the developer to reduce the number of required parking spaces. There is already a shortage of parking between 34th and 36th streets and approving this variance will only make things worse. Please come down and look at the parking situation on any evening or weekend. I am on 35th Street and often have my mailbox blocked due to street parking. Every project that is allowed to move forward without meeting the current zoning guidelines affects the neighborhood homes and existing businesses. I would ask you to follow your own guidelines in denying reduced parking for this project.

MEETING SUMMARY

There have been no previous consultations on this project.

CODE AND POLICY REVIEW

Discussion

Trash plans and collection

The plans indicate that five standard trash bins, intended to serve both the restaurant and the residential units, will be wheeled to the curb for collection. Republic Services has approved the plan submitted by Hannah Ball; however, the city is not aware of the specific details of the submitted plan or exactly what was approved. Therefore, the city maintains that the applicant must provide a formal waste collection plan.

The city points to the neighboring business, Rosa and Push & Pour, as a comparable example in terms of operational intensity. That business utilizes two dumpsters—one for regular trash and one for recycling—with trash collected four times per week and recycling collected three times per week.

Furthermore, the lots adjacent to the proposed project share the same narrow, elongated configuration. While there are no active applications for those properties at this time, the city has conducted a series of due diligence meetings regarding their potential redevelopment. The concepts discussed for those lots are generally similar to the current proposal. As a result, the issue of waste collection remains unresolved. If each future development proposes a similar arrangement involving five or more curbside trash bins, the city could face a situation where the entire block is lined with bins multiple times each week. This would not only detract from the visual character of the area but could also obstruct on-street parking.



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: link to City Code		
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
Title 8, Chapter 2: Base Zoning District Regulations		
8-2B-1 Purpose		This zoning district is intended to implement the Comprehensive Plan's vision for mixed-use commercial and activity nodes. The designation may be appropriate to implement the Comprehensive Plan's designations of Mixed-Use Commercial and Main Street Corridor.
8-2B-2 Allowed Uses	No compliance issues noted	Drinking Establishment, Limited Services, Eating Establishment, Full Service, and Dwelling unit, single-family attached are permitted uses.
8-2B-3 Form Standards	Compliant as Conditioned	The required setbacks are: Front: 5' Interior Side: 0' Rear: 5' Street side: 5'
8-2C-12 Drinking Establishment	Compliant as Conditioned	Limitations: 1. No outside activity or event shall be allowed in the parking area, except as allowed through a special events permit that takes into account the public health and welfare, the interests of adjoining property owners, noise, traffic and vehicular and pedestrian safety. 2. No amplification device shall be used such that the sound is plainly audible within any place of residence, or, is plainly audible on a street at a distance of one hundred feet (100') or more from the amplification device. 3. Establishments shall remain closed between two o'clock (2:00) A.M. and six o'clock (6:00) A.M. Closing times shall be clearly posted on all entrances and exits. Other Regulations Apply: 1. The use shall comply with all Idaho Code regulations regarding the sale, manufacturing, or distribution of alcoholic beverages. 2. The use shall comply with the licensing requirements as set forth in title 3, "Business And License Regulations", of this code. 3. Security shall be provided for the entire premises including inside the building and any parking lot or outside usable space. Security shall be provided in the prescribed manner: a. Security personnel are required and shall wear identical attire clearly identifiable with the word "Security" on the backside of shirts; and b. Security staff should have some means of two-way communication; and c. Video surveillance is required; and

		d. Door security alarms shall be installed so as to prevent patrons from entering and exiting the building from doorways other than the main entrance; and e. Parking areas shall be lighted; and f. Mandatory identification checks of all individuals patronizing the establishment shall be conducted and no one under the legal age to drink alcohol shall be allowed to patronize the establishment; and g. No loitering outside of the establishment shall be permitted.
Title 8, Chapter 4: Design and Development Regulations		
8-4A-3 Fences and Walls	Compliant as Conditioned	The fence material is not identified on the plans. Any future fence or wall must comply with the applicable code requirements in effect at the time of development. The use of barbed wire, razor wire, boxes, sheet metal, old or decayed wood, broken masonry blocks, chain link, chain link with slats, or other like unsightly materials for fencing shall be prohibited.
8-4A-4 Outdoor Lighting	Compliant as Conditioned	A lighting plan was not submitted. Any future outdoor lighting will be required to be in compliance with code at the time of development. Prohibitions: 1. Mercury vapor lamp fixture and/or lamp. 2. Laser source light or any similar high intensity light when projected above the horizontal. 3. Strobe lights, except for emergency uses. 4. Searchlights, except where approved for temporary uses. 5. Lighting, including holiday lighting, on commercial or private tower structures that exceed the district height limit except as required by regulations of the Federal Aviation Administration (FAA).
8-4A-5 Outdoor Service and Equipment Areas	May not be compliant	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. 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. Rooftop equipment will be screened by the 42" parapet. Regarding trash enclosure please see the discussion.
8-4A-7 Stormwater Systems	Compliant as Conditioned	A draft condition of approval has been provided requiring that the stormwater systems be built in compliance with provisions of 8-4A-7.
8-4A-8 Utilities	Compliant as Conditioned	Another draft condition of approval is provided requiring that all utilities be 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.

8-4A-9 Waterways	Compliant as Conditioned	There does not appear to be Boise River irrigation facilities to the site.
8-4B-3 Dwelling Units, General Provisions	Not Applicable	All residential developments of greater than two units shall provide unified and integrated architectural variety. The project consists of two dwelling units and a restaurant.
8-4B-6 Multi- family Dwelling Units and Mixed- Use Development	May not be compliant	Building Setbacks: Building setbacks shall take into account windows, entrances, porches, and patios, and how they impact adjacent properties, rights-of-way, the Greenbelt, and Nature Path. Building Design: 1. The design of the site and structures shall comply with the provisions of 8-4C-3 general Provisions for Nonresidential Development and 8-4C-4 Special Provisions for Special Nonresidential Development unless in conflict with this section. See the analysis in Section 8-4C-3 and 8-4C-4 2. All building elevations shall have a minimum portion of the elevation devoted to architectural features designed to provide articulation and variety. These features shall include, but are not limited to, windows, bays and offsetting walls that extend at least two feet (2'); recessed entrances; and changes in material types. Changes in material types shall have a minimum dimension of two feet (2') and minimum area of twenty-five (25) square feet. The façade incorporates several qualifying features, including recessed entrances, windows, balcony recesses, changes in wall planes, and distinct façade treatments that create visual interest and depth. 3. Main entrances, which are the primary point(s) of entry where the majority of building users will enter and leave, shall be designed as an obvious entrance and focal point of the building through architectural treatment, lighting, and address identification. The main entrance is identified on the front façade; however, it is unclear whether lighting will be provided or where the building address will be displayed. 4. 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 5. Roof forms shall be distinctive and include variety and detail when viewed from the street. Flat roofs should include distinctive cornice treatments. Not compliant 6. Exterior building materials and finishes shall convey an impression of permanence and durability. Materials such as metal, masonry, stone, stucco, wood, terra cotta, and tile are encouraged. The applicant proposes corrugated metal siding. 7. Windows are required to allow views to exterior activity areas or vistas. Windows shall be provided on any building facing any

		common area including where there are pedestrian access elements. Provided - All roof and wall mounted mechanical, electrical, communications, and service equipment should be screened from public view from public streets and the Greenbelt or Nature Path, by the use of parapets, walls, fences, enclosures, or by other suitable means. The applicant proposes to screen all rooftop equipment with a 42-inch parapet. - The design of all structures that are adjacent to a single-family dwelling shall consider measures to include visual privacy. Examples of ways to achieve this include, but are not limited to, adding a smaller scale structure, or placing trees between the existing dwelling and the development to prevent views into neighboring rear yards, stepping back the structure, increased setbacks, or strategic window placement. Along the west property line, the project is adjacent to an approved subdivision. Discussion is required regarding whether additional screening should be required between the two sites (see Exhibit 1 below). - The first-floor façade fronting the Greenbelt or public right-of-way shall include fifty percent (50%) of the first-floor façade dedicated to pedestrian elements such as, but not limited to windows, decks, balconies, showcases, plazas, etc. Provided - The scale, arrangement, and texture of buildings and open space shall vary through the development to reflect function, interest, and significance. Staff cannot definitively determine that this requirement has been met. While the proposed design incorporates variation through different window types and recessed balconies, it does not appear to provide variation in wall texture. - Units that take access via secured common corridors shall install and maintain a keyless entry system, or suitable alternative, to provide police access to the common corridors under exigent circumstances. The keyless entry system, such as a Knox Box or alternative, shall be subject to review and approval by the Garden City Police Department.
8-4C-3 Design Provisions for Nonresidential Structures	May not be compliant	<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> All new construction within the Comprehensive Plan's designated activity nodes should have a minimum floor area ratio of 0.8 or a structure must be a minimum of two stories. The FAR calculation excludes the areas dedicated to required perimeter landscaping and required setbacks. The building is two stories high. Street Setback: The maximum front setback is 15 feet from curb edge for a minimum of 60% of the length of the street frontage. Based on the site plan, approximately 70% of the street frontage is occupied by the building; however, the building is set back 18.6 feet from the edge of the curb. Street Frontage: 60% of the street frontage along the front setback should be occupied by a structure or a plaza. Compliant

First Floor Facades: First floor facades that face a public street, or the Greenbelt shall include elements to activate the ground floor. The facade should include surfaces in windows, showcases, displays, plaza, or pedestrian access elements as follows: for front façade at least 50%, for other facades visible from the public right-of-way at least 30%. **Not enough information**

Wall Plane: Facades should have no wall plane wider than two and one-half times the height of the wall plane. If a new wall plane is required to achieve compliance with this requirement, it must be offset by at least six feet.

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.

Parking Lot Locations: **The parking lot is not located along the street.**

Driveway Lanes: **The driveway lane is 22 feet wide. Code requires special pavement or coloring where a drive lane crosses a public sidewalk. City planners and ACHD engineers met to discuss these requirements. ACHD noted challenges in maintaining different colored concrete or materials when they alternate along the public sidewalk. They also expressed the opinion that this requirement could be excessive in areas with low traffic or residential driveways. Staff explained the intent of the code, which is to make sidewalks that cross drive lanes safer for pedestrians and more visible to drivers. ACHD provided an alternative design option: crossings of drive aisles shall be in concrete, and the apron shall be placed so that the sidewalk does not change elevation from the adjacent sidewalk. Truncated domes may be required to identify the drive aisle. The difference in pavement materials would be achieved by constructing the sidewalk in concrete, while surrounding areas would likely be asphalt or other materials. Staff agrees with this option. It is unclear whether the sidewalk and driveway are constructed of different materials.**

Pedestrian Pathways:

- a. Pedestrian pathways should be designed to provide a direct connection between the main building entrance and the public sidewalk. **Not enough information**
- b. Direct, convenient, and attractive pedestrian pathways should be provided that are clearly marked and connect all portions of the site. **Not enough information**
- c. Pedestrian pathways should be functionally separate from parking lots and driveways except where they cross driveways.

The site plan only includes text labels. It is unclear what types of materials are proposed and how they will be applied.

Primary Entrance:

- a. The building closest to the street should have its primary entrance to the street and be clearly defined by the architectural design of the building. **Compliant**
- b. The primary entrance of all buildings should provide a covered pedestrian open space such as a building recess, an awning, canopy or marquee. **Not enough information**
- c. Pedestrian amenities should be provided at the entrance including a minimum of 100 square feet of landscaping, outdoor seating, plazas, courtyards, public art, fountains, special paving, bicycle racks, transit stop. **Not provided**

Objective 3: Buildings shall be designed and constructed of quality materials.

Suitable Materials: Materials should be selected for suitability to the type of building and design for which they are used.

Encouraged Materials: Quality finish materials should be utilized, including, but not limited to, brick, masonry, or stone integrally tinted, textured masonry block, stucco, wood, or concrete siding.

Discouraged Materials: Corrugated fiberglass, aluminum siding, mirror or metalized reflective glass, plywood, chipboard siding, vinyl, cinderblock, plastic tilt-up concrete, highly tinted or mirrored glass, and all types of imitation building materials should not be used as the primary building material.

Discouraged Finishes: Finishes that reflect light and glare; or bright, heavily saturated and/or reflective shades of primary colors are discouraged.

Matched Colors: The color of roof stacks, flashing, vents, power exhaust fans, and metal chimney caps should blend with the roof colors.

All structures visible from the right-of-way shall be compatible within the development.

Discussion required

Objective 4: The site design shall respect existing notable site features including existing buildings, landscaping, trees and water.

No comments

Objective 5: The design of all buildings shall provide visual interest, not be in conflict with the comprehensive plan, and positively contribute to the overall urban fabric of the community. Buildings should interrelate with the public realm and should augment the pedestrian experience adjacent to public streets, multi-use paths, gathering places, parks, Greenbelt and Nature Path.

1. Building Orientation: Buildings should be oriented to a prominent feature, such as a corner location, a plaza, a street, or the river. Buildings and site design should provide inviting entry orientation. Buildings should not turn their backs to the street. **Compliant**
2. Articulation: 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. The following are ways to achieve building articulation:
 - a. Window Treatments: Provide ample articulated window treatments in facades visible from streets and public spaces for architectural interest and human scale. Windows should be articulated with mullions, recesses, etc., as well as applying complementary articulation around doorways and balconies.
 - b. Architectural Elements: The mass of long or large-scale buildings can be made more visually interesting by incorporating architectural elements, such as arcades, balconies, bay windows, dormers, and/or columns.
 - c. Rooflines: A distinctive roofline can reduce perceived building height and mass, increase compatibility with smaller scale and/or residential development, and add interest to the overall design of the building.

		i. Change the roofline by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval. ii. Roofs that incorporate a variety of vertical dimensions such as multiplaned and intersecting rooflines are encouraged. iii. Flat roofed designs should include architectural details such as cornices, and decorative facings to provide interest to the roofline. d. The scale, arrangement, and texture of the buildings and open space shall vary throughout the development to reflect function, visual interest, and architectural significance. 3. Building Details: The design of buildings should be enhanced with appropriate details. The following elements are examples of techniques used on buildings to provide detail: a. Ornate Rooflines: Examples include ornamental molding, entablature, frieze, or other roofline devices. b. Detailed Treatment Of Windows And Doors: Examples include decorative lintels, sills, glazing, door design, molding or framing details around all windows and doors located on facades facing or adjacent to public streets or parks. Window sizing and treatment should be as follows: i. Windows should not have individual glass panes with dimensions greater than five feet by seven feet (5' x 7'). ii. Windows should be surrounded by trim, molding, and/or sill at least four inches (4") wide. Commercial buildings with no trim or molding should have window frames at least two inches (2") wide. iii. Individual window units should be separated from adjacent window units by at least six inches (6") of the building's exterior finish material. c. Ornamentation: Examples include ornamental railings, grillwork, landscape guard, and trellises. d. Distinctive Light Fixtures: Examples include lights with a decorative shade or mounting. e. Artwork Or Decorative Paving: The artwork may be freestanding or attached to the building, and may be in the form of mosaic, mural, basrelief sculpture, light sculpture, water sculpture, fountain, freestanding sculpture, art in pavement, or other similar artwork. The building design incorporates a variety of window and balcony designs; however, it does not include additional architectural elements, treatments, or materials to provide further visual interest or articulation. Discussion required <i>Objective 6: The site development should support and be consistent with the adopted streetscape.</i> 34th Street is not included in the current Five-Year Plan (FYP) or Capital Improvement Plan (CIP). <i>Objective 7: The design of all structures shall consider visual privacy for adjacent residential properties. Examples of ways to achieve visual privacy include, but are not limited to, adding a smaller scale structure between the existing dwelling and tall portions of the proposed development, placing trees to prevent views into neighboring rear yards, stepping back the structure, increased setback, or strategic window placement.</i> Discussion required
8-4C-4 Special Provisions for Specific Non	May not be compliant	Rooflines exceeding fifty feet (50'), should incorporate relief to the perceived building mass by providing roofline variation. Roofline variation should be achieved using one or more of the following methods: a) vertical offset in

residential Development		ridgeline; b) horizontal offset in ridgeline; c) variations in roof pitch; d) gables; and e) dormers May not be compliant Awning, Marquee And Arcade Requirements: 1. Awning, marquee, or arcades should be at least four feet (4') and six inches (6") deep, over the full length of sidewalk or walkway adjacent to the building, and minimum eight feet (8') above the walkway level. Not enough information
8-4C-5 Prohibitions	No compliance issues noted	There are no visible false fronts, prefabricated structures or prohibited materials proposed with this application.

8-4D Parking and Off Street Loading Provisions.

8-4D-3 Parking Design and Improvement Standards	Compliant as Conditioned	Vehicle parking: <table border="1"><tr><th colspan="5">Table 8-4D-1: MINIMAL DIMENSIONAL STANDARDS FOR MOTOR VEHICLE STALLS</th></tr><tr><th>Parking Angle</th><th>Stall Width</th><th>Stall Depth</th><th>Length Per Car</th><th>Driveway Width* Must also meet fire requirements</th></tr><tr><td colspan="5">Standard</td></tr><tr><td>90°</td><td>9'0"</td><td>20'0"</td><td>9'0"</td><td>22'0"</td></tr></table> Compliant Parking Provided: <u>3 regular parking spaces</u> Stall Width: 9' Length per car: 20' <u>1 ADA parking spaces</u> Stall Width: 9' Length per car: 20' Access aisle: 8' Total: 4 vehicle parking spaces A pedestrian route that is compliant with current Americans With Disabilities Act (ADA) standards must be provided from the parking area to each primary entrance; Parking lots shall be designed in compliance with the requirements as set forth in chapter <u>8-4</u>, article C of this title, Design Provisions For Nonresidential Structures; Parking lots shall be designed in accordance with chapter <u>8-4</u>, article <u>I</u> of this title, Landscaping And Tree Protection Provisions; All parking and loading zones shall provide proper drainage of surface water to prevent the flow of water onto adjacent properties, walkways, or streets. The design of the parking area shall minimize the trespass of lights from motor vehicles on adjacent properties and rights-of-way. Bicycle parking spaces shall: 1. Be a minimum space six feet (6') long by two feet (2') wide; 2. On-site spaces shall be located within fifty feet (50') of the building entrance(s);	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"
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"																		

		3. Public bicycle spaces may be provided within three hundred feet (300') of the property in lieu of on-site spaces. If public bicycle spaces are provided, legally binding documentation including property owner approval, maintenance responsibility, and public use allowance shall be provided to the city; 4. Be separated by a physical barrier to protect the bicycles from damage by motor vehicles if located within a motor vehicle parking area. The physical barrier can be curbs, poles, wheel stops, or other similar features; 5. Be visible, unless specified for the use of tenants, in which case the bicycle parking spaces must be covered; 6. Be easily accessible from the street; 7. Not impede pedestrian movement or loading zones; 8. Not impede pedestrian or vehicular circulation or loading zones. The facilities shall be incorporated, whenever possible, into the structure's design or street furniture; and 9. Be properly illuminated to increase security and avoid accidents and adhere to section 8-4A-4 of this chapter, Outdoor Lighting.												
8-4D-4 Parking Use Standards	Compliant as Conditioned	A. Number Of Spaces: No use shall provide less than the minimum spaces required by this article. B. Use Of Property; Phased Projects: The use of any property is conditional upon the unqualified continuance and availability of the parking as required by this code.												
8-4D-5 Required Number of Off- Street Parking Spaces	Not Compliant	Sites with Multiple Uses: If more than one (1) use is located on site, the number of required parking spaces shall be equal to the sum of each use. <u>Drinking and Eating establishment</u>, are considered a high use, which requires 1 motor vehicle parking space per 500 SF of building. The minimum number of bicycle parking spaces is 1 per 500 SF. Vehicle parking space required: $3,221\text{SF}/500=6$ Bicycle parking space required: $3,221\text{SF}/500=6$ <table border="1"> <thead> <tr> <th colspan="3">Dwelling Parking</th></tr> <tr> <th>Dwelling Type</th><th>Required Parking Spaces Per Each Dwelling Unit (Including Covered And Uncovered)</th><th>Required Covered Parking Per Each Dwelling Unit</th></tr> </thead> <tbody> <tr> <td>Studio and 1 bedroom</td><td>1</td><td>1</td></tr> <tr> <td>More than 1 bedroom</td><td>2</td><td>1</td></tr> </tbody> </table> 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. Vehicle parking: Required: 2 covered parking spaces Bike Parking: 0.5 spaces/unit for the first 10 dwelling units, then 0.1 parking spaces/unit for every unit after the first 10 units; and, and 1 covered space for every dwelling unit or home Required: 3 covered bike parking space	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
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												

		Total vehicle parking space required: 8 Total bicycle parking space required: 9 Total vehicle parking spaces provided: 4; Not Compliant. It is unclear whether any of the proposed parking spaces are covered. Total bicycle parking spaces provided: 20; no covered bicycle parking is proposed. Not Compliant 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.
8-4D-6 Standards for Equivalent Parking Adjustments	Not Determined	The applicant is considering requesting an equivalent parking adjustment but has not yet submitted the required documentation to support the request.
8-4D-7 Off Street Loading Standards	Compliant as Conditioned	Off Street Loading Zones Space and Access Requirements • All spaces shall have fourteen feet (14') of vertical clearance. • Access driveways for parking areas shall be located in such a way that any vehicle entering or leaving such an area shall be clearly visible by a pedestrian or motorist approaching the access or driveway from a public or private street. • Except for an alley, loading areas shall be designed so vehicles shall not back out into the street; or project into the public right of way or setback area; • Loading zones may not impede bicycle lanes, multi-use paths, sidewalks, or motor vehicular travel on public roads.
8-4E Transportation and Connectivity Provisions		
8-4E-3 Public Street Connections	Compliant as Conditioned	This article provides design standards that shall apply <u>to any new construction, addition, expansion, grading, alteration, or any new or more intense use of property.</u> All streets and driveways shall adhere to the standards of a clear vision triangle. It needs to be indicated on the site plan.
8-4E-4 Internal Circulation Standards	Compliant as Conditioned	Driveways, aisles and turnaround areas, when required for fire and refuse access, shall meet the following standards: 1. Have a minimum vertical clearance of thirteen feet six inches (13'6") for their entire length and width. 2. Have a minimum width of twenty feet (20'). 3. The design of internal circulation should be integrated with the overall site design and adjacent properties, including the location of structures, pedestrian walkways and landscaping. The applicant needs to provide additional information regarding the proposed driveway easement.
8-4E-6 Sidewalk Standards	Compliant as Conditioned	Code requires that the applicant install a 5" detached sidewalk. The applicant will be required to install the sidewalk per the ACHD's requirements. The application will also be required to submit a Public Works and Utility application to the City for review and approval.

8-4E-7 Pedestrian and Bicycle Accessibility Standards	Compliant as Conditioned Discussion required	All new nonresidential development shall provide for pedestrian accessibility. Accessibility shall be from a direct, convenient and attractive pathway system that conforms to the following standards: 1. A pathway system shall extend through the development site and connect the street sidewalk to all primary building entrances, as generally shown in figure 8-4E-1 of this subsection. 2. The pathway shall be designed to connect or stub a pathway(s) to adjacent private property, transit stops, adjacent trails, plazas, future phases of development, and open space areas. 3. The pathway shall be designed to connect all portions of a development in a direct manner and not involve a significant amount of out of direction travel for likely users. 4. The pathway is free from hazards, has appropriate lighting levels, and meets the standards for ADA accessibility. 5. A pathway shall be a minimum width of four feet (4'). 6. Pedestrian amenities shall be provided along sidewalks and pathways to support defensible space, crime prevention, pedestrian comfort and accessibility. 7. Pathway surfaces shall be concrete, and have a width that is based on their function. Pavers, brick, raised walkways, and other ornamental paving may be used if it has a smooth finish, and textured or bumpy materials may be used as an edge treatment, provided that an accessible route is provided between the edge treatments.
8-4E-8 Transit Facilities	No compliance issues noted	No comment
8-4F Sign Provisions		
8-4F-13 Master Sign Program	Compliant as Conditioned	The purpose of the master sign program is to encourage the integration of signs into the site and building design of new commercial and mixed use development. Signage is not approved with this application. A separate application and review would be required if new signage is intended. The applicant may include signage as part of this application.
8-4G Sustainable Development Provision		
8-4G Sustainable Development Provisions	May not be compliant	The development is required to provide 12 points. The documentation provided indicates that 13 points have been provided. The applicant marked: • Project located within ¼ walking distance of one or more stops of a TOD or established public transit line usable by building occupants. Compliant • Bike parking is provided that exceeds the standard set forth in Section 8-4D of this code. Provided • An easily accessible area is provided that serves the entire building and is dedicated to the collection and storage of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, and metals. Not enough information • Alternative surfaces (e.g., vegetated roofs, pervious pavement or grid pavers) and nonstructural techniques (e.g., rain gardens, vegetated

		swales, disconnection of imperviousness, rainwater recycling) are used to reduce imperviousness and promote infiltration thereby reducing pollutant loadings. Not enough information Landscaping is provided that does not require permanent irrigation systems. Temporary irrigation systems used for plan establishment are allowed only if removed within one year of installation. Not enough information								
8-4H Flood Hazard										
8-4H Flood Hazard	Compliant as Conditioned	The planning official is the decision maker on items regarding 8-4H. The parcel appears to be fully within FEMA Zone X (panel 16001C0276J). The applicant must also review the original FEMA work maps (not the current adopted maps) in the city's Resolution 1083-20 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 link for the resolution is near the bottom of the following page on the Garden City website: Flood Information City Of Garden City								
8-4I Landscaping and Tree Protection Provisions										
8-4I-3 General Landscaping Standards and Irrigation Provisions	Compliant as Conditioned	The following minimum plant sizes shall be used for all required landscape areas: <table><tr><td>Shade trees</td><td>2 inch caliper minimum</td></tr><tr><td>Ornamental trees</td><td>2 inch caliper minimum</td></tr><tr><td>Evergreen trees</td><td>6 foot height minimum</td></tr><tr><td>Woody shrubs</td><td>2 gallon pot minimum</td></tr></table> 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.	Shade trees	2 inch caliper minimum	Ornamental trees	2 inch caliper minimum	Evergreen trees	6 foot height minimum	Woody shrubs	2 gallon pot minimum
Shade trees	2 inch caliper minimum									
Ornamental trees	2 inch caliper minimum									
Evergreen trees	6 foot height minimum									
Woody shrubs	2 gallon pot minimum									
8-4I-4 Landscaping Provisions for Specific Uses	Not Compliant	A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping. Required: 7,405 SF x 0.05= 370 SF Proposed: 400 SF 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. 34th Street (50 LF): 1 Street tree + 1 Frontage trees = 2 trees Provided: 1 tree. Deficient 1 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. 370 SF/1,000 SF= 0.4 ; No interior trees are required on the site given the limited landscaping requirements. Only street and frontage trees, as described above, are required. Minimum required: 370 SF/150 SF= 3 shrubs;								

		Proposed: 12 shrubs. Ensure that the required landscape areas are at least seventy percent (70%) covered with vegetation at maturity. Note: Staff recommends requiring Class II Street trees (or larger where planting strip width allows) along public frontages to maximize cooling, public health, habitat, stormwater, and long-term canopy outcomes; Class I trees should only be permitted where overhead utilities or substandard planter widths preclude larger forms. This is consistent with regional practices and local streetscape precedents of new developments in Garden City. Conditions have been drafted to require Class II or III trees in lieu of the Class I due to lack of site or utility constraints and ACHD requiring a larger landscape buffer.
8-4I-5 Perimeter Landscaping Provisions	Not Applicable	
8-4I-6 Parking Lot Landscaping Provisions	Not Applicable	The provisions of this section shall apply to all new or substantially altered parking lots of five (5) spaces or more.
8-4I-7 Tree Preservation Provisions	Not Applicable	
8-4L Open Space Provisions		
8-4L-3 General Open Space Standards	Not Applicable	For any new residential or mixed-use development; subdivision; planned unit development; or conditional use of more than two dwelling units in size.
8-4L-4 Common Open Space Standards for Residential Developments	Not Applicable	
8-4L-5 Private Open Space Standards for Residential Development	Not Applicable	Private Open Space Requirements: For any new development with three or more dwellings.
Title 8, Chapter 6, Article A: Administration		
8-6A-3 General Application Process	Compliant	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	N/A	Application waivers requested pursuant to 8-6A-4A 1. Topographic Survey 3. Grading Plan 4. Lighting Plan
8-6A-5 Administrative Process with Notice	Compliant as Conditioned	A notice of intent was sent to adjoining property owners within 300' and agencies with jurisdiction. If no objections are filed within 15 days, the Design Review Consultant's recommendation and the Planning Official's decision shall be considered final.

		Objections will be heard by City Council following the public hearing provision set forth in section GCC 8-6A-7. Conditions of approval that are deemed necessary to protect the public health, safety, and welfare, and prevent undue adverse impacts on surrounding properties may be required.
--	--	---

Other Items Reviewed	
Plan/Policy	Discussion/ Analysis
Garden City Comprehensive Plan	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. This application is in future land use designations of the Comprehensive Plan: 1. LIVE-WORK-CREATE: The live-work-create district is in the Old Town Site generally between 32nd to 37th Streets with a possible expansion, based on further study. This designation reflects an opportunity to create an Arts District within the city where artists, crafts persons, or others can live, work, exhibit and operate a business. A mix of uses, including residential, retail, office and small scale industrial are appropriate for this area. Regulation should be primarily through form not uses, including maintaining the existing subdivision pattern of small lots, and limiting the maximum building footprint or square footage of a building in relation to lot size. Large scale development that consolidates lots and allows for larger scale industrial or commercial uses should be restricted. 2. ACTIVITY NODE: Activity nodes are identified on the Land Use Map for neighborhood centers, local and regional destinations, and locations in proximity to existing and future transit stations and stops. Activity centers range in size depending on their function and location. Some nodes may be centered around the intersection of major streets or extend down a street to connect major community facilities. The common characteristics of the activity nodes are a mix of uses, public spaces, compatible transition to the uses surrounding the nodes and non-motorized connections to within a quarter mile walkable area of the node center. Some nodes, especially around transit stations, would have higher density (at least 14-20 units per acre) and multi-story development (three or more stories). It is not intended that all nodes could be developed within the twenty-year period of the plan. Activity Nodes by type shown on the Land Use Map are as follows: Neighborhood and Destination Centers: The centers should be focused on uses that facilitate making the location a destination. Uses may include small scale retail, art, office, and higher density residential. <u>Identified centers are:</u> • Adams and 50th Streets intersection to the Boise River • Adams and 42nd street intersection to the Boise River. • East city boundary to 36th street between the Boise River and Chinden Boulevard

	• Glenwood and Marigold Streets intersection • Chinden Boulevard and Garrett Street intersection • Chinden Boulevard and 50th Street intersection • State Street and Pierce Park Transit Oriented Development Nodes • Chinden Boulevard and Glenwood Street intersection • Chinden Boulevard and Veterans Parkway intersection • State Street and Horseshoe Bend Road • State Street and Glenwood Street <u>The application may be supported by:</u> list goals or objectives e.g. Goal 1. Nurture the City • 1.4 Objective: Create a premier destination place to live, work, and recreate. Goal 2. Improve the City Image • 2.2 Objective: Uphold standards for private property maintenance with a focus on nonresidential properties. Goal 4. Emphasize the “Garden” in Garden City • 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art. Goal 7. Connect the City • 7.1 Objective: Create pedestrian and bicycle friendly connections. • 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters. Goal 9. Develop a Sustainable City • 9.3 Objective: Promote and recognize green building construction. Goal 12. Evolve as a Destination • 12.1 Objective: Support a positive business environment • 12.2 Objective: Continue to support commercial and industrial land uses. • 12.3 Objective: Create a premier destination for work, recreation, entertainment, culture and commerce. <u>The application may not be supported by:</u>
Garden City Sidewalk Policy	A detached sidewalk is proposed.
Garden City Street Light Policy	A streetlight is installed along Carr Street in accordance with the policy.

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:

- a. Intent to approve as submitted;
- b. Intent to approve with changes;
- c. Request changes and resubmittal;
- d. Recommend denial; or
- e. 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. The objection shall be made on the appeal submittal form and must be accompanied by the appeal fee. 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
1. The proposed design shall comply with all design standards in Garden City Code, Title 8. 2. The proposed design shall provide effective bicycle and pedestrian access and movement to, from, within, and across the site. 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. 4. The proposed design shall be compatible with the neighborhood in scale and intensity.	Not Determined: This will be completed in conjunction with the formal decision	TBD: This will be completed in conjunction with the formal decision

5. The proposed design shall not create an adverse impact on the surrounding neighborhood. 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. 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 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.		
--	--	--

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 Choose an item. 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 Choose an item. hereby Choose an item. the application, subject to the following conditions:

POTENTIAL CONDITIONS

(This section will be revised during the finalization of the report, following the consultation.)

Site Specific Requirements:

Scope of this permit:

1. The scope of this permit is to allow new construction for a mixed-use 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.

During Construction:

1. Construction noise that is disruptive to the neighborhood shall be limited to Monday through Saturday from 7:00 am to 8:00 pm unless residents within 300' and the city have been notified in advance of the specific days which it will be necessary to exceed this limitation.

Prior to Building Permit:

1. The structural elevations shall be in conformance with this approval as reviewed and approved or otherwise conditioned.
2. Contrasting hardscape material shall be installed at the drive aisles to better identify the pedestrian crossings along 34th Street.
 - a. The sidewalk shall extend across a drive aisle without changing elevation and meet the following conditions:
 - i. Concrete or other contrasting hardscape material, if approved by ACHD, is used to cross the drive aisles to clearly identify the pedestrian crossing.
 - ii. The design of the apron allows for the sidewalk to remain level with the adjacent sidewalk.
 - iii. Detectable warning surfaces (truncated domes) shall be installed if required to mark the drive aisle for visually impaired pedestrians, if required by ACHD.
3. There shall be a minimum of 8 vehicular parking spaces provided; with 2 to be covered.
 - a. All vehicle parking spaces shall meet the minimum dimensional standards set forth in Garden City Code 8-4D-3.
 - b. A maximum of thirty percent (30%) of the required parking spaces can be compact.
 - c. Multifamily, mixed use, and nonresidential compact spaces shall be clearly marked as such on the pavement or curb or otherwise signed.
 - d. b. All vehicle parking spaces shall meet the minimum dimensional standards set forth in Garden City Code 8-4D-3.
 - e. Parking spaces designated for residential use shall be clearly identified within the parking lot.
 - f. If an equivalent parking adjustment is proposed, all required documentation shall be submitted for review in compliance with Section 8-4D-6.
4. There shall be a minimum of 9 bicycle parking spaces provided; with 2 to be covered.
 - a. The required number of bicycle parking spaces shall exceed the minimum requirement in accordance with the Sustainability Checklist.
 - b. Parking spaces designated for residential use shall be clearly identified within the parking lot or provided within the individual residential units.
 - c. Bicycle parking spaces shall:
 - i. Be a minimum space six feet (6') long by two feet (2') wide;
 - ii. On-site spaces shall be located within fifty feet (50') of the building entrance(s);
 - iii. Public bicycle spaces may be provided within three hundred feet (300') of the property in lieu of on-site spaces. If public bicycle spaces are provided, legally binding documentation including property owner approval,

maintenance responsibility, and public use allowance shall be provided to the city;

- iv. Be separated by a physical barrier to protect the bicycles from damage by motor vehicles if located within a motor vehicle parking area. The physical barrier can be curbs, poles, wheel stops, or other similar features;
- v. Be visible, unless specified for the use of tenants, in which case the bicycle parking spaces must be covered;
- vi. Be easily accessible from the street;
- vii. Not impede pedestrian movement or loading zones;
- viii. Not impede pedestrian or vehicular circulation or loading zones. The facilities shall be incorporated, whenever possible, into the structure's design or street furniture; and
- ix. Be properly illuminated to increase security and avoid accidents and adhere to section 8-4A-4 of this chapter, Outdoor Lighting.

- 5. The landscaping shall be in conformance with this approval as reviewed and approved or otherwise conditioned.
 - a. The frontage of E. 34th Street shall have a total of 2 class II or III trees.
 - b. A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping.
 - i. Minimum required amount of the landscape area is 370 SF.
 - ii. 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.
- 6. Any future outdoor lighting will be required to be in compliance with code at the time of development.
- 7. 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
 - b. If ACHD requires stormwater swales within the landscape buffer along 34th Street, the swales shall be designed in such a way to accommodate the Garden City required Street trees.

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 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.

4. 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.
5. Prior to occupancy, a public works and utility permit shall be submitted for review and approval of the site work that will be required to bring the site.
6. 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. 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 service and equipment areas shall comply with Garden City Code 8-4A-5 Outdoor Service and Equipment Areas.
22. All stormwater systems must comply with Garden City Code 8-4A-7.
23. 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.
24. 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.
25. 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.
26. 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.
27. Occupying the site prior to Certificate of Occupancy is a criminal offense.
28. 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.
29. Pursuant to 8-6A-9 Appeals, those with standing may appeal a decision within fifteen days from the date of action.

30. This approval shall expire two (2) years from its approval, unless otherwise extended as allowed by Garden City Code .
31. 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.

IMAGES

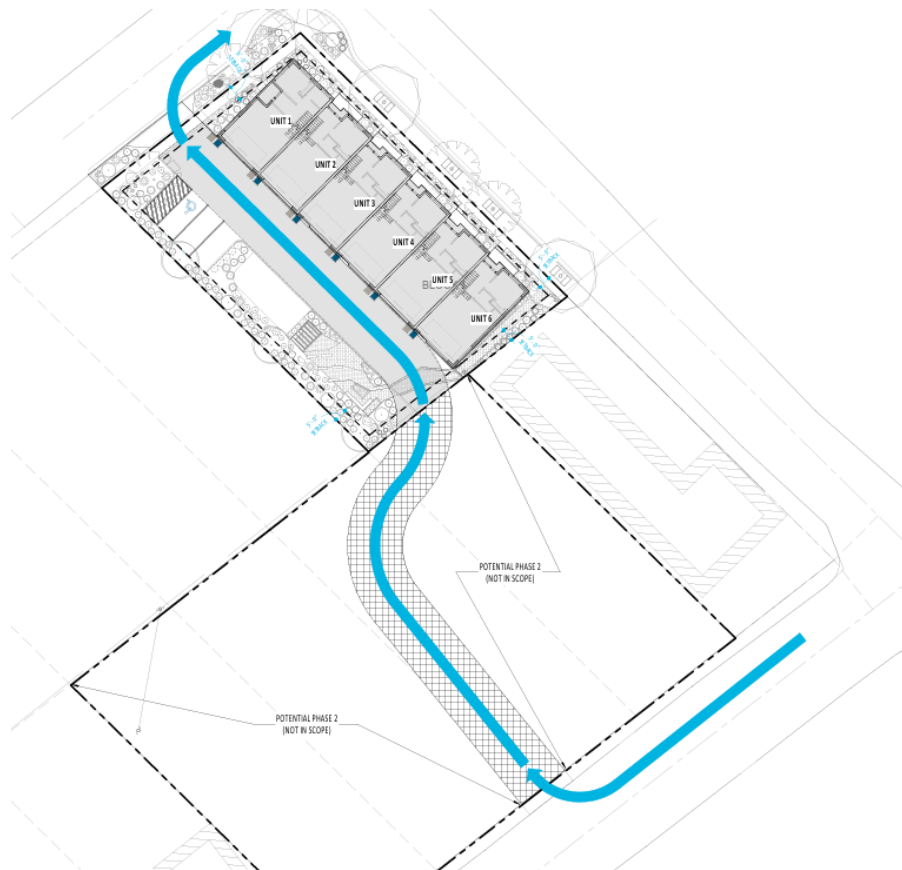


Exhibit 1. The Strand Subdivision Site Plan