



## 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: APPROVED AS CONDITIONED**

**Plan Review Number: 2**

**Reviewer:** Mariia Antonova

**Design Consultant:** Brett Labrie

**Design Consultant:** Derek Hurd

**Date:** September 4, 2026

**Applicant:** Alexis Kurland with Waechter Architecture



REPORT CONTENT

SITE INFORMATION .....3

PROJECT INFORMATION .....4

AGENCY COMMENTS .....4

PUBLIC COMMENT .....7

MEETING SUMMARY .....8

CODE AND POLICY REVIEW .....11

DECISION PROCESS .....28

REQUIRED FINDINGS, CONCLUSIONS OF LAW AND DECISION .....28

## **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 34<sup>th</sup> Street
- 15) Sidewalks:** No sidewalk
- 16) Wetlands on site:** None identified

## PROJECT INFORMATION

- 1) Proposed development: New construction
- 2) Noticing was completed on: June 9, 2026
- 3) The neighborhood meeting was held on: June 29, 2026
- 4) Site Coverage:
  - a) Building: 2,187 SF, 30% of the site
  - b) Landscaping: 263 SF, 4% of the site
  - c) Paved Areas: 4,955 SF, 67% of the site
- 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: 4
- 8) Total number of bicycle parking:
  - a) Surface: 30
- 9) Trash Enclosure: Republic Services will pick up individual services internal to the development
- 10) Fencing: Not enough information
- 11) Sidewalk:
  - a) detached proposed
- 12) Landscaping:
  - a) Street Trees: 1 class II tree, 1 class I tree.
  - b) Parameter Landscaping: shrubs, 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<br><a href="#">Link to Comment</a> | 7/7/2026     | <ul style="list-style-type: none"><li>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.</li><li>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.</li><li>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.</li><li>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 &amp; Raised Bike Lane Tool Kit. Additional right-of-way dedication may be required at all intersections (streets and driveways) to</li></ul> |

|                                                            |           |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |
|------------------------------------------------------------|-----------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|                                                            |           |  | <p>accommodate setbacks. Contact Development Review with questions prior to plan submittal.</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• Comply with all Standard Conditions of Approval.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| Garden City<br>Engineer<br><a href="#">Link to Comment</a> | 7/13/2026 |  | <ul style="list-style-type: none"> <li>• <b>Affidavit of Legal Interest</b><br/>The form provided has been signed by an individual. It appears the land is owned by Armstrong &amp; Company LLC. The form needs to be redone with Casey Armstrong executing the form in capacity as the company officer.</li> <li>• <b>Ada County Highway District Approval</b><br/>Approval of the project by the Ada County Highway District will be required.</li> <li>• <b>Fire District Approval</b><br/>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.</li> <li>• <b>Gravity Irrigation Facilities</b><br/>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.</li> <li>• <b>Water and Sewer Connections</b><br/>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.</li> <li>• <b>Erosion and Sediment Control</b><br/>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.</li> <li>• <b>Site Geotechnical Report and Grading and Drainage Plan</b><br/>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.</li> <li>• <b>Storm Water Operation and Management Agreement</b></li> </ul> |  |

|                                                                        |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------------------------------------------------------------------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                        |           | <p>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.</p> <ul style="list-style-type: none"> <li>• <b>Storm Water Operation and Maintenance Manual</b><br/>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.</li> <li>• <b>FEMA Flood Maps</b><br/>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: <a href="#">Flood Information   City Of Garden City</a></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| North Ada County<br>Fire and Rescue<br><a href="#">Link to Comment</a> | 7/13/2026 | <ul style="list-style-type: none"> <li>• 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).</li> <li>• 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).</li> <li>• 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.</li> <li>• 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)</li> <li>• 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)</li> <li>• 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)</li> <li>• 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)</li> <li>• 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)</li> </ul> <p><b>General Requirement:</b><br/>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.</p> |

|                                                                                            |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------------------------------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Republic Services<br><b>From initial<br/>submittals</b><br><a href="#">Link to Comment</a> | 5/18/2026 | This letter is to inform the Garden City the project pertaining 212 34th St. for Hannah Ball have met the requirements for Enclosure Design standards. Republic Services approve of their plans.                                                                                                                                                                                                                                                                        |
| DEQ<br><a href="#">Link to Comment</a>                                                     | 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: <a href="https://www2.deq.idaho.gov/admin/LEIA/api/document/download/15083">https://www2.deq.idaho.gov/admin/LEIA/api/document/download/15083</a> . |

## PUBLIC COMMENT

The following public comments were provided:

| Commenter                                       | Comment Date | Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------------------------------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Taylor Clark<br><a href="#">Link to Comment</a> | 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<br><a href="#">Link to Comment</a>   | 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

The Design Review consultation was held on July 21, 2026, to discuss a proposal for a new mixed-use development located at 212 E 34th Street. The project includes a two-story mixed-use building with a taproom, rooftop patio, residential component, on-site parking, bicycle parking, landscaping, and associated site improvements.

### Key Discussion Points Included:

- Fire Access and Site Infrastructure
  - Discussion regarding aerial fire access requirements and coordination with the Fire Department.
  - Review of street tree placement and potential conflicts between City landscaping requirements and fire access policies.
  - Applicant to coordinate further with the Fire Department regarding tree placement and aerial apparatus access from 34th Street.
  - Staff acknowledged potential conflicts between agency requirements relating to frontage improvements and tree canopy standards.
- Trash Collection and Service Access
  - Extensive discussion regarding trash enclosure location and long-term waste management operations.
  - Republic Services will not back into the site and requires refuse containers to be moved to the street for collection.
  - Staff expressed concerns regarding the long-term viability of rolling multiple commercial waste containers into the public right-of-way.
  - Applicant was encouraged to provide a detailed trash management plan addressing collection frequency, container storage, and future operational needs.
  - Shared trash facilities, easements, and temporary use of parking areas for waste collection maneuvering were discussed as potential solutions.
- Parking and Transportation
  - Review of minimum vehicle parking and bicycle parking requirements for the proposed use.
  - Applicant acknowledged challenges associated with meeting parking requirements on a narrow lot while preserving usable outdoor space and building area.
  - Discussion of Standards for Equivalent Parking Adjustments, shared parking opportunities, parking demand studies, and off-site parking arrangements.
  - Staff identified concerns regarding neighborhood parking availability and comments received from nearby residents.
  - Bicycle parking was generally viewed as an important transportation component given the site's proximity to the Greenbelt and existing bicycle-oriented destinations.
  - Applicant proposed significantly exceeding minimum bicycle parking requirements.
- Pedestrian Connectivity and ADA Access
  - Discussion regarding requirements for ADA-compliant pedestrian connections associated with potential off-site parking arrangements.
  - Staff reviewed code provisions requiring safe and accessible pathways between shared parking locations and the development site.

- Questions were raised regarding sidewalk availability, crossing locations, and connectivity along 34th Street.
- Applicant and staff discussed potential future infrastructure improvements and opportunities to coordinate with adjacent property owners.
- Site Design and Layout
  - Review of landscape area requirements, parking layout options, and opportunities to balance site functionality with urban design objectives.
  - Discussion of compact parking spaces, raised landscape planters, permeable paving systems, and flexible site configurations.
  - Staff encouraged creative design solutions that maintain outdoor gathering areas while satisfying applicable code requirements.
  - Potential use of permeable pavers and plaza-style circulation areas was generally supported.
- Architecture and Building Design
  - Detailed review of the proposed building architecture, massing, materials, and façade composition.
  - The design consultant expressed strong support for the overall architectural approach, noting that the building demonstrates intentional design rather than appearing as a pre-engineered metal structure.
  - Discussion included the use of corrugated metal siding, bonderized metal finishes, recessed windows, rounded building corners, and carefully integrated architectural detailing.
  - Architectural articulation created through recessed patios, roof forms, shadow lines, and building massing was viewed positively.
  - Staff requested additional plan clarity regarding entrance canopies, materials, and rooftop elements.
- Landscaping, Screening, and Privacy
  - Review of required landscape calculations and frontage landscaping standards.
  - Discussion regarding perimeter landscaping and screening requirements adjacent to neighboring residential properties.
  - Staff generally agreed that additional privacy screening beyond required landscaping may not be necessary due to building setbacks from adjacent residences.
- Frontage Improvements and Setbacks
  - Discussion centered on conflicts between frontage landscaping requirements, sidewalk construction standards, ACHD requirements, and City setback provisions.
  - Staff noted that existing code provisions may create practical conflicts on smaller lots where detached sidewalks and landscape buffers consume significant site frontage.
  - Recognition that certain setback requirements may be difficult to meet concurrently with required frontage improvements.
- Rooftop Patio and Future Improvements
  - Staff discussed rooftop patio design and the need to incorporate permanent architectural elements into future plans.

- Recommendations included showing railings, shade structures, and rooftop amenities as permanent design features rather than future additions.
- Emphasis was placed on ensuring rooftop improvements remain consistent with the approved architectural design.
- **Conclusion and Next Steps**
  - No approvals were granted during this consultation meeting. Staff and consultants generally expressed support for the proposed architectural design but identified several items requiring additional clarification or documentation, including fire access, trash management, parking compliance, shared parking opportunities, ADA connectivity, landscape calculations, frontage improvements, and site circulation.
  - The applicant will continue coordination with the Fire Department and Republic Services, explore parking alternatives and equivalent parking adjustments, update site and architectural plans, and provide additional supporting documentation. Staff will review revised materials and incorporate discussion items into future design review conditions and approvals prior to building permit issuance.

### **Additional Design Review Comments Received August 24, 2026**

Following the Design Review consultation meeting, consultant Brett Labrie, who was unable to attend due to illness, submitted written comments on August 24, 2026. Staff reviewed the comments and incorporated them into the analysis. The comments are summarized below.

- **8-4B-6 Multi-family Dwelling Units and Mixed-Use Development**

Mr. Labrie noted that the code's requirement for articulation and variety appears to contemplate changes in materials as part of the overall building design. The submitted elevations appear to utilize corrugated metal panels as the sole exterior finish material. Additional evaluation should be given to incorporating a contrasting non-metal material, particularly on the rear-facing facades and within recessed balcony and entrance areas, to enhance visual interest and material variation.

Mr. Labrie also observed that the primary building entrances are not clearly emphasized as focal points and that there is little visual distinction between the residential and commercial entries. Additional architectural treatments may be warranted to strengthen the identity and prominence of the building entrances.

The plans indicate awning elements at building entries; however, insufficient detail has been provided to evaluate the design, materials, dimensions, and contribution of these features toward compliance with the articulation standards.

- **8-4C-3 General Provision for Nonresidential Development**

#### ***Objective 1 - First Floor Facades***

Mr. Labrie expressed concern that the southwest facade may not meet the requirement that at least 30% of the ground-floor facade incorporate elements that activate the pedestrian environment.

#### ***Objective 2***

Additional comments included:

- Provide distinctive paving or pathway material connecting building entrances to parking areas and the public sidewalk.
- Identify and document proposed pedestrian amenities to demonstrate compliance with applicable standards.

### *Objective 3*

Refer to comments provided under Section 8-4B-6 regarding entrance design, building articulation, and material variation.

### *Objective 5*

Mr. Labrie noted that:

- The SW facade requires additional articulation. The main pedestrian access to and from the public way engages with a blank corrugated metal wall along this facade.
- Insufficient information has been provided to determine compliance with building-detail requirements. Additional information regarding lighting fixtures, balcony railings, and other architectural detailing should be provided.

### *8-4C-4 Special Provisions for Specific Nonresidential Development*

The SW facade roofline exceeds 50' and does not incorporate the required relief.

### *8-4D-5 Parking and Off-street Loading Provisions*

1. Clarify how the covered parking requirement is met for the residences.
2. Clarify how the parking requirement is met.

## CODE AND POLICY REVIEW

### **Discussion**

#### Trash plans and collection

The initial 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. Staff raised concerns that the proposed refuse collection method is not suitable for an urbanizing area. As development occurs on surrounding properties, staff believes that repeated use of curbside cart collection along public streets would be inconsistent with the vision for an urbanizing mixed-use district and may create cumulative impacts on the public realm.



For this reason, staff finds that the proposed approach may conflict with the Design Review findings requiring that “the proposed design shall not create an adverse impact on the surrounding neighborhood.” Staff also points to the neighboring businesses, Rosa and Push & Pour, as comparable examples in terms of operational intensity. These businesses utilize two dumpsters—one for regular trash and one for recycling—with trash collected four times per week and recycling collected three times per week.

Staff recognizes the unique constraints of the subject property and the challenges the applicant faces in providing an alternative waste collection method. The site is relatively narrow and small in area, limiting opportunities to accommodate on-site maneuvering, hammerhead turnarounds, or other configurations necessary to meet Republic Services’ vehicle access requirements. Staff acknowledges that these physical limitations make compliance with standard dumpster collection practices particularly difficult.

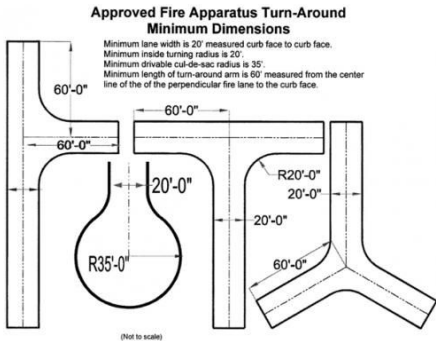


Figure 1. Fire Apparatus Requirements (Same Requirements Apply to Republic Services)

To better understand potential solutions for this site and similar infill developments that may arise in the future, the City met with Republic Services on August 26, 2026, to discuss the proposal, operational constraints, and available waste collection options for properties that cannot accommodate traditional service requirements.

Based on the meeting, the following potential solutions and next steps were identified:

- 1. Republic Services was able to waive some of its policies regarding the required backup distance and will be able to utilize rear-loading service.
- 2. The trash enclosure will need to be appropriately sized to accommodate the dumpsters and comply with Republic Services' standards.
- 3. An easement will be required for Republic Services and its successors to provide access for waste collection services.
- 4. It may be necessary to post no-parking restrictions on the street during certain hours to allow Republic Services to safely back into the property.

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: <a href="#">link</a> to City Code |            |                                                                                                                                                                                  |
|---------------------------------------------------------------------------------|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Code Section                                                                    | Compliance | Analysis/ Discussion                                                                                                                                                             |
| <b>Title 8, Chapter 1: General Regulations</b>                                  |            |                                                                                                                                                                                  |
| 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<br>Nonconforming<br>Properties                         | No<br>compliance<br>issues noted | Legal parcel of record as described.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Title 8, Chapter 2: Base Zoning District Regulations</b>   |                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 8-2B-1<br>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<br>Uses                                        | No<br>compliance<br>issues noted | Drinking Establishment, Limited Services, Eating Establishment, Full Service, and Dwelling unit, single-family attached are permitted uses.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 8-2B-3 Form<br>Standards                                      | Compliant as<br>Conditioned      | The required setbacks are:<br>Front: 5'<br>Interior Side: 0'<br>Rear: 5'<br>Street side: 5'                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 8-2C-12<br>Drinking<br>Establishment                          | Compliant as<br>Conditioned      | <p><b>Limitations:</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. <b>Establishments shall remain closed between two o'clock (2:00) A.M. and six o'clock (6:00) A.M.</b> Closing times shall be clearly posted on all entrances and exits.</li> </ol> <p><b>Other Regulations Apply:</b></p> <ol style="list-style-type: none"> <li>1. The use shall comply with all Idaho Code regulations regarding the sale, manufacturing, or distribution of alcoholic beverages.</li> <li>2. The use shall comply with the licensing requirements as set forth in title 3, "Business And License Regulations", of this code.</li> <li>3. <b>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:</b> <ol style="list-style-type: none"> <li>a. Security personnel are required and shall wear identical attire clearly identifiable with the word "Security" on the backside of shirts; and</li> <li>b. Security staff should have some means of two-way communication; and</li> <li>c. Video surveillance is required; and</li> <li>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</li> <li>e. Parking areas shall be lighted; and</li> <li>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</li> <li>g. No loitering outside of the establishment shall be permitted.</li> </ol> </li> </ol> |
| <b>Title 8, Chapter 4: Design and Development Regulations</b> |                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 8-4A-3 Fences<br>and Walls                                    | Compliant as<br>Conditioned      | <b>The fence material is not identified on the plans.</b> 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 | <p>A lighting plan was not submitted.</p> <p>Any future outdoor lighting will be required to be in compliance with code at the time of development.</p> <p>Prohibitions:</p> <ol style="list-style-type: none"> <li>1. Mercury vapor lamp fixture and/or lamp.</li> <li>2. Laser source light or any similar high intensity light when projected above the horizontal.</li> <li>3. Strobe lights, except for emergency uses.</li> <li>4. Searchlights, except where approved for temporary uses.</li> <li>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).</li> </ol>                                                |
| 8-4A-5 Outdoor Service and Equipment Areas                   | Compliant as Conditioned | <p>All on site service areas for waste, recycling, or trash; and equipment areas for transformer and utility vaults shall be located in an area not visible from a public street or adjoining property, or shall be screened from view from a public street and adjoining property with a privacy fence.</p> <p>HVAC equipment, trash dumpsters, recycling, trash compaction, and other service functions shall be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.</p> <p><b>Rooftop equipment will be screened by the 42" parapet.</b></p> <p><b>Regarding trash enclosure please see the discussion.</b></p> |
| 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 | <p>Another draft condition of approval is provided requiring that all utilities be underground.</p> <p>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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 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           | <p>All residential developments of greater than two units shall provide unified and integrated architectural variety.</p> <p>The project consists of two dwelling units and a restaurant.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 8-4B-6 Multi-family Dwelling Units and Mixed-Use Development | Compliant as Conditioned | <b>Based on Resubmittals dated 07/10/2026 and 08/06/2026</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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. Compliant as conditioned**
4. Entrances shall be adequately covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. **Compliant as conditioned**
5. Roof forms shall be distinctive and include variety and detail when viewed from the street. Flat roofs should include distinctive cornice treatments. **Compliant as conditioned, based on the discussion during the consultation.**
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**
8. 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.**
9. 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

|                                                        |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                        |                          | <p>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. <b>Compliant</b></p> <p>10. 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. <b>Provided</b></p> <p>11. The scale, arrangement, and texture of buildings and open space shall vary through the development to reflect function, interest, and significance. <b>There were different comments regarding whether additional materials should be provided. However, during the consultation, the overall building design received positive feedback. The design was viewed as intentional and thoughtfully composed, rather than appearing prefabricated or generic. The consultant specifically praised the use of bonderized metal siding, the minimalist material palette, the intentional architectural detailing, the building's articulation, and the overall composition. He noted that the design did not appear to require additional materials or decorative elements and considered the project a positive addition to the neighborhood.</b></p> <p>12. 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.</p>                                                                                                                                                                                                                          |
| 8-4C-3 Design Provisions for Nonresidential Structures | Compliant as Conditioned | <p><b>Based on Resubmittals dated 07/10/2026 and 08/06/2026</b></p> <p><i>Objective 1: The design of all structures shall have a scale, massing and urban form that has a relationship to the street, the pedestrian, and adjacent properties.</i></p> <p>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. <b>The building is two stories high.</b></p> <p>Street Setback: The maximum front setback is 15 feet from curb edge for a minimum of 60% of the length of the street frontage. <b>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. Considering the applicable Garden City Code requirements, the sidewalk must be detached and 5 feet wide, with the option to reduce the width to 4 feet. The landscape buffer between the roadway and sidewalk must be a minimum of 6 feet wide. In addition, the City is required to incorporate the required street trees within this buffer, which ACHD requires to be increased to 8 feet to accommodate the trees.</b></p> <p><b>In this zoning district, the minimum front setback is 5 feet. Considering all of these requirements, even if ACHD did not require the buffer to be increased to 8 feet, the combined sidewalk and landscape buffer would still result in a minimum setback of approximately 16 feet. This creates a conflict between the applicable code standards and the proposed building placement.</b></p> <p><b>Furthermore, the building already occupies almost the entire available building's frontage. From the City's perspective, it would be more beneficial to provide a standard-width sidewalk and fully landscaped</b></p> |

**frontage while maintaining the required zoning setbacks, rather than allowing the building to encroach further into the required setback area.**

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%. **The applicant needs to demonstrate that the southwest façade meets the requirement that 30% of the façade elements activate the ground floor. Compliant as conditioned**

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. **Compliant**

*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.**

Pedestrian Pathways:

- a. Pedestrian pathways should be designed to provide a direct connection between the main building entrance and the public sidewalk. **Compliant**
- b. Direct, convenient, and attractive pedestrian pathways should be provided that are clearly marked and connect all portions of the site. **Compliant**
- c. Pedestrian pathways should be functionally separate from parking lots and driveways except where they cross driveways. **Compliant**

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. **The applicant needs to specify the design and add the required element to the façade elevation. Compliant as conditioned**
- c. Pedestrian amenities should be provided at the entrance including a minimum of 100 square feet of landscaping, outdoor seating, plazas,

|  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |  | <p>courtyards, public art, fountains, special paving, bicycle racks, transit stop.</p> <p><b>Compliant</b></p> <p><i>Objective 3: Buildings shall be designed and constructed of quality materials.</i></p> <p>Suitable Materials: Materials should be selected for suitability to the type of building and design for which they are used.</p> <p>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.</p> <p>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.</p> <p>Discouraged Finishes: Finishes that reflect light and glare; or bright, heavily saturated and/or reflective shades of primary colors are discouraged.</p> <p>Matched Colors: The color of roof stacks, flashing, vents, power exhaust fans, and metal chimney caps should blend with the roof colors.</p> <p>All structures visible from the right-of-way shall be compatible within the development.</p> <p><i>Objective 4: The site design shall respect existing notable site features including existing buildings, landscaping, trees and water.</i></p> <p><b>No comments</b></p> <p><i>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.</i></p> <ol style="list-style-type: none"> <li>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. <b>Compliant</b></li> <li>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: <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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. <ol style="list-style-type: none"> <li>i. Change the roofline by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval.</li> </ol> </li> </ol> </li> </ol> |
|--|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|  |  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--|--|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |  |  | <p>ii. Roofs that incorporate a variety of vertical dimensions such as multiplaned and intersecting rooflines are encouraged.</p> <p>iii. Flat roofed designs should include architectural details such as cornices, and decorative facings to provide interest to the roofline.</p> <p>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.</p> <p><b>Brett's comment: The SW facade requires additional articulation. The main pedestrian access to and from the public way engages with a blank corrugated metal wall along this facade. Compliant as conditioned</b></p> <p>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:</p> <p>a. Ornate Rooflines: Examples include ornamental molding, entablature, frieze, or other roofline devices.</p> <p>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:</p> <p>i. Windows should not have individual glass panes with dimensions greater than five feet by seven feet (5' x 7').</p> <p>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.</p> <p>iii. Individual window units should be separated from adjacent window units by at least six inches (6") of the building's exterior finish material.</p> <p>c. Ornamentation: Examples include ornamental railings, grillwork, landscape guard, and trellises.</p> <p>d. Distinctive Light Fixtures: Examples include lights with a decorative shade or mounting.</p> <p>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.</p> <p><b>The building design incorporates a variety of window and balcony designs; There were different comments regarding whether additional materials should be provided. However, during the consultation, the overall building design received positive feedback. The design was viewed as intentional and thoughtfully composed, rather than appearing prefabricated or generic. The consultant specifically praised the use of bonderized metal siding, the minimalist material palette, the intentional architectural detailing, the building's articulation, and the overall composition. He noted that the design did not appear to require additional materials or decorative elements and considered the project a positive addition to the neighborhood.</b></p> <p><i>Objective 6: The site development should support and be consistent with the adopted streetscape.</i></p> <p><b>34th Street is not included in the current Five-Year Plan (FYP) or Capital Improvement Plan (CIP).</b></p> <p><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</i></p> |
|--|--|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                      |                            | to prevent views into neighboring rear yards, stepping back the structure, increased setback, or strategic window placement. <b>Compliant</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                      |                                                     |  |  |  |               |             |             |                |                                                     |          |  |  |  |  |     |      |       |      |       |
|----------------------------------------------------------------------|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|-----------------------------------------------------|--|--|--|---------------|-------------|-------------|----------------|-----------------------------------------------------|----------|--|--|--|--|-----|------|-------|------|-------|
| 8-4C-4 Special Provisions for Specific Non residential Development   | Compliant as Conditioned   | <p><b>Based on Resubmittals dated 07/10/2026 and 08/06/2026</b></p> <p>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 ridgeline; b) horizontal offset in ridgeline; c) variations in roof pitch; d) gables; and e) dormers . <b>This requirement was discussed during the consultation. Staff discussed the rooftop patio design and recommended considering the incorporation of railings that would be visible along the roofline, shade structures, and other rooftop amenities as permanent architectural features rather than future additions. These elements could help satisfy the requirement without modifying the overall roofline. Complaint as conditioned</b></p> <p>Awning, Marquee And Arcade Requirements:<br/>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. <b>Compliant as Conditioned</b></p> <p>Terminal views within the site should be provided to landscaping, landmarks or significant site features.<br/><b>The trash enclosure shall comply with the terminal view requirements. Compliance may be achieved through installation of City-approved public art integrated into the enclosure gate, the use of decorative or architecturally enhanced gates, or another design solution that effectively addresses the terminal view requirement. The proposed design shall be reviewed and approved by the City prior to installation.</b></p> |                                                                      |                                                     |  |  |  |               |             |             |                |                                                     |          |  |  |  |  |     |      |       |      |       |
| 8-4C-5 Prohibitions                                                  | No compliance issues noted | There are no visible false fronts, prefabricated structures or prohibited materials proposed with this application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                      |                                                     |  |  |  |               |             |             |                |                                                     |          |  |  |  |  |     |      |       |      |       |
| <b>8-4D Parking and Off Street Loading Provisions.</b>               |                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                      |                                                     |  |  |  |               |             |             |                |                                                     |          |  |  |  |  |     |      |       |      |       |
| 8-4D-3 Parking Design and Improvement Standards                      | Compliant as Conditioned   | <p><b>Vehicle parking:</b></p> <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*<br/>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> <p><b>Compliant Parking Provided:</b><br/><u>3 regular parking spaces</u><br/>Stall Width: 9'<br/>Length per car: 20'</p> <p><u>1 ADA parking spaces</u><br/>Stall Width: 9'<br/>Length per car: 20'<br/>Access aisle: 8'</p> <p>Total: 4 vehicle parking spaces</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Table 8-4D-1: MINIMAL DIMENSIONAL STANDARDS FOR MOTOR VEHICLE STALLS |                                                     |  |  |  | Parking Angle | Stall Width | Stall Depth | Length Per Car | Driveway Width*<br>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*<br>Must also meet fire requirements |  |  |  |               |             |             |                |                                                     |          |  |  |  |  |     |      |       |      |       |
| Standard                                                             |                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                      |                                                     |  |  |  |               |             |             |                |                                                     |          |  |  |  |  |     |      |       |      |       |
| 90°                                                                  | 9'0"                       | 20'0"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 9'0"                                                                 | 22'0"                                               |  |  |  |               |             |             |                |                                                     |          |  |  |  |  |     |      |       |      |       |

DSRFY2026 – 0013 212 E 34<sup>th</sup> Street

20

|                                                     |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                     |                          | <p>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;</p> <p>Parking lots shall be designed in compliance with the requirements as set forth in chapter <a href="#">8-4</a>, article C of this title, Design Provisions For Nonresidential Structures;</p> <p>Parking lots shall be designed in accordance with chapter <a href="#">8-4</a>, article <a href="#">I</a> of this title, Landscaping And Tree Protection Provisions;</p> <p>All parking and loading zones shall provide proper drainage of surface water to prevent the flow of water onto adjacent properties, walkways, or streets.</p> <p>The design of the parking area shall minimize the trespass of lights from motor vehicles on adjacent properties and rights-of-way.</p> <p>Bicycle parking spaces shall:</p> <ol style="list-style-type: none"> <li>1. Be a minimum space six feet (6') long by two feet (2') wide;</li> <li>2. On-site spaces shall be located within fifty feet (50') of the building entrance(s);</li> <li>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;</li> <li>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;</li> <li>5. Be visible, unless specified for the use of tenants, in which case the bicycle parking spaces must be covered;</li> <li>6. Be easily accessible from the street;</li> <li>7. Not impede pedestrian movement or loading zones;</li> <li>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</li> <li>9. Be properly illuminated to increase security and avoid accidents and adhere to section <a href="#">8-4A-4</a> of this chapter, Outdoor Lighting.</li> </ol> |
| 8-4D-4 Parking Use Standards                        | Compliant as Conditioned | <p>A. Number Of Spaces: No use shall provide less than the minimum spaces required by this article.</p> <p>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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 8-4D-5 Required Number of Off-Street Parking Spaces | Compliant as Conditioned | <p>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.</p> <p><u>Drinking and Eating establishment</u>, are considered a high use, which requires 1 motor vehicle parking space per 500 SF of building.</p> <p>The minimum number of bicycle parking spaces is 1 per 500 SF.</p> <p><b>Vehicle parking space required:</b> <math>3,221\text{SF}/500=6</math></p> <p><b>Bicycle parking space required:</b> <math>3,221\text{SF}/500=6</math></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

|                                                     |                                                                                  | <table><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><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></table> <div><b>Guest Parking</b><br/>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.</div> <div><b>Vehicle parking:</b><br/>Required: 2 covered parking spaces</div> <div><b>Bike Parking:</b><br/>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<br/>Required: 3 covered bike parking space</div> <div><b>Total vehicle parking space required:</b> 8<br/><b>Total bicycle parking space required:</b> 9</div> <div><b>Total vehicle parking spaces provided:</b> 4;<br/><b>It is unclear whether any of the proposed parking spaces are covered. Compliant as conditioned</b><br/><b>Total bicycle parking spaces provided:</b> 20;<br/><b>no covered bicycle parking is proposed. Compliant as conditioned</b></div> <div>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.<br/>Parking spaces designated for residential use shall be clearly identified within the parking lot</div> | 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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                  |  |  |               |                                                                                  |                                                 |                      |   |   |                     |   |   |
| 8-4D-6 Standards for Equivalent Parking Adjustments | Compliant as Conditioned                                                         | <div><b>The applicant is requesting an equivalent parking adjustment.</b></div> <div>If equivalent parking is provided off site:<ol style="list-style-type: none"><li>1. In no instances shall motor vehicle parking for residential uses be located more than three hundred feet (300') from the dwelling, measured as walked, rather measured from the shortest distance on the map, via public right-of-way or easement as otherwise dedicated to the public.</li><li>2. In no instances shall motor vehicle parking for nonresidential uses be located more than one-fourth (0.25) mile from the use, measured as walked, rather measured from the shortest distance on the map, via public right-of-way or easement as otherwise dedicated to the public.</li><li>3. There must be continuous, code-compliant sidewalk that connects the use to the parking.</li><li>4. If Americans With Disabilities Act (ADA) accessible parking is provided, there shall be an ADA accessible route between the two (2) locations. The distance shall comply with ADA guidelines and the adopted building code.</li></ol></div> <div><b>The applicant proposes to provide off-site parking and is working with the owner of Wellhouse (previously Boise Sauna) on a shared parking agreement. The Wellhouse project was approved on November 20, 2025, and is currently pursuing a building permit. The project exceeds the minimum required parking and will be able to provide the additional parking spaces once constructed.</b></div>                                                                                                                                                                                                                                                                                         |                  |  |  |               |                                                                                  |                                                 |                      |   |   |                     |   |   |

|                                                        |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                        |                          | <p><b>However, there is currently no continuous sidewalk connection between the two properties, and this street is not included in ACHD's Five-Year Work Plan. Conditions are provided to address long-term occupancy.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 8-4D-7 Off Street Loading Standards                    | Compliant as Conditioned | <p>Off Street Loading Zones Space and Access Requirements</p> <ul style="list-style-type: none"> <li>• All spaces shall have fourteen feet (14') of vertical clearance.</li> <li>• 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.</li> <li>• 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;</li> <li>• Loading zones may not impede bicycle lanes, multi-use paths, sidewalks, or motor vehicular travel on public roads.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>8-4E Transportation and Connectivity Provisions</b> |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 8-4E-3 Public Street Connections                       | Compliant as Conditioned | <p>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></p> <p>All streets and driveways shall adhere to the standards of a clear vision triangle. <b>It needs to be indicated on the site plan.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 8-4E-4 Internal Circulation Standards                  | Compliant as Conditioned | <p>Driveways, aisles and turnaround areas, when required for fire and refuse access, shall meet the following standards:</p> <ol style="list-style-type: none"> <li>1. Have a minimum vertical clearance of thirteen feet six inches (13'6") for their entire length and width.</li> <li>2. Have a minimum width of twenty feet (20').</li> <li>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.</li> </ol> <p><b>The applicant needs to provide additional information regarding the proposed driveway easement. Compliant as conditioned</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 8-4E-6 Sidewalk Standards                              | Compliant as Conditioned | <p>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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 8-4E-7 Pedestrian and Bicycle Accessibility Standards  | Compliant                | <p>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:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>4. The pathway is free from hazards, has appropriate lighting levels, and meets the standards for ADA accessibility.</li> <li>5. A pathway shall be a minimum width of four feet (4').</li> <li>6. Pedestrian amenities shall be provided along sidewalks and pathways to support defensible space, crime prevention, pedestrian comfort and accessibility.</li> </ol> |

|                                                        |                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------------------------------------|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                        |                            | 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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>8-4F Sign Provisions</b>                            |                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 8-4F-13 Master Sign Program                            | Compliant as Conditioned   | <p>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.</p> <p>Signage is not approved with this application. A separate application and review would be required if new signage is intended.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>8-4G Sustainable Development Provision</b>          |                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 8-4G Sustainable Development Provisions                | Compliant as Conditioned   | <p><b>Based on Resubmittals dated 07/10/2026 and 08/06/2026</b></p> <p>The development is required to provide 12 points. The documentation provided indicates that 12 points have been provided.</p> <p>The applicant marked:</p> <ul style="list-style-type: none"> <li>Project located within ¼ walking distance of one or more stops of a TOD or established public transit line usable by building occupants. <b>Compliant</b></li> <li>Bike parking is provided that exceeds the standard set forth in Section 8-4D of this code. <b>Provided</b></li> <li>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. <b>Not enough information</b></li> <li>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. <b>Not enough information</b></li> </ul> <p><b>Along with the checklist, the applicant needs to provide information demonstrating how each of the selected items will be achieved.</b></p> |
| <b>8-4H Flood Hazard</b>                               |                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 8-4H Flood Hazard                                      | Compliant as Conditioned   | <p>The planning official is the decision maker on items regarding 8-4H.</p> <p>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: <a href="#">Flood Information   City Of Garden City</a></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>8-4I Landscaping and Tree Protection Provisions</b> |                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 8-4I-3 General Landscaping Standards and               | Compliant as Conditioned   | <b>Based on Resubmittals dated 07/10/2026, 08/06/2026 and 08/10/2026</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

|                                                 |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |                        |                  |                        |                 |                       |              |                      |
|-------------------------------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------|------------------|------------------------|-----------------|-----------------------|--------------|----------------------|
| Irrigation Provisions                           |                          | <p>The following minimum plant sizes shall be used for all required landscape areas:</p> <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> <p>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. <b>As currently demonstrated on the site plan, the tree planting bed cannot be counted toward the landscaping requirement unless the planting bed is filled with shrubs, bushes, or lawn. Compliant as conditioned</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 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 | Compliant as Conditioned | <p><b>Based on Resubmittals dated 08/06/2026 and 08/10/2026</b></p> <p>A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping.<br/>Required: 7,405 SF x 0.05= 370 SF<br/><b>Proposed: 360 SF Not Compliant. The condition requires a minimum of 370 square feet of landscaping.</b></p> <p>A minimum of one class III or class II tree shall be planted in the frontage and every adjacent streetside.</p> <p>An additional class I tree shall be planted in the corresponding setback for every increment of fifty feet (50') of linear feet of frontage.</p> <p>34<sup>th</sup> Street (50 LF): 1 Street tree + 1 Frontage trees = 2 trees</p> <p>Provided: 2 trees. <b>Compliant</b></p> <p>A minimum of one tree per one thousand (1,000) square feet of landscaped area and one shrub per one hundred fifty (150) square feet of landscaped area shall be planted.<br/>370 SF/1,000 SF= 0.4 ; <b>No interior trees are required on the site given the limited landscaping requirements. Only street and frontage trees, as described above, are required.</b></p> <p>Minimum required: 370 SF/150 SF= 3 shrubs;<br/>Proposed: 12 shrubs. <b>Ensure that the required landscape areas are at least seventy percent (70%) covered with vegetation at maturity.</b></p> |             |                        |                  |                        |                 |                       |              |                      |
| 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                      |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |             |                        |                  |                        |                 |                       |              |                      |

DSRFY2026 – 0013 212 E 34<sup>th</sup> Street

25

|                                                                 |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Title 8, Chapter 6, Article A: Administration</b>            |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 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<br>1. Topographic Survey<br>3. Grading Plan<br>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.<br><br>If no objections are filed within 15 days, the Design Review Consultant's recommendation and the Planning Official's decision shall be considered final.<br><br>Objections will be heard by City Council following the public hearing provision set forth in section GCC 8-6A-7.<br><br>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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <a href="#">Garden City Comprehensive Plan</a> | <p>The land use map shows generalized designations for future land uses. The map also identifies unique possibilities for land use and areas for future studies. The following is an explanation for the designations shown in the legend on the land use map.</p> <p>This application is in future land use designations of the Comprehensive Plan:</p> <ol style="list-style-type: none"> <li><b>LIVE-WORK-CREATE:</b> 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</li> </ol> |

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.

Identified centers are:

- 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

The application may be supported by: 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**

|                                                 |                                                                                                                                                                                                                                                                                                                    |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                 | <ul style="list-style-type: none"> <li>• 12.1 Objective: Support a positive business environment</li> <li>• 12.2 Objective: Continue to support commercial and industrial land uses.</li> <li>• 12.3 Objective: Create a premier destination for work, recreation, entertainment, culture and commerce.</li> </ul> |
| <a href="#">Garden City Sidewalk Policy</a>     | A detached sidewalk is proposed.                                                                                                                                                                                                                                                                                   |
| <a href="#">Garden City Street Light Policy</a> | 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:

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

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

### **Appeals of Decision:**

Per Garden City Code [8-6A-5 Administrative Process with Notice](#), there is a 15-day period to file a written objection to the application. 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 |
|------------------------------|---------------|---------------------|
|------------------------------|---------------|---------------------|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1. The proposed design shall comply with all design standards in Garden City Code, Title 8.</li> <li>2. The proposed design shall provide effective bicycle and pedestrian access and movement to, from, within, and across the site.</li> <li>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.</li> <li>4. The proposed design shall be compatible with the neighborhood in scale and intensity.</li> <li>5. The proposed design shall not create an adverse impact on the surrounding neighborhood.</li> <li>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.</li> <li>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</li> <li>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.</li> </ol> | <p>Compliant as Conditioned</p> | <ol style="list-style-type: none"> <li>1. The proposed development substantially complies with the applicable provisions of Garden City Code Title 8. Conditions of approval requiring additional architectural detailing, pedestrian improvements, parking compliance, landscaping revisions, and site design modifications ensure full compliance prior to occupancy.</li> <li>2. The project provides direct pedestrian connections from the public sidewalk to the building entrances. Conditions requiring compliant sidewalk improvements, enhanced pedestrian crossings, covered bicycle parking, and documentation for any off-site parking arrangement.</li> <li>3. The development adds commercial and residential activity within a designated activity node and supports access to nearby sidewalks, bicycle facilities, transit services, and the Greenbelt area. Required frontage improvements, detached sidewalks, landscaping, and street trees will enhance the public realm and pedestrian experience.</li> <li>4. The two-story mixed-use building is consistent with the Comprehensive Plan designation of Live-Work-Create and the Neighborhood Destination Activity Node. The scale, setbacks, landscaping, and building form provide an appropriate transition between surrounding commercial and residential uses.</li> <li>5. Potential impacts related to parking, refuse collection, circulation, noise, and site operations have been addressed through conditions of approval. Requirements for parking agreements, shared-access easements, trash enclosure design, operational standards, and pedestrian improvements mitigate potential impacts on adjacent properties and public streets.</li> </ol> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |  | <p>6. The building incorporates articulated façades, recessed entrances, balconies, and pedestrian-oriented design features that contribute visual interest. Additional conditions requiring enhanced architectural detailing, entrance treatments, and roofline elements further ensure compatibility with the surrounding neighborhood.</p> <p>7. The project replaces a vacant lot with a mixed-use development that incorporates landscaping, street trees, pedestrian amenities, and sustainable development measures. Conditions requiring additional landscape area, plant coverage, irrigation, and stormwater treatment will improve site function while supporting long-term viability in southwest Idaho's climate.</p> <p>8. The site does not contain identified wetlands, historic structures, or waterways.</p> |
|--|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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

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

**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.

Prior to Building Permit:

1. The structural elevations shall be in conformance with this approval as reviewed and approved or otherwise conditioned.
  - a. The main entrance is required to provide architectural treatment, lighting, and address identification. The plans should clearly indicate any proposed entrance lighting and the location of the building address.
  - b. 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.
  - c. Entrances shall be adequately covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided.
  - d. Roof design:
    - i. Roof forms shall be distinctive and include variety and detail when viewed from the street. Flat roofs should include distinctive cornice treatments.
    - ii. 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 ridgeline; b) horizontal offset in ridgeline; c) variations in roof pitch; d) gables; and e) dormers .
      - (1) A recommendation was made to incorporate railings that would be visible along the roofline, shade structures, or other rooftop amenities as permanent architectural features .
  - e. The southwest façade shall provide a minimum of 30% ground-floor activation through windows, showcases, displays, plazas, pedestrian access elements, or a combination thereof.
2. There shall be a minimum of nine (9) bicycle parking spaces provided; with two (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.
3. All streets and driveways shall adhere to the standards of a clear vision triangle.
  - a. The clear vision triangle needs to be shown on the site plan.
4. The landscaping shall be in conformance with this approval as reviewed and approved or otherwise conditioned.
  - a. A minimum of one class III or class II tree shall be planted in the frontage and every adjacent streetside.
    - i. An additional class I tree shall be planted in the corresponding setback for every increment of fifty feet (50') of linear feet of frontage.
      - (1) The frontage of E. 34th Street shall have a total of 1 Class II or III and 1 Class I tree.
  - 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.
      - (1) Tree planting beds need to be filled with shrubs, bushes, or other vegetation, such as lawn.
  - c. A minimum of one shrub per one hundred fifty (150) square feet of landscaped area shall be planted.
5. Any future outdoor lighting will be required to be in compliance with code at the time of development.
6. Any future fence or wall must comply with the applicable code requirements in effect 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.
8. Trash enclosure shall be sized to accommodate the dumpster(s) and recycling container(s) in compliance with Republic Services standards.

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 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. A Public Works and Utility Permit shall be submitted for review and approval of the site work.
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.
7. 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.
8. There shall be a minimum of eight (8) vehicular parking spaces provided; with two (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. All vehicle parking spaces shall meet the minimum dimensional standards set forth in Garden City Code 8-4D-3.
  - e. If an equivalent parking adjustment is proposed, all required documentation shall be submitted for review in compliance with Section 8-4D-6.
    - i. In no instances shall motor vehicle parking for nonresidential uses be located more than one-fourth (0.25) mile from the use, measured as

walked, rather measured from the shortest distance on the map, via public right-of-way or easement as otherwise dedicated to the public.

- ii. There must be continuous, code-compliant sidewalk that connects the use to the parking.
- iii. If Americans With Disabilities Act (ADA) accessible parking is provided, there shall be an ADA accessible route between the two (2) locations. The distance shall comply with ADA guidelines and the adopted building code.
- iv. Legally binding shared parking agreements or easements shall be recorded with Ada County Land Records and provided to Garden City.
- v. In recognition that a continuous, code-compliant sidewalk connection does not currently exist on either side of the property and that any off-site parking location will not be code-compliant, the applicant shall execute and record, in a form acceptable to the City, an agreement acknowledging and accepting responsibility and liability associated with the use of the off-site parking arrangement prior to the installation of a code-compliant pedestrian connection.

(b) The agreement shall:

- (a) Acknowledge that the off-site parking arrangement does not currently satisfy the sidewalk connectivity requirements of Section 8-4D-6 and related conditions of approval.
  - (b) Indemnify and hold harmless the city from claims arising from the use of the off-site parking area and pedestrian travel between the parking area and the use.
  - (c) Be binding upon the property owner and any successors or assigns.
  - (d) Remain in effect until a permanent code-compliant pedestrian connection is installed and approved by the city, or until the agreement is otherwise terminated by the city.
- (2) A Temporary Certificate of Occupancy (TCO) may be issued for a period not to exceed five (5) years from the date of occupancy, subject to all other applicable code requirements. Prior to expiration of the TCO, the applicant shall establish and maintain full compliance with all applicable parking and pedestrian access requirements by providing the minimum number of code-complaint parking spaces required of the on-site use either by:
- (a) Constructing and obtaining approval for a continuous, code-compliant sidewalk connection and any required ADA-accessible route between the use and the off-site parking spaces that are established by a legal parking agreement or easement; or
  - (b) Demonstrate compliance with all parking and pedestrian access requirements through an alternative solution approved by the city.
  - (c) Failure to establish compliance prior to expiration of the TCO may result in revocation of the off-site parking approval and/or expiration of the Certificate of Occupancy or other enforcement action authorized by the City.

9. 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.

10. 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.
11. The trash enclosure shall comply with the terminal view requirements of GCC 8-4C-4.
  - a. Compliance may be achieved through installation of City-approved public art integrated into the enclosure, the use of decorative or architecturally enhanced gates, or another design solution that effectively addresses the terminal view requirement. The proposed design shall be reviewed and approved by the City prior to installation.
12. If Republic Services requires special accommodations to safely access the site, such as “No Parking” signs, they shall be installed in coordination with Republic Services and ACHD.
13. Prior to issuance of a Certificate of Occupancy and/or Temporary Certificate of Occupancy, the applicant shall record legally binding access, use, and maintenance easement with Ada County Land Records and provide proof of recording to the City.
  - a. The easement shall provide shared vehicular, bicycle, and pedestrian access between the properties at 212 E 34th St and 210 E 34th St, including access for emergency and refuse collection vehicles, as well as the use and maintenance of the shared trash enclosure serving both properties.
  - b. The easement shall clearly define rights of access, maintenance responsibilities, repair obligations, cost-sharing provisions, and continued access for emergency and service vehicles.
14. The development is required to provide 12 points in accordance with Section 8-4G, Sustainability Provisions. The development needs to demonstrate compliance with the sustainability checklist provided and address the following marked items:
  - a. Project located within ¼ walking distance of one or more stops of a TOD or established public transit line usable by building occupants.
  - b. Bike parking is provided that exceeds the standard set forth in Section 8-4D of this code.
  - c. 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.
  - d. 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.

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.

2. In the event that the business entity with which the applicant/property owner has executed a shared parking agreement changes ownership, tenancy, or otherwise ceases to operate, the applicant/property owner shall, prior to the next scheduled event at the commercial entertainment facility, be required to:
  - a. Execute a new shared parking agreement with the successor business entity or property owner; or
  - b. Provide an alternative shared parking arrangement that demonstrates the availability of the same number of parking spaces as originally required and approved.
  - c. It shall be the sole responsibility of the applicant/property owner to ensure compliance with this condition. Failure to execute a new shared parking agreement or provide an alternative arrangement as required above may affect the continued operation of the commercial facility.
3. Limitations: 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.
4. 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.
5. 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.
6. The use shall comply with all Idaho Code regulations regarding the sale, manufacturing, or distribution of alcoholic beverages.
7. The use shall comply with the licensing requirements as set forth in title 3, "Business And License Regulations", of this code.
8. 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.
9. If art is provided on site, it shall:
  - a. be maintained in the original condition approved by the City.
  - b. In the event of vandalism or damage, be restored immediately to the original condition approved by the City.

**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.



---

Development Service Staff

September 4, 2026

Date