



CITY OF GARDEN CITY

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CUPFY2016-5 and DSRFY2016-14
Conditional Use Permit and Design Review

For:

**An expansion of a Wireless Communication Facility
Located at 8247 W. State Street, Garden City, Idaho
Technology Associates represented by Doug Kofford**



Staff Contact: Jenah Thornborrow (208) 472-2921; planning@gardencityidaho.org

City of Garden City
Design Review Staff Report

Garden City Design Review Committee Pre- Application date: Monday, July 5, 2016, at 12:00 p.m.

Project Description:

Application File Number: DSRFY2016-14

Applicant: Technology Associates represented by Doug Kofford

Location: 8247 W. State Street, in Garden City; Ada County parcel R0719420250; Lot 11 Block 2 of the Azaela Subdivision

Project Synopsis: The request is for an approval of an expansion of a 'wireless communication facility', which requires approval of a conditional use permit. The application proposes to co-located up to 12 new panel antennas on an existing monopole. The pole will not be increased in size or height. The proposal also includes the addition of an 8'X 12' platform for equipment cabinets. There is an associated generator that is anticipated to run for approximately 10 minutes one time per each week during daylight hours. The facility will not have staff on sight, however a technician will visit the location monthly.

Existing Conditions:

- Property Size: 0.57-acres
- Zoning: C-2 General Commercial
- Comprehensive Plan Designation: Green Corridor Boulevard and Residential Low Density
- Flood Plain Designation: Not in Floodplain
- Surrounding Uses: Vehicle Service; Residential; Mobile Home Park
- Existing Use: Vehicle Service and Wireless Communication Facility
- Garden City Easements: 7' bike/ pedestrian easement on eastern property boundary

Recommendation: Approval with conditions.

Standards for Review: Standards for review of this application are as follows:

Standards	Staff Analysis
GCC 8-2C-45 Wireless communication facility	Compliant with Conditions
8-4A-3, "Fences and Walls"	Not Compliant
8-4A-4, "Outdoor Lighting"	Compliant
8-4I-5C: "Perimeter Landscaping Provisions"	Not Compliant
8-4E "Transportation and Connectivity"	Not Complaint
Comprehensive Plan Analysis	See Discussion
Other Plans and Approvals Analysis	Not Complaint
GCC 8-6B-2 Design Review	Pending decision of the Garden City Design Review Committee

Staff Analysis:

GCC 8-2B-2 Allowed Uses: A wireless communication facility is not allowed in the C-2 General Commercial Zoning District. However, GCC 8-1B-3 allows for a nonconforming use/ structure to be expanded, provided successful obtainment of a conditional use permit.

GCC 8-1B-3 Nonconforming Uses: Compliant if conditional use permit is approved by the Planning and Zoning Commission

2. No existing use or structure containing a nonconforming use may be expanded in intensity or degree of use, enlarged, extended, constructed, reconstructed, moved, or structurally altered except: (a) through the approval of a conditional use permit in accord with the procedures set forth in chapter 6, article B, "Specific Provisions", of this title; or (b) where the use of the structure is changed to a conforming use.

GCC 8-2C-45 Wireless Communication Facility: See subsequent sections for analysis

A Wireless Communication Facility has a number of use specific requirements including setbacks from other wireless facilities, and general setbacks, height restrictions, findings for collocation, etc. Specifically germane to the Design Review Approval are the requirements below:

Site Design:

1. Tower facilities shall be landscaped with a buffer outside the perimeter of the compound in accordance with the standards set forth in subsection 8-4I-5C of this title.
2. Materials, colors, textures and screening shall be used that blend the tower facility to the natural and built environment. Supporting electrical and mechanical equipment installed on the tower shall use colors that are similar to the tower.
3. Except as required by the federal aviation administration (FAA) or the federal communications commission (FCC), transmission structures shall not be artificially lighted. Equipment shelters may use lighting consistent with the lighting standards set forth in section 8-4A-4, "Outdoor Lighting", of this title.

Other Regulations Apply: The site and structure design shall be subject to review by the design committee and the process set forth in section 8-6B-3 of this title.

8-4A-3: FENCES AND WALLS: Not Compliant

The application proposes a 6' tall chain link fence with three strands of barbed wire. Existing fence has slats. Code prohibits chain link with slats, and barbed wire is not permitted unless there is Design Review Committee approval as set forth in section **GCC 8-6B-3**.

Potential Conditions for compliance:

- Remove all existing slats in chain link
- Allow/ Reject/ alter barbed wire request

8-4A-4: OUTDOOR LIGHTING: Compliant

The applicant has indicated that there is a work light that is only illuminated when someone is working on the site. There is no proposal to add any additional lights. Furthermore, the applicant has indicated that the tower has FAA approval.

8-4I-5: PERIMETER LANDSCAPING PROVISIONS Not Compliant**C. Standards:**

1. A perimeter landscaping area shall be at least ten feet (10') wide measured from the property line to the interior of the lot;
2. A screen consisting of vegetation shall be at least six feet (6') wide and six feet (6') in height at maturity;

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3. At least one tree shall be planted for every fifteen (15) linear feet of perimeter length (or as appropriate to the selected species) to quickly establish continuous canopy coverage.

4. Additional standards for parking lots and carports are set forth in section 8-4I-6, "Parking Lot Landscaping Provisions", of this article.

5. Structures less than one hundred twenty (120) square feet, including, but not limited to, trash enclosures and storage sheds may encroach into the perimeter landscape area.

6. Perimeter landscape areas shall provide for pedestrian access from residential development to abutting commercial districts and vice versa.

The applicant has indicated that there is no landscaping *on site* at the southerly or easterly property boundaries. It has been indicated that there are 3 deciduous trees on the adjacent residential properties to the south, that the applicant is hoping to utilize for the landscaping provisions. Furthermore, the applicant has indicated that there is a buffer with gravel between the properties.

Per GCC 8-4I-3.F for something to qualify as landscaping, the area must be 70% or more of living material.

Conditional Use Permit 03-17-CU for the construction of the tower, required that there be a landscape buffer 75% comprised of evergreens. The evergreens were to have been at least 6' in height at the time of planting and interspersed with evergreen shrubs.

Conditional Use Permit 05-05-CU for Treasure Valley Collision Center required that there be landscaping continually maintained with a permanent, underground and automatic sprinkler system.

Potential Conditions for compliance:

- Verification that the 7' sidewalk adjacent to the easterly property line is installed and unimpeded.
- At least one tree shall be planted for every fifteen (15) linear feet of perimeter length (or as appropriate to the selected species) to quickly establish continuous canopy coverage.
- A perimeter landscaping area shall be at least ten feet (10') wide measured from the property line to the interior of the lot.
- A screen consisting of vegetation shall be at least six feet (6') wide and six feet (6') in height at maturity.
- Landscaping buffer be 70% or more of living material.
- Landscape buffer 75% comprised of evergreens. The evergreens were to have been at least 6' in height at the time of planting and interspersed with evergreen shrubs.
- Landscaping shall be continually maintained, and in good health. Should the landscaping die, it shall be replaced within 6 months.
- Landscaping shall be continuously maintained with a permanent, underground and automatic sprinkler system.

Additional solutions to be discussed with applicant and Design Review Committee.

ARTICLE E. TRANSPORTATION AND CONNECTIVITY PROVISIONS – Not Compliant

The transportation and connectivity provisions include: Clear Vision Triangle, Internal Circulation, Private Streets, Sidewalk Standards, Pedestrian and Bicycle accessibility, and Transit requirements.

There is a pedestrian easement directly adjacent to the limits of the project running the entire easterly portion of the lot.

The applicant is proposing a 5' sidewalk outside of the right of way. A 5' sidewalk adjacent to all public right-of-way was required of the approval of 05-05-CU. This sidewalk does not appear to have ever been installed.

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Garden City Sidewalk Policy, construction standards require that sidewalks on arterials are 7' in width, detached with a landscaping buffer 6' in width if trees with a root barrier are installed in the buffer or 8' in width if trees without root barrier are installed.

Potential Conditions for compliance:

- Install a 7' sidewalk the entire length of the property adjacent to State Street, with a landscape buffer between State Street and the sidewalk, either 6' or 8' in width to accommodate the Garden City sidewalk policy standards, with regards to street tree standards.
- Install one class II or III tree for every 50' of lineal frontage adjacent to State Street.

Comprehensive Plan Analysis Not Compliant

The proposed facility is located in the Green Corridor Boulevard and Residential Low Density land use designation of the Garden City Comprehensive Plan. Green Boulevard Corridor- Dramatic Statement that highways and arterials should change from single purpose of moving vehicles to adding pedestrian accesses, refuges, trees and landscaping. Residential Low Density is designated for predominantly single family detached.

The design as submitted is arguably not in line with either of these land use designations, as it tends to read more industrial in nature and requests facilities that are read architecturally hostile, such as barbed wire, and little vegetation.

Other Plans or Approvals Analysis Not Compliant

Approval 03-17-CU a conditional use permit for the original 'T-Mobile' facility required landscaping around the tower, including evergreens at least 6' in height at the time of planting, interspersed with lower evergreen bushes. The tower was required to be of a dull non reflective finish. A 7' sidewalk easement from the residential development to the south of the site to State Street was required.

The documents submitted in conjunction with 05-05-CU a conditional use permit for Treasure Valley Collision show the entire 20' setback along the south property line as being dedicated to landscaping. A 5' sidewalk was required adjacent to State Street. A letter dated January 17, 2006 from ITD indicates the City may require the installation of a sidewalk to accommodate pedestrians and shall conform to ADA requirements, and be installed at the developers expense.

Garden City Sidewalk Policy notes that sidewalk or pathway shall be detached as required by **Garden City Code 8-4E-6 E** and provide for a 6' with root barrier/ 8' without root barrier landscape buffer prescribed by ACHD's policy for Class II or III trees. It further requires that if the sidewalk is adjacent to curb on an arterial roadway the sidewalk shall be at least 7' in width and be free of obstructions.

Potential Conditions for compliance:

- Landscaping shall be continually maintained, and in good health. Should the landscaping, or a portion thereof, die or become diseased, it shall be replaced within 6 months.
- Landscaping shall be continuously maintained with a permanent, underground and automatic sprinkler system.
- All new structural components shall be of a non-reflective, dull finish.
- *On site* drainage shall be designed to accommodate the curb, gutter, and concrete sidewalk and in conformance with the transportation authority's and City's requirements.
- Right of way or an easement must be granted for the entire sidewalk to edge of property.

- Sidewalk shall connect to the existing sidewalk on eastern property boundary and provide for connection to an adjacent future sidewalk on western boundary.
- The area between the sidewalk and curb or travel way may be landscaped or hardscaped as determined by the committee.

GCC 8-6B-3 Design Review: Pending decision of Committee

To approve a design review application, the Commission must find the following:

1. The proposed design is in conformance with the purpose of the zoning district and all dimensional regulations of that district;
2. The proposed design adheres to standards for the protection of health, safety, and general welfare;
3. The proposed design creates a sense of place and contributes to the uniqueness of the different districts and neighborhoods within the city;
4. The proposed design improves the accessibility of development to nonmotorized and public modes of transportation;
5. The proposed design supports a development pattern in nodes rather than strip commercial along arterial corridors;
6. The proposed design supports a compact development pattern that enables intensification of development and changes over time; and
7. The proposed design provides outdoor spaces and landscaping compatible with the southwest Idaho climatic conditions and that encourage pedestrian activity.

Summary of Potential Conditions for Compliance:

- Remove all existing slats in chain link fencing. New fencing shall not be chain link with slats.
- Remove barbed wire. No barbed wire is permitted.
- All new structural components shall be of a non-reflective, dull finish.
- Provide verification that the 7' sidewalk adjacent to the easterly property line is installed and unimpeded.
- At least one tree shall be planted for every fifteen (15) linear feet of perimeter length (or as appropriate to the selected species) to quickly establish continuous canopy coverage.
- A perimeter landscaping area shall be at least ten feet (10') wide measured from the property line to the interior of the lot.
- A screen consisting of vegetation shall be at least six feet (6') wide and six feet (6') in height at maturity.
- Landscaping buffer be 70% or more of living material.
- Landscape buffer 75% comprised of evergreens. The evergreens were to have been at least 6' in height at the time of planting and interspersed with evergreen shrubs.
- Install a 7' sidewalk the entire length of the property adjacent to State Street, with a landscape buffer between State Street and the sidewalk, either 6' or 8' in width to accommodate the Garden City sidewalk policy standards, with regards to street tree standards.
- Install one class II or III tree for every 50' of lineal frontage adjacent to State Street.
- Landscaping shall be continually maintained, and in good health. Should the landscaping, or a portion thereof, die or become diseased, it shall be replaced within 6 months.
- Landscaping shall be continuously maintained with a permanent, underground and automatic sprinkler system.

- *On site* drainage shall be designed to accommodate the curb, gutter, and concrete sidewalk and in conformance with the transportation authority's and City's requirements.
- Right of way or an easement must be granted for the entire sidewalk to edge of property.
- Sidewalk shall connect to the existing sidewalk on eastern property boundary and provide for connection to an adjacent future sidewalk on western boundary.
- The area between the sidewalk and curb or travel way may be landscaped or hardscaped as determined by the committee.
- This approval is contingent upon the Planning and Zoning Commission use approval, and successful approval and completion of all applicable permits.

Requested Documentation:

- Landscaping plan showing size, type, location, etc. of landscaping.
- Provide verification that the 7' sidewalk adjacent to the easterly property line is installed and unimpeded.