



CITY OF GARDEN CITY

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

File Number: DSRFY2019 - 18
Application Scope: Design Review
Location: Freeride Lane
Applicant: Bill Truax, Parkway 405 LLC
Report Date: 3/11/2020



Staff Report
Report prepared by Chris Samples

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A. Report Summary

Changes to this section from the previous report are highlighted.

- Scope of work is for a six story, mixed-use structure and associated site improvements
- Project includes a two-story parking garage intended to park the use rather than serve as a public parking lot
- Revised plans submitted to address Committee and public concerns

B. Project Information

Proposed Scope of Work:

Request	Review Process	Notes
Design Review for a proposed structure and site improvements	8-6B-3 Design Review Committee	None

Project Details:

- 1) Proposed development: Mixed use development with parking garage
- 2) Number of buildings: 1 (three interconnected structures)
- 3) Number of stories: 6
- 4) Parking spaces: 183
- 5) Bicycle parking: Enclosed in garage; spaces unclear
- 6) Site Coverage: Unknown
- 7) Trash Enclosure: 2
- 8) Fencing: None depicted

Site Conditions:

- 1) Address: Freeride Lane (No address assigned)
- 2) Parcel Number: R8583760500
- 3) Property Size: 1.368 acres
- 4) Zoning District: M – Mixed Use Zoning District
- 5) Comprehensive Plan Land Use Map Designation:
 - a) Activity Node: Neighborhood/Destination
 - b) Main Street Corridor
 - c) Mixed Use Residential
- 6) Legal Lot of Record: Yes
- 7) Floodplain Designation:
 - a) 2003 FIRM: X
 - b) 2017 Draft FIRM: AE
- 8) Surrounding Uses:
 - a) Dwelling Unit, Single Family, Attached
 - b) Dwelling Unit, Multi-Family
 - c) School
- 9) Existing Use: None
- 10) Easements on site:
 - a) 18' x 24' Community Association Pressure Irrigation Pumping Station Easement
 - b) 5' ACHD Sidewalk Easement
 - c) 7.5' Fairview Acres Lateral Water Users Association Irrigation Easement
- 11) Site Access: N. Adams St; E. 42nd Street;
- 12) Sidewalks: Installed along N. Adams St; E. 42nd Street;

C. Discussion

Changes to this section from the previous report are highlighted.

In response to the requests made by the Design Committee at the 3/2/2020 hearing, the applicant has submitted revised plans.

The roof height has been lowered to 71'6" in response to the Design Committee's request at the 3/2/2020 hearing. The height now includes the top of the parapet wall.

Façade changes have been proposed to provide additional visual relief. A portion of the south elevation has been recessed to create an additional wall plane break. Color and material changes have been proposed to provide variation and identify entry points.

Landscaping and screening changes have been proposed. Screening at the top of the garage platform has been proposed through metal lattice that also acts as a landscape trellis. Additional landscaping has been proposed along the west side of the pedestrian plaza. 5' tall screening has been proposed to provide visual relief.

Confirmation has been received from ACHD confirming the scope of the proposal was taken into account when ACHD provided comments.

D. Required Decisions; Required Findings; Decision Maker Actions; Appeals

Changes to this section from the previous report are highlighted.

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

Decision	Recommendation Authority	Decision Authority	Hearing Date
Design Review	N/A	Design Committee	3/16/2020 (continued from the 3/2/2020 hearing)

Note: The application was continued from the 3/2/2020 to allow the applicant to address the Design Committee's concerns. The following requests were made:

- a. Revised elevations showing a reduced height, including parapet to 72' maximum
- b. Plans showing the relationship of the building to the adjacent properties
- c. Plans showing more roofline undulation and variation along the N. Adams Street elevation.
- d. Entryways should be more clearly depicted and delineated for tenants, guests, deliveries, and other persons.

Required Findings:

To approve a design review, the Design Committee must find the application meets the following findings:

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.

Decision Options:

The Design Committee may take one of the following actions:

1. Approve the application as presented;
2. Approve the application with conditions;
3. Deny the application.
4. Request the applicant return with revised materials for additional review;

Appeal of Decision:

At the hearing, the Design Committee will make a motion to decide the application. The decision will be formally rendered at the hearing and signed.

Pursuant to Garden City Code 8-6B-3 (Design Committee) and Garden City Code 8-6A-6 (Administrative Process with Notice), there is a 15 day period to file a written objection to the application. 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.

Written objections received after the 15 day objection period will not be accepted.

Pursuant to 8-6A-9 (Appeals), there is a 15-day appeal period to appeal the decision to the City Council. **This period starts from the signed decision date and runs concurrently with the 15-day objection period noted above.** An appeal is \$210 and must be filed on the appeal application form provided by the City. **Appeals received after the 15-day appeal period will not be accepted.**

E. Agency Comments

Changes to this section from the previous report are highlighted.

The following agency comments were provided:

Agency	Comment Date	Summary
Ada County Highway District	2/10/2020	<ul style="list-style-type: none"> • Submit plans for a 25' wide driveway • Traffic Impact Fee may be required • Submit plans to ACHD for review • Standard ACHD conditions of approval • ACHD confirmed that the scope of the proposal and the impact to the traffic network was taken into account when providing the 2/10/2020 comments
Garden City Engineer		<ul style="list-style-type: none"> • Sanitary restrictions must be released by the Central District Health Department prior to the issuance of building permits • Standard comments

F. Public Comment

The following public comments were provided:

Committer	Comment Date	Summary
Claudia Celestial	2/10/2020	In opposition
Dave Vermedal	2/10/2020	In opposition
Rome Acopan, Jr.	2/13/2020, 2/24/2020	In opposition
Steve Boscawen	2/14/2020	In support
Jenny Martin	2/20/2020	In opposition
Kati Powell	2/24/2020	In opposition

G. Code/Policy Checklist

Sections with compliance issues noted will be analyzed in detail in section E: Code/Policy Analysis of this report. Sections without any compliance issues noted will not be further detailed in this report. Changes to this section from the previous report are **highlighted**.

Garden City Title 8 Code Sections			
Code Section	Review Authority	Compliance Issues	Staff Comment
Title 8, Chapter 1: General Regulations			
8-1A Purpose, Applicability and Interpretation	Design Committee	No compliance issues noted	<ul style="list-style-type: none"> Legal parcel of record – SUBFY2016-1
Title 8, Chapter 2: Base Zoning District Regulations			
8-2B Base Zoning District Provisions	Design Committee	No compliance issues noted	<ul style="list-style-type: none"> Revised plans show height reduced to 71'6", including top of parapet
8-2C Land Use Provisions	Design Committee	Compliance issues noted	<ul style="list-style-type: none"> Condition of approval for remaining requirements noted
Title 8, Chapter 4: Design and Development Regulations			
8-4A General Provisions	Design Committee	No compliance issues noted	<ul style="list-style-type: none"> Lighting, stormwater, and utilities usually reviewed at time of building/public works permits
8-4B Design Provisions for Residential Structures	Design Committee	Compliance issues noted	<ul style="list-style-type: none"> Revised plans provided to address issues
8-4C Design Provisions for Nonresidential Structures	Design Committee	Compliance issues noted	8-4C-4: <ul style="list-style-type: none"> Revised plans provided to address roofline relief
8-4D Parking and Off Street Loading Provisions	Design Committee; Planning Official	Compliance issues noted	<ul style="list-style-type: none"> Parking analysis required to determine mixed use development parking
8-4E Transportation and Connectivity Provisions	Design Committee	No compliance issues noted	No comment
8-4F Sign Provisions	Design Committee	Compliance issues noted	<ul style="list-style-type: none"> Master sign plan required
8-4I Landscaping and Tree Protection Provisions	Design Committee	Compliance issues noted	<ul style="list-style-type: none"> Perimeter landscaping requirements affected by irrigation

			easement on west property line
8-4L Open Space Provisions	Design Committee	No compliance issues noted	<ul style="list-style-type: none"> Common space clarified by applicant at 3/2/2020 hearing
Title 8, Chapter 6, Article A: Administration			
8-6A General Provisions	Design Committee	N/A	<ul style="list-style-type: none"> Application waivers requested pursuant to 8-6A-4A
Title 8, Chapter 7: References			
8-7A Definitions	Design Committee	N/A	Defined terms referenced: <ul style="list-style-type: none"> Building Height Dwelling Unit, Multiple Family Easement Open Space Open Space, Common

Garden City Plans/Policies		
Plan/Policy	Compliance Issues	Staff Comments
Garden City Comprehensive Plan	No compliance issues noted	Land Use Designation information provided for informational purposes
Garden City Sidewalk Policy	No compliance issues noted	Sidewalks installed along N. Adams and E. 42 nd Street
Garden City Street Light Policy	No compliance issues noted	Streetlights installed within 400' of property

H. Code/Policy Analysis

Changes to this section from the previous report are **highlighted**.

Garden City Title 8 Code Section	
City Code	Analysis
<u>8-2B Base Zoning District Provisions</u>	
8-2B-3 Form Standards	Revised plans show maximum height at 71' 6", included top of parapet.
<u>8-2C Land Use Provisions</u>	
8-2C-15 Dwelling Unit, Multi-Family	<p>Subsection C requires a legally binding site maintenance agreement. The Design Committee can, as a condition of approval, require this to be handled administratively prior to the issuance of a certificate of occupancy.</p> <p>Subsection D requires a multi-family development to have:</p> <ul style="list-style-type: none"> • A property maintenance office • A maintenance storage area • A central mailbox • A directory and map of the development at the development's entrance or convenient location <p>The proposal does not depict these requirements. The Design Committee can require them as a condition of approval prior to the issuance of a building permit or can request the applicant return with this information.</p>
<u>8-4B Design Provisions for Residential Structures</u>	
8-4B-4 Multi-Family Residential Dwelling Units	<p>Subsection A requires the proposed design to take windows, entrances, porches and patios into account regarding how they impact adjacent properties. The applicant states the following in their application documents:</p> <p style="padding-left: 40px;">The Project has been carefully designed to be compatible with its surroundings and to minimize impact</p>

	<p>to adjacent properties and developments. The façade facing Adams St. faces a commercial use warehouse building, which is approximately 170 ft from the building face and buffered by Adams St. The façade facing 42nd St. looks across the street at another mixed-use development on a similar scale to the Project. 42nd St acts as a buffer in this case. In response to comments from neighbors and Design Review, the façade facing Freeride Ln. has been pushed back from the property line to create greater distance between the types of residential uses. The façade facing west, at the adjacent property, does not provide direct visual connection by the residents. The egress stair elements and clerestory windows obscure the views for those in this Project looking out.</p> <p>Previous design review applications, such as DSRFY2019 – 23 (Multi-Family Development – Strawberry Glenn Road) and DSRFY2019 – 25 (The Boardwalk) faced similar issues with regards to privacy and adjacency to single family detached dwelling units.</p> <p>The applicant has provided revised plans addressing this issue. The plans include additional façade relief and material changes intended to address the issue.</p>
<p><u>8-4C Design Provisions for Nonresidential Structures</u></p>	<p style="background-color: black; color: black;">[REDACTED]</p>
<p>8-4C-4 Special Provisions for Specific Nonresidential Development</p>	<p>Subsection A provides guidelines for large scale nonresidential structures. Subsection A.2 intends for structures to incorporate additional façade relief for facades exceeding 50' in length. The roofline does not appear to incorporate the relief noted in this section.</p> <p>The applicant has provided the following information addressing this issue:</p> <p style="padding-left: 40px;">The Project as designed provides distinct architectural features on all</p>

four sides. The structure has a defined base and parking/retail levels that provide a visual anchor. The open parking garage is obscured by a combination of low walls that block views of vehicles and perforated metal screens that provide a pattern of transparent and opaque views. The street level retail uses glazing for pedestrian visual connection. The glazing and awning undulation at the retail level provide a visual rhythm experienced as pedestrians pass by.

The residential building design changes with each façade facing outward and inward. The Adams St. façade is more vertically oriented over its length. Vertical window shades are provided along this face, which obscure the sun to these windows. The stair tower on the left (north) end and the transition section on the right (south) end provide relief as they are set back and at lower heights than the main façade.

The corner of Adams and 42nd St. transitions and a different façade style begins. The 42nd St. residential façade creates a different feel by shifting the pattern of fenestration. The material will be accented by reveals. Overall the 42nd façade is layered in its appearance and creates interest at the north stair tower as the project transitions to Freeride Ln. The Freeride Ln. façade provides a view into the residential level courtyard. This visual break between buildings provides a transitional scale to the overall design. Seeing trees and people interacting in this courtyard lends to the neighborhood feel of the Project. The residential building along Freeride Ln has a balance of horizontal and vertical emphasis. The façade has relief as the stair and elevator core are set back and lower than the rest of the building face. The west end of the Project faces an

	<p>adjacent property where the ends of the residential buildings are seen. The visual break between buildings again provides a transitional scale.</p> <p>The Design Committee approved a similarly designed structure at 405 E. 42nd Street under DSRFY2018 – 4.</p> <p>The applicant has provided revised plans to address this issue through façade and material changes.</p>
<p><u>8-4D Parking and Off Street Loading Provisions</u></p>	<p>A parking analysis is required pursuant to 8-4D-5 to determine the parking space counts for mixed use developments. Parking counts are determined by the Planning Official usually during the building/occupancy permit process. However, the Design Committee can consider the design of parking facilities in their review, of which parking counts can have an impact.</p> <p>Although not required of a mixed-use development, a multi-family dwelling unit development of the same scope would require the following minimum parking counts if developed as a single use:</p> <ul style="list-style-type: none"> • One bedroom: 1 space per unit, required in an enclosed garage • More than one bedroom: 2 spaces per unit, 1 space must be in an enclosed garage • Guest Parking: 0.5 spaces per unit <p>Total parking required for 140 multi-family units: 246 spaces</p> <ul style="list-style-type: none"> • 102 One Bedroom Units: 120 spaces • 38 Two Bedroom Units: 76 spaces • Guest Spaces: 70 spaces <p>Total parking proposed: 183 spaces (within garage)</p> <p>A parking analysis can be required to be submitted as a condition of approval prior to building permit issuance.</p> <p>The applicant has provided the following parking analysis:</p>

This mixed-use Project provides 183 enclosed parking stalls on a concrete podium structure, which will satisfy the parking needs for the proposed uses. No uncovered surface parking is proposed. The Project includes 143 residential units and approximately 7050 square feet of commercial retail to cater to residents and surrounding citizens.

The number of covered parking stalls is sufficient to serve the Project because:

1. The mixed-use proposal will capture trips and the small scale commercial is focused on serving Project residents and other nearby walkable residents.
2. There is available street parking on 42nd St - some west of Adams and more east of Adams.
3. Public transit is a focus of this Project. VRT has bus stops nearby on Adams that provide multiple bussing options at peak times as well as mid-day options. Alternative transit is also provided through an ebike program the Project will support by providing 40 ebikes on site with charging infrastructure for Project residents to use. This alternative transit option will be successful due to the proximity of the Project to the Green Belt that will provide connectivity within Garden City and to surrounding cities.

The intent behind this Project and the Parkway Station master plan as a whole is to create a neighborhood commercial node. Parkway Station provides small scale and pedestrian oriented retail integrated into dense residential development. The City Code recognizes the reality that this type of use requires less parking by reducing the required parking in neighborhood commercial nodes in Section 8-3D-3(C)(2). Under the commercial node parking standards,

	<p>this Project would require 132 spaces, as follows:</p> <p>(A) 1 PER (500SF) 7,050 RETAIL = 14.1 (B) 1 PER APT 92 = 92 (C) 1/2 PER APTS < (550 SF) 51 = 25.5</p> <p style="text-align: center;">TOTAL= 132</p> <p>We have been active in developing this area and have observed surrounding multi-family projects and trends. The Trailwinds project on 42nd is a good example and demonstrates that using the City's multi-family parking standards in this area is not necessary. Trailwinds has a large surface parking facility that takes up more than half of the site and it is consistently under parked.</p>
<p><u>8-4F Sign Provisions</u></p>	
<p>8-4F-13 Master Sign Program</p>	<p>A master sign plan is required by this section for new development. The Design Committee can request the applicant return, as a condition of approval, with a master sign plan. Alternatively, the hearing can be continued by the Design Committee to require the master sign plan completed prior to rendering a decision on the design review. In either case, no signage would be allowed until the master sign plan was approved.</p>
<p><u>8-4I Landscaping and Tree Protection Provisions</u></p>	
<p>8-4I-5 Perimeter Landscaping Provisions</p>	<p>Subsection B.3 requires perimeter landscaping between a multi-family residential use and a single-family residential use. 4248 N. Adams Street is documented as a single-family residential use, directly west of the proposed design.</p> <p>However, the Two Town Subdivision Plat notes there is a 7.5' wide irrigation easement on the shared property line dedicated to the Fairview Acres Lateral Water Users Association. The applicant has asserted that Fairview Acres will not allow trees to be planted in this easement. This is commiserate with previous feedback from Fairview Acres with other applications. The Design Committee can require</p>

	documentation of this restriction from Fairview Acres as a condition of approval.
<u>8-4L Open Space Provisions</u>	
8-4L-5 Open Space Standards for Multi-family Developments	<p>Subsection B requires common open space based on the number and size of multi-family residential units as follows:</p> <ol style="list-style-type: none"> 1. For any new multi-family development: A minimum area of outdoor common open space shall be provided as follows: <ol style="list-style-type: none"> a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area. (Ord. 898-08, 9-8-2008) b. (Rep. by Ord. 905-09, 3-23-2009) c. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area. d. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. <p>Open space is defined in Garden City Code 8-7A as “An area substantially open to the sky and suitable for outdoor recreation or enjoyment. The term "open space" may include, but is not limited to, parks, playgrounds, water areas, landscaping, patios, enclosed yards, sports courts, swimming pools, and picnic areas. The term shall not include impervious surface area such as parking and driveways”.</p> <p>Common open space is defined in Garden City Code 8-7A as “land within a development which is designed and intended for the use and enjoyment of the residents or the public.</p> <p>While the scope of the application is within 0. Freeride Lane, the property is part of a phased development that has been documented in previous applications such as Design Review DSRFY2018-4 (406 E. 42nd Street), Planned Unit Development/Subdivision SUBFY2016-1 (Two Town</p>

Sub No 1), and Minor Planned Unit Development/Subdivision SUBFY2017-2 (Two Town Sub No 2). The Trailwinds Apartments (DSR2014-8), while not initially indicating a larger development, has become a part of the phased development by virtue of its connectivity within the sites.

With this information in mind, there may be grounds to interpret the definition of Common Open Space, to include the entirety of the phased development. The Design Committee approved a similar application with DSRFY2019 – 25 (The Boardwalk) that had common area distributed across multiple properties but within the context of a single development.

The applicant has provided the following statement to address common open space:

The Project has been designed to provide common open space and private open space that meet and exceed the City Code requirements. The Project provides approximately 15,676 square feet of private open space for Project residents in the plaza area alone; only 11,440 is required (143 units X 80 SF = 11,440).

The Project also provides residents with access to approximately 18,108 square feet of common open space on site, which includes an expansive courtyard and pedestrian pathway system with seating areas. The Project also includes design elements to provide safe pedestrian access to contiguous open space on 42nd, including Riverfront Park, which provides approximately 76,230 square feet of open space. From its inception, Parkway Station was designed to create a connected system of shared common space uses, linking to Riverfront Park and terminating at the Greenbelt, one of the distinguishing community features of the Valley. In 2018, the greenbelt was re-built between 42nd and 43rd St by the developers of Parkway Station to increase the value

	<p>of this common amenity and to increase the redevelopment options open to the City.</p>
<p><u>8-6A Administration – General Provisions</u></p>	<p style="background-color: black; color: black;">[REDACTED]</p>
<p>8-6A-4 Required Application Information</p>	<p>The applicant has requested the following application requirements be waived:</p> <ul style="list-style-type: none"> • Ada County Address Verification • Photometric Plan • Will Serve Letter <p>The record supports the waiver of the Ada County Address Verification and the Photometric Plan:</p> <ul style="list-style-type: none"> • Ada County Address Verification: Central District Health Department has a sanitary restriction in place, which prevents the assignment of addresses. • Photometric Plan: Lighting is usually reviewed administratively during the building permit process. <p>The record does not support the waiver of the Will Serve Letter:</p> <ul style="list-style-type: none"> • Although the Two Town Subdivision was approved with utilities, the plat does not explicitly state whether those services specifically serve this scale of development. The site plan in the subdivision application notes that there will be future commercial and/or multifamily development without noting a specific scale. A Will Serve letter is needed to meet finding #2 of 8-6B-3 (Design Committee), requiring the proposed design to adhere to standards for the health, safety or general welfare. Water and sewer service are required by Garden City Code Title 6. The Design Committee can either require the Will Serve Letter, as a condition of approval, prior to the application of building permits or can require it prior to rendering a decision on this matter.

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

Main Street Corridor: Create a “Main Street” corridor as a principle street with a mix and concentration of uses along

	<p>Adams/ Alworth Street with a possible alignment through a re-developed Idaho Expo site connecting with the Activity Node at Glenwood and Marigold Streets. The corridor should have activity nodes along the street that connect the main street to the arterial roadways and/or the Boise River. The activity nodes should be limited so as to not dilute their function as a center. The focus of development should be on minimum front yard setbacks, parking on the street and behind buildings, and pedestrian amenities. The center of the activity nodes on the Main Street corridor should be integrated vertically with more height at the principle main street intersection of the node.</p> <p>Mixed Use Residential: The mixed-use residential area is north of Adams/ Alworth Street. This designation allows for residential and commercial uses in a form and scale that is residential in character and design. A mix of residential; small scale office and retail; and public and semi-public uses are appropriate in this district. Regulations for this area should focus on form more than use, with a maximum height of two stories.</p>
<p>Garden City Sidewalk Policy</p>	<p>Sidewalks installed along N. Adams St. and E. 42nd Street in accordance with the policy.</p>
<p>Garden City Street Light Policy</p>	<p>A streetlight is installed within 400' of the property in accordance with the policy.</p>