



CITY OF GARDEN CITY

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File Number: DSRFY2019-25
Application Scope: Pre-Application Conference for Site Modifications
Location: 510 E. 41st Street
Applicant: Erstad Architects
Pre-Application Report Date: July 6, 2021
Formal Hearing Date: August 16, 2021



Staff Report
Prepared by Hanna Veal

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A. Meeting Summary:

This summary will be updated to reflect the previous meetings as this application progresses.

The Preapplication meeting was held on July 6, 2021. A summary of the items discussed will follow here.

1. Chad Weltzin and Mike Talbot presented the application.
 - a. The automated parking structure is to have creative artwork representing Garden City.
 - b. Calculated vehicle trips are about 45% less than originally approved hotel.
 - c. New proposal includes 198 enclosed parking spaces within the parking structure. All 198 are for the condominium residences. 21 surface parking spots are dedicated to residential guests and commercial customers
 - d. Privacy – concerns given that it is a tall building, but it is in an ideal location for privacy due to the surrounding uses and natural features:
 - i. North is the Boise River;
 - ii. West is Veterans Memorial Parkway;
 - iii. South is mostly all commercial;
 - iv. Surrounding residential is associated with the development.
 - e. Fences – no proposed fencing, prefer no privacy screen along south or west. Uses landscaping to block visual appearance from the south commercial and west Veterans.
 - f. Trash rooms inside on ground floor. Republic services already contacted.
 - g. Technical error – Pg. 14, garage is not 195ft tall, it is 95ft.
 - h. Single Family residential unit produces less trips than a hotel use does.
 - i. Previously approved parking analysis:
 - i. 1 guest parking for every 8 parking – demand for 14 shared parking agreement;
 - ii. 1 space for 300sqft of commercial space;
 - iii. These calculations would require 21 surface parking spaces which is provided.
 - j. Every unit will have an underground storage locker and one bike parking space in the enclosed bike storage area.
 - k. Not requesting any variance for landscaping standards.
 - l. Private open space – Every unit has its own balcony, with the addition of the 9th floor lounge.
 - m. The Boardwalk Apartments exceeds its common open area requirements – Mitigation of the common open space requirements because the development all acts as one and the common open area flows from one structure to the next.
 - i. 104,238 square feet of common open space
2. Comments from the Committee included:
 - a. As part of the original approvals the shared parking agreement is still required.
 - b. One space for every eight units to apply for multi-family.
 - c. Increased visual interest along the northern façade where the bike racks are. Pedestrian oriented features along the Greenbelt needed.
 - d. Committee member Gresham is curious as to what the public will have to say about the proposed height.
 - e. Brett Labrie does not have an issue with the height.

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- i.** Most appropriate place along the Greenbelt in Garden City.
 - ii.** Aggressive, bold, but well done. Shadows, decks, architectural features interesting.
 - f.** Terminal vistas – building creates one, a beautiful one, but different than what Garden City has seen.

A hearing/ follow-up meeting will be held on a August 16, 2021. A summary of the items discussed will follow here.

B. Project Information

Proposed Scope of Work:

Request	Review Process	Notes
Pre-application conference for a design review	8-6B-3 Design Review Committee	July 6, 2021
Public Hearing	8-6B-3 Design Review Committee	August 16, 2021

Project Details:

- 1) Proposed development: New construction of a 18-story, 111 unit condominium structure with automated garage
- 2) Site Coverage: 1.24acres = 54,014sqft
 - a) Building: 20,640sqft
 - b) Landscaping: 10,725sqft
 - c) Boardwalk decking: 6,605sqft
 - d) Paver fire lane: 1,480sqft
 - e) Asphalt: 14,180sqft
 - f) Concrete flatwork: 3,480sqft
- 3) Commercial square footage:
 - a) Commercial: 2,066sqft on 1st floor
- 4) Number of Structures: 1
- 5) Number of residential units: 111
 - a) Studio: 6
 - b) One-bedroom units: 24
 - c) Two-bedroom: 59
 - d) Three-bedroom: 19
 - e) Guest Suite: 3
- 6) Total number of vehicular parking spaces: 219
 - a) Enclosed: 198 within the automated garage
 - b) Surface: 21
 - c) On-Street: none
 - d) Off-site with a cross parking agreement: 14
- 7) Total number of bicycle parking: One bike parking spot for each tenant, plus 12 surface parking spots near commercial spaces.
- 8) Trash Enclosure: Republic Services will pick up individual services internal to the development.
- 9) Fencing: No fencing proposed
- 10) Sidewalk:
 - a) Attached proposed surrounding the round-about with a landscaped plaza surrounding that. See site plan. Round about proposed at the end of 41st street, which is to be vacated and have a public access easement to the Greenbelt.
- 11) Landscaping:
 - a) Street Trees: 3 Class I trees
 - b) Parameter Landscaping: 5' wide perimeter landscaping along the western and southern property boundary lines that occasionally gets wider. Large area of perimeter

landscaping between the Greenbelt and the development, however it also acts as a paver fire lane.

12)Connections: Greenbelt

13)Closest VRT Stop: Adams and 40th NWC – This route will terminate in September 2021

Site Conditions:

1) Street Address: 510 E. 41st Street

2) Parcel Number(s): R2734520933

3) Property Description: PAR #0933 OF SEC 32 4N 2E AND OF LOT 8 BLK 16 FAIRVIEW ACRES SUB 3 #0923-0920-0926-C

4) Legal Lot of Record: Yes

5) Property Size: 1.24 acres

6) Zoning District: C-2

7) Zoning Overlay(s): None

8) Comprehensive Plan Land Use Map Designation:

a) Activity Node: Neighborhood Destination and Transit Oriented Development Node

b) Mixed Use Residential

c) Green Boulevard Corridor

9) Floodplain Designation:

a) 2003 FIRM: outside of the Special Flood Hazard Area(X)

b) 2017 Draft FIRM: 100 Year (AE)

10)Adjacent Uses:

a) Manufactured Home Park

b) Industry Light

c) Dwelling unit, Multi-family,

d) Dwelling Unit, Single Family Detached

e) Financial Institution

11)Existing Use:

a) Former Concrete Plant

12)Easements on site:

a) Water Line easement -EAS2006-00047

b) Greenbelt Easement

13)Site Access:

a) Front: Greenbelt (Pedestrian only)

b) Side: 41st Street

c) Rear: n/a

14)Sidewalks: No sidewalk on or adjacent to the site

15)Wetlands on site: none identified

C. Discussion

DSRFY2019-25 was originally approved on January 21, 2020. However, the applicant has come back with such significant site modifications that the application is subject to a re-review by the Design Review Committee. The application is only proposing changes to the previously approved hotel building. The hotel was nine stories, with 148 units and 2,337sqft of commercial space. The proposed site modifications change the use from “lodging” to “single-family attached dwelling units” and the application will need to meet the standards of multi-family developments set by Garden City Code 8-2C.

No changes are being proposed to the Boardwalk Apartments or 406 Place as part of this modification.

The applicant has requested a 5-year approval period instead of the usual 1-year. The previous approval granted this 5-year extension period from the decision date of January 2020. Staff has drafted a condition to allow for the 5-year extension from the date of this hearing’s decision of August 16, 2021. The extension is only applicable to the condo tower. The previous decision is still valid for the apartments associated with the design review file.

Garden City Comprehensive Plan – Future Land Use Designations

The [Future Land Use Map](#) provides direction for the future and is a required element of [The Comprehensive Plan](#). The map is a generalized depiction of future land use actions, graphically representing the goals, objectives, and action steps. The map does guide development decisions regarding future zoning, rezoning and development applications.

The proposed development is located within three of the designations. The following is an explanation for the designations:

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.*

Neighborhood Destination and Transit Oriented Development 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).*

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 42nd street intersection to the Boise River*
- *Chinden Boulevard and Veterans Parkway intersection*

Green Boulevard Corridor - *These corridors should be dramatically changed from the current single purpose function for moving vehicles. The intent of this designation is to create more multi-modal characteristics on these corridors, including sidewalks with parkways, bus stops, landscape medians with pedestrian refuges and channelized left-turn lanes. Mobility for vehicles should be maintained, but improvements to the safety and convenience for transit and pedestrians is needed that will influence changes in the adjacent land uses. Existing uses, including commercial uses, are allowed in the corridors. New uses, including commercial uses, should be designed to encourage multi-modal over single occupancy vehicles. Uses which generate high volumes of single occupancy vehicular traffic should be restricted.*

A land use map does not control current land uses and is not a zoning map. The development is located within the C-2 zoning district, which does not have a height or density maximum. Therefore, the 18-stories that are proposed are code compliant. Additionally, the development meets the vision of the Comprehensive Plan's neighborhood destination center and transit-oriented development node by providing a high density, multi-story residential structure and mixed-use commercial spaces.

However, the development appears to have conflicting designations. There is conflict between the neighborhood destination node and the mixed-use residential designations in that the later asks for lower density residential with a maximum height of two-stories.

Common Open Space

This proposal also utilizes the adjacent property's common open space as the development was originally processed as a single application for the development of The Boardwalk Apartments, 406 Place, and the Boardwalk Hotel. The Boardwalk Apartments and 406 place provided a surplus of common open space for what was required of the structures, offering 104,238sqft of common open space for an grand total of 118, 639sqft. The site as a whole only requires 103,250sqft of common open space.

Perimeter Landscaping

Perimeter landscaping is required along the common property line between an adjacent nonresidential use and a residential use or vacant residentially zoned property. The property to the south is currently a commercial use, thus perimeter landscaping is required.

It is not apparent how wide the perimeter landscaping is along the southern property boundary line. Code requires it to be at least 10ft wide and at maturity 6ft tall. However, the Committee has allowed for the width to be 5ft wide, knowing that the adjacent property might one day develop and be required to put in 5ft of perimeter landscaping.

It has been conditioned in the decision document to require code compliant perimeter landscaping; except for the fencing and to allow for 5ft width versus 10ft. This condition will require at least one tree to be planted for every fifteen (15) linear feet of perimeter length (or as appropriate to the selected species) to quickly establish continuous canopy coverage.

Parking Requirements

The site provides for a total of 219 vehicular parking spots. 198 of those spots are within the parking garage structure, while the remaining 21 are a mix of enclosed and exposed surface spots. The site requires at least 245 parking spots for the residents, making the development **deficient 33 parking spaces.**

Since Garden City Code does not specify commercial parking minimum and maximums, the planning official differs to the City of Boise parking code. The City of Boise parking code requires a vehicular parking spot for every 600sq.ft. of commercial space. As the retail space is 2,066sqft, it would require 3 parking spaces. With the commercial requirements added to the total parking requirement, **the site is deficient 36 parking spaces.**

Even though the development is deficient in parking, please note that the parking proposed in **this modified plan is offering more parking than the originally approved Design Review application.** Original approval consisted of 98 total parking spots, with 89 being enclosed and 9 being surface parking spaces. Additionally, the applicant has stated that although taller, the new building will generate 45% less traffic than the originally approved hotel.

With that being said, the guest parking and retail parking is consistent with the ratios approved in the original project; one guest parking space for every 8 units, and one retail parking space for every 300sf.

There is also a drafted condition in the decision document that requires a shared parking agreement for 14 additional parking spaces. This condition has been carried over from the original approval decision document. When the development provides the 14 additional parking spots, **the site would be deficient 22 spots.**

[See code analysis.](#)

Parking Garage Mural

The development proposes a mural along the south and west facades of the automated parking garage. The parking structure is 95ft tall, which sits well above the existing tree canopy which would result in the mural being a primary focal point along Veterans Memorial Parkway (VMP).

The design of the proposed mural, and the façade of the parking structure should be thoroughly reviewed. The proposed mural does not provide glazing or fenestrations; however, site renderings show the façade as having a decorative tree graphic. The letter of intent states that the development will "... work with the city and the local artist community to develop a graphic that reflects the history, spirit, or culture of Garden City, which can be screened or etched into the wall panels cladding the garage."

Even though the mural is proposed along the side and rear of the property, it still faces the public street of VMP. The relationship with VMP is not enhanced by the proposed mural nor is the relationship between the development and the street embraced through pedestrian-oriented features. The development appears to not adequately address the dynamic relationship between Veterans Memorial Parkway and the proposed structure.

Coordination with the Planning Department Staff can be conditioned in the decision document. Any art on site shall obtain the approval from the Planning Department Staff and/or City Council. All artwork must be found in conformance with any and all provisions set forth in Garden City Code.

D. 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](#):

Decision	Recommendation Authority	Decision Authority	Hearing Date
Design Review	N/A	Design Committee	Pre-application conference: 7/06/2021 Design Review formal hearing: 08/16/2021

Required Findings:

For the approval of a Design Review Application, the Design Review Committee must find the application meets the following findings, found in [GCC 8-6B-3](#):

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.
8. There has been no denial of any application on this property within one year.

Decision

Pursuant to [GCC 8-6B-3](#), if the Design Review Committee does not delegate the decision to the Planning Official for an administrative decision, based on the required findings, the Committee shall take one of several actions:

1. Approve the application;
2. Conditionally approve the application with the requirement that the committee review further design details; or
3. Deny the application.

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. 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

Agency	Comment Date	Summary
Garden City Engineer Link to Full Review	08/02/2021	<ul style="list-style-type: none"> • Water consumption and sewage flows are expected to be higher from the change of use proposed. Water flows in the area have been a concern in prior area reviews and is subject to further measurements and testing upon some area water improvements. Sewer capacity in the area may need to be reviewed by the applicant's design team as part of the plan review process. • The site plan depicts a "splash pad" that appears to be located over a city water main line. This conflict will have to be resolved.
Irrigation: Fairview Acres Link to Full Review	07/30/2021	No Comment

<p>North Ada County Fire and Rescue Link to Full Review</p>	<p>Original submitted; dated 10/29/2021; Review received 08/05/2021</p>	<ul style="list-style-type: none"> • Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet, approved aerial fire apparatus access roads shall be provided. • An automatic secondary fire sprinkler water supply shall be provided for high rise buildings assigned to Seismic Design Category C, D, E, or F as determined by the International Building Code. • High rise buildings shall be equipped with a fire command center complying with IFC 508 and shall be in a location approved by the fire department. • There shall be two separate and approved fire apparatus access roads for fire sprinklered buildings or facilities over 124,000 square feet and for developments with greater than 200 multi-family dwelling units in fire sprinklered buildings. (IFC D104 & IFC D106) The proposed connection of 40th and 41st Streets via the Greenbelt appears to meet this requirement. The Greenbelt would need to be improved to meet all the access criteria listed below. • General Comments
<p>Department of Environmental Quality Link to Full Review</p>	<p>08/06/2021</p>	<ul style="list-style-type: none"> • General Comments; DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided.
<p>Ada County Highway District Link to Full Review</p>	<p>08/09/2021</p>	<ul style="list-style-type: none"> • Construct 40th Street as ½ of a 36-foot wide commercial street section abutting the site, with vertical curb, gutter and a minimum of 5-foot wide concrete sidewalk. Provide a permanent right-of-way easement if public sidewalks are placed outside of the dedicated right-of-way. • Terminate 41st Street in a cul-de-sac with a center landscape island, as proposed. • Construct detached sidewalk at bulb-out locations to avoid meandering sidewalks. • Redesign the proposed 60-foot wide curved crosswalk for the driveways on the west side of 41st Street to be ADA compliant. • Additional comments – see full report.

F. Public Comment

Name	Date	Comment
<p>Claudia Celestial</p>	<p>Public Comment: 07/29/2021</p>	<p>Opposed; An 18-story building on the Greenbelt would ruin the skyline and views. It would be an eyesore and not fit in with aesthetic of the Greenbelt. Garden City does not need to make it on the map with the 3rd tallest building in Idaho with that monstrosity of a building. In addition, the impact of the traffic on Adams Street would be</p>

		overwhelming. Adams Street can barely handle the increased traffic already. I implore you to NOT approve of this site modification.
Eric Oden	Public Comment: 07/29/2021	Opposed; I noticed when I hit the City home page to get email addresses, that the City motto apparently is: "Nestled by the River." That seems totally at odds with a huge building on the river. The height is totally out of scale for the Boise River in Garden City. Frankly, I am surprised that the City plans even allow for its consideration. I will be watching this issue and you won't get my vote next election if you support and ok this obnoxious project.
Lyn Pulliam	Public Comment: 07/28/2021	I am STRONGLY opposed to the height of this new Garden City proposed building on 41st Street! While I am not adverse to new buildings, an 18 story building would be, quite simply, an eyesore. Nothing over 3 stories should be approved for our city. I am sure you will be hearing from many Garden City residents about this.
Belinda Isley	Public Comment: 08/02/2021	In Opposition; Project is in violation with Garden City Code, 18-story building is not appropriate for the site as it is not compatible with the neighborhood and does not meet the intent of the Comprehensive Plan's mixed-use commercial designation.
Aud Nachilo	Public Comment: 08/09/2021	In Opposition; The height of the proposed building would be completely out of keeping with surrounding buildings and create a large negative visual impact on the current skyline. local concerns are regarding traffic peaks during commuting and school times; we remain concerned that a 111-unit development would significantly increase traffic at these peak times.

G. Code/Policy Review

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 Code Sections			
Code Section	Review Authority	Compliance Issues	Analysis/ Discussion
Title 8, Chapter 1: General Regulations			
8-1A-4 Applicability			The regulations of Garden City Code, Title 8 Development Code of the City, shall apply and govern development and use of all properties within the corporate limits of the city.
8-1B-1 Nonconforming Properties		No compliance issues noted	

8-1B-2 Nonconforming Structures		No compliance issues noted	
8-1B-3 Nonconforming Uses		No compliance issues noted	Any use that will move into the commercial space will be subject to review. If the use is a conditional use per garden city code 8-2B, they will be required to obtain a conditional use permit.
8-1C-3 Property Maintenance Standards		No compliance issues noted	Per 8-1C-2, this article applies to all existing residential and non-residential buildings, structures, and lands.
Title 8, Chapter 2: Base Zoning District Regulations			
8-2B-1 Purpose		No compliance issues noted	The purpose of the two (2) commercial districts is to provide a full range of commercial uses and services for both the residents of Garden City and the region. Location determines the type and form of commercial uses. Activities which are more compatible with mixed use or residential uses and minimally disruptive to the neighborhood are to be located in the general commercial (C-2) district.
8-2B-2 Allowed Uses		No compliance issues noted	The use "Dwelling Unit, Multi-Family" is an allowed use in the C-2
8-2B-3 Form Standards	DC	No compliance issues noted	<p>The required setbacks are: Front: 5' Interior Side: 5' Rear: 5' Street side: 5'</p> <p>The allowable maximum height is: n/a</p> <p>The minimum lot size is: n/a</p> <p>There are no encroachments.</p> <p>All improvements are more than 70' from the Boise River.</p> <p>All properties meet the minimum street frontage by providing a code compliant plaza area.</p>
8-2C-15 Multi-Family		Complaint as Conditioned	<p>All multi-family developments shall provide amenities. This proposal is complaint with this requirement.</p> <p>The number of amenities required for multi-family developments with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one from each category.</p> <ol style="list-style-type: none"> 1. Quality of life amenities provided: <ul style="list-style-type: none"> • Fitness facilities • Enclosed bike storage 2. Open space: <ul style="list-style-type: none"> • Plaza 3. Recreation amenities:

			<ul style="list-style-type: none"> • Sports courts <p>All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features. A draft potential condition of approval requiring that such documentation be provided to the City will be included in the drafted decision document.</p> <p>For developments with twenty (20) units or more the following are required:</p> <ol style="list-style-type: none"> 1. A property management office. Provided 2. A maintenance storage area. Provided. 3. A central mailbox location, including provisions for parcel mail that provide safe pedestrian and/or vehicular access. Provided. 4. A directory and map of the development at an entrance or convenient location for those entering the development. While the site does not propose a directory map, it does propose to provide wayfinding signs through clear building signage at the residential entrance and outside the retail space. Staff believes that this meets the intent of code.
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	DC	No compliance issues noted	No fence is proposed as of the updated site plans. Previously approved plans included a 6' tall decorative CMU fence around the perimeter of the property, including along Veterans.
8-4A-4 Outdoor Lighting	DC	Compliant as conditioned	Conditioned to be compliant upon building permit review and approval GCC 8-4A-4.
8-4A-5 Outdoor Service and Equipment Areas	DC	Compliant as conditioned	<p>Floor plans show all rooftop equipment is screened. Conformance of this section of code is conditioned prior to the certificate of occupancy being issued.</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>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. It appears that all trash and recycling areas are enclosed withing the 1st story of the structure and shielded from the public's view</p>

8-4A-7 Stormwater Systems	DC	Complaint as Conditioned	Generally conditioned in the decision document for a more thorough review with the associated building permit.
8-4A-8 Utilities	DC	Complaint as Conditioned	Is generally conditioned in the decision document for a more thorough review with the associated building permit.
8-4B-4 Multi-family Residential Dwelling Units	DC	No compliance issues noted	<p>Building setbacks shall consider windows, entrances, porches and patios, and how they impact adjacent properties.</p> <p>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.</p> <p>Entrances shall be adequately covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided.</p> <p>Roof forms shall be distinctive and include variety and detail when viewed from the street. Sloped roofs shall have a significant pitch. Flat roofs should include distinctive cornice treatments.</p> <p>Exterior building materials and finishes shall convey an impression of permanence and durability. Materials such as masonry, stone, stucco, wood, terra cotta, and tile are encouraged.</p> <p>Windows are required to allow views to exterior activity areas or vistas.</p>
8-4C-3 Design Provisions for Nonresidential Structures	DC	No compliance issues noted – Discussion might be warranted	<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>The street setback may be increased when a plaza is provided with a minimum area of five hundred (500) square feet and meeting the criteria for public space.</p> <ul style="list-style-type: none"> • A 2,656 plaza/raised patio area is provided adjacent to the Greenbelt and wraps around towards 41st Street. • The structure appears to be set back further than 15' from 41st, however, the development proposes a large interactive plaza area that wraps around the building, creating a dynamic relationship between the structure, the Greenbelt, and 41st Street. This plaza plan was previously approved and engages the property across 41st. <p>First Floor Facades: First floor facades visible from a public street should include surfaces in windows, showcases, displays, or pedestrian access elements as follows: for retail uses at least fifty percent (50%), for all other uses at least fifteen percent (15%).</p>

			<ul style="list-style-type: none"> • At the pre-application meeting, the Committee expressed concern over the lack of fenestration and articulation in the wall at the west side of the plaza, and the north wall of the bike room (closest to the Greenbelt). To address this, the applicant has added significant decorative signage & planters, and changed the wall material to a perforated metal system that will allow for more depth and interest at the pedestrian level. • The façade facing Veterans does not appear to meet the required minimum of 15%. However, exact calculations have not been done. There is a proposed landscape buffer area that which would interrupt the view from Veterans. If there were a requirement of adding glazing, it would be allowing people to view into the surface parking lot located within. <p><i>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.</i></p> <p>All parking lots should be located to the side and rear of the building fronting on the street. A parking lot may be located between a building and a street when the visual effect of the parking lot has been mitigated by one of the following ways:</p> <ol style="list-style-type: none"> 1. The lot is a minor component in a large site development and is no wider than one parking bay and one driveway lane; or 2. The site design demonstrates that the parking lot is well integrated with the overall site design and pedestrian connections and amenities have been provided that compensate for the parking lot location; or 3. A minimum of ten feet (10') of landscaping has been provided between the parking lot and the view of the surface lot from the street is minimized; or 4. The parking lot is designed with materials and landscaping that softens the appearance of the parking lot. <ul style="list-style-type: none"> • The development proposes an enclosed surface parking garage, and a 10-story automated parking garage. The height of the parking garage is actually about 95ft, because the automation of the garage allows for a more condensed floorplan. <p><i>Objective 3: Buildings shall be designed and constructed of quality materials.</i> No Comment</p> <p><i>Objective 4: The site design shall respect existing notable site features including existing buildings, landscaping, trees and water.</i> No comment</p>
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			<p><i>Objective 5: The design of all buildings shall provide visual interest, support the vision for the area as articulated in the comprehensive plan and positively contribute to the overall urban fabric of the community.</i></p> <p>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 only some ways to achieve building articulation, as there are many more methods:</p> <ol style="list-style-type: none"> 1. Architectural elements, such as arcades, balconies, bay windows, dormers, and/or columns; 2. 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. 3. Ornamentation: Examples include ornamental railings, grillwork, landscape guard, and trellises. <p>At the pre-application meeting, the Committee expressed concern over the lack of fenestration and articulation in the wall at the west side of the plaza, and the north wall of the bike room (closest to the Greenbelt). To address this, the applicant has added significant decorative signage & planters, and changed the wall material to a perforated metal system that will allow for more depth and interest at the pedestrian level.</p> <p><i>Objective 6: The site development should support and be consistent with the adopted streetscape.</i></p> <p>No comment</p>
<p>8-4C-4 Special Provisions for Specific Non residential Development</p>	<p>DC</p>	<p>Complaint as Conditioned – Discussion Warranted</p>	<p>See Discussion</p> <p>The development proposes a mural along the face of the automated parking garage. Site renderings show the façade as having decorative trees, however, in the letter of intent, the applicant has proposed ... “to work with the city and the local artist community to develop a graphic that reflects the history, spirit, or culture of Garden City, which can be screened or etched into the wall panels cladding the garage.”</p> <p>Garden City Code specifically states: Murals:</p> <ol style="list-style-type: none"> 1. The content of the mural is consistent with the architectural, geographical, sociocultural and historical context of the city. 2. The location is on the rear, side or alley side of the building. 3. The size of a mural may be limited based on the location, building and context. 4. The surface material is resistant to vandalism and weather. <p>Coordination with the Planning Department Staff can be conditioned in the decision document. Any art on site shall obtain the approval from the Planning Department Staff and/or City Council. All artwork must be found in conformance with any and all provisions set forth in Garden City Code.</p>

8-4C-5 Prohibitions	DC	No compliance issues noted	There are no visible false fronts, prefabricated structures or prohibited materials proposed with this application.
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8-4D Parking and Off Street Loading Provisions

8-4D-3 Parking Design and Improvement Standards	DC	No compliance issues noted	<ul style="list-style-type: none"> - The automated parking garage has one ADA parking bay area. - 1 outdoor surface ADA parking spot - 2 enclosed surface ADA parking spots
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8-4D-4 Parking Use Standards	DC	No compliance issues noted	
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8-4D-5 Required Number of Off-Street Parking Spaces	DC	May not be complaint – Discussion Required	<p>See Discussion</p> <p>The applicant has stated that although taller, the new building will generate 45% less traffic than the originally approved hotel. Parking for the residents will be in an automated parking garage integrated into the building design.</p> <p>Residential Parking needs: Total number of vehicular parking spaces required: 189 (residential) + 56 (guest) = 245 Total Number of vehicular parking spaces provided: 198(residential) + 14 (guest) = 212 While the site sufficiently parks the residential units themselves, the site is deficient 33 residential guest parking spaces.</p> <p>Number of residential enclosed spaces required: 111 Total provided: 198 Surplus of 87 enclosed parking spaces.</p> <table border="1"> <thead> <tr> <th>Dwelling, multi-family</th> <th>Total Required Parking</th> <th>Required Within An Enclosed Garage</th> </tr> </thead> <tbody> <tr> <td>1 bedroom</td> <td>1 * 33 Units= 33</td> <td>1* 30 Units= 33</td> </tr> <tr> <td>More than 1 bedroom</td> <td>2 * 78 Units= 156</td> <td>1* 78 Units= 78</td> </tr> </tbody> </table> <p>For developments with more than 2 dwelling units there shall be 0.5 additional spaces/unit provided for guest parking.</p> <p>Commercial Parking Needs: Commercial Retail has been calculated at 1/300sf: 2,066/300 = 7 parking spots Commercial parking provided: 7 surface spots</p> <p>Even though the site appears to be deficient in parking, it is providing more parking than the originally approved Design Review application. Original approval consisted of 98 total parking spots, with 89 being enclosed and 9 being surface parking spaces.</p> <p>Guest parking and retail parking is consistent with the ratios approved in the original project; one guest parking space for every 8 units, and one retail parking space for every 300sf.</p>	Dwelling, multi-family	Total Required Parking	Required Within An Enclosed Garage	1 bedroom	1 * 33 Units= 33	1* 30 Units= 33	More than 1 bedroom	2 * 78 Units= 156	1* 78 Units= 78
Dwelling, multi-family	Total Required Parking	Required Within An Enclosed Garage										
1 bedroom	1 * 33 Units= 33	1* 30 Units= 33										
More than 1 bedroom	2 * 78 Units= 156	1* 78 Units= 78										

			There is one bicycle space required for every 20 vehicle spaces and 1 space per commercial tenant necessitating 1 bicycle spaces. There is also a requirement for bike parking for every 6 dwelling units necessitating 19 bicycle spaces. 20 bike parking spaces are required. The site plan shows a large, enclosed area designated to bike parking, each unit is said to have one bike parking space within this garage. Additionally, there are 12 on-site bike parking spots near the commercial areas and Greenbelt.
8-4D-6 Standards for Alternatives to On Site Parking	DC	Compliant as conditioned	A shared parking agreement for the 14 parking spaces is required. Agreement: <ol style="list-style-type: none"> 1. All parties involved with a joint use parking area shall submit a written agreement to the planning official, signed by the applicable parties involved. The agreement shall specify the following: <ol style="list-style-type: none"> a) Party or parties responsible for construction; and b) Party or parties responsible for maintenance. 2. The applicant or owner shall record such agreement with the Ada County recorder prior to issuance of any permits. 3. The shared use parking agreement may be terminated by the parties only if off street parking is provided in conformance with this article and approved by the planning official prior to the termination.
8-4E Transportation and Connectivity Provisions			
8-4E-3 Public Street Connections	DC	No compliance issues noted	
8-4E-4 Internal Circulation Standards	DC	No compliance issues noted	
8-4E-6 Sidewalk Standards	DC	No compliance issues noted	All sidewalks shall be a minimum of five feet (5'),
8-4E-7 Pedestrian and Bicycle Accessibility Standards	DC	No compliance issues noted	A pathway system extends through the development site and connect the street sidewalk to all primary building entrances.
8-4F Sign Provisions			
8-4F-13 Master Sign Program	DC	No compliance issues noted	All new development in the commercial, industrial and mixed use zoning districts, with more than one building or occupant shall include a master sign program as part of the application for design review. The applicant proposes to provide wayfinding through clear building signage at the residential entrance and outside the retail space. It has been conditioned in the drafted decision document to require clear and obvious signage for pedestrians to navigate the site easily.
8-4G Sustainable		No compliance issues noted	The development has submitted a sustainability checklist.

Development Provisions			
8-4H Flood Hazard	Planning Official	No compliance issues noted	The City highly encourages that the applicant build to the best available data identified in the FIS study due to the potential cost of flood insurance and safety concerns for the property. Should the applicant choose not to build above the base flood elevations identified in the FIS, the City will request that the applicant record a Flood Acknowledgement on the property.
8-4I Landscaping and Tree Protection Provisions			
8-4I-3 General Landscaping Standards and Irrigation Provisions	DRC	No compliance issues noted	
8-4I-4 Landscaping Provisions for Specific Uses	DC	Compliant as conditioned	<p>A minimum of five percent (5%) of the gross site area shall be landscaped areas. 19.85% of the site is dedicated to landscaping.</p> <p>A minimum of one class III or class II tree shall be planted in the frontage and every adjacent streetside. An additional class I tree shall be planted in the corresponding setback for every increment of fifty feet (50') of linear feet of frontage.</p> <p><u>Trees Required:</u> 41st Street: 1 Streetside + 4 frontage (200ft.) = 5 trees Veterans: 1 Streetside + 4 frontage (200ft) = 5 trees</p> <p><u>Trees Provided:</u> It has been conditioned to require at least one additional Class II street tree along the frontage of 41st Street. 41st Street: 0 Streetside + 4 Frontage = 4 trees; deficient 1 class II street tree Veterans: 1 Streetside + 5 Frontage: 6 trees; surplus 1 Class II tree</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. 10, 725sqft of landscaping provided: 11 trees required + 71.5 shrubs 18 trees provided + 298 shrubs/grasses</p> <p>Trees may be substituted for up to one-half (1/2) of the required shrubs at the rate of one tree for ten (10) shrubs and vice versa.</p> <p>Class II or class III trees can be substituted at the rate of two (2) class I trees for every one class II or class III trees unless otherwise specified by an adopted street design or master plan.</p>
8-4I-5 Perimeter	DC	Compliant as conditioned –	See Discussion

Landscaping Provisions		Discussion Warranted	It has been conditioned in the decision document to require code compliant perimeter landscaping; with the exception of the fencing and allowing for 5ft versus 10ft. This condition will require at least one tree to be planted for every fifteen (15) linear feet of perimeter length (or as appropriate to the selected species) to quickly establish continuous canopy coverage.
8-4I-6 Parking Lot Landscaping Provisions	DC	No compliance issues noted	Not applicable as most parking spaces are internal to the structure. The 5 outdoor surface parking spots appear to be shielded from the public street and setback at least 10ft.
8-4I-7 Tree Preservation Provisions	DC	No compliance issues noted	Site tree mitigation will take a phased approach. A total of 35 caliper inches needed to be mitigated for. The proposed landscape plan shows that 38 caliper inches are being mitigated. (25' from phase one, and 14 from phase two).
8-4L Open Space Provisions			
8-4L-3 General Open Space Standards	DC	No compliance issues noted	
8-4L-5 Open Space Standards for Multi-family Developments	DC	No compliance issues noted	<p>Private Open Space Standards: For any new multi-family development: A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, rooftop gardens, decks, and/or enclosed yards. The minimum dimension of any open space shall be six feet (6') in any direction.</p> <ul style="list-style-type: none"> - Required: 80sq per unit - Provided: the average private deck size is about 90sqft. This is code compliant. <p>Common Open Space Standards Required: 35, 250sqft For any new multi-family development: A minimum area of outdoor common open space shall be provided as follows</p> <ul style="list-style-type: none"> - One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area. <ul style="list-style-type: none"> o Guest Rooms = 3 x 150 = 450sqft - 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. <ul style="list-style-type: none"> o 30du x 250 = 7,500sqft - Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. <ul style="list-style-type: none"> o 78du x 350 = 27,300sqft <p>Common Open Space Provided: 14, 311sqft</p> <ul style="list-style-type: none"> - Outdoor 1st level plaza area - Outdoor overhanging balconies - Lower rooftop deck - Fitness deck - Upper rooftop deck

			Note: This proposal also utilizes the adjacent property's common open space as the development was originally processed as a single application for the development of The Boardwalk Apartments, 406 Place, and the Boardwalk Hotel. The Boardwalk Apartments and 406 place provided a surplus of common open space for what was required of the structures, offering 104,238sqft of common open space for an grand total of 118, 639sqft. The site as a whole only requires 103,250sqft of common open space.
Title 8, Chapter 6, Article A: Administration			
8-6A-3 General Application Process		No compliance issues noted	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			No waivers requested
8-6A-5 Administrative Process with Notice		No compliance issues noted	A notice of intent was sent to adjoining property owners within 300' and agencies with jurisdiction. If no objections are filed within 15 days, the Design Review Committee's decision shall be considered final. Objections will be heard by City Council following the public hearing provision set forth in section GCC 8-6A-7. Conditions of approval that are deemed necessary to protect the public health, safety, and welfare, and prevent undue adverse impacts on surrounding properties may be required.

Other Items Reviewed	
Plan/Policy	Discussion/ Analysis
Previous entitlement that might affect this project	DSRFY2019-25: This application has come back to the Design Review Committee three times now. The first being the original approval, the second being a request for site modifications that were approved as they were found in conformance with the original approval, and the third being this application you see in front of you for the request for the 18 story condominium project.
Garden City Comprehensive Plan	This application is in future land use designations of the Comprehensive Plan: <ul style="list-style-type: none"> a) Activity Node: Neighborhood Destination and Transit Oriented Development Node b) Green Boulevard Corridor c) Mixed Use Residential <p>The application may be supported by:</p> <p>Goal 1. Nurture the City</p> <ul style="list-style-type: none"> a.) 1.4 Objective: Create a premier destination place to live, work, and recreate. <p>Goal 2. Improve the City Image</p>

- a.)** 2.1 Objective: Encourage new and distinctive neighborhoods.
 - b.)** 2.1.2 Objective: Encourage high quality design and landscaping, including the use of water features, in new development.
 - c.)** 2.1.4 Objective: Explore the opportunities to create distinctive neighborhoods through defining the unique attributes of the individual neighborhood, the incentives needed to encourage those characteristics, and the design, architecture and development standards to guide future development.
 - d.)** 2.3 Objective: Promote quality design and architecturally interesting buildings.
- Goal 3. Create a Heart for the City
- a.)** 3.2 Objective: Create public gathering places at multiple locations throughout the city.
 - b.)** 3.2.1 Objective: Conduct an inventory of public and private property in locations that can become centers of neighborhood activity. These areas may be undeveloped or vacant property, parks, street ends, or plazas. Explore the purchase and secure easements for use of these areas as neighborhood gathering places.
- Goal 4. Emphasize the “Garden” in Garden City
- a.)** 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.
- Goal 5. Focus on the River
- a.)** 5.2 Objective: Landscape along the river.
 - b.)** 5.4 Objective: Develop a river walk.
 - c.)** 5.5 Objective: Create more accessibility to the Boise River and Greenbelt.
- Goal 7. Connect the City
- a.)** 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters.
- Goal 12. Evolve as a Destination
- a.)** 12.1 Objective: Support a positive business environment
 - b.)** 12.2 Objective: Continue to support commercial and industrial land uses.
 - c.)** 12.3 Objective: Create a premier destination for work, recreation, entertainment, culture and commerce.
- Goal 6. Diversity in Housing
- a.)** 6.2 Objective: Continue to be a leader and set an example for the region in creating a diversity of housing.
- Goal 7. Connect the City
- a.)** 7.1. Objective: Create pedestrian and bicycle friendly connections.
- The application may not be supported by:
- Goal 5.
- a.)** 5.6 Objective: Protect wildlife habitat associated with the river.
 - b.)** 5.6.5 Continue to work with Idaho Fish and Game, other agencies, property owners, and non-profits on the identification, protection, and enhancement of wildlife and fisheries habitat on lands in and along the Boise River. The priority strategy is to protect, maintain and enhance habitat on public land that is sold or on private land, before deferring to off-site mitigation.
- Goal 6. Diversity in Housing
- a.)** 6.3.1 Provide for a variety of housing types in the Land Use Code including smaller cottage and second housing units. Allow for housing that attract niche markets such as senior housing, live-work structures, and cooperative housing.
 - b.)** 6.3.2 Continue to explore opportunities that encourage mixed income housing in new developments.

Garden City Sidewalk Policy	No waiver submitted
Garden City Street Light Policy	A streetlight is installed along E. 41 st Street in accordance with the policy.