



## CITY OF GARDEN CITY

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

**File Number: DSRFY2020 - 27**  
**Application Scope: Pre-Application Conference**  
**Location: 4539 N. Adams St.**  
**Applicant: Jeff Head**  
**Report Date: October 5, 2020**  
**Revision Date: TBD**



**2. CONCEPT VIEW LOOKING NORTH TO E 45TH ST**

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 October 5, 2020. A summary of the items discussed includes:
  - Relevant points TBD
- A hearing/ follow-up meeting was held on TBD. A summary of the items discussed includes:
  - Relevant points TBD

## B. Project Information

### Proposed Scope of Work:

Request	Review Process	Notes
Pre-application conference for a design review	<a href="#">8-6B-3 Design Review Committee</a>	October 5, 2020
Public Hearing	<a href="#">8-6B-3 Design Review Committee</a>	TBD

### Project Details:

- 1) Proposed development: New 15-unit two story town home construction.
- 2) Site Coverage:
  - a) Building: Unknown
  - b) Landscaping: Unknown
  - c) Paved Areas: Unknown
- 3) Total number of vehicular parking spaces: #
  - a) Enclosed: Possibly 30 garages spaces proposed
  - b) Surface: 8 guest parking
  - c) On-Street: 0
  - d) Off-site with a cross parking agreement: 0
- 4) Total number of bicycle parking: Unknown
  - a) Enclosed: Unknown
  - b) Surface: Unknown
- 5) Trash Enclosure: Unknown
- 6) Fencing: No fence
- 7) Sidewalk:
  - a) Appears that an attached sidewalk on 45<sup>th</sup> street is proposed.
- 8) Landscaping:
  - a) Street Trees: 9 of unknown class [Tree Selection guide](#)
  - b) Parameter Landscaping: proposed perimeter landscaping around the entire site.
    - i) 9 proposed trees in 5' side yard perimeter landscaping on N. property line.
    - ii) 6 proposed trees in 15' rear yard perimeter landscaping on W. property line.
    - iii) 8 proposed trees in 5' side yard perimeter landscaping on S. property line.
- 9) Closest VRT Stop: Adams and 42<sup>nd</sup>, Adams and 46<sup>th</sup>
- 10) Connections: Greenbelt within ¼ mile north of property.

### Site Conditions:

- 1) Street Address: 4539 N. Adams
- 2) Parcel Number(s): R2734500168, R2734500162, and R2734500152
- 3) Property Description:
  - a) NW 1/2 OF LOT 17 BLK 1 EXC R/W FAIRVIEW ACRES SUB NO 01 #1110-B,
  - b) PAR #0162 OF LOT 16 BLK 1 FAIRVIEW ACRES SUB NO 01 #0159-B,
  - c) PAR #0152 OF LOT 16 BLK 01 FAIRVIEW ACRES SUB NO 01 #0150-S
- 4) Legal Lot of Record: Will become legal through the subdivision process
- 5) Property Size: 0.33,0.46, and 0.23 acres
- 6) Zoning District: R-3

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- 7) Zoning Overlay(s): None
  - 8) Comprehensive Plan Land Use Map Designation:
    - a) Main Street Corridor
    - b) Mixed Use Commercial
  - 9) Floodplain Designation:
    - a) 2003 FIRM: Outside of the Special Flood Hazard Area
    - b) 2017 Draft FIRM: 100 Year
  - 10) Adjacent Uses:
    - a) Single Family Dwellings; detached
    - b) Single Family Dwellings; attached
    - c) Service Provider
    - d) Retail
  - 11) Existing Use: the lots appear to be vacant.
  - 12) Easements on site :
    - a) Fairview Acres Sub 03 Plat: Utility, Drainage, Irrigation Easement
    - b) ACHD Right-of-way unplatted- Adams and Alworth Street
  - 13) Site Access:
    - a) Front: N. Adams Street
    - b) Side: n/a
    - c) Rear: n/a
  - 14) Sidewalks: Sidewalks are installed and are in good repair along N. Adams. Proposed attached sidewalk on 45<sup>th</sup> Street (appears similar in design to sidewalks on N. Adams)
  - 15) Wetlands on site: none identified

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## C. Discussion

This is a pre-application meeting for a 15-unit, two story town home. The applicant will need to go through the subdivision process so individual townhomes can be sold as individual units. The application will also be subject to [GCC 8-5A](#) General Provisions and Standards for Land Division Regulations.

## 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: 10/05/2020  Design Review formal hearing: To be scheduled

### **Required Findings:**

Findings are not required at a pre-application conference.

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.

### **Preapplication Conference Options:**

Pursuant to [GCC 8-6B-3](#), a preapplication conference with the Design Review Committee is required. The purpose of the preapplication conference is threefold: to provide direction based on design objectives that are relevant to the application, determine the level of review process, and what application materials will be required.

It is appropriate for Committee to take of the following actions:

- Determine the application is ready for a formal application with the Design Review Committee.
- Delegate the decision to the Planning Official as an administrative decision.
- Request the applicant return with more information.

The direction provided by the committee at the preapplication meeting may be changed or reversed at any time during the process if the design or the scope of the project changes.

### **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:**

A pre-application conference is not a decision and cannot be appealed.

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

This section will be completed during the report drafted in conjunction with the public hearing. The following agency comments were provided:

<b>Agency</b>	<b>Comment Date</b>	<b>Summary</b>
Ada County Highway District	None received to date	
Boise School District	None received to date	
Central District Health	None received to date	
COMPASS		
Garden City Engineer	None received to date	
Idaho Transportation Department	None received to date	
Irrigation: Fairview Acres	None received to date	
North Ada County Fire and Rescue	None received to date	
Meridian School District	None received to date	

## F. Public Comment

This section will be completed during the report drafted in conjunction with the public hearing.

The following public comments were provided: None provided as of the drafting of this document.

<b>Commenter</b>	<b>Comment Date</b>	<b>Summary</b>
No comments were received		

## 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.

<b>Garden City Title 8 Code Sections</b>			
Code Section	Review Authority	Compliance Issues	Analysis/ Discussion
<b>Title 8, Chapter 1: General Regulations</b>			
<a href="#">8-1A-4 Applicability</a>			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.
<a href="#">8-1B-1 Nonconforming Properties</a>		May not be compliant	<p>The 3 lots located along N. Adams St. are described as parts of a platted subdivision. Deeds describing the properties dated prior to August 9, 1988 is needed to verify the properties were created legally.</p> <p>Properties in the City must either have been divided in accordance with the ordinance in effect at the time of the division or exist in their present configuration prior to August 9, 1988. Four of the five properties are described as portions of the Tamaris Subdivision, which is indicative of possible illegal divisions. A condition of approval requiring this information prior to the issuance of a building permit could remedy this.</p>
<b>Title 8, Chapter 2: Base Zoning District Regulations</b>			
8-2B-1 Purpose		No compliance issues noted	The purpose of the four (4) residential districts is to provide a full range of housing products within the city in areas that are exclusively for residential uses. The four (4) districts are contrasted by the density and housing products that are allowed within each district.
<a href="#">8-2B-2 Allowed Uses</a>		No compliance issues noted	Single Family Attached Dwellings are a permitted use.
<a href="#">8-2B-3 Form Standards</a>	DC	No compliance issues noted	<p>The required setbacks are:            Front: 5'/20'            Interior Side:0'/5'            Rear: 15'            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 identified encroachments.</p> <p>All improvements are more than 70' from the Boise River.</p> <p>All properties meet the minimum street frontage.</p>
<b>Title 8, Chapter 4: Design and Development Regulations</b>			
<a href="#">8-4A-3 Fences and Walls</a>	DC	No compliance issues noted	No proposed fences.

<a href="#">8-4A-4 Outdoor Lighting</a>	DC	No compliance issues noted	Pre-app does not require lighting plan to be submitted, thus no plan was submitted.
<a href="#">8-4A-5 Outdoor Service and Equipment Areas</a>	DC	May not be compliant	Information not disclosed.  All onsite 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.
<a href="#">8-4A-7 Stormwater Systems</a>	DC	May not be complaint	Information not disclosed.
<a href="#">8-4A-8 Utilities</a>	DC	May not be complaint	Information not disclosed.
<a href="#">8-4A-9 Waterways</a>	DC	May not be complaint	Information not disclosed.
<a href="#">8-4B-3 Single Family and Two-Family Attached and Detached Dwelling</a>	DC	No compliance issues noted	Submitted site plans have been reviewed and staff has no comments.
<b>8-4D Parking and Off Street Loading Provisions</b>			
<a href="#">8-4D-3 Parking Design and Improvement Standards</a>	DC	May not be complaint	Bicycle parking not disclosed.
<a href="#">8-4D-4 Parking Use Standards</a>	DC	May not be compliant	3-bedroom attached dwelling units are proposed.  2 parking spaces within an enclosed garage are required. The requirements have been met.  1 bicycle parking space shall be provided for every 6 dwelling units. Bicycle parking not disclosed.
<a href="#">8-4D-5 Required Number of Off-Street Parking Spaces</a>	DC	No compliance issues noted	None proposed.
<a href="#">8-4D-6 Standards for Alternatives to On Site Parking</a>	DC	No compliance issues noted	None proposed.

<a href="#">8-4D-7 Off Street Loading Standards</a>	DC	May not be complaint	Information not disclosed.
<b>8-4E Transportation and Connectivity Provisions</b>			
<a href="#">8-4E-3 Public Street Connections</a>	DC	May not be complaint	Clear vision triangle not depicted.
<a href="#">8-4E-4 Internal Circulation Standards</a>	DC	May not be complaint	It is unclear how wide the driveway entrance is, though it appears to look about 25'.
<a href="#">8-4E-6 Sidewalk Standards</a>	DC	No compliance issues noted	No comment.
<a href="#">8-4E-7 Pedestrian and Bicycle Accessibility Standards</a>	DC	May not be complaint	<p>Width of proposed pathways not disclosed. Must be a minimum width of 4'.</p> <p>Connectivity between sidewalks across parking lots are not shown in site plans.</p> <p>Bicycle accessibility: All new residential and nonresidential development shall provide for bicycle accessibility in the following situations:</p> <ul style="list-style-type: none"> <li>• Where cul-de-sacs or dead end streets are planned;</li> <li>• To connect the ends of the streets together, to other streets, and/or to other developments, where practicable</li> <li>•</li> </ul>
<b>8-4F Sign Provisions</b>			
<a href="#">8-4H Flood Hazard-</a>	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.
<a href="#">8-4G Sustainable Development Provisions</a>		May not be compliant	<p>All new development and additions to existing development shall be required to provide for sustainable development practices based on a point system as follows:</p> <p>All new residential developments over four (4) dwelling units: six (6) points.</p>
<b>8-4I Landscaping and Tree Protection Provisions</b>			
<a href="#">8-4I-3 General Landscaping Standards and Irrigation Provisions</a>	DRC	May not be complaint	<p>Landscape plans are not detailed enough for thorough review.</p> <p>Retain and protect existing trees, vegetation, and native soils and integrate these features into the overall landscape plan</p>
<a href="#">8-4I-4 Landscaping Provisions for Specific Uses</a>	DC	May not be complaint	Landscape plans are not detailed enough for thorough review.
<a href="#">8-4I-5 Perimeter Landscaping Provisions</a>	DC	May not be complaint	Landscape plans are not detailed enough for thorough review.

<a href="#">8-4I-6 Parking Lot Landscaping Provisions</a>	DC	May not be complaint	Landscape plans are not detailed enough for thorough review.
<a href="#">8-4I-7 Tree Preservation Provisions</a>	DC	May not be complaint	Based off Google maps, the current lots have existing trees on them. The landscape plan submitted by the applicant does not list any trees that are proposed to be removed without mitigation due to being dead, dying or of a hazardous condition. This section requires mitigation to be certified by an arborist. This certification is required. Prior to certificates of occupancy being issued, an condition of approval could be made in the decision document.
<b>8-4L Open Space Provisions</b>			
<a href="#">8-4L-3 General Open Space Standards</a>	DC	No compliance issues noted	No comment
<a href="#">8-4L-4 Open Space Standards for Single-family, Townhouse, and Two-Family Duplex Developments</a>	DC	May not be complaint	A minimum of ten percent (10%) of the gross site area shall be in common open space.  Exact square footage for common open spaces are not disclosed though it appears that there are some spaces proposed.  More information is needed.
Title 8, Chapter 6, Article A: Administration			
<a href="#">8-6A-3 General Application Process</a>		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.
<a href="#">8-6A-4 Required Application Information</a>			No waivers were submitted for the pre-application.
<a href="#">8-6A-5 Administrative Process with Notice</a>		No compliance issues noted	<b>To be completed with formal application</b> 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 hearth, safety, and welfare, and prevent undue adverse impacts on surrounding properties may be required.

<b>Other Items Reviewed</b>	
Plan/Policy	Discussion/ Analysis

<a href="#">Garden City Comprehensive Plan</a>	<p>This application is in future land use designations of the Comprehensive Plan:</p> <ul style="list-style-type: none"> <li><b>b)</b> Main Street Corridor</li> <li><b>c)</b> Mixed Use Commercial</li> </ul> <p>The application may be supported by: list goals or objectives e.g.</p> <p>Goal 2. Improve the City Image</p> <ul style="list-style-type: none"> <li><b>a.)</b> 2.3 Objective: Promote quality design and architecturally interesting buildings.</li> <li><b>b.)</b> 2.4 Objective: Create a vision for the design of all streets and highways consistent with city’s urban setting.</li> </ul> <p>Goal 4. Emphasize the “Garden” in Garden City</p> <ul style="list-style-type: none"> <li><b>a.)</b> 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.</li> </ul> <p>Goal 6. Diversity in Housing</p> <ul style="list-style-type: none"> <li><b>a)</b> 6.1 Objective: Eliminate and upgrade substandard housing.</li> <li><b>b)</b> 6.2 Objective: Continue to be a leader and set an example for the region in creating a diversity of housing.</li> <li><b>c)</b> 6.3 Objective: Maintain the diversity of housing.</li> </ul> <p>Goal 7. Connect the City</p> <ul style="list-style-type: none"> <li><b>a.)</b> 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters.</li> </ul> <p>The application may not be supported by: list goals or objectives E.g.</p> <p>Goal 12:</p> <ul style="list-style-type: none"> <li><b>a.)</b> 12.2 Objective: Continue to support commercial and industrial land uses.</li> </ul>
<a href="#">Garden City Sidewalk Policy</a>	<p>Existing attached sidewalks along N. Adams St. and proposal of an attached sidewalk along 45<sup>th</sup>.</p>
<a href="#">Garden City Street Light Policy</a>	<p>A streetlight is installed along N. Adams Street in accordance with the policy.</p>
<a href="#">Old Town Circulation Network Plan</a>	<p>During redevelopment of properties, easements shall be obtained, and review of construction possibility shall be identified.</p>