



CITY OF GARDEN CITY

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STAFF REPORT

File Number: DSRFY2020 - 17
Application Scope: New Construction of Multi-Family
Location: 411 E. 43rd St.
Applicant: Chad Weltzin, Erstad Architects
Report Date: 5/11/2020
Report Revision: 6/29/2020



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A. Meeting Summary

The Preapplication meeting was held on May 18, 2020. A summary of the items discussed includes:

- There is flexibility in the dimensioning of guest parking spaces. Residential spaces must be dimensioned per Garden City Code 8-4D and be located in a garage when required.
- Provide a revised elevation of the E. 43rd St. demonstrating the relationship of the building to the street and the pedestrian.
- Provide additional garage screening to screen parking from adjacent residences. This includes addressing height, materials, and screening vehicle headlights from glare onto adjacent properties.
- Address the parapets and modulation of the building. Where the white and blue panel elements that are recessed in, those heights can be varied for roofline modulation.
- Improve pedestrian connectivity through paving material changes and striping. Pedestrian connectivity should connect building residents to the street.

B. Applicant Revised Materials Summary:

- Added berm and plantings to provide a visual barrier at 43rd street parking
- Enhanced 43rd street elevation by expanding storefront glazing, expanding upper level residential glazing, project signage at entry
- Enhanced free pedestrian and bike access through the site by replacing fire access gate with bollards and removing pedestrian gates to provide full openings at walkways
- Garage screening consists of a 6' privacy fence and a 42" barrier on the second floor.
- The building modulation has been increased by separating the corrugated siding and the stucco.
- Pedestrian striping has been added crossing asphalt drive lanes.

C. Discussion

Connection to Freeride Lane:

The adjacent Twotown Parkway Subdivision notes vehicular cross access with neighboring future development. The reason for this was two-fold. First, the blocks are too long for the densities, resulting in a needed secondary access for fire access. Second, the condition allows for better movement of internal traffic.

Vehicular movement has been a consistent point of concern noted in public testimony. A continuation of the private Freeride Lane would create circulation options for the Dee Mar and Twotown Parkway Subdivision developments.

During the construction of Twotown Parkway Subdivision, the developer redeveloped the greenbelt to provide for the secondary fire access relieving the secondary access need.

The 411 E. 43rd property does not currently contain a corresponding easement that in favor of the Towtown Parkway Subdivision. The applicant has verbally noted that they are not in agreement with providing Towtown Parkway Subdivision with a cross access agreement or

easement for motor vehicles, however they are in agreement with having a cross access agreement for pedestrians and bicycles, as well as fire access.

D. Project Information

Proposed Scope of Work:

Request	Review Process	Notes
Design review new construction of a multi-family development	8-6B-3 Design Review Committee	None

Site Conditions:

- 1) Street Address: 411 E. 43rd St.
- 2) Property Description: Southwesterly 2 of lot 29 south westerly 150' of lot 30, Lots 31-32 Block 17 Fairview Acres Subdivision No. 3
- 3) Parcel Number: R2734521516
- 4) Property Size: 2.04 acres
- 5) Zoning District:
 - a) R-3 Medium Density Zoning District- the majority of the property located on lots 31-32 Block 17 Fairview Acres Subdivision No. 3
 - b) C-2 General Commercial located Southwesterly 2 of lot 29 south westerly 150' of lot 30 Block 17 Fairview Acres Subdivision No. 3
- 6) Comprehensive Plan Land Use Map Designation:
 - a) Activity Node – Neighborhood Destination
- 7) Legal Lot of Record: Unknown
- 8) Floodplain Designation:
 - a) 2003 FIRM: X
 - b) 2017 Draft FIRM: AE
- 9) Surrounding Uses:
 - a) Dwelling Unit, Single Family Attached
 - b) School
 - c) Public Use
- 10) Existing Use: Manufactured Home Park
- 11) Easements on site: There are no records on file with Garden City of existing easements
- 12) Site Access: E. 43rd St.
- 13) Sidewalks: in good repair on or adjacent to the site.

Project Details:

- 1) Proposed development: New Construction of 90-unit multi-family development consisting of:
 - a) 24 Studio units
 - b) 36 1 Bedroom units
 - c) 30 2 Bedroom units
- 2) Number of buildings: 1 building separated into 2 parts via a skybridge
- 3) Amenities:
 - a) Leasing office

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- b) Fitness Center
 - c) Community Room
 - d) Pool
 - e) Community Garden
- 4) Site Coverage:
- a) Building: 39,850 SF
 - b) Landscaping: 20,745 SF
 - c) Paved Areas: 29,405
- 5) Total number of vehicular parking spaces: 165
- a) Enclosed: 120
 - b) Surface: 45
 - c) On-Street: None proposed
 - d) Off-site with a cross parking agreement: None proposed
- 6) Total number of bicycle parking: 22
- a) Enclosed: 22
 - b) Surface: 0
- 7) Trash Enclosure: Interior to structure
- 8) Fencing:
- a) Materials not identified
 - b) existing fence to remain on east side; new fence proposed at north, south, and west sides
- 9) Sidewalk:
- a) 5' detached
- 10) Landscaping:
- a) Street Trees: 4 class II roadside of the sidewalk; 4 class I interior to sidewalk, 3 class II interior
 - b) Parameter Landscaping provided at 4'X4'
- 11) Connections
- a) Pedestrian connection to adjacent Twotown Subdivision via fire access
 - b) Pedestrian connection to Riverfront Park via sidewalk with pedestrian access gate
- 12) Closest VRT Stop: Route 11 Adams & 42nd or Adams & 40th depending on direction

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: 5/18/2020 Design Review formal hearing: 7/6/2020

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.

Process:

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.

During the preapplication conference the Design Review Committee request the applicant return with more information and revisions to the project as noted in the summary above.

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

The following agency comments were provided:

Agency	Comment Date	Summary
Ada County Highway District	None received to date	
Boise School District	6/12/2020	The schools currently assigned to the proposed project area are: Elementary School: Whittier Junior High School: Riverglen High School: Capital No Comments Regarding Traffic Impact or Safe Routes to School Impact
Garden City Engineer	6/13/2020	FIS floodplain study maps indicating that the site is likely in the floodplain.

For final approval the following items are needed:

1. Affidavit of Legal Interest
2. ACHD approval
3. NACFRD approval
4. Water and Sewer review, services, and verification of connection size
5. Grading and Drainage review and approval
6. O & M Agreement
7. Irrigation entity approval
8. Cross access easement or agreement with adjacent subdivision
9. Verification that the lot is a legal lot of record
10. Easements on site
11. Confirmation if the existing well will remain

Central District Health 6/29/2020

Standard Comments

Idaho Transportation Department 6/22/2020

Based on the size of this proposed subdivision and its proximity to US-20/26, ITD is requesting that the applicant provide a Traffic Impact Study (TIS) reflecting full build out of the development. ITD needs more information on the trip generations to determine what mitigations, if any, that the applicant may be required to construct on the State Highway system. Any necessary mitigation for traffic impacts identified by the Traffic Impact Study shall be the responsibility of the applicant to install. ITD reserves the right to make further comments upon review of any submitted traffic generation data or other documents.

North Ada County Fire and Rescue None received to date

F. Public Comment

No public comment was provided as of the drafting of this document.

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			
<u>8-1A-4 Applicability</u>			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.
<u>8-1B-1 Nonconforming Properties</u>		May not be complaint	The property is composed of portions of platted lots. Deeds describing the properties dated prior to August 9, 1988 is needed to verify the properties were created legally.
Title 8, Chapter 2: Base Zoning District Regulations			
<u>8-2B-1 Purpose</u>		No compliance issues noted	R-3: Typical Housing Types: Single-family, two-family and multiple-family dwelling units C-2: Activities which are more compatible with mixed use or residential uses and minimally disruptive to the neighborhood are to be in the general commercial (C-2) district.
<u>8-2B-2 Allowed Uses</u>		No compliance issues noted	Multifamily Dwellings are a permitted use in both zoning districts.
<u>8-2B-3 Form Standards</u>	DC	No compliance issues noted	The property is zoned both C-2 and R-3. The setbacks meet or exceed the more restrictive R-3 setbacks. The density does not exceed the 35 units per acre density of the R-3 zone. The C-2 zone does not have a maximum density. No compliance issues are noted.
<u>8-2C-15</u>		No compliance issues noted, as conditioned	There must be four amenities provided one from each category: <ul style="list-style-type: none"> • Quality of Life: enclosed bike storage provided • Open space: Community garden

			<ul style="list-style-type: none"> Recreation: Pool and fitness center <p>Interior mailboxes and maintenance storage area are provided.</p> <p>The following items will be conditioned:</p> <ul style="list-style-type: none"> Site maintenance agreement needed Property management office needed A directory and map of the development at an entrance or convenient location for those entering the development. 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
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Title 8, Chapter 3: Overlay Zoning District Regulations

<u>8-3B Flood Hazard</u>		No compliance issues noted	While the project is in zone X in the 2003 FIRM, the 2017 FIS shows the project in the AE zone. It is recommended to build to the 2017 model.
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Title 8, Chapter 4: Design and Development Regulations

<u>8-4A-3 Fences and Walls</u>	DC	May not be complaint	The height and materials of the existing and proposed fencing has not been identified.
<u>8-4A-4 Outdoor Lighting</u>	DC	May not be complaint	<p>There are three 10' streetlights in the surface parking area, and one streetlight off set from the entrance on 43rd street.</p> <p>Code requires that the internal lights be no higher than 9' internally and that the streetlighting fixture on the street be consistent with that which is adopted by the City.</p> <p>The site also includes wall sconces and bollard lights.</p>
<u>8-4A-5 Outdoor Service and</u>	DC	No compliance issues	There is a parapet that is shown, although it is unclear if the service equipment will be on the roof. The elevator and pool equipment are enclosed.

<u>Equipment Areas</u>		noted as condition.	There is a general condition of approval that the service equipment be concealed from view.
<u>8-4A-7 Stormwater Systems</u>	DC	No compliance issues noted	No comment.
<u>8-4A-8 Utilities</u>	DC	No compliance issues noted as conditioned.	All utilities will be required to be underground,
<u>8-4A-9 Waterways</u>	DC	No compliance issues noted	No waterways were identified. It should be noted that the City's records may not contain all irrigation facilities, and it is the applicant's responsibility to confirm this.
<u>8-4B-4 Multi-family Residential Dwelling Units</u>	DC	No compliance issues noted	<p>The design is required to into account windows, entrances, porches, and patios, and how they impact adjacent properties. The record is unclear of the impact of the development on adjacent properties.</p> <p>While the applicant has provided a detailed explanation of how the proposed development complies with this section, the Committee should consider further discussion of the design against this section. This report does not find any specific defects in the proposal concerning this section.</p>
8-4D Parking and Off Street Loading Provisions			
<u>8-4D-3 Parking Design and Improvement Standards</u>	DC	No compliance issues noted	<p>During the preapplication meeting, the committee noted that the guest spaces could be compact, while the required residential spaces will need to meet the 10'X20' dimensions.</p> <p>The applicant shall provide required ADA spaces.</p>
<u>8-4D-5 Required Number of Off-Street Parking Spaces</u>	DC	No compliance issues noted	<p>For a 90-unit multi-family dwelling, the following parking is required:</p> <ul style="list-style-type: none"> • Studio/1-bedroom units: 1 space located inside a garage

			<ul style="list-style-type: none"> • 2 or more-bedroom units: 2 spaces, one of which must be in a garage • Guest spaces: 0.5 spaces per unit <p>Provided: 120 enclosed; 45 surface</p>
<u>8-4D-7 Off Street Loading Standards</u>	DC	No compliance issues noted	The loading area is between the two structures interior to the lot.
8-4E Transportation and Connectivity Provisions			
<u>8-4E-3 Public Street Connections</u>	DC	No compliance issues noted	There is a note within the landscaping plan indicating that the clear vision triangle be adhered to.
<u>8-4E-4 Internal Circulation Standards</u>	DC	No compliance issues noted	No comment
<u>8-4E-6 Sidewalk Standards</u>	DC	No compliance issues noted	A 5' detached sidewalk is proposed along 43 rd Street.
<u>8-4E-7 Pedestrian and Bicycle Accessibility Standards</u>	DC	No compliance issues noted	There is a sidewalk at the rear of the project connection to Riverfront Park with a pedestrian gate. There is also pedestrian access to the adjacent Twotown Subdivision.
<u>8-4G Sustainable Development Provisions</u>		No compliance issues noted	The applicant has provided a sustainability checklist that indicates compliance with the sustainability provisions.
8-4I Landscaping and Tree Protection Provisions			
<u>8-4I-3 General Landscaping Standards and Irrigation Provisions</u>	DRC	No compliance issues noted	No comment

<u>8-4I-4 Landscaping Provisions for Specific Uses</u>	DC	No compliance issues noted	No comment.
<u>8-4I-5 Perimeter Landscaping Provisions</u>	DC	May not be complaint	Perimeter landscaping is required between a multi-family and single-family area as well as between vehicular use areas. While the area is landscaped, the species proposed note that they are 4'4 at maturity. The applicant also is proposing fencing; however the fencing materials and height have not been disclosed. Staff has added a potential condition of approval noting that the fence must be 6' and opaque when used as perimeter screening.
<u>8-4I-6 Parking Lot Landscaping Provisions</u>	DC	No compliance issues noted	The landscape plan notes that the trees around the parking area must be planted at 15' intervals.
<u>8-4I-7 Tree Preservation Provisions</u>	DC	No compliance issues noted, as conditioned	There is 102 caliper to be removed and there is 72 caliper mitigation proposed. The applicant has noted that they intend on providing the remaining mitigation to be paid via a mitigation fund.
8-4L Open Space Provisions			
<u>8-4L-3 General Open Space Standards</u>	DC	No compliance issues noted	No comment
<u>8-4L-5 Open Space Standards for Multi-family Developments</u>	DC	May not be complaint	There is a requirement of 20,100 SF of open space calculated at: a) 24 Studio units at 450 SF requiring 150 SF of open space each b) 36 1 Bedroom units at 750 SF and 30 2 Bedroom units at 1050 SF requiring 250 SF of open space each Staff was unable to determine the calculations of open space provided.

Title 8, Chapter 6, Article A: Administration			
<u>8-6A-3 General Application Process</u>		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.
<u>8-6A-4 Required Application Information</u>			Application waivers requested pursuant to 8-6A-4A
<u>8-6A-5 Administrative Process with Notice</u>		No compliance issues noted	<p>A notice of intent was sent to adjoining property owners within 300' and agencies with jurisdiction.</p> <p>If no objections are filed within 15 days, the Design Review Committee's decision shall be considered final.</p> <p>Objections will be heard by City Council following the public hearing provision set forth in section GCC 8-6A-7.</p> <p>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.</p>
8-7A-1 Definitions			<p>The following relevant defined terms were referenced in this report:</p> <p>Clear Vision Triangle: A triangular area on a corner lot within which there are certain height limitations in order to provide sight distance for vehicles.</p> <p>Dwelling Unit, Multi-Family: A structure or property containing three (3) or more principal dwelling units. The term "multi-family dwelling unit" includes apartments and condominiums with varying arrangements of entrances and party walls.</p>

Other Items Reviewed

Plan/Policy

Discussion/ Analysis

Garden City Comprehensive Plan

The property is located in the Activity Node – Neighborhood Destination of the Comprehensive Plan Land Use Map:
Activity Node – Neighborhood Destination:
Activity nodes are identified on the Land Use Map for neighborhood centers, local and regional destinations, and locations in proximity to existing and future transit stations and stops. Activity centers range in size depending on their function and location. Some nodes may be centered around the intersection of major streets or extend down a street to connect major community facilities. The common characteristics of the activity nodes are a mix of uses, public spaces, compatible transition to the uses surrounding the nodes and non-motorized connections to within a quarter mile walkable area of the node center. Some nodes, especially around transit stations, would have higher density (at least 14-20 units per acre) and multi-story development (three or more stories). It is not intended that all nodes could be developed within the twenty-year period of the plan. 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.

The application may be supported by: list goals or objectives e.g.

Goal 1. Nurture the City

- a.) 1.4 Objective: Create a premier destination place to live, work, and recreate.

Goal 2. Improve the City Image

- a.) 2.3 Objective: Promote quality design and architecturally interesting buildings.
- b.) 2.4 Objective: Create a vision for the design of all streets and highways consistent with city's urban setting.

Goal 4. Emphasize the "Garden" in Garden City

- a.) 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.

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.

The application may not be supported by: Goal 7. Connect the City

7.3.1 Encourage a grid pattern of local streets over cul-de-sacs and dead-end streets without non-motorized connections through maximum block lengths, connecting stub streets, and reducing the number of cul-de-sacs.

7.3.2 Increase interconnectivity within neighborhoods to reduce the concentration of traffic on a few streets. Consider the creation of new street sections such as lanes that provide access through-blocks but discourage through traffic.

Garden City Sidewalk Policy

Sidewalks will be installed along the property in accordance with the policy

Garden City Street Light Policy

A streetlight will be installed in accordance with this policy.