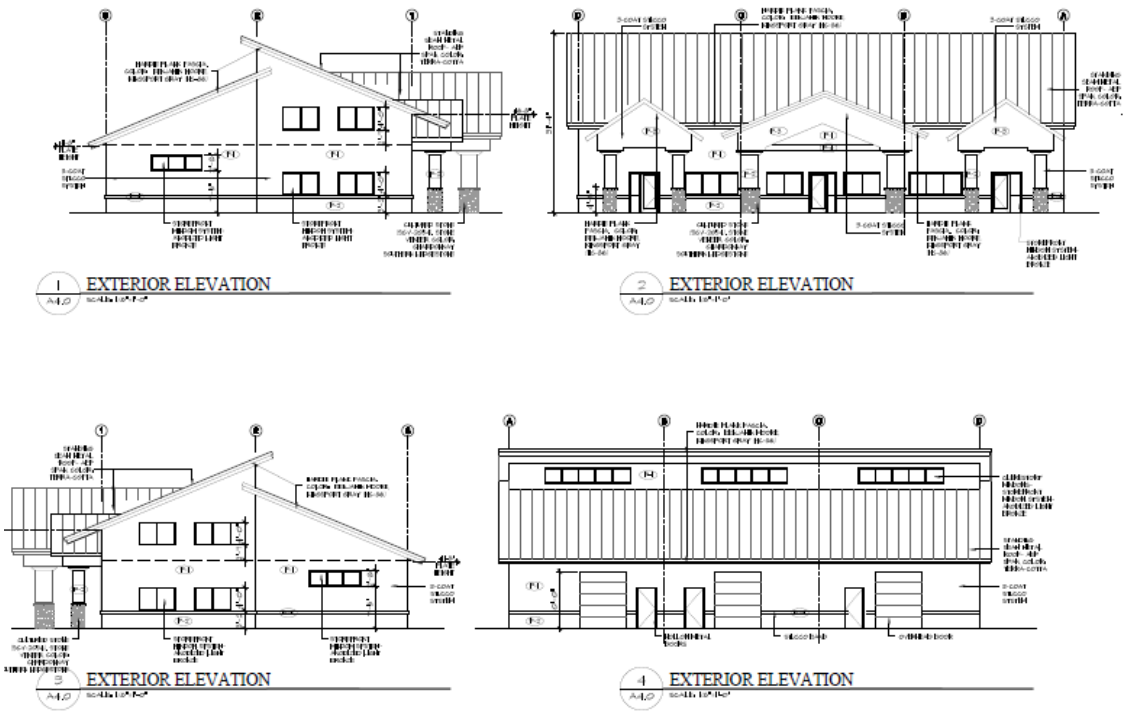




CITY OF GARDEN CITY

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File Number: DSRFY2021 - 0004
Application Scope: Pre-Application Conference
Location: W. State Street
Applicant: Kyle Prewett
Report Date: December 7, 2020 moved to the date certain January 4, 2021
Revision Date: TBD



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 Pre-application meeting was held on December 7, 2020 and was continued to the date certain of January 4, 2021 per the applicants request.

The Pre-application meeting is scheduled to be held on January 4, 2021. A summary of the items discussed will be included here.

A hearing/ follow-up meeting will be held on an undetermined future date.

B. Project Information

Proposed Scope of Work:

Request	Review Process	Notes
Pre-application conference for a design review	8-6B-3 Design Review Committee	December 7, 2020 hearing moved to the date certain of January 4, 2021.
Public Hearing	8-6B-3 Design Review Committee	TBD

Project Details:

- 1) Proposed development: New construction
- 2) Site Coverage: 2.740 acres is equal to about 119,354.4 sq. ft.
 - a) Building: Existing, proposed, and future building sq.ft. = 33,696 sq.ft. 28% of the site
 - b) Landscaping: 26,425 sq.ft. 22% of the site
 - c) Paved Areas: 73,402 sq. ft. 61% of the site
- 3) Total number of vehicular parking spaces: 130
 - a) Enclosed: 0
 - b) Surface: 130
 - c) On-Street: 0
 - d) ADA Compliant: 7
- 4) Total number of bicycle parking: 5
 - a) Enclosed: 0
 - b) Surface: 5
- 5) Trash Enclosure: The refuse is currently in a common location;
- 6) Fencing: Existing 6' fencing in proposed to stay
- 7) Sidewalk:
 - a) None proposed as existing detached sidewalk is in good repair along W. State Street
- 8) Landscaping:
 - a) Existing street trees to remain.
 - b) Existing Interior landscaping to remain.
 - i) 31 existing trees of various size and species throughout the site are to remain
 - c) New landscaping for new commercial building including trees and shrubbery
 - d) Parameter Landscaping: 10' perimeter landscaping buffer between new proposed development and residential properties to the rear. Landscaping consists of 24 large evergreen shrubs and 25 tall evergreen shrubs provided as trees are not permitted within existing the sewer easement
- 9) Connections: None proposed
- 10) Closest VRT Stop: VRT Route 9 Saxton and State Street NEC

Site Conditions:

- 1) Street Address: W. State Street
- 2) Parcel Number(s): R8448760010
- 3) Property Description: POR COMMON AREA IN TCA 06-3 TIARON CONDO
- 4) Legal Lot of Record: **Unknown**
- 5) Property Size: 2.740 acres

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- 6)** Zoning District: C-2
 - 7)** Zoning Overlay(s): None
 - 8)** Comprehensive Plan Land Use Map Designation:
 - a)** Green Boulevard Corridor
 - b)** Residential Low Density
 - 9)** Floodplain Designation:
 - a)** 2003 FIRM: outside of the Special Flood Hazard Area
 - b)** 2017 Draft FIRM: outside of the Special Flood Hazard Area
 - 10)** Adjacent Uses:
 - a)** Professional Services (KM Engineering)
 - b)** Service Provider
 - c)** Retail Store
 - d)** Vehicle Service
 - e)** Residential Dwelling Units
 - 11)** Existing Use: Vacant
 - 12)** Easements on site:
 - a)** Public Utility Easement
 - 13)** Site Access:
 - a)** Front: W. State Street
 - b)** Side: n/a
 - c)** Rear: n/a
 - 14)** Sidewalks: Sidewalks are installed and are in good repair
 - 15)** Wetlands on site: none identified

C. Discussion

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: 12/07/2020 moved to the date certain of 01/04/2021 per the applicants request. Design Review formal hearing: To be scheduled for an unknown future date

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.

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

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

The following agency comments were provided:

Agency	Comment Date	Summary
Ada County Highway District	None received to date	
Boise School District	None received to date	
Central District Health	None received to date	
COMPASS	None received to date	
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

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

Commenter	Comment Date	Summary
No public comment was 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.

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		May not be complaint	Ada County Assessors website describes the parcel as "POR COMMON AREA IN TCA 06-3 TIARON CONDO". A record of survey was not submitted by the applicant demonstrating legal lots of record. Property deeds or title documents were also not submitted to confirm if of legal record.
8-1B-3 Nonconforming Uses		May not be complaint	This Design Review is only for the proposed building. The applicant did not state the intended uses that which will be within the structure.
Title 8, Chapter 2: Base Zoning District Regulations			
8-2B-1 Purpose		No compliance issues noted	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		May not be complaint	The commercial components have not been identified.
8-2B-3 Form Standards	DC	No compliance issues noted	The required setbacks are: Front: 5' Interior Side: 5' Rear: 5' Street side: 5' The allowable maximum height is: n/a The minimum lot size is: n/a There are not encroachments All improvements are more than 70' from the Boise River. All existing buildings meet the minimum street frontage.
8-2C		May not be complaint	Particular use not disclosed.
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	DC	May not be complaint	Existing 6' fence proposed to remain. Fencing material not disclosed.
8-4A-4 Outdoor Lighting	DC	May not be complaint	Lighting Plan not submitted. Not enough information for a thorough review.

8-4A-5 Outdoor Service and Equipment Areas	DC	No compliance issues noted	Existing onsite service areas for waste are in a common area and screened from view from a public street and adjoining properties.
8-4A-7 Stormwater Systems	DC	May not be complaint – compliant as conditioned	Not enough information for a thorough review. Suggested as a drafted condition of approval.
8-4A-8 Utilities	DC	May not be complaint - compliant as conditioned	Site plan indicates that all existing utilities and associated easements are to remain. Not enough information for a thorough review. Provisions can be made a condition of approval.
8-4C Design Provisions for Nonresidential Structures	DC	May not be complaint	<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> <ul style="list-style-type: none"> • It is unclear in the submitted site plan if the existing buildings facing W. State Street meet the maximum front setback of 15' for a minimum of 60% of the length of the street frontage. • On parcels with more than one building, the maximum allowable street setback applies to the front elevation of the building closest to the public street. <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> <ul style="list-style-type: none"> • Code states that all parking lots should be located to the side and rear of the building fronting on the street. However, there is no proposed parking lot. The application is using an already existing parking lot on the site. This existing parking lot runs the length of the W. State Street frontage. There appears to be a 10'-15' landscape buffer between the existing parking lot and W. State Street. • Code states that Pedestrian pathways should be designed to provide a direct connection between the main building entrance and the public sidewalk. There is no proposed direct connection from the public sidewalk to the primary entrance of the building. • No proposed pedestrian pathways to be provided throughout the site. However, there is adequate pedestrian pathways at least 4' in width around the new proposed building. <p><i>Objective 3: Buildings shall be designed and constructed of quality materials.</i></p> <ul style="list-style-type: none"> • Building materials include:

			<ul style="list-style-type: none"> ○ Benjamin Moore/Color Paint: Timid White, Kinsport Gray, Carrington Beige, and Georgian Brick. ○ 3-coat stucco system, clerestory windows-storefront window system anodized light bronze, Hollow metal doors, cultured stone/stone veneer color is Chardonnay southern ledgestone, standing seam metal roof <p><i>Objective 4: The site design shall respect existing notable site features including existing buildings, landscaping, trees and water.</i></p> <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> <ul style="list-style-type: none"> • A distinctive roofline can reduce perceived building height and mass. Articulation has been included in the proposed building architecture. <p><i>Objective 6: The site development should support and be consistent with the adopted streetscape.</i></p>
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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	<p>Parking lots shall be designed in compliance with the requirements as set forth in article C, "Design Provisions For Nonresidential Structures", of chapter 8.</p> <p>Parking lots shall be designed in accordance with article I, "Landscaping And Tree Protection Provisions", of chapter 8.</p>
8-4D-4 Parking Use Standards	DC	No compliance issues noted	
8-4D-5 Required Number of Off-Street Parking Spaces	DC	May not be complaint	<p>1 bicycle parking space is to be provided for every 20 vehicle spaces AND every commercial tenant.</p> <ul style="list-style-type: none"> -130 Vehicle Parking spaces: 6.5 bicycle parking spots required -7 proposed units: 7 bicycle parking spots required -11 existing units: 11 bicycle parking spots required <p>Total: 25 bicycle parking spots required (this number does not include the required bicycle parking spots for future proposed development as indicated in the site plan)</p>
8-4D-6 Standards for Alternatives to On Site Parking	DC	No compliance issues noted	Applicant is not proposing alternatives to parking
8-4D-7 Off Street Loading Standards	DC	May not be compliant	Not enough information for a thorough review.

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	
8-4E-7 Pedestrian and Bicycle Accessibility Standards	DC	May not be complaint	All new nonresidential development shall provide for pedestrian accessibility. Accessibility shall be from a direct, convenient, and attractive pathway system. A pathway system shall extend through the development site and connect the street sidewalk to all primary building entrances. The proposed building does meet this standard by providing connectivity around the entire building, however, the site as a whole is lacking pedestrian pathways.
8-4F Sign Provisions			
8-4F-13 Master Sign Program	DC	May not be complaint – compliant as conditioned	A master sign program is required for any new commercial building. The applicant has not submitted a master sign program. This can be drafted as a condition of approval.
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.
8-4G Sustainable Development Provisions		May not be compliant	The applicant did not submit a sustainability checklist. Not enough information to review.
8-4I Landscaping and Tree Protection Provisions			
8-4I-3 General Landscaping Standards and Irrigation Provisions	DRC	May not be compliant	Landscaping plan submitted was not for entire site. Only proposed building area.
8-4I-4 Landscaping Provisions for Specific Uses	DC	May not be complaint	26,425 sq. ft. of landscaping per submitted landscaping plan. 1 tree per 1,000 sq. ft. = 27 trees required. 32 provided. 1 shrub per 150 sq. ft. = 176 shrubs required. 74 provided
8-4I-5 Perimeter Landscaping Provisions	DC	May not be complaint	Perimeter landscaping required along the common property line between an adjacent nonresidential use and a residential use or vacant residentially zoned property. A perimeter landscaping area shall be at least ten feet (10') wide measured from the property line to the interior of the lot. Standard met. At least one tree shall be planted for every fifteen (15) linear feet of perimeter length (or as appropriate to the selected species) to quickly establish continuous canopy coverage. Standard not met, as noted by applicant the trees are not

			permitted due to the utility easement. However, 24 large evergreen shrubs and 25 tall evergreen shrubs have been proposed.
8-4I-6 Parking Lot Landscaping Provisions	DC	No compliance issues noted	
8-4I-7 Tree Preservation Provisions	DC	No compliance issues noted	Existing trees to remain
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			There were no application waivers requested pursuant to 8-6A-4A.
8-6A-5 Administrative Process with Notice		No compliance issues noted Not Complaint May not be complaint	To be completed with formal application 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 Garden City Comprehensive Plan	SUB2007-15: Condominium Plat Application This application is in future land use designations of the Comprehensive Plan: <ul style="list-style-type: none"> b) Green Boulevard Corridor c) Residential Low Density The application may be supported by: Goal 1. Nurture the City <ul style="list-style-type: none"> a.) 1.4 Objective: Create a premier destination place to live, work, and recreate. Goal 2. Improve the City Image <ul style="list-style-type: none"> a.) 2.3 Objective: Promote quality design and architecturally interesting buildings.

	<p>Goal 4. Emphasize the “Garden” in Garden City</p> <ul style="list-style-type: none"> a.) 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art. <p>Goal 7. Connect the City</p> <ul style="list-style-type: none"> a.) 7.3 Objective: Protect neighborhoods from through traffic b.) 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters. <p>Goal 12. Evolve as a Destination</p> <ul style="list-style-type: none"> a.) 12.1 Objective: Support a positive business environment b.) 12.2 Objective: Continue to support commercial and industrial land uses. <p>The application may not be supported by:</p> <p>Goal 7. Connect the City</p> <ul style="list-style-type: none"> a.) 7.2 Objective: promote public transportation along State, Chinden, Glenwood and Adams with stops in neighborhoods and with pedestrian and bicycle connections to major city destinations.
Garden City Sidewalk Policy	Existing detached sidewalk along W. State Street in good repair.
Garden City Street Light Policy	A streetlight is installed within 400’ along W. State Street in accordance with the policy.
State Street	Not located in a State Street TOD station area.