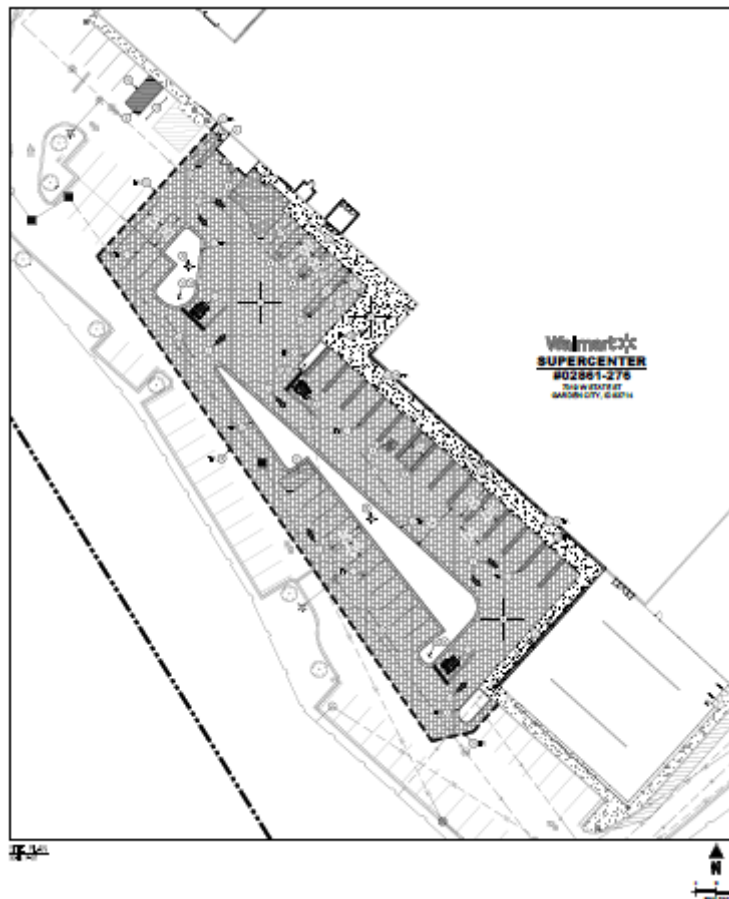




CITY OF GARDEN CITY

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File Number: DSRFY2021-0020
Application Scope: Pre-Application Conference
Location: 7319 W State St, Garden City, Idaho
Applicant: Eric Tange
Pre-Application Report Date: September 20, 2021
Formal Hearing Revision Date: TBD



Staff Report
Prepared by Hanna Veal

Table of Contents

Meeting Summary	3
Project Information	4
Discussion	6
Decision Process	7
Agency Comment	8
Public Comment	9
Code/Policy Analysis	9

A. Meeting Summary:

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

- The Pre-application meeting will be held on September 20, 2021. A summary of the items discussed will follow here.
- A hearing/ follow-up meeting will be held at an undetermined date. A summary of the items discussed will be included 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	Completed on September 20, 2021
Public Hearing	8-6B-3 Design Review Committee	TBD

Project Details:

- 1) Proposed: Façade changes to an existing structure with parking lot changes.
- 2) Site Coverage:
 - a) Building: 202,054 reduced to 197,156 SF
 - b) Standard Stalls: 820 reduced to 779
 - c) ADA Stalls: 18 increased to 19
 - d) Pickup Stalls: 0 increased to 18
 - e) Total Parking Stalls: 838 decreased to 816
- 3) Square footage dedicated to uses:
 - a) Retail: 202,054 SF decreased to 197,156
 - b) Parking: 838 decreased to 816 total parking stalls
- 4) Total number of vehicular parking spaces: 816
 - a) Enclosed: 0
 - b) Surface: 816
 - c) On-Street: 0
 - d) Off-site with a cross parking agreement: 0
- 5) Fencing: No fence proposed. Existing CMU fencing to remain.
- 6) Sidewalk: Existing sidewalk along State Street
- 7) Landscaping:
 - a) Parking lot trees proposed but class of tree is not identified.
- 8) Closest VRT Stop: Saxton & State NEC

Site Conditions:

- 1) Street Address: 7319 W State St, Garden City, Idaho
- 2) Parcel Number(s) and Property Description:
 - a) S0524427945; PAR #7945 OF CTR SEC 24 4N 1E #427931-B
 - b) S0524314810; PAR #4810 @ NE COR NE4SW4 SEC 24 4N 1E R/S 6088 #314810-B
- 3) Legal Lot of Record: Yes
- 4) Property Size: S0524314810 (2.062 acres), S0524427945 (12.884 acres)
- 5) Zoning District: C-1
- 6) Zoning Overlay(s): None
- 7) Comprehensive Plan Land Use Map Designation:
 - a) Activity Node: Neighborhood Destination
 - b) Residential Low Density
 - c) Green Boulevard Corridor
- 8) Floodplain Designation:
 - a) 2003 FIRM outside of the Special Flood Hazard Area

b) 2020 Draft FIRM: 100 Year Floodway

9) Adjacent Uses: 8-2B-1 Rural density residential district (R-1)

10) Existing Use: 8-7A-1 Food Store, Retail Store, Self-Service Uses

11) Easements on site: There are no records on file with Garden City of existing easements

12) Site Access

a) Front: State Street

b) Side: n/a

c) Rear: n/a

13) Sidewalks: Sidewalks are installed and are in good repair

14) Wetlands on site: none identified

C. Discussion

Due to the nature of the proposed façade changes not making up at least 25% of the of the tax assessed value of the property, the application is exempt from most Garden City Code sections.

This appears to be an application that mostly conforms with Garden City Code, the Garden City Comprehensive Plan and other pertinent plans.

There are a few areas of concern that which are highlighted in the report including:

- a) Legal lots of record – the applicant shall provide the chain of deed and any record of survey proving that the lots were legally created.
- b) Bike parking shall be provided – the proposal does not show bike parking, based off the amount of vehicular parking, there is a requirement of 41 spaces.
- c) The proposed landscape plans appear to meet code by providing multiple shade trees throughout the new parking lot area. They are shown as tall shade trees on the plans, which indicates that they are Class II or class III trees, but the class has not been specifically identified.
- d) Sustainability checklist – the checklist was not provided, however due to the nature of the proposed storefront renovation, the application is exempt.
- e) Outdoor Services and Equipment Areas – This is not shown on the site plan; however, it is believed that the development will use the existing areas for such uses since the changes are not altering the whole site.
- f) Tree Mitigation Plan - Not enough information to review. Submitted plans do not show if existing landscaping if any, is to be removed. If any existing trees are to be removed, a tree mitigation plan shall be provided prior to construction.
- g) It is unclear if the internal drive isles meet the minimum 20ft width as required by code.

Pursuant to GCC 8-6B-3, 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 projects changes.

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: 09/20/2021 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.
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

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

F. Public Comment

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

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 compliant - Complaint as Conditioned	<p>Parcel are described as:</p> <ul style="list-style-type: none"> a) S0524427945; PAR #7945 OF CTR SEC 24 4N 1E #427931-B b) S0524314810; PAR #4810 @ NE COR NE4SW4 SEC 24 4N 1E R/S 6088 #314810-B <p>A title search to obtain the property descriptions and any ROS on file shall be submitted for review to determine if lots are of legal record. These shall be submitted prior to construction.</p> <p>A lot line consolidation shall be required.</p>
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. More intense commercial activities are intended to be located along arterial streets in the highway commercial (C-1) district.
8-2B-2 Allowed Uses		No compliance issues noted	Retail Store is a permitted use in the C-1 zoning district.
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: 3,000sqft</p> <p>There are no encroachments</p> <p>All improvements are more than 70' from the Boise River.</p>

			There is not enough information provided to determine if the property meets the minimum street frontage. However, due to the percentage change to the overall site being so minimal, there is no requirement for the entire property to meet this finding.
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	DC	No compliance issues noted	Existing fence to remain. No proposed fence.
8-4A-4 Outdoor Lighting	DC	Complaint as Conditioned	Not enough information to review. Can be conditioned to meet 8-4A-4 standards at time of building permit review.
8-4A-5 Outdoor Service and Equipment Areas	DC	May not be complaint	Not enough information to review.
8-4A-7 Stormwater Systems	DC	Complaint as Conditioned	Not enough information to review. Can be condition to meet the standards of 8-4A-7 standards at time of building permit review.
8-4A-8 Utilities	DC	Complaint as Conditioned	General condition to meet standards prior to building permit.
8-4C-3 Design Provisions for Nonresidential Structures	DC	No compliance issues noted	<p>Applicability:</p> <p><i>Storefront Renovations: Any storefront renovations, where more than twenty five percent (25%) of the facade of the store is altered, replaced, rehabilitated or restored, shall comply with subsections 8-4C-3A4, 8-4C-3C, E, and F, and section 8-4C-5 of this article.</i></p> <p><i>Lot Improvements: Any lot improvements that changes or cumulatively changes more than twenty five percent (25%) of the site area within a twenty four (24) month period shall be required to conform to subsections 8-4C-3B and D of this article.</i></p> <p>The current square footage of the Walmart Supercenter is 202, 054. The proposed application changes decrease that square footage to 197,156sqft. This results in a 2.4% change, well under the 25% change requirement to storefront renovations.</p> <p>The approximate property area is 719,979, with 417,786sqft of that being impervious areas. The parking area disturbed equals about 27,391sqft, about 6.56% of the site.</p> <p>Due to the percentage change of the storefront and the lot improvements being under 25%. The standards of this section do not apply.</p>

8-4C-5 Prohibitions	DC	No compliance issues noted	<p>There are no visible false fronts, prefabricated structures or prohibited materials proposed with this application.</p> <p>There are not any crushed colored rock/crushed tumble glass utilized on the site.</p>
8-4D Parking and Off Street Loading Provisions			
8-4D-3 Parking Design and Improvement Standards	DC	Complaint as Conditioned	<p>Improvements to the surface parking lot:</p> <ol style="list-style-type: none"> 1. Surface: All off street parking areas and driveways into and through a parking area shall be improved with a compacted gravel base, not less than four inches (4") thick, surfaced with dustless material, including, but not limited to, asphalt, concrete, pavers, infiltration pavers, paver bricks, or recycled asphalt. 2. Drainage: All parking and loading areas shall provide proper drainage of surface water to prevent the flow of water onto adjacent properties or walkways. 3. Wheel Restraints: All off street parking areas for nonresidential uses shall be provided with a substantial wheel restraint to prevent cars from encroaching upon abutting private and public property or overhanging beyond the designated parking stall dimensions. This standard shall not apply to temporary uses. 4. Overhangs: When a bumper overhangs onto a sidewalk or landscape area, the parking stall dimensions may be reduced two feet (2') in length if two feet (2') is added to the width of the sidewalk or landscaped area planted in ground cover. 5. Lighting: Any parking area for nonresidential uses which is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate parking lots shall be so arranged as to reflect the light away from the adjoining property and be on a motion detector or timer. <p>These standards can be reviewed with the building permit prior to construction.</p>
8-4D-4 Parking Use Standards	DC	No compliance issues noted	
8-4D-5 Required Number of Off-Street Parking Spaces	DC	Not Complaint	<p>Total number of vehicular parking spaces required: Determined by the planning official.</p> <p>Total provided: 816 total (a reduction from original 838 stalls)</p> <p>There is one bicycle space required for every 20 vehicle spaces and 1 space per commercial tenant necessitating 41 bicycle spaces.</p> <p style="background-color: yellow;">There is no proposed bike parking.</p>

8-4D-6 Standards for Alternatives to On Site Parking	DC	No compliance issues noted	None proposed.
8-4E Transportation and Connectivity Provisions			
8-4E-3 Public Street Connections	DC	No compliance issues noted	The site modifications intend to use the existing ingress/egress points along W. State Street.
8-4E-4 Internal Circulation Standards	DC	May not be complaint	Driveways, aisles and turnaround areas, when required for fire and refuse access, shall meet the following standards: - Have a minimum width of twenty feet (20'). It is not clear in the submitted plans if the drive isles are at least 20' wide.
8-4E-6 Sidewalk Standards	DC	No compliance issues noted	There is currently a detached sidewalk along W. State Street.
8-4E-7 Pedestrian and Bicycle Accessibility Standards	DC	No compliance issues noted	
8-4E-8 Transit Facilities	DC	No compliance issues noted	
8-4F Sign Provisions			
8-4G Sustainable Development Provisions		No compliance issues noted	This document is not required at the pre-application review level. However, the demolition of the existing structure and façade alteration does not require this standard to be met.
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	Not required per applicability standards: Additions less than twenty five percent (25%) of the gross floor area of the existing structure or developed area, no additional landscaping shall be required. Restriping, parking lot overlays with no increase in the square footage of the parking area, or parking lot replacement less than twenty five percent (25%), no additional landscaping as required by section 8-4I-6 , "Parking Lot Landscaping Provisions", of this article shall be required. This section of code states that landscape improvements shall be an integral part of the overall site design for each

			property. The proposal includes a landscape island to help direct traffic through the parking lot to the pick-up zone.
8-4I-4 Landscaping Provisions for Specific Uses	DC	May not be complaint	Not enough information to review. The submitted landscape plan shows the proposed landscape area, not that of the entire site. Additionally, what was submitted does not show the class of the proposed trees although it does indicate the mature height which indicates at least Class II trees.
8-4I-5 Perimeter Landscaping Provisions	DC	No compliance issues noted	Existing perimeter landscaping with CMU wall proposed to stay.
8-4I-6 Parking Lot Landscaping Provisions	DC	No compliance issues noted	Not applicable.
8-4I-7 Tree Preservation Provisions	DC	May not be complaint	Not enough information to review. Submitted plans do not show if existing landscaping if any, is to be removed. If any existing trees are to be removed, a tree mitigation plan shall be provided prior to construction.
Title 8, Chapter 6, Article A: Administration			
8-6A-3 General Application Process		No compliance issues noted	To be completed with formal application. 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	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
Garden City Comprehensive Plan	This application is in future land use designations of the Comprehensive Plan: a) Activity Node: Transit Oriented Development

	<p>b) Residential Low Density c) Green Boulevard Corridor</p> <p>The application may be supported by:</p> <p>Goal 1. Nurture the City a.) 1.4 Objective: Create a premier destination place to live, work, and recreate.</p> <p>Goal 2. Improve the City Image a.) 2.3 Objective: Promote quality design and architecturally interesting buildings.</p> <p>Goal 4. Emphasize the “Garden” in Garden City a.) 4.1 Objective: Beautify and Landscape.</p> <p>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.</p>
Garden City Sidewalk Policy	No waiver submitted. Existing sidewalks in good repair.
Garden City Street Light Policy	A streetlight is installed along W. State Street in accordance with the policy.
State Street	Closest TOD section is at the intersection of Glenwood and State Street with a ½ mile radius.
Garden City Transportation Needs List	<p>State Street Transit Corridor</p> <p>Project Garden City is a participant of the State Street Corridor Project. Other participants include Valley Regional Transit, Ada County Highway District, Idaho Transportation Department, COMPASS, Ada County, Capital City Development Corporation, City of Boise, and City of Eagle. This project was initiated, formally, in 2006. The agencies have agreed to be supportive of high-capacity transit along State Street. Garden City’s major obligation to this is to create and implement plans and ordinances that will facilitate Transit Oriented Development Nodes at identified locations along the State Street Corridor. Garden City’s Comprehensive Plan aligns with these efforts. The Specific Area Plan ordinance is a zoning classification that can be utilized for the implementation of the nodes, however, it is owner driven rather than requisite zoning.</p>