



## CITY OF GARDEN CITY

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

**File Number: DSRFY2022 - 0015**  
**Application Scope: Pre-Application Conference**  
**Location: 3941 Reed St**  
**Applicant: Jorre Delgado**  
**Pre-Application Report Date: June 20, 2022**  
**Formal Hearing 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.

## 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>	June 20, 2022
Public Hearing	<a href="#">8-6B-3 Design Review Committee</a>	TBD

### Project Details:

- 1) Proposed development: New Construction
- 2) Site Coverage: 13,433 sf
  - a) Building: 24.40% of site
  - b) Landscaping: 29.80% of site
  - c) Paved Areas: 45.80 % of site
- 3) Number of Structures: 2
- 4) Number of residential units total: 8
  - a) One-bedroom units: 4
  - b) More than one-bedroom units: 4
- 5) Total number of vehicular parking spaces: 16
  - a) Enclosed: 8 Garage Spaces, 4 Covered Spaces
  - b) Surface: 4
- 6) Total number of bicycle parking: 0
- 7) Trash Enclosure: Trash carts to be stored within garages and served on Reed Street.
- 8) Fencing: Existing fence to remain and proposed new closed vision fence
- 9) Sidewalk:
  - a) Detached sidewalk proposed along Reed Street
- 10) Landscaping:
  - a) Street Trees: 0
  - b) Parameter Landscaping: 5' Perimeter landscaping on all sides of the property.
- 11) Connections: Connection to Violet's Crossing to the west via common drive.
- 12) Closest VRT Stop: VRT Bus 8x, W Chinden Blvd & W 39th St SWC

### Site Conditions:

- 1) Street Address: 3941 Reed St Garden City ID, 83714
- 2) Parcel Number(s): R2734560061
- 3) Property Description: LOT 7 EXC NE 10' FOR ROAD BLK 1 FAIRVIEW ACRES SUB 7
- 4) Legal Lot of Record: Yes
- 5) Property Size: 0.310 acres
- 6) Zoning District: R-3
- 7) Zoning Overlay(s): None

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- 8) Comprehensive Plan Land Use Map Designation:**
    - a) Mixed Use Residential**
  - 9) Floodplain Designation:**
    - a) The project is in the floodplain according to the 2003 FIRM.**
    - b) The project is not located in the floodplain according to FEMA's most recent modeling of the Lower Boise River, adopted by resolution 1083-20**
  - 10) Adjacent Uses:**
    - a) Mobile Homes**
    - b) Single Family Attached Dwelling (Violet's Crossing SUBFY2021-0001)**
  - 11) Existing Use: Vacant, Dirt Lot**
  - 12) Easements on site: There are no records on file with Garden City of existing easements**
  - 13) Site Access:**
    - a) Reed St**
  - 14) Sidewalks: no existing sidewalk**
  - 15) Wetlands on site: none identified**

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## C. Discussion

The application intends on joining the common drive to that of Violets Crossing (SUBFY2021-0001) to the west of the property.

The adjacent subdivision of Violets Crossing was required to install a public pedestrian and bicycle easement through their common drive and connect with the adjacent property to the south. Until the adjacent property to the south is re-developed, there will not be a connection. But, as there will be a future pathway system adjacent to this DSRFY2022-0015 property and the application proposes to be developed in conjunction with Violets Crossing, staff would suggest that this development be designed or at least acknowledge the pathway in some way. Further discussion would be required.

Trash and recycle bins will be stored within garages and pulled out onto Reed Street on trash day. This would result in 8/16 trash/recycle bins along the 25ft frontage. Trash and recycle bins are about 2ft wide depending on the size of container. If it is a trash and recycle pick up day the 16 bins on Reed Street would line the curb for about 32', which would either encroach into the common drive entrance, or in front of adjacent properties. Staff would suggest a design where on-site trash pick up would be permitted.

Please see the following staff analysis for discussion items and code compliance issues.

## 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: 6/20/2022  Design Review formal hearing: TBD

### 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.

If there is a denial, state code requires that the decision maker identify what could be done to obtain approval.

### **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.

Agency	Comment Date	Summary
Ada County Highway District		
Boise School District		
Central District Health		
COMPASS		
Garden City Engineer		
Idaho Transportation Department		
Irrigation: Fairview Acres		
North Ada County Fire and Rescue		
Meridian School District		

## 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.

<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>		No compliance issues noted	Legal parcel of record as described
<a href="#">8-1B-2 Nonconforming Structures</a>		No compliance issues noted	
<a href="#">8-1B-3 Nonconforming Uses</a>		No compliance issues noted	Multi-family uses are permitted.
<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	Multifamily 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 encroachments</p> <p>All improvements are more than 70' from the Boise River.</p> <p>All properties meet the minimum street frontage.</p>
<a href="#">8-2C-15 Multi-Family</a>		Complaint as Conditioned	<p>Buildings within site are setback to be a minimum of 10 feet, meeting the ten feet (10') requirement.</p> <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 less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.</p> <ol style="list-style-type: none"> <li>1. Quality of life amenities provided: a) public art visible or otherwise usable by the public.</li> <li>2. Open space: a) community garden</li> <li>3. Recreation amenities: a) none</li> </ol> <p>Maintenance of the public artwork will be conditioned in the drafted decision document.</p> <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. <b>A draft potential condition of approval requiring that such documentation be provided to the City has been included.</b></p>
<b>Title 8, Chapter 4: Design and Development Regulations</b>			
<a href="#">8-4A-3 Fences and Walls</a>	DC	May not be complaint	Existing fence proposed to remain. Details of existing and proposed fence not provided. The existing fence shall be compliant with GCC 8-4A. Any future fence or wall will be required to be in compliance with code at the time of development.
<a href="#">8-4A-4 Outdoor Lighting</a>	DC	Complaint as Conditioned	Outdoor lighting plan was not submitted. Not enough information to review.

			This proposal does not identify any outdoor lighting. Any future outdoor lighting will be required to be in compliance with code at the time of development.
<a href="#">8-4A-5 Outdoor Service and Equipment Areas</a>	DC	Complaint as Conditioned	Not enough information to review. Trash carts are proposed to be serviced along N. Reed Street.  This proposal does not identify any outdoor service equipment. Any future outdoor service equipment area will be required to be in compliance with code at the time of development.
<a href="#">8-4A-7 Stormwater Systems</a>	DC	Complaint as Conditioned	A draft condition of approval has been provided requiring that the stormwater systems be built in compliance with provisions of 8-4A-7.
<a href="#">8-4A-8 Utilities</a>	DC	Complaint as Conditioned	Another draft condition of approval is provided requiring that all utilities be underground.
<a href="#">8-4A-9 Waterways</a>	DC	May not be complaint	Not enough information to review. It is unclear if there are irrigation canals/ditches within the property.
<a href="#">8-4B-4 Multi-family Residential Dwelling Units</a>	DC	May not be complaint – Discussion Required	Building setbacks shall consider windows, entrances, porches and patios, and how they impact adjacent properties. <b>The architectural features such as windows and patios should consider that the adjacent property to the northwest also has 3-story townhome units which will be only 10' away from each other.</b>  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.  Entrances shall be adequately covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided.
<a href="#">8-4C-4B Special Provisions for Specific Non residential Development</a>	DC	Not Complaint	Multiple Buildings On One Site: Development of multiple structures on one site shall comply with the requirements set forth in subsection 8-4C-4B, "Multiple Nonresidential Structures On One Development Site", of this chapter.  All portions of a site should be accessible by a direct, convenient, attractive, safe and comfortable system of pedestrian pathways. <b>There does not appear to be a pedestrian connection from the public sidewalk to the primary entrances of each residential entrance as code requires.</b>  Terminal view from N. Reed Street is of two guest parking spaces.

<a href="#">8-4C-5 Prohibitions</a>	DC	No compliance issues noted	There are no visible false fronts, prefabricated structures or prohibited materials proposed with this application.									
<b>8-4D Parking and Off Street Loading Provisions</b>												
<a href="#">8-4D-3 Parking Design and Improvement Standards</a>	DC	No compliance issues noted										
<a href="#">8-4D-4 Parking Use Standards</a>	DC	No compliance issues noted	One on street parking space a minimum of twenty feet (20') in length may qualify as a required parking space.									
<a href="#">8-4D-5 Required Number of Off-Street Parking Spaces</a>	DC	May not be complaint	<p>Total number of vehicular parking spaces required: 12 residential + 4 guest = 16 Total provided: 16</p> <p>Number of enclosed spaces required: 8 Total provided: 8</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 * 4 Units= 4</td> <td>1* 4 Units= 4</td> </tr> <tr> <td>More than 1 bedroom</td> <td>2* X 4 Units= 8</td> <td>1* 4 Units= 4</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>The site provides adequate guest parking, however, to the detriment of the site design. The two guest parking spaces towards the rear of the property might have difficulty reversing out of the spots, and thus the site. Additionally, the one guest parking spot located in the center landscaped area will prove difficult to reverse out of, unless utilizing the Violets Crossing common drive as an alternative exit.</p> <p>Each one-bedroom apartment is required to have one enclosed garage parking space. These units have one covered parking space in the form of a carport. The Design Review Committee will need to determine if the carport satisfies the code requirement. Historically, carports have not been considered and enclosed garage.</p> <p>There is one bicycle space required for every 6 dwelling units necessitating 2 at least bicycle spaces (rounded up).</p>	Dwelling, multi-family	Total Required Parking	Required Within An Enclosed Garage	1 bedroom	1 * 4 Units= 4	1* 4 Units= 4	More than 1 bedroom	2* X 4 Units= 8	1* 4 Units= 4
Dwelling, multi-family	Total Required Parking	Required Within An Enclosed Garage										
1 bedroom	1 * 4 Units= 4	1* 4 Units= 4										
More than 1 bedroom	2* X 4 Units= 8	1* 4 Units= 4										
<a href="#">8-4D-6 Standards for Alternatives to On Site Parking</a>	DC	No compliance issues noted	None Requested.									
<b>8-4E Transportation and Connectivity Provisions</b>												
<a href="#">8-4E-3 Public Street Connections</a>	DC	Complaint as Conditioned	There is a general condition of approval requiring that all streets and driveways shall adhere to the standards of a clear vision triangle at all times.									
<a href="#">8-4E-4 Internal Circulation Standards</a>	DC	No compliance issues noted	The drive is 20' in width. Approval from North Ada County Fire will be required.									

<a href="#">8-4E-6 Sidewalk Standards</a>	DC	Not Compliant	<p>A 5ft wide detached sidewalk has been proposed along N Reed Street. The detached landscape buffer is not compliant in that it is only 5'-6" wide. Per ACHD standards, the landscape buffer shall be a minimum 6' with root barrier or 8' without root barrier.</p> <p>Street trees are not proposed within the landscape buffer. Class II or III street trees will be required within this buffer to provide shade and pedestrian safety benefits.</p> <p>The sidewalk and landscape buffer will be required to align and connect with the adjacent development's sidewalk and landscaping.</p>
<a href="#">8-4E-7 Pedestrian and Bicycle Accessibility Standards</a>	DC	Not Compliant	<p>A pathway system that extends through the development site and connect the street sidewalk to all primary building entrances is not shown in the site plans.</p>
<b>8-4F Sign Provisions</b>			
<a href="#">8-4G Sustainable Development Provisions</a>		Not Compliant	<p>The development is required to provide 6 points. The documentation provided indicates that 4 points have been provided.</p> <p>The sustainability checklist that was provided inaccurately shows non-residential points applying towards the development. The development is residential in nature, meaning that only "ALL", Multi-Family, or "Residential" categories of the checklist can be applicable.</p>
<a href="#">8-4H Flood Hazard</a>	Planning Official	Complaint as Conditioned	<p>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.</p>
<b>8-4I Landscaping and Tree Protection Provisions</b>			
<a href="#">8-4I-3 General Landscaping Standards and Irrigation Provisions</a>	DRC	No compliance issues noted	
<a href="#">8-4I-4 Landscaping Provisions for Specific Uses</a>	DC	Not Compliant	<p>A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping. <b>Site is 13,344sqft. Landscaping provided is equal to 2,980sqft = 22%</b></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. N Reed Street (~50LF) Trees Required: 1 Street + 1 Frontage = 2 Trees Trees Provided: 0 <b>(Deficient 2 Trees)</b></p>

			<p><i>*There is a proposed Greenspire Littleleaf Linden Tree proposed just outside of the 15' front setback.</i></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. <b>2,980sqft landscaping provided. 3 trees required, 13 provided. Sufficient shrubs provided.</b></p>
<a href="#">8-4I-5 Perimeter Landscaping Provisions</a>	DC	Not Complaint	<p>Code requires that perimeter landscaping is provided along the common property line between a multi-family residential use and a single-family or two-family residential use or vacant single-family or two-family zoned property. Perimeter landscaping is required along all property boundary lines. Perimeter landscaping is provided along all property boundary lines.</p> <p>Perimeter landscaping along southern property boundary line is not sufficient in the southeastern corner where it reduces to about a foot wide.</p>
<a href="#">8-4I-6 Parking Lot Landscaping Provisions</a>	DC	No compliance issues noted	
<a href="#">8-4I-7 Tree Preservation Provisions</a>	DC	May not be complaint	<p>Site development shall make all feasible attempts to maintain existing trees four inch (4") caliper or greater within their design. It is not apparent that any existing trees are to remain.</p> <p>Mitigation shall be required for all existing trees four inch (4") caliper or greater that are removed or damaged from the site. Mitigation shall be replacement of the total calipers lost on site up to an amount of one hundred percent (100%) replacement.</p> <p>A full mitigation report with a certified arborist letter determining health status of existing trees shall be submitted with the formal hearing packet.</p>
<b>8-4L Open Space Provisions</b>			
<a href="#">8-4L-3 General Open Space Standards</a>	DC	No compliance issues noted	
<a href="#">8-4L-5 Open Space Standards for Multi-family Developments</a>	DC	Not Complaint	<p>For any new multi-family development: A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. <b>Balcony's proposed do not provide adequate square footage. Updated floorplans showing larger private open space will be required.</b></p> <p><b>Not enough information to review. Unit's square footage not shown on submitted plans.</b> For any new multi-family development: A minimum area of outdoor common open space shall be provided as follows:</p> <p>One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area.</p>

			<p>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.</p> <p>Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area.</p>
Title 8, Chapter 6, Article A: Administration			
<a href="#">8-6A-3 General Application Process</a>			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>			<p>Application waivers requested pursuant to 8-6A-4A:</p> <ul style="list-style-type: none"> <li>- Lighting Plan</li> <li>- Ada County Approved Addresses</li> </ul>
<a href="#">8-6A-5 Administrative Process with Notice</a>		No compliance issues noted	<p>To be completed with formal application 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>

### Other Items Reviewed

Plan/Policy	Discussion/ Analysis
Previous entitlement that might affect this project	SUBFY2021-0001 Violets Crossing – The application intends to utilize Violets Crossing's common drive.
<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>a. Mixed Use Residential</li> </ul> <p>The application may be supported by:</p> <p>Goal 1. Nurture the City</p> <ul style="list-style-type: none"> <li>a.) 1.4 Objective: Create a premier destination place to live, work, and recreate.</li> </ul> <p>Goal 2. Improve the City Image</p> <ul style="list-style-type: none"> <li>a.) 2.3 Objective: Promote quality design and architecturally interesting buildings.</li> </ul> <p>Goal 4. Emphasize the "Garden" in Garden City</p> <ul style="list-style-type: none"> <li>a.) 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.</li> </ul>

	<p>The application may not be supported by:</p> <p>Goal 2. Improve the City Image</p> <p>a.) 2.4 Objective: Create a vision for the design of all streets and highways consistent with city's urban setting.</p> <p>Goal 7. Connect the City</p> <p>a.) 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters.</p>
<a href="#">Garden City Sidewalk Policy</a>	Not compliant. See above analysis.
<a href="#">Garden City Street Light Policy</a>	A streetlight is installed along N. Reed Street in accordance with the policy.
<a href="#">Old Town Circulation Network Plan</a>	The adjacent subdivision of Violets Crossing was required to install a public pedestrian and bicycle easement through their common drive and connect with the adjacent property to the south. Until the adjacent property to the south is re-developed, there will not be a connection. But, as there will be a future pathway system adjacent to this DSRFY2022-0015 property and the application proposes to be developed in conjunction with Violets Crossing, staff would suggest that this development be designed or at least acknowledge the pathway in some way.
<a href="#">Garden City Transportation Needs List</a>	Right of way for the realignment has been produced by ACHD. While the City is not opposed to the realignment of Reed Street, it should be done at the time of, and in conjunction with the redevelopment of adjacent properties. The vacation of Reed Street as it is currently configured should not occur until both sides of the realigned Reed Street have redeveloped.