



CITY OF GARDEN CITY

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File Number: DSRFY2022 - 0019
Application Scope: Formal Hearing
Location: 4044 N. Adams Street
Applicant: Chad Weltzin
Pre-Application Report Date: August 16, 2022
Formal Hearing Date: December 5, 2022



Staff Report
Pre-application meeting Staff Report prepared by Hanna Veal
Updated for the formal application by Jenah Thornborrow

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Meeting Summary

Discussion with the Design Review Committee during the August 16, 2022, pre-application meeting Included:

- i. Code does not have a parking maximum for residential units, only minimums. The reasoning behind this project having extra parking spaces is to help offset the overflow from The Boardwalk project; and to meet the condition of the Boardwalk application to have 14 additional off-site parking spaces.
- ii. Common and private open space is compliant although not shown in plans.
- iii. Pedestrian connection from this property to adjacent 408 property connects to the Greenbelt.
- iv. Parking facility can be programmed and built to allow for all sizes of vehicles including trucks, sedans, and compact vehicles.
- v. The project acts more like a parking garage than a multi-family development. Definition of “parking garage” states that the primary use of the property is designated to parking. 113 parking spaces for 16 residential units is not an appropriate ratio.
 - a. Parking should be 50% or less of the overall site function.
 - b. 51% of the site should be for multi-family use and parking for the multi-family units.
 - c. 113 parking spaces proposed; 29 are required for this project; 14 are required from the Boardwalk condition document.
- vi. Parking garages are a prohibited use in the R-3 zoning district.
 - a. Option to rezone property or change code.
- vii. The project should not be penalized for being more efficient and using the vehicular automated parking system. It is the reason for so many parking spaces.
 - a. Traditional parking structure would take up more room with less parking provided.

Project Information

Proposed Scope of Work:

Request	Review Process	Notes
Pre-application conference for a design review	8-6B-3 Design Review Committee	08/16/2022
Public Hearing	8-6B-3 Design Review Committee	12/05/2022

Project Details:

- 1) Proposed development: New construction
- 2) Site Coverage (Site Area-19,776 square feet)
 - a) Building: 11,208 square feet / 57% of site
 - b) Landscaping: 6,127 square feet / 31% of the site
 - c) Impervious Surface: 2,665 square feet / 14% of the site
 - d) Common Open Space: 4,180 square feet
- 3) Building Height: 83 feet from existing grade
- 4) Number of residential units total:
 - a) One bedroom units: 11
 - b) More than one bedroom units: 5
- 5) Total number of vehicular parking spaces: 75
 - a) Automated Parking Garage: 65
 - b) Garage Surface Level: 10
 - c) On-Street: 0
- 6) Total number of bicycle parking: 23
 - a) Enclosed: 18
 - b) Surface: 5
- 7) Trash Enclosure: The refuse will be in a common location interior to the development
- 8) Fencing: Unknown
- 9) Sidewalk:
 - a) Existing attached sidewalk on Adams Street
- 10) Connections: Pedestrian pathway from site to 408 Place

Site Conditions:

- 1) Street Address: 4044 N Adams Street
- 2) Parcel Number(s): R2734520741
- 3) Property Description: NWLY 100' OF LOTS 1/2BLK 15 EXC R/W FAIRVIEW ACRES SUB NO 03 #0740-B
- 4) Legal Lot of Record: Unknown
- 5) Property Size: 0.454 acres
- 6) Zoning District: R-3
- 7) Zoning Overlay(s): None
- 8) Comprehensive Plan Land Use Map Designation:
 - a) Activity Node: Neighborhood Destination
 - b) Main Street Corridor
 - c) Mixed Use Residential

9) Floodplain Designation:

- a) The project is not located in the floodplain according to the 2003 FIRM.
- b) The project is in the floodplain according to FEMA's most recent modeling of the Lower Boise River, adopted by resolution 1083-20

10) Adjacent Uses:

- a) The Boardwalk Apartments and Condominiums
- b) Single Family Attached Dwelling Units
- c) Single Family Detached Dwelling Units
- d) Garage – Shop – Warehouse (Frontier Fence)
- e) Retail – Office (Mountain States Roofing)

11) Existing Use: Single Family Dwelling Unit

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

13) Site Access:

- a) Front: N. Adams Street
- b) Rear: Adjacent Boardwalk Apartment called the "406 Place" for pedestrian access and trash services

14) Sidewalks: Sidewalks are installed and are in good repair.

15) Wetlands on site: none identified

Discussion

The principal issue with this application is if the use of the site constitutes a parking facility. Please refer to code review section [8-2B-2 Allowed Uses](#).

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: 08/16/2022 Design Review formal hearing: 12/05/2022

Required Findings:

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-3¹](#):

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.

¹ The required findings have been amended. However, the application was initiated prior to the date of the code amendment. Subsequently the code that was in effect at the time that the application was submitted will be utilized.

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:

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.

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	11/08/2022 11/16/2022	No Review done. Waiting on a waiver request to review. Approval must be granted by the manager of ACHD's development services.
Boise Fire	11/07/2022	There is not enough information to review the automated parking garage.
Republic Services	10/19/2022	The hammerhead turnaround is sufficient. Question if the access lane will only be utilized by fire and refuse vehicles.
Garden City Engineer	11/06/2022	Standard conditions that are pertinent to the application were provided.

Public Comment

The following public comments were provided:

Commenter	Comment Date	Summary
James Herbert	8/15/2022	Opposition to the number of parking spaces provided this comment was submitted in conjunction with the pre-application meeting.
DSRFY2022-0019 Public Comment: James Herbert 08152022	9/7/2022	
DSRFY2022-0022 Public Comment- James Herbert 09.07.2022		

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		Complaint as Conditioned	Unknown if property is of legal record. <u>Property deeds and lot descriptions will be required prior to a building permit to determine legal status.</u>
8-1B-2 Nonconforming Structures		No compliance issues noted	
8-1B-3 Nonconforming Uses		No compliance issues noted	
Title 8, Chapter 2: Base Zoning District Regulations			
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.
8-2B-2 Allowed Uses		Discussion Needed	<p>During the pre-application meeting there was a discussion as to the use requested. The applicant had indicated that the use is multi-family, which is a permitted use. However, due to the number of parking spaces that were proposed, it was suggested that the application is for a parking facility, a prohibited use in the R-3 zoning districts.</p> <p>8-7A-1 defines Parking Facility as: "The primary use of a site for parking vehicles. The term "parking facility" includes surface lots and garages."</p> <p>The discussions suggested that an option for this application is to reduce the parking so that it is not the "primary use" of the site.</p> <p>The committee discussed whether the primary use included the size of site dedicated to parking or the number of spaces dedicated to parking.</p> <p>The applicant has submitted that the project will utilize an ultra-efficient automated parking system, tucked behind and below the habitable spaces and screened from view at all sides, to minimize vehicle impact on the site. The application has been</p>

			<p>amended to eliminate one full deck of parking and reducing the total number of parking spaces from 118 to 75. The proportion of floor area used for various purposes is as follows:</p> <p>Residential building and its required 29 parking spaces: 47,130 square feet (76% of total) 14 spaces to satisfy Boardwalk cross-park requirement: 4,472 square feet (7% of total) Non-required parking spaces: 10,146 square feet (16% of total)</p>
8-2B-3 Form Standards	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 The minimum lot size is: n/a There are not encroachments</p> <p>All properties meet the minimum street frontage.</p>
8-2C-15 multi-Family		No compliance issues noted	<p>All multi-family developments shall provide amenities. This proposal is compliant 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> <p>This development of 16 units requires two amenities from separate categories. The proposal includes:</p> <ol style="list-style-type: none"> 1. Quality of life amenities provided: enclosed bike storage and fitness facilities as well as a dog run which is not specified by code. 2. Open space: first floor entry plaza and a tenant amenity deck at the 5th floor 3. Recreation amenities: none <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.</p> <p><u>A draft potential condition of approval requiring that such documentation be provided to the City has been included.</u></p>
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	DC	Complaint as Conditioned	There is a new 6' privacy fence proposed around the property on the east and an existing privacy fence to be maintained on

			the west. This proposal provides an image of an opaque metal fence with wood posts. <u>There is not enough information to determine compliance on the west side. Any portion of the fence in the front yard will be required to be not more than 3.5' in height.</u> Compliance with code has been conditioned.
8-4A-4 Outdoor Lighting	DC	Complaint as Conditioned	The application proposes wall mounted lighting on the structure and bollard lighting along the pathway. Lighting is required to be down shielded and appears to be proposed as such.
8-4A-5 Outdoor Service and Equipment Areas	DC	No compliance issues noted	It appears that all outdoor service equipment is interior to the structure.
8-4A-7 Stormwater Systems	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.
8-4A-8 Utilities	DC	Complaint as Conditioned	There appears to be a power pole within the Adams Street ROW that would conflict with the proposed location of the drive isle. A draft condition of approval is provided requiring that all utilities be underground.
8-4B-4 Multi-family Residential Dwelling Units	DC	No compliance issues noted	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. Additional design considerations that the applicant has noted include: This building is designed to have a strong visual tie to the adjacent 408 development directly to the north, utilizing similar materials and façade treatments. The primary materials will be wood tone composite panels in two shades, and white stucco. The structure steps down the massing along Adams Street, to reduce the apparent height to four stories at the street elevation. The apartments at floors 2 through 4 are located at the front, to screen the internal parking and maintain activity and residential energy at the entrance of the site.
8-4C-5 Prohibitions	DC	No compliance issues noted	There are no visible false fronts, prefabricated structures or prohibited materials proposed with this application. There is not any crushed colored rock/crushed tumble glass utilized on the site. The material is found that it is insignificant in the design or provides significant creativity and uniqueness.
8-4D Parking and Off Street Loading Provisions			

8-4D-3 Parking Design and Improvement Standards	DC	Complaint as Conditioned	<p>Parking areas shall be designed in such a manner that any vehicle leaving or entering the parking area from, or onto, a public or private street shall be traveling in a forward motion. Except for an alley and parallel spaces, driveway configurations which require backing in, from, or out onto the street, are not allowed.</p> <p>Staff has concerns regarding the turnaround radius within the garage, especially for vehicles leaving and entering the automated parking lifts.</p> <p>The applicant has stated that the automated parking system includes the ability to rotate the vehicle while on the upper level shuttle so that when a resident retrieves their car, they are already facing forward in the direction of travel. There is no need to reverse or turn around.</p>									
8-4D-4 Parking Use Standards	DC	No compliance issues noted	There is no on-street parking available.									
8-4D-5 Required Number of Off-Street Parking Spaces	DC	No compliance issues noted	<p>The proposal as reviewed in the preapplication discussion included 118 spaces. <u>The formal application submittal has reduced that number to 75 spaces.</u></p> <p>Total number of vehicular parking spaces required: 29 Total provided: 75 Number of enclosed spaces required: 16 Total provided: 75</p> <table border="1" data-bbox="743 1056 1464 1199"> <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 * 11 Units= 11</td> <td>1* 11 Units= 11</td> </tr> <tr> <td>More than 1 bedroom</td> <td>2* 5 Units= 10</td> <td>1* 5 Units= 5</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>There is one bicycle space required for every 6 dwelling units necessitating 3 bicycle spaces.</p> <p>Please refer to the discussion in section 8-2B-2 Allowed Uses.</p>	Dwelling, multi-family	Total Required Parking	Required Within An Enclosed Garage	1 bedroom	1 * 11 Units= 11	1* 11 Units= 11	More than 1 bedroom	2* 5 Units= 10	1* 5 Units= 5
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1 bedroom	1 * 11 Units= 11	1* 11 Units= 11										
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8-4D-6 Standards for Alternatives to On Site Parking	DC	No compliance issues noted	None requested.									
8-4E Transportation and Connectivity Provisions												
8-4E-3 Public Street Connections	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.									
8-4E-4 Internal Circulation Standards	DC	No compliance issues noted	The drive is 20' or greater in width									
8-4E-6 Sidewalk Standards	DC	No compliance issues noted	Existing attached sidewalk along N. Adams Street.									

8-4E-7 Pedestrian and Bicycle Accessibility Standards	DC	No compliance issues noted	
8-4F Sign Provisions			
8-4G Sustainable Development Provisions		No compliance issues noted	<p>The development is required to provide 6 points.</p> <p>The applicant has indicated 40 points. Of the 40 points 37 are due to the parking spaces being integrated within the structure. The applicant is also indicating 3 points for impervious surfaces.</p>
8-4H Flood Hazard	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>
8-4I Landscaping and Tree Protection Provisions			
8-4I-3 General Landscaping Standards and Irrigation Provisions	DC	Compliant as conditioned	<p>There is 6,127 square feet of landscaping proposed.</p> <p>A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping.</p>
8-4I-4 Landscaping Provisions for Specific Uses			<p>The site contains 31% landscaping. However, the portion that is not within in the setback or perimeter landscaping has not been identified. This has been conditioned.</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.</p> <p>N. Adams Street (100LF): Trees Required: 1 Street + 2 Frontage = 3 trees Trees Provided: 1 Street + 2 Frontage = 3 trees</p> <p>The three street trees provided are <i>Tillia americana</i> "Boulevard"/ <i>Boulevard American Linden</i>, a tree intended to reach 50' in height and 25' in width.</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. This required 41 trees with at least 4 different species. The application proposed 44 trees with five specie types.</p>
8-4I-5 Perimeter Landscaping Provisions	DC	No compliance issues noted	<p>Perimeter landscaping required along the common property line between a multi-family residential use and a single-family use or residentially zoned property.</p> <p>Perimeter landscaping has been provided along the eastern property boundary line consisting of a 10' setback with about 6' designated toward trees and other landscaping.</p>

			There are 13 trees required and provided on each of the east, south, and west property lines.
8-4I-6 Parking Lot Landscaping Provisions	DC	No compliance issues noted	Not applicable.
8-4I-7 Tree Preservation Provisions	DC	Compliant as conditioned	Existing trees on site. A certified arborist report is required for proper tree mitigation requirements. All healthy trees larger than 4' caliper that are removed would require a 1:1 tree mitigation.
8-4L Open Space Provisions			
8-4L-3 General Open Space Standards	DC	No compliance issues noted	
8-4L-5 Open Space Standards for Multi-family Developments	DC	No compliance issues noted	<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.</p> <p>The floor plans show that each unit includes a patio ranging from 84 square feet to 530 square feet.</p> <p>A minimum area of outdoor common open space shall be provided as follows:</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>16 dwelling units x 250sqft = 4,000sqft common open space required.</p> <p>4,180 Square feet provided by means of: Entry Patio 1,040 square feet entry patio + Noth Patio 400 square feet + Amenity Deck 2,740 square feet</p>
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			No application waivers requested pursuant to 8-6A-4A
8-6A-5 Administrative Process with Notice		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>

			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.
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Other Items Reviewed	
Plan/Policy	Discussion/ Analysis
Previous entitlement that might affect this project	DSRFY2019-25: The Boardwalk Apartments
Garden City Comprehensive Plan	<p>This application is in future land use designations of the Comprehensive Plan:</p> <ul style="list-style-type: none"> a) Activity Node: Neighborhood Destination b) Main Street Corridor c) Mixed Use Residential <p>The application may be supported by:</p> <p>Goal 1. Nurture the City</p> <ul style="list-style-type: none"> a.) 1.4 Objective: Create a premier destination place to live, work, and recreate. <p>Goal 2. Improve the City Image</p> <ul style="list-style-type: none"> 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. <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 5. Focus on the River</p> <ul style="list-style-type: none"> a.) 5.5 Objective: Create more accessibility to the Boise River and Greenbelt. <p>Goal 7. Connect the City</p> <ul style="list-style-type: none"> a.) 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. c.) 12.3 Objective: Create a premier destination for work, recreation, entertainment, culture and commerce. <p>The application may not be supported by:</p> <p>Goal 7. Connect the City</p> <ul style="list-style-type: none"> a.) 6.3.2 Objective: Continue to explore opportunities that encourage mixed income housing in new developments.
Garden City Sidewalk Policy	Existing attached sidewalk.
Garden City Street Light Policy	A streetlight is installed along N. Adams Street in accordance with the policy.