



## CITY OF GARDEN CITY

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**File Number: DSRFY2022 - 0021**  
**Application Scope: Pre-Application Conference**  
**Location: 2900 W. Chinden Blvd.**  
**Applicant: Bryan Hallowell**  
**Pre-Application Report Date: August 1, 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>	August 1, 2022
Public Hearing	<a href="#">8-6B-3 Design Review Committee</a>	TBD

### Project Details:

- 1) Proposed development: New addition of overhead outdoor venue cover, new addition of fire sprinkler and electrical room, new elevator and rooftop chiller
- 2) Site Coverage:
  - a) Building: unknown
  - b) Landscaping: unknown
  - c) Paved Areas: unknown
- 3) Total number of vehicular parking spaces: Existing parking to remain
- 4) Total number of bicycle parking: Existing parking to remain
- 5) Trash Enclosure: Existing to remain
- 6) Fencing: No fence proposed
- 7) Sidewalk:
  - a) None proposed
- 8) Landscaping:
  - a) 5 Columnar Tulip Trees

### Site Conditions:

- 1) Street Address: 2900 W. Chinden Blvd.
- 2) Parcel Number(s): R2734541992
- 3) Property Description: PAR #1992 OF BLKS 38-41 & VAC ST ADJ FAIRVIEW ACRES SUB #5
- 4) Legal Lot of Record: Yes
- 5) Property Size: 12.95 acres
- 6) Zoning District: C-1
- 7) Zoning Overlay(s): None
- 8) Comprehensive Plan Land Use Map Designation:
  - a) Green Boulevard Corridor
  - b) Live-Work-Create
- 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) Existing Use:

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a) Riverside Hotel (Lodging)

**11) Easements on site:**

- a) 15' Waterline Easement (EAS2006-00049);
- b) 33' Sewer Line Easement (EAS2006-00049);
- c) Water Rights and all Property ROWs (EAS2006-00049)
- d) Utility, Drainage, Irrigation Easement (EAS2006-00049);
- e) Waterline Easement (EAS2006-00045)
- f) 10' Waterline Easement (EAS2006-00049);
- g) Greenbelt Easement and Right of Way (EAS2006-0049)
- h) Acceptance of Liability (EAS2006-0049)
- i) Agreement for Line Replacement (EAS2010-00001)

**12) Site Access:**

- a) Front: N. Garden
- b) Side: W. Chinden

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

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## **C. Discussion**

### **Purpose**

The purpose of the preapplication conference is threefold: to provide direction, determine the level of review process, and what application materials will be required. The committee will provide direction on the design objectives set forth in chapter 4, article C of this title that are most relevant to the application. Based on the scope of the project and the project location, the committee will decide what information, plans and designs will be required for review of the application and when the materials shall be submitted. 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's changes.

As this application is a proposal for additional structures and improvements to an existing site, but it is less than 25% of the overall site, only the additions are required to meet code compliance. If the Design Review Committee sees that the application meets code standards, the Committee can determine that this application may skip the formal hearing and defer final compliance review to staff.

Staff would review for compliance when the associated building permit is submitted.

### **Background**

Bryan Hallowell with Cushing Terrell is requesting a pre-application conference for an outdoor event venue structure for weather protection at the Riverside Hotel at 2900 Chinden Blvd. He is also requesting the addition of an elevator shaft and stairwell room, and a subterranean equipment room with an above ground fire sprinkler and electrical room. The property is within the C-1 zoning designation and in the Live-Work-Create future land use designations of the Comprehensive Plan.

### **Submitted Materials**

1. Site Plan;
2. Elevations;
3. Birds Eye View;
4. Landscape Plans;
5. Vicinity Map.

## 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: 08/01/2022  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.

### **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	
<b>Title 8, Chapter 2: Base Zoning District Regulations</b>			
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.
<a href="#">8-2B-2 Allowed Uses</a>		No compliance issues noted	Lodging is a conditional use.
<a href="#">8-2B-3 Form Standards</a>	DC	No compliance issues noted	The proposed addition does not encroach into the required setbacks.  The allowable maximum height is: n/a The minimum lot size is: n/a All improvements are more than 70' from the Boise River. All properties don't meet the minimum street frontage.
<a href="#">8-2C</a>		No compliance issues noted	A. Minimum Lot Size: The minimum lot size for lodging uses shall be thirty thousand (30,000) square feet.  B. Limitations:  1. A maximum of sixty percent (60%) of the lodging units may contain a kitchen.  2. Lodging guestrooms shall not be provided on less than a daily basis.
<b>Title 8, Chapter 4: Design and Development Regulations</b>			



<a href="#">8-4A-3 Fences and Walls</a>	DC	No compliance issues noted	This proposal does not propose any fence or wall. 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	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	Subterranean electrical equipment room. Rooftop chiller appears screened.  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	All on-site stormwater systems shall be built in compliance with provisions of 8-4A-7. Review of systems will be performed at time of construction.
<a href="#">8-4A-8 Utilities</a>	DC	Complaint as Conditioned	All utilities associated with the new construction shall be underground. Review of utilities will occur during the building permit process.
<a href="#">8-4C-3 Design Provisions for Nonresidential Structures</a>	DC	Discussion Required	All new construction is subject to this section of code provisions. Because the improvements account for less than 25% of the overall site area and existing building, the existing structure is not required to meet code standards. Comments below pertain only to the additions proposed, specifically that of the mechanical room and elevator/stairwell structures.  <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> - No comment.  <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> - No Comment.  <i>Objective 3: Buildings shall be designed and constructed of quality materials.</i> - Pedestrian pathways connect the building entrances/exits to the Greenbelt. - A material board was not submitted for review. Staff was unable to review for compliance. Materials are reviewed for compliance at the building permit level. 1. Encouraged Materials: Quality finish materials should be utilized, including, but not limited to, brick, masonry, or stone integrally tinted, textured masonry block, stucco, wood, or concrete siding. 2. Discouraged Materials: Metal siding, corrugated fiberglass, aluminum siding, mirror or metalized reflective glass,

			<p>plywood, chipboard siding, vinyl, cinderblock, plastic tilt-up concrete, highly tinted or mirrored glass, and all types of imitation building materials should not be used as the primary building material.</p> <p><i>Objective 4: The site design shall respect existing notable site features including existing buildings, landscaping, trees and water.</i></p> <ul style="list-style-type: none"> <li>- All existing trees, significant vegetation and surface water features should be maintained. A certified arborist report should be submitted for review of trees that are to be removed/replaced. The site proposed 15 caliper inches to be planted as mitigation for the 5 trees that are to be removed. An arborist report shall be submitted at time of building permit review.</li> </ul> <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"> <li>- Discussion regarding articulation, orientation, window treatments, and other architectural elements is needed.</li> </ul> <p><i>Objective 6: The site development should support and be consistent with the adopted streetscape.</i></p> <ul style="list-style-type: none"> <li>- No comment.</li> </ul>
<a href="#">8-4C-5 Prohibitions</a>	DC	No compliance issues noted	<p>While there is a false front, it has been tied into the rest of the building so that the ends are not visibly separate from the building.</p> <p>There is not any crushed colored rock/crushed tumble glass utilized on the site.</p>
<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	Staff did not review due to the scope of the application and changes proposed.
<a href="#">8-4D-4 Parking Use Standards</a>	DC	No compliance issues noted	Staff did not review due to the scope of the application and changes proposed.
<a href="#">8-4D-5 Required Number of Off-Street Parking Spaces</a>	DC	No compliance issues noted	Staff did not review due to the scope of the application and changes proposed.
<b>8-4E Transportation and Connectivity Provisions</b>			
<a href="#">8-4E-3 Public Street Connections</a>	DC	No compliance issues noted	
<a href="#">8-4E-4 Internal Circulation Standards</a>	DC	No compliance issues noted	Staff did not review due to the scope of the application and changes proposed.

<a href="#">8-4E-6 Sidewalk Standards</a>	DC	No compliance issues noted	Pedestrian pathways and Greenbelt already exist around the addition.
<a href="#">8-4E-7 Pedestrian and Bicycle Accessibility Standards</a>	DC	No compliance issues noted	Existing pathways to remain.
<a href="#">8-4H Flood Hazard</a>	Planning Official	Compliant as conditioned	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.  Review will commence at time of building permit review.
<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	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.
<a href="#">8-4I-4 Landscaping Provisions for Specific Uses</a>	DC	No compliance issues noted	
<a href="#">8-4I-5 Perimeter Landscaping Provisions</a>	DC	No compliance issues noted	
<a href="#">8-4I-6 Parking Lot Landscaping Provisions</a>	DC		
<a href="#">8-4I-7 Tree Preservation Provisions</a>	DC	May not be complaint	The application proposes to remove the existing 5 trees (15 caliper inches) for the construction of the additions. The landscape plan shows that 15' are to be replaced by planting 5 3' caliper trees. A certified arborist report is needed in conjunction with any demo permit or building permit to show that 15' is indeed what is needing mitigation.  Mitigation shall be required for all existing trees four inch (4") caliper or greater that are removed or damaged from the site.  a. Mitigation is required for all such trees removed within eighteen (18) months prior to issuance of the building permit for construction on the site or damaged during construction.  b. Mitigation shall be replacement of the total calipers lost on site up to an amount of one hundred percent (100%) replacement. (Example: Two 10-inch caliper trees removed may be mitigated with four 5-inch caliper trees, five 4-inch caliper trees, or seven 3-inch caliper trees.)

			<p>c. Mitigation trees are in addition to all other landscaping required by this article.</p> <p>d. No mitigation is required in the following: 1) existing prohibited trees as specified in the "Garden City Design And Construction Guide" within the street buffer or parking lot; 2) existing dead, dying, or hazard trees certified prior to removal by a certified arborist; 3) trees that are required to be removed by another governmental agency having jurisdiction over the project.</p>
Title 8, Chapter 6, Article A: Administration			
<a href="#">8-6A-3 General Application Process</a>		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.
<a href="#">8-6A-4 Required Application Information</a>			No application waivers requested pursuant to 8-6A-4A.
<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
<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><b>a)</b> Green Boulevard Corridor</li> <li><b>b)</b> Live-Work-Create</li> </ul> <p>The application may be supported by:</p> <p>Goal 1. Nurture the City</p> <ul style="list-style-type: none"> <li><b>a.)</b> 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><b>a.)</b> 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><b>a.)</b> 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.</li> </ul> <p>Goal 12. Evolve as a Destination</p> <ul style="list-style-type: none"> <li><b>a.)</b> 12.1 Objective: Support a positive business environment</li> </ul>

	<p>b.) 12.2 Objective: Continue to support commercial and industrial land uses.</p> <p>c.) 12.3 Objective: Create a premier destination for work, recreation, entertainment, culture and commerce.</p>
<p><a href="#">Garden City Transportation Needs List</a></p>	<p><b>Bicycle and Pedestrian Low Stress Route (Art and History Path)</b></p> <p>There have been multiple requests from business owners, including a group of artist to identify a way where patrons of one business can feel comfortable visiting their business and moving to the next business via walking or biking. In 2017 Garden City and Urban Renewal partnered with Riverside Hotel, CTA Architects to install wayfinding signs on the greenbelt identifying artisans. A bike and pedestrian pathway that anticipates recreational bike and pedestrian use, with adjacent art and or historical signage for could be created in existing right-of-way through the City and could be achieved with minimal cost, however, may require a paradigm shift that not all accesses need to be primarily vehicular in nature. This pathway may be an opportunity to extend wayfinding signage to additional businesses.</p>