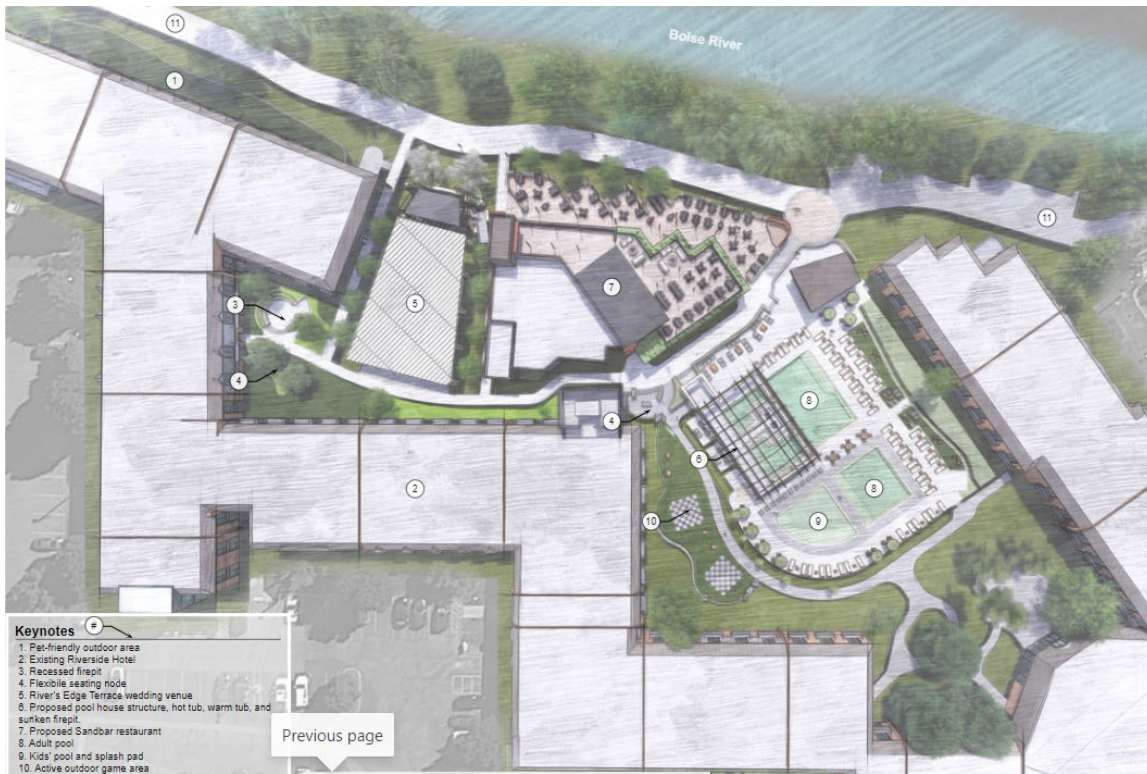




CITY OF GARDEN CITY

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

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: October 17, 2022



Staff Report
 Prepared by Hanna Veal

Table of Contents

Meeting Summary	3
Project Information	3
Discussion	5
Decision Process	6
Agency Comment	8
Public Comment	8
Code/Policy Analysis	8

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	8-6B-3 Design Review Committee	August 1, 2022
Public Hearing	8-6B-3 Design Review Committee	October 17, 2022

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 to remain
- 4) Total number of bicycle parking: Existing to remain
- 5) Trash Enclosure: Existing to remain
- 6) Fencing: No fence proposed
- 7) Public ROW Sidewalk:
 - a) None proposed

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:
 - 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.

C. Discussion

Purpose

The Courtyard construction consists of about 14.4% of the overall site. As this application is a proposal for less than 25% of the overall site, only the additions are required to meet code compliance.

Background

Bryan Hallowell with Cushing Terrell is requesting a Design Review hearing for an outdoor event 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. Also in the request, that wasn't formally reviewed at the pre-application, is the addition of Phase 2, which includes the Sandbar restaurant and the pool/pool house demo and new construction. The property is within the C-1 zoning designation and in the Live-Work-Create future land use designations of the Comprehensive Plan.

Greenbelt Connection

The application proposes to enhance the Greenbelt pathway to a 16ft-wide asphalt path. The intersection of the Greenbelt and the primary entrance to the redevelopment consists of permeable pavers which create a circular design.

Staff has conditioned that this terminus be designed as an effective and inviting entrance and exit to and from the Greenbelt. Further discussion may be required as far as structural orientation, glazing, and the proposed wall/fence along the Greenbelt which acts to raise the new restaurant out of the floodplain.

Staff has also conditioned that the trees proposed along the Greenbelt be of high-branching Class II or III trees, to better shade the Greenbelt and proposed outdoor seating area of the restaurant.

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: October 17, 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-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:

Per Garden City Code [8-6A-5 Administrative Process with Notice](#), there is a 15-day period to file a written objection to the application. This period starts from the signed decision date. If a written objection is received within the 15-day period, a City Council hearing will be scheduled to decide the application. Written objections received after the 15-day objection period will not be accepted.

Pursuant to [8-6A-9 Appeals](#), there is a 15-day appeal period to appeal the decision to the City Council. This period starts from the signed decision date and runs concurrently with the 15-day objection period noted above. An appeal is \$210 and must be filed on the appeal application form provided by the City. Appeals received after the 15-day appeal period will not be accepted.

E. Agency Comments

The following agency comments were provided:

Agency	Comment Date	Summary
City Engineer	10/04/2022	The application letter dated 12 August 2022 notes “to replace the existing and aging central utilities that are currently positioned immediately adjacent to the Boise River

		<p>greenbelt...". And notes the "installation of underground utilities, stormwater facilities, and minor site grading...". The application is not clear on the scope of these changes.</p> <p>Location or relocation of any city infrastructure will require adequate access and utility easements be provided to the city to serve the infrastructure.</p> <p>The amount of site grading has not been defined. The city may require the submittal of a site grading and drainage plan. The Riverside Hotel previously had a master drainage plan. How the project conforms to that plan needs to be assessed.</p>
Republic Services	09/28/2022	Unable to find a trash enclosure in submitted plans.

F. Public Comment

There were no public comments received as of the drafting of this report.

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		No compliance issues noted	Legal parcel of record as described
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 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	Lodging is a conditional use.
8-2B-3 Form Standards	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.
8-2C		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.
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	DC	No compliance issues noted	Any future fence or wall will be required to be in compliance with code at the time of development. While there are no fences specifically identified in the site plans, there does appear to be a wall along the Greenbelt to raise the restaurant out of the floodplain.
8-4A-4 Outdoor Lighting	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.
8-4A-5 Outdoor Service and Equipment Areas	DC	Complaint as Conditioned	Subterranean electrical equipment room. Rooftop chiller appears screened. Restaurant rooftop appears to have screening materials to hide any rooftop equipment. Any future outdoor service equipment area will be required to be in compliance with code at the time of development.
8-4A-7 Stormwater Systems	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.
8-4A-8 Utilities	DC	Complaint as Conditioned	All utilities associated with the new construction shall be underground. Review of utilities will occur during the building permit process.

8-4C-3 Design Provisions for Nonresidential Structures	DC	Discussion Required	<p>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.</p> <p><i>Objective 1: The design of all structures shall have a scale, massing and urban form that has a relationship to the street, the pedestrian, and adjacent properties.</i></p> <ul style="list-style-type: none"> - No comment. While the improvements do not face a public street, they do face the Greenbelt. <p><i>Objective 2: The design layout of all sites shall maximize opportunities for safe and comfortable pedestrian accessibility and minimize the obtrusive effects of parking and vehicular circulation.</i></p> <ul style="list-style-type: none"> - No Comment. <p><i>Objective 3: Buildings shall be designed and constructed of quality materials.</i></p> <ul style="list-style-type: none"> - Pedestrian pathways connect the building entrances/exits to the Greenbelt. - Materials were identified for review. Majority of the materials used consist of wood cladding and sandstone masonry. <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"> - All existing trees, significant vegetation and surface water features should be maintained. A certified arborist report has been submitted for review. The report includes all trees on site, not just those specifically related to this application. 64 calipers require mitigation, only 54 calipers are being replanted. <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"> - Discussion regarding articulation, orientation, window treatments, and other architectural elements is required. The pool house and restaurant were not included in the pre-application conference. Relation of the structures to the Greenbelt should be discussed. <p><i>Objective 6: The site development should support and be consistent with the adopted streetscape.</i></p> <ul style="list-style-type: none"> - No comment.
8-4C-5 Prohibitions	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>

			There is not any crushed colored rock/crushed tumble glass utilized on the site.
8-4D Parking and Off Street Loading Provisions			
8-4D-3 Parking Design and Improvement Standards	DC	No compliance issues noted	Staff did not review due to the scope of the application and changes proposed.
8-4D-4 Parking Use Standards	DC	No compliance issues noted	Staff did not review due to the scope of the application and changes proposed.
8-4D-5 Required Number of Off-Street Parking Spaces	DC	No compliance issues noted	Staff did not review due to the scope of the application and changes proposed.
8-4E Transportation and Connectivity Provisions			
8-4E-3 Public Street Connections	DC	No compliance issues noted	
8-4E-4 Internal Circulation Standards	DC	No compliance issues noted	Staff did not review due to the scope of the application and changes proposed.
8-4E-6 Sidewalk Standards	DC	No compliance issues noted	Pedestrian pathways and Greenbelt already exist around the addition.
8-4E-7 Pedestrian and Bicycle Accessibility Standards	DC	No compliance issues noted	Existing pathways to remain.
8-4H Flood Hazard	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.
8-4I Landscaping and Tree Protection Provisions			
8-4I-3 General Landscaping Standards and Irrigation Provisions	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.
8-4I-4 Landscaping Provisions for Specific Uses	DC	No compliance issues noted	
8-4I-5 Perimeter Landscaping Provisions	DC	No compliance issues noted	
8-4I-6 Parking Lot	DC		

Landscaping Provisions			
8-4I-7 Tree Preservation Provisions	DC	Compliant as conditioned	<p>The application proposes to remove 97" caliper inches from the site. The landscape plan shows that 120" are to be replaced (including both phase 1 & phase 2).</p> <p>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.</p> <p>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> <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> <p>It has been conditioned to require proof of proper tree mitigation prior to the issuance of an occupancy permit.</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> <p>Conditions of approval that are deemed necessary to protect the public hearth, safety, and welfare, and prevent undue adverse impacts on surrounding properties may be required.</p>

Other Items Reviewed

Plan/Policy	Discussion/ Analysis
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) Green Boulevard Corridor b) Live-Work-Create <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. <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 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.
Garden City Transportation Needs List	<p>Bicycle and Pedestrian Low Stress Route (Art and History Path)</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>