



CITY OF GARDEN CITY

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File Number: DSRFY2022 - 0022
Application Scope: Pre-Application Conference
Location: 233 & 311 E. 47th Street
Applicant: Katrina Klum
Pre-Application Report Date: September 8, 2022
Formal Hearing Date: TBD



1 bldg A - entry
1/8" = 1'-0"



4 bldg A - garage
1/8" = 1'-0"

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	8-6B-3 Design Review Committee	09/08/2022
Public Hearing	8-6B-3 Design Review Committee	TBD

Project Details:

- 1) Proposed development: New construction
- 2) Site Coverage:
 - a) Building: Unknown % of the site
 - b) Landscaping: Unknown % of the site
 - c) Paved Areas: Unknown % of the site
- 3) Number of Structures: 6
- 4) Number of residential units total:
 - a) Two-bedroom units: 60
- 5) Total number of vehicular parking spaces: 142
 - a) Enclosed: 120
 - b) Surface: 22
 - c) On-Street: 1
- 6) Total number of bicycle parking: 12
- 7) Fencing: Unknown
- 8) Sidewalk: Attached proposed
- 9) Landscaping:
 - a) Street Trees: 5 Street Keeper Honey Locust
 - b) Parameter Landscaping: 5' perimeter landscaping with 5' pedestrian sidewalk
- 10) Connections: None

Site Conditions:

- 1) Street Address: 233 and 311E. 47th Street
- 2) Parcel Number(s): R2734523676 & R2734523661
- 3) Property Description: LOTS 21 & 22 BLK 26 FAIRVIEW ACRES SUB NO 3 #3670-3680-C & LOT 20 BLK 26 FAIRVIEW ACRES SUB NO 3
- 4) Legal Lot of Record: Yes
- 5) Property Size: 2.06 acres
- 6) Zoning District: R-3
- 7) Zoning Overlay(s): None
- 8) Comprehensive Plan Land Use Map Designation:
 - a) Mixed Use Commercial
- 9) Floodplain Designation:

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- 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) Manufactured Home Park
- b) Single Family Detached Dwelling Units

11) Existing Use: Manufactured Home

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

13) Site Access:

- a) Front: E 47th Street

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

15) Wetlands on site: none identified

C. Discussion

Please refer to the staff analysis of this report for further information. Items of concern that would warrant further discussion include:

- 1) On-site stormwater management
- 2) Common open space
- 3) Design of the structures
 - a) Architecturally addressing the street
 - b) Privacy
 - c) Articulation, protrusions, glazing, fenestrations, etc.
- 4) Multi-family amenities for development over 20 dwelling units in size
 - a) Location and functionality of provided amenities
- 5) Connectivity
 - a) Pedestrian pathways to primary entrances
- 6) Parking
- 7) Landscaping
 - a) Lack of perimeter landscaping
 - b) Lack of common open space landscaping
- 8) Density (34du/acre) and functionality of the site

D. Decision Process

General Provisions

A formal application will be processed per [GCC 8-6A-5 Administrative with Notice](#).

Required Decisions: The following decision processes are required for the project as governed by [GCC Table 8-6A-1](#):

Decision	Recommendation Authority	Decision Authority	Hearing Date
Design Review	N/A	Design Committee	Pre-application conference: 09/08/2022 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.

The following agency comments were provided:

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.

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	Legal parcel of record as described – Lot Line Consolidation will be required.
8-1B-2 Nonconforming Structures		No compliance issues noted	
8-1B-3 Nonconforming Uses		No compliance issues noted	Permitted Use
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		No compliance issues noted	Multifamily Dwellings are a permitted use.
8-2B-3 Form Standards	DC	May not be complaint	The required setbacks are: Front: 5'/20' Interior Side: 0'/5' Rear: 15'

			<p>Street side: 0'</p> <p>The allowable maximum height is: n/a The minimum lot size is: n/a Maximum lot coverage is: 70% - Not enough information provided to review. Lot coverage appears to be high.</p> <p>There are not encroachments All properties meet the minimum street frontage.</p>
<p>8-2C-15 Multi-Family</p>		<p>May not be complaint</p>	<p>Buildings within site are setback be a minimum of 10 feet apart, meeting the requirement.</p> <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 between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one from each category.</p> <ol style="list-style-type: none"> 1. Quality of life amenities provided: public art visible or otherwise usable by the public and outdoor kitchen/ BBQ area 2. Open space: open grassy area of unknown feet equal or to or greater than the qualifying (50' x 100') in size open space and plaza area with fire pit 3. Recreation amenities: children's play structures and sports courts <p>The common open space provided within the development contains these amenities. As discussed later in the staff report, there is not enough information available to review for common open space compliance. Despite the lack of information, the application does provide the required amount of amenities.</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. A draft potential condition of approval requiring that such documentation be provided to the City has been included.</p> <p>For developments with twenty (20) units or more the following are required:</p> <ol style="list-style-type: none"> 1. A property management office. 2. A maintenance storage area. 3. A central mailbox location, including provisions for parcel mail that provide safe pedestrian and/or vehicular access. 4. A directory and map of the development at an entrance or convenient location for those entering the

			development. These items have been provided and the application will be conditioned to require the facilities for the duration of the use. There should be discussion regarding the location and function of the provided spaces as they appear to be secondary in nature. Building A floor plans show the location of where the office/mailroom is to be as well as a bike storage/maintenance room.
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	DC	Complaint as Conditioned	This proposal does not identify any fence or wall. Any future fence or wall will be required to be in compliance with code at the time of development.
8-4A-4 Outdoor Lighting	DC	Complaint as Conditioned	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	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.
8-4A-7 Stormwater Systems	DC	May not be complaint	A draft condition of approval has been provided requiring that the stormwater systems be built in compliance with provisions of 8-4A-7. While the development services staff does not review stormwater compliance, staff has noticed that space for on-site stormwater mitigation might not be sufficient. This is cause for concern because elimination of common open space or landscaping to accommodate on-site stormwater facilities might cause non-compliance in other sections of code.
8-4A-8 Utilities	DC	Complaint as Conditioned	A draft condition of approval is provided requiring that all on-site utilities be underground.
8-4A-9 Waterways	DC	No compliance issues noted	There does not appear to be Boise River irrigation facilities on the site.
8-4B-4 Multi-family Residential Dwelling Units	DC	May not be complaint	Building setbacks shall consider windows, entrances, porches and patios, and how they impact adjacent properties. - Privacy concerns related to adjacent properties along the northern and eastern property boundary line where trees are not permitted per GIRR. All building elevations shall have a minimum portion of the elevation devoted to architectural features designed to provide articulation and variety. These features shall include, but are not limited to, windows, bays and offsetting walls that extend at least two feet (2'); recessed entrances; and changes in material types. Changes in material types shall

			<p>have a minimum dimension of two feet (2') and minimum area of twenty-five (25) square feet.</p> <p>Main entrances, which are the primary point(s) of entry where the majority of building users will enter and leave, do not appear designed as an obvious entrance and focal point of the building through architectural treatment, lighting, and address identification.</p> <p>Roof forms do not appear distinctive and nor do they include a variety and detail when viewed from the street. Sloped roofs shall have a significant pitch. Flat roofs should include distinctive cornice treatments.</p> <p>Exterior building materials and finishes shall convey an impression of permanence and durability. Materials such as masonry, stone, stucco, wood, terra cotta, and tile are encouraged.</p> <p>Windows are required to allow views to exterior activity areas or vistas. Windows shall be provided on any building facing any common area used for children's recreation.</p> <p>Residential units adjacent to 47th Street to not address the street. Elevations appear as side elevations.</p> <p>Multiple Buildings On One Site: Development of multiple structures on one site shall comply with the requirements set forth in subsection <u>8-4C-4B</u>, "Multiple Nonresidential Structures On One Development Site", of this chapter.</p>
8-4C-4 Special Provisions for Specific Non residential Development	DC	No compliance issues noted	Pathways throughout the development appear adequate. Terminal views consist of townhomes and their garages. Some landscaping is provided at the ends of long parking lot rows which will grow into the terminal view with maturity.
8-4C-5 Prohibitions	DC	No compliance issues noted	<p>There are no visible false fronts, prefabricated structures or prohibited materials proposed with this application.</p> <p>There is not any crushed colored rock/crushed tumble glass utilized on the site.</p>
8-4D Parking and Off Street Loading Provisions			
8-4D-3 Parking Design and Improvement Standards	DC	No compliance issues noted	
8-4D-4 Parking Use Standards	DC	No compliance issues noted	
8-4D-5 Required Number of Off-Street Parking Spaces	DC	May not be complaint	<p>Required Parking Total: 150 Provided Parking: 142</p> <p>Residential Parking Required: 120 Provided parking: 120</p>

			<p>Guest parking Required: 30 Guest parking provided: 22</p> <p>Deficient 8 guest parking spaces</p> <p>The application includes a parking waiver request which includes an analysis of multiple surrounding jurisdiction's parking requirements, Urban Land Institute, and UTI parking requirements for comparisons. Each residential unit includes a two-car garage, adequately filling the need for residential units. But the site is deficient 8 guest parking spaces, while still supplying 22 spaces. Additionally, 47th street could provide on-street parking, but code only allows for one of these spaces to count towards the minimum parking requirements.</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>More than 1 bedroom</td> <td>2* 60 Units= 120</td> <td>1* 60 Units= 120</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 10 bicycle spaces.</p>	Dwelling, multi-family	Total Required Parking	Required Within An Enclosed Garage	More than 1 bedroom	2* 60 Units= 120	1* 60 Units= 120
Dwelling, multi-family	Total Required Parking	Required Within An Enclosed Garage							
More than 1 bedroom	2* 60 Units= 120	1* 60 Units= 120							
8-4D-6 Standards for Alternatives to On Site Parking	DC	No compliance issues noted	A parking analysis has been requested for the reduction in guest parking. An enclosed bike storage location has been provided as an amenity.						
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	The existing sidewalk meets the provision: C. Detached sidewalks shall be required unless in conflict with a street plan adopted by the transit authority and/or the city <u>or there is existing attached sidewalk on both sides adjacent to the property.</u>						
8-4E-7 Pedestrian and Bicycle Accessibility Standards	DC	Not Complaint	The pedestrian pathway throughout the development does not appear to connect to the primary entrances of the residential dwelling units.						
8-4F Sign Provisions									
8-4G Sustainable Development Provisions		May not be complaint	The development is required to provide 6 points. The sustainability checklist will be a required document for the formal hearing of this application.						
8-4H Flood Hazard	Planning Official	Complaint 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.
8-4I Landscaping and Tree Protection Provisions			
8-4I-3 General Landscaping Standards and Irrigation Provisions	DRC	No compliance issues noted	
8-4I-4 Landscaping Provisions for Specific Uses	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. Unknown square footage of landscaping. Not enough information to review.</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>47th Street Requirements (300LF): 7 Class II Street Trees Trees Provided: 5 Class II Street Keeper Honey Locust Trees (Deficient 2 Class II trees) <i>*the application has subtracted linear footage based on the provided common drives. This calculation is incorrect. The entire property's linear frontage on 47th should be the calculation (300LF) to provide the required amount of street trees.</i> <i>**The applicant should discuss with ACHD immediately regarding clear vision triangles adjacent to 47th Street and the proposed location of street trees.</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. Not enough information to review.</p>
8-4I-5 Perimeter Landscaping Provisions	DC	May not be complaint	Perimeter landscaping is required 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 has been provided for on all sides of the property. However, the northern and portions of the eastern property line do not include trees due to overhead utilities. Grasses and shrubs have been provided for in these locations. Staff has concerns over the lack of privacy this creates, though there are Crabapple and Ornamental Pear trees proposed closer to the units.
8-4I-6 Parking Lot Landscaping Provisions	DC	No compliance issues noted	Parking lot landscaping appears to be compliant with code.
8-4I-7 Tree Preservation Provisions	DC	May not be complaint	A tree mitigation plan and certified arborist report will be required for the existing trees on site. Mitigation is required for

			all 4" caliper or greater healthy trees. Mitigation at a 1:1 ratio will be required.
8-4L Open Space Provisions			
8-4L-3 General Open Space Standards	DC	May not be complaint	Not enough information to review.
8-4L-5 Open Space Standards for Multi-family Developments	DC	May not be complaint	For any new multi-family development: A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. Not enough information to review. The application does not appear to be code compliant. This requirement can be satisfied through porches, patios, rooftop gardens, decks, and/or enclosed yards. Common Open Space Requirements: Not enough information to review. Application does not appear compliant.
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	To be completed with formal application A notice of intent was sent to adjoining property owners within 300' and agencies with jurisdiction. If no objections are filed within 15 days, the Design Review Committee's decision shall be considered final. Objections will be heard by City Council following the public hearing provision set forth in section GCC 8-6A-7. Conditions of approval that are deemed necessary to protect the public health, safety, and welfare, and prevent undue adverse impacts on surrounding properties may be required.

Other Items Reviewed	
Plan/Policy	Discussion/ Analysis
Garden City Comprehensive Plan	This application is in future land use designations of the Comprehensive Plan: a) Mixed Use Commercial The application may be supported by: Goal 1. Nurture the City

	<p>a.) 1.4 Objective: Create a premier destination place to live, work, and recreate.</p> <p>Goal 2. Improve the City Image</p> <p>a.) 2.3 Objective: Promote quality design and architecturally interesting buildings.</p> <p>b.) 2.4 Objective: Create a vision for the design of all streets and highways consistent with city's urban setting.</p> <p>Goal 4. Emphasize the "Garden" in Garden City</p> <p>a.) 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.</p> <p>Goal 7. Connect the City</p> <p>a.) 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters.</p> <p>Goal 12. Evolve as a Destination</p> <p>a.) 12.1 Objective: Support a positive business environment</p> <p>The application may not be supported by:</p> <p>Goal 2. Improve the City Image</p> <p>a.) 2.3 Objective: Promote quality design and architecturally interesting buildings.</p> <p>Goal 6. Diversity in Housing</p> <p>a.) 6.2 Objective: Continue to be a leader and set an example for the region in creating a diversity of housing.</p> <p>b.) 6.3.3 Action Step: Continue to explore opportunities that encourage mixed income housing in new developments.</p>
<p><u>Garden City Street Light Policy</u></p>	<p>A streetlight is installed along E. 47th Street in accordance with the policy.</p> <p>The streetlight appears to be located on the property. Plans for removal and/or relocation will need to be discussed with Public Works.</p>