



CITY OF GARDEN CITY

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SAPFY2019 - 1
Specific Area Plan
Pre-Application Conference
Location: 33rd, 34th, 35, Carr, and Clay St. ; Chinden Blvd.
Applicant: Sherry McKibben, McKibben Cooper Architects



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City of Garden City
Design Committee Staff Report

Project Description:

Design Committee Pre-Application Hearing Date: Monday May 20, 2019, at 3:00 p.m.

Application File Number: SAPFY2019 - 1

Applicant: Sherry McKibben, McKibben Cooper Architects

Location: 33rd, 34th, 35th, Carr and Clay Streets, and Chinden Boulevard

Requested Entitlement: Specific Area Plan

Project Synopsis: Sherry McKibben with McKibben + Cooper Architects and Urban Design are requesting pre-application approval of a Specific Area Plan Application for the 34th Street Area. The scope of the plan includes 34th Street, Carr Street, Clay Street, Chinden Boulevard, Osage Street, and 33rd Street.

Standards for Review: Standards for review of this pre-application are as follows:

1. GCC 8-6B-6 Specific Area Plan

Note: Due to the nature of the pre-application request, other sections of this Title can be reviewed by the Committee.

Additional Information:

1. A specific area plan (SAP) does not require a pre-application with the Design Committee, but does require a formal hearing. A pre-application before the Design Committee is requested entirely at the applicant's discretion.
2. The Planning and Zoning Commission held a required pre-application meeting on May 15, 2019. Comments were limited to questions concerning site use, application process, and potential obstacles. The Commission did not address design.
3. Upon completion of the pre-application meetings, a formal application will be submitted. The Commission will hear this recommendation request at a future date as a public hearing item.
4. The City Council will decide this item at a future public hearing.
5. To obtain specific waivers to code, the applicant anticipates submitting a concurrent Planned Unit Development (PUD) application in coordination with the SAP.
6. The staff report will not make a recommendation on the proposal. Rather, comments will be limited to discussing relevant Garden City Code, making suggestions to address potential issues, and noting unresolved questions. Draft legal findings will not be included with this report.

GCC 8-6B-6 Specific Area Plan

Introduction

The 34th Street Specific Area Plan (The Plan) has been proposed to provide a development framework for future development within 33rd, 34th, 35th, Carr, and Clay Streets and Chinden Blvd. The Plan proposes a phased framework intended to coordinate development of properties within these street corridors. The applicant's vision can be found on page 4 of the Plan. The applicant notes the following vision and goals on page 4 of the Plan:

The Live, Work, Create District is a special place. As it takes shape it is a neighborhood that promotes creativity. There is something truly special about being able to make and create. Our 34th Street Specific Area Plan is designed to be very interactive, each use and design is carefully selected to allow for a experience by just taking a walk!

Food bonds a community; while you enjoy a coffee on 34th and Carr Street you can also watch an artist painting. I believe that food is one way to help support "place making". Along with the idea of an interactive street scape, is the goal of bringing an interactive Farmers Market to Garden City. This will be future indoor and outdoor space with the goal of spanning the entire length of 34th (weekly and seasonal). At the Market you can enjoy local foods, buy fresh local produce, shop for unique art. A farmers market celebrates local businesses and encourages community. Food is a wonderful way of uniting community.

Our 34th Street Specific Area Plan is designed to allow Mixed Use buildings, this is important to us so the neighborhood can be a pedestrian focused environment where residents and community members can walk and explore.

One of the first ideas that was discussed in planning was creating a "plaza" an outdoor space that all can enjoy and the can make our community special. We designed the plaza to be very natural, very welcoming and pedestrian friendly. The goal for the plaza "The Eddy" is to tie all the elements together; in the plaza you will see art, culture, historic monuments, industrial references, elements of the Garden, food, and community enjoying our wonderful community and provides river activated uses and design.

Incorporating art, History and Culture into our plan was a high priority. Our 34th Street Specific Area Plan will provide historical references on what uses or activities have taken place in a given location. In the Plaza we want to have monuments that provide a timeline to our evolution of Garden City.

Required Findings

To recommend approval of an SAP, the Committee must make the following findings:

- 1. The SAP, as conditioned, is consistent with the city comprehensive plan, as amended, including the future land use map and the land use planning area guidelines and land use designations, if applicable;*

2. *The SAP, as conditioned, meets the minimum requirements of this chapter;*
3. *The SAP promotes the orderly planning and development of land, as set forth in the purpose for this process;*
4. *The SAP has been noticed and public hearing held in accordance with this code;*
5. *The SAP complies with all city zoning regulations and codes in effect at the time of the SAP application.*

Plan Amendments

Amendments to an SAP are divided into major and minor amendments as noted in subsection 7:

7. Major and Minor Amendments: An approved SAP may be amended at any time using the process, and may be amended simultaneously with the processing of a development application. The planning official shall decide whether a proposed amendment is a "major" or "minor" amendment. In order to initiate an amendment, the applicant shall submit to the planning official an application on those items that would change if the proposed amendment were approved.

a. Major Amendments: Changes of the following types shall define an amendment as major:

(1) Changes which would modify or reallocate the allowable building height, mix of uses, or density of a development; or

(2) Changes which would alter the location or amount of land dedicated to open space, amenities, trails, natural areas or public facilities; or

(3) Modify any other aspect of the SAP that would significantly change its character; or

(4) A series of minor amendments that cumulatively change the overall character of the SAP.

b. Minor Amendments: Amendments that are not major amendments shall be termed "minor amendments" and shall be reviewed by the planning official. The planning official shall approve, approve with conditions, or deny said amendments.

Discussion of Specific Requests

While the Plan is detailed and has potential for extensive discussion, this report focuses on the following substantial requests. The Commission's report focused on the same items. However, this staff report will include design considerations:

- Vacation of a portion of 34th Street to be retained by the applicant to restrict vehicle access and prioritize pedestrian and bicycle traffic. The right of way is proposed to be transformed into a pedestrian plaza located adjacent to the Boise River Greenbelt
- Greenbelt improvements
- Streetscape and intersection improvements
- "Ultimate Parklet": A "semi-public" park, parking facility, and mixed use amenities space
- Land use placement and development/improvement siting

1. 34th Street Vacation Request and Plaza

The applicant has proposed a vacation of 34th Street from Carr Street to the Boise River Greenbelt. The Land Use Plan on page 14 of The Plan identifies the vacated section as a multi-use pedestrian plaza.

Points of discussion of the proposed vacation could include:

- How does the proposed plaza design fulfill the Comprehensive Plan?
- How does the exclusion of vehicles from the vacated portion of 34th Street improve pedestrian connectivity to the Greenbelt?
- Would the plaza design enhance the overall Greenbelt experience for users?
- Does the plaza design allow the possibility of reconfiguration as user needs change?

The following points of discussion were noted in the Commission staff report:

- Conversion to private property could limit public access to the Greenbelt. The applicant has indicated in previous staff pre-application meetings a perpetual public access easement would be proposed along with the vacation request.
- The possible precedence set by the proposed vacation. Future developments at the end of the Greenbelt could follow a similar development pattern. Discussion of future implications should be considered.
- Specific uses are not noted in the plan. The applicant could provide a list of intended uses with their formal application.
- Maintenance of the proposed plaza is not addressed. The applicant has an opportunity during the pre-application meeting or the formal application to provide possible solutions.
- Amenities such as the surfer lockers and the community gardens are not clearly depicted to be for public use, though it appears to be implied based on their placement in the plaza. The applicant can clarify this with the Commission,

2. Greenbelt Improvements

The applicant has proposed Greenbelt improvements intended to coordinate with the proposed development. As noted on page 50, adjacent improvements consisting of a community garden, planters, and crushed granite are proposed. The existing pedestrian bridge is noted but is not clear if additional improvements are proposed for the bridge. The Plan is not clear if landscaping improvements are proposed on the river bank or within the vegetated area between the paved path and the Boise River.

Points of discussion of the proposed Greenbelt improvements and modifications could include:

- How do the proposed Greenbelt improvements improve the overall user experience?
- Do such improvements set a precedence and overall tone for future Greenbelt improvements in other locations of the City?

The following points of discussion were noted in the Commission staff report:

- Portions of the existing Greenbelt are located on the applicant's property and are protected by a perpetual Greenbelt easement. The easement was granted as part of a court settlement between the property owner, Garden City, and the State of Idaho. It is not clear how the proposal coordinates or conflicts with the easement or the court settlement. A review by the City Attorney of the available documentation and The Plan during the formal application process would help clarify whether conflicts exist. An amendment of the Greenbelt easement and/or the court settlement may be necessary to facilitate the proposed development.
- Aerial photographs appear to depict existing irrigation infrastructure beneath a proposed structure, bridge, crushed gravel area, and other proposed plaza infrastructure. The Plan does not depict whether the irrigation infrastructure would be piped or rerouted around this infrastructure. The applicant could provide more information on this discussion point in the formal application. Comments from the irrigation company should also be provided to clarify the matter further.
 - Note: The applicant indicated at the 5/15/2019 Commission meeting that they are working with Fairview Acres and Thurman Mill Irrigation Districts on coordinating improvements of this infrastructure. The applicant indicated there was a willingness from the districts to see such improvements happen.
- The Plan does not indicate whether the proposed Greenbelt improvements meet Garden City Public Works Department requirements. The applicant could coordinate with Garden City Public Works prior to formal application to ensure there are no outstanding issues.
- The existing Greenbelt appears to be raised above the grade adjacent to the property. Page 12 of The Plan indicates the plaza will be raised above the Base Flood Elevation and flush with the existing Greenbelt. While a preliminary grading and drainage plan is included in the application materials, drainage is usually reviewed administratively by the City Engineer.
- There is an existing 35' sewer easement on the property adjacent and within the Greenbelt. The Plan does not provide enough detail on whether the proposed infrastructure can encroach within this easement. The applicant could coordinate with Garden City Public Works and the City of Boise to coordinate improvements within the easement.

3. Streetscape and Intersection Improvements

The applicant has proposed an attached and detached street section typology that provides a varied streetscape. The proposed streetscapes provide multiple points of visual interest and depicted a significant departure from the existing street configuration. Intersection improvements are proposed, depicting artistic crosswalk treatments.

Points of discussion of the proposed streetscape could include:

- How do the proposed streetscape improvements set the overall tone of the neighborhood (within the Plan and surrounding areas)?
- What, if any, affect does the improvements have on the future development pattern of adjacent streets and neighborhoods?
- How are pedestrian and bicycle connectivity improved?
- What, if any, differences there are in the pedestrian experience between the attached vs. detached sections?

The following points of discussion were noted in the Commission staff report:

- Whether the scope of streetscape improvements is intended for the right of way, on private property, or a combination thereof is not addressed. The applicant could delineate this location in the formal application.
- Maintenance of improvements in the right of way is not addressed. The applicant could coordinate further discussion with ACHD and Garden City staff to address maintenance.
- Impact of landscaping root systems to hardscapes such as roads and sidewalks. The applicant has provided a detailed landscaping palette. Root barriers presently address this for landscape buffers, as required by ACHD for landscape buffers 6' in width.
- Evaluation of the proposed street sections for compliance with ADA and Clear Vision Triangle requirements. The applicant can provide additional information on this matter at the pre-application meeting or in the formal application.

4. “Ultimate Parklet”

The applicant has proposed a mixed use parking facility noted as the “Ultimate Parklet” (The Parklet) in The Plan. The Parklet consists of vehicle and bicycle parking spaces, landscaping, artwork, pedestrian amenities, and a multi-use structure. The Parklet can also be closed to provide a space for community and neighborhood events, as noted on page 53. The applicant also notes on Page 53 that the amenities are “semi-public”.

Points of discussion on the proposed Parklet could include:

- What is the effect of the Parklet on adjacent properties not included in the plan? For example, how does the Parklet design shape the development pattern of other properties adjacent and surrounding the site?
- What potential is there for site reconfiguration should user needs change?
- Are there opportunities for coordination of adjacent or nearby park improvements or open space improvements to closely match the Parklet design?

The following points of discussion were noted in the Commission staff report:

- Clarification on the scope and scale of neighborhood events. A conditional use permit was required for a similar use on the applicant’s property at the end of 34th Street. The applicant could clarify this in the formal application as well as whether other uses noted in Garden City Code are proposed.
- Fire code compliance for the proposed configuration. The Plan is not clear whether the proposed configuration meets fire access requirements. The

applicant could include clarification from the fire department in the formal application.

- Clarification of the term “semi-public”. The Parklet is proposed to be private property and retains the right of exclusion. The Plan is not clear what this term means or it’s intent. The applicant could clarify this with the Commission at the pre-application meeting.

5. Land Use Placement/Development Improvement Siting

The applicant has provided an extensive, highly detailed depiction of proposed building footprint, pedestrian connections, bicycle and vehicle parking, open space, and other development improvements in The Plan. The applicant’s intent suggests a coordinated development plan, with each component intended to interact with each other. The Plan includes specific locations for mixed use, residential, and commercial uses. The Plan also includes specific residential density calculations.

Points of discussion on the proposed land use placement/development improvement siting could include:

- How do the internal common open space/pathways interact with the proposed building sites?
- How do the building footprints improve the pedestrian experience?
- Although elevations are proposed or required with an SAP, how does the Plan affect future elevation designs? What flexibility in standards are available or needed?
- What, if any, would be the affect of specific uses on building footprints?
- How does landscaping design improve the user experience within the Plan’s scope?

The following points of discussion were noted in the Commission staff report:

- The Plan, while detailed and professionally crafted, may hinder flexibility that may be needed to accommodate future owner and tenant needs, to accommodate unanticipated site conditions or in response to possible changing market conditions. Amendments to The Plan are governed by Garden City Code 8-6B-6 and divided into major and minor amendments, as noted above. The applicant and the Commission could discuss this at the pre-application meeting.
- Clarification of mixed use, residential, and commercial uses. The applicant has noted the location of these uses but has not clarified what those uses are. The scope of the proposal includes properties zoned C-1, C-2, R-3, M, and BRG, which have differing permitted, conditional, and prohibited uses. Deferring to the zone’s uses could interfere with the intended coordination depicted in The Plan. The applicant could provide clarification on what specific uses are intended. Further discussion may be necessary with the applicant and the Commission.
- Impacts to adjacent properties not included in The Plan’s scope. The Plan is not clear on potential impacts, if any, exist and whether The Plan may need to be amended to accommodate potential impacts identified during the application process.
- The proposed building and drive lane configurations depicted in The Plan could be affected by fire and building codes. If there is conflict with these codes and The Plan, the applicant would likely have to request an amendment.

Additional Questions to Consider

Several questions remain concerning the proposal that have not been addressed above. The Committee and the applicant should consider their discussion during the work session.

Design Review

- How would the Plan affect the interactive process the Design Committee utilizes during the Design Review process? Would the same level of flexibility remain or can additional flexibility be created through the Plan?
- Does the Plan enable staff level administrative decisions of site improvements shown in the Plan? Does the Plan enable a more streamlined decision process (i.e. specific set guidelines as noted in the plan would be decided administratively vs. unclear components brought to the Committee)?
- Instead of having major amendments be brought through the same process as the adoption of the Plan, would it be appropriate to have the Design Committee be delegated authority as the final decision maker on design related major amendments?

The following questions were noted in the Commission staff report:

Plan Coordination and Amendments

- Would approving The Plan as proposed lock the applicant into a specific phasing plan noted on page 73? Would the applicant be able to complete multiple phases individually or would The Plan allow concurrent completion? What are the effects of an amendment on the phasing schedule?
- How will The Plan remain cohesive and coordinated with changes of ownership?
- What would be the effect of a new owner request for a PUD within The Plan area on the overall development?
- How does The Plan affect future development applications on adjacent properties?

Improvements and Maintenance

- What improvements, if any, will be dedicated to the public?
- Who will maintain private shared improvements, whether intended for public or private use? In the absence of a property owner organization, how would the improvements be maintained?

Pedestrian, Bicycle, and Vehicle Traffic Flow

- How does the proposal affect pedestrian, bicycle and vehicle traffic located outside of The Plan area?
- What would be the effect of the proposed streetscape improvements on areas outside of The Plan's scope?

Fiscal Impacts

- What are the fiscal impacts to the City and other public agencies?
- What are the potential obligations and liabilities, if any, for the City and other public agencies