



CITY OF GARDEN CITY

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File Number: SUBFY2017-1 / PUDFY2013-2
For: PUD Modification, Design Modification
Location: Bridge Townhomes
Applicant: Todd Weltner
Report Date: 8/8/2019



Garden City Design Committee
Garden City Planning and Zoning Commission
Staff Contact: Chris Samples

STAFF REPORT: SUBFY2017 -1 / PUD2013 - 2– Application materials can be found here:
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**City of Garden City
Staff Report**

A. Project Overview

Project Description

Todd Weltner is requesting a recommendation of approval of design changes and of landscaping and wall improvements along the Greenbelt. The project is located at E. 35th St. and N. Prospect Ln., Garden City, ID, 83714.

Proposed Scope of Work

Request	Code Standard/Condition of Approval	Notes
PUD modification to exceed fence/wall height requirements to 6' – 8' wall height in front setback	8-4A-3C-1: 3.5' maximum wall height in front setback	Subdivision/PUD decision did not address the height of the wall. Plans depicted wall as to be determined.
PUD modification to allow 2' wall setback from Greenbelt	8-4A-3D-1: 10' minimum setback for fences/walls exceeding 3.5'	3' setback authorized by subdivision/PUD approval
PUD modification to replace trees with shrubs within 2' requested setback - Substitute trees with shrubs within 2' wall setback	Site specific condition of approval required trees within 3' wall setback for screening	None
Design Review modification for elevation and landscaping changes	8-4B (Residential Design Provisions) 8-4I (Landscaping Provisions)	<ul style="list-style-type: none"> • Original DR Approval: 4/3/2017 • 1st Modification Approval: 6/29/2018

Required Decisions: The following decision processes are required for the project:

Decision	Recommendation Authority	Decision Authority	Hearing Date
PUD Modifications	Design Committee; P&Z Commission	City Council	<ul style="list-style-type: none"> • Design Committee: 8/19/2019

STAFF REPORT: SUBFY2017 -1 / PUD2013 - 2– Application materials can be found here:
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			<ul style="list-style-type: none"> • P&Z Commission: 8/21/2019 • City Council: 9/9/2019
Design Review Modification	N/A	Design Committee	8/19/2019

Standards for Review: Standards for review of this application are:

PUD Modification Standards - Wall	
Standard	Staff Comments
8-6B-7 Planned Unit Development	Compliance issues noted
8-6B-2 Conditional Use	Compliance issues noted
8-4A-3 Fences and Walls	Noted for reference purposes

Design Review Modification Standards - Elevations	
Standard	Staff Comments
8-6B-3 Design Review Committee	No compliance issues found
8-4B Residential Design Provisions	No compliance issues found
8-4C Nonresidential Design Provisions	No compliance issues found
8-4I Landscaping and Tree Protection Provisions	No compliance issues found

Policies and Studies: No policies or studies were reviewed in association with this request.

Agency/Public Comments: No comments have been received in association with this request.

Additional Information (Design Committee Only): On June 17, 2019, the Design Committee held a pre-application meeting on these requests and provided the following comments:

- Consider landscaping alternatives above the wall to soften its appearance.
- Consider integrating LED lighting into the wall to provide visibility and break up wall's appearance.
- Consider move metal fence back on top of wall to soften its appearance.
- Provide graphic that better represented wall's look.

Exhibits: [Link](#)

- Statement of Intent
- Elevations;
- Photos;
- Signed City Council Decision dated May 8, 2017
- Signed Design Committee Decision dated April 3, 2017
- Approved Plan Modifications dated July 16, 2018
- June 17, 2019 Design Committee Minutes

B. PUD Modifications

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1. Decision Maker:
 - a. Recommendation: Design Committee, Planning and Zoning Commission
 - b. Final Decision: City Council

2. Standards for review:

PUD MODIFICATIONS STANDARDS FOR REVIEW	
City Code	City Standards/Staff Comments
<u>8-6B-7 Planned Unit Development</u>	
<u>8-6B-7E Required Findings</u>	To recommend approval of the proposed height and setback changes, findings e and g of this section must be met. In addition, the modifications must meet the findings of 8-6B-2 (Conditional Use).
Finding E	<p>Finding E: Any exception from standard district requirements is warranted by the design and other amenities incorporated in the final development plan, in accordance with the PUD and the adopted policy of the council;</p> <p>Analysis: The applicant's letter of intent cites the "existing grade of Greenbelt, design grade of circulation driveway, floor heights and rear patios..." as justification for the proposed wall height. The applicant has not supplied documentation that substantiates these reasons. The applicant could provide additional documentation that further supports the request.</p>
Finding G	<p>Finding: The PUD is in general conformance with the Comprehensive Plan.</p> <p>Analysis: The application was submitted prior to the July 22, 2019 adoption of the Comprehensive Plan Update and has vested rights to the previous Comprehensive Plan. The previous plan will be reviewed for this analysis.</p> <p>The following Comprehensive Plan Goal, Objective and Action Step apply to this proposal:</p> <p style="padding-left: 40px;">Goal 5: Focus on the River Objective 5.7: Maintain and protect the Greenbelt Action Step 5.7.3: Protect the greenbelt from private development. Enforce codes for private property maintenance, and control of runoff, litter, and debris. Adopt minimum setback requirements for new development.</p>

STAFF REPORT: SUBFY2017 -1 / PUD2013 - 2– Application materials can be found here:
[Link](#)

	The proposal is located within the Transit Oriented Development Node designation of the Comprehensive Plan Land Use Map. The designation does not appear to specifically address the Greenbelt or adjacent improvements.
<u>8-6B-2 Conditional Use</u>	
<u>8-6B-2D Required Findings</u>	To recommend approval, the Committee must determine the proposed waiver meets the required findings of this section.
Finding 1	<p>Finding: The use is appropriate to the location, the lot, and the neighborhood, and is compatible with the uses permitted in the applicable zoning district;</p> <p>Analysis: The wall height is not comparable to any other wall along the Greenbelt. The setback is comparable to similar existing walls and fences, although these walls and fences appear to have been placed prior to the enactment of 8-4A-3, as amended.</p> <p>The tree to shrub substitution request may help to meet this finding by distributing plant materials across a larger surface area. However, a condition of approval requiring the shrubs be trimmed clear of the Greenbelt should be considered.</p>
Finding 2	<p>Finding: The use will be supported by adequate public facilities or services to the surrounding area, or conditions can be established to mitigate adverse impacts;</p> <p>Analysis: There does not appear to be evidence on the record indicated that the proposed height and setback requests create adverse impacts to public facilities or public service delivery.</p>
Finding 3	<p>Finding: The use will not unreasonably diminish either the health, safety or welfare of the community;</p> <p>Analysis: The wall's height and setback could impact the health or safety of the community, specifically Greenbelt users. endanger Greenbelt users by not providing enough space for these users to walk or pass other uses safely. The applicant has proposed landscaping improvements as mitigation measures. Conditions should be considered that can mitigate this adverse impact such as:</p>

STAFF REPORT: SUBFY2017 -1 / PUD2013 - 2– Application materials can be found here:
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	<ul style="list-style-type: none"> • Augment the wall to provide additional spacing from the Greenbelt This could be a tiered approach stepping the wall back or another method. • Reflective material on the wall to increase visibility. • Installation of additional lighting along the Greenbelt.
Finding 4	<p>Finding: The use is not in conflict with the comprehensive plan or other adopted plans, policies, or ordinances of the city.</p> <p>The analysis above addresses the proposal's compliance with the Comprehensive Plan.</p>
<u>8-4A-3 Fences and Walls</u>	<p>The relevant standards of this section are provided below for informational purposes only:</p> <p><i>8-4A-3C (Maximum Height Requirements)</i></p> <p>1. <i>Fences and walls located along a street frontage within the front yard setback: Three and one-half feet (3.5')</i></p> <p><i>8-4A-3D (Setbacks)</i></p> <p>1. <i>Fences greater than three and one-half feet (3.5) shall be set back to be flush or behind the building frontage. Where this is no building frontage, fences greater than three and one-half feet (3.5') shall be set back minimally ten feet (10') from the back of sidewalk so as to allow for street trees and landscaping between the fence and the sidewalk.</i></p>

3. The Design Committee and the Planning and Zoning Commission may take one of the following actions:
 - a. Recommend approval of the modifications as presented;
 - b. Recommend approval of the modifications with conditions;
 - c. Request the applicant return with revised materials for additional review;
 - d. Recommend denial of the modifications

C. Design Review

1. Decision Maker: Design Committee
2. Standards for review:

DESIGN STANDARDS	
City Code	City Standards/Staff Comments

STAFF REPORT: SUBFY2017 -1 / PUD2013 - 2– Application materials can be found here:
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<u>GCC 8-6B-3 Design Review Committee</u>	No issues were identified in the record indicating a conflict with the findings of this section.
<u>GCC 8-4B Design Provisions for Residential Structures</u> <u>GCC 8-4C Design Provisions for Nonresidential Structures</u> <u>GCC 8-4I Landscaping and Tree Protection Provisions</u>	No issues were identified in the record indicating the proposed amendments conflicted with the requirements of these sections.

3. The Design Committee may take one of the following actions:
- a. Approve the application as presented;
 - b. Approve the application with conditions;
 - c. Request the applicant return with revised materials for additional review;
 - d. Deny the application.