



CITY OF GARDEN CITY

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DESIGN REVIEW STAFF REPORT

File Number: SUBFY2022-0005, Coffey Townhomes

For: Preliminary Plat & Planned Unit Development
A 76-lot residential subdivision

Location: 8373 W Chinden Blvd.

Applicant: Nicolette Womack

Report Date:

Design Review: November 7, 2022

Planning & Zoning: September 21, 2022

City Council: November 28, 2022



Staff Report
Report prepared by Hanna Veal

Contents

Record Documents	3
Recommendation	3
Reccomendation Summary	3
Recommendation Discussion.....	3
Decision Document	6
Project Information	7
Proposed Scope of Work:	7
Purpose of a Planned Unit Development	7
Site Conditions:	8
Project Details:	8
Chronical of Discussions	9
Decision Process	12
Required Findings:	12
Decision	13
Agency Comments	14
Public Comment	15
Code/Policy Review	15

Record Documents [\(link to all file documents\)](#)

Individual links of importance:

1. Application Materials
 - a) SUBFY2022-0005 [Pre-Application Staff Report](#)
 - b) SUBFY2022-0005 [Coffey Townhomes Sub Application and Materials](#)
 - c) SUBFY2022-0005 [Resubmittals 08102022](#)
 - d) SUBFY2022-0005 [Resubmittals 09162022](#) – Landscape Plan
 - e) SUBFY2022-0005 [Resubmittal 09292022](#) – Site Plan
 - f) SUBFY2022-0005 [Resubmittals 10282022](#)
 - g) SUBFY2022-0005 [Resubmittals 11042022](#) – Landscape Plan & Elevations
2. Staff Reports
 - a) Design Review Staff Report Dated September 19, 2022
 - b) Design Review Staff Report Dated November 7, 2022
 - c) Planning and Zoning Staff Report Dated September 21, 2022
3. Agency Comments: linked in [Section E](#)
4. Public Comments: linked in [Section F](#)
5. Noticing Documents
 - a) [City Noticing](#)
 - b) [Property Posting for Design Review Committee](#)
 - c) [Property Posting for Planning and Zoning](#)
 - d) Property Posting for City Council
6. Recommendations
 - a) [Design Review Committee](#)
 - b) [Planning and Zoning](#)
7. [Draft Potential Decision Document](#)

Recommendation

Recommendation Summary

On September 21, 2022, the Planning and Zoning Commission recommended **approval** of the application on a 3/1 vote. On November 7, 2022, the Design Review Committee recommended **denial** of the application on a 2/0 vote.

Recommendation Discussion

Variety of Housing

The proposal consists of 76 two-story, three-bedroom townhomes. There are three floorplans provided with the difference being in square footages provided.

GCC 8-6B-7 Planned Unit Development

A. Purpose: The intent of this section is to provide for well planned developments which conform to the objectives of this title but may deviate in certain respects from the zoning map and the district regulations. It is not the intent that the planned unit development process be used solely for the purposes of deviation from the dimensional standards in the district unless the following objectives are also achieved:

1. Provide a maximum choice of living environments by allowing a variety of housing and building types and permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks and area requirements.

and

C.2.d (1)

A. (1) With ten (10) or more dwelling units, a variety of housing types shall be included including attached units (townhouses, duplexes), detached units (patio homes), single-family and multi-family units; provided, that the overall density limit of the district is maintained.

Variety of housing was an item of discussion with the Planning and Zoning Commission. Chairman Rasmussen voted in opposition to the application noting that while previous application have been approved due to a variety of floor plans because they meet a variety of needs, he did not believe that this application does.

The Design Review Committee felt that the development does not provide a variety of housing and building types. By not abiding to the Planned Unit Development code requirements for a variety of housing, they further concluded that the application conflicts with Goal 6 of the Comprehensive Plan. Goal 6 speaks to diversity in housing, objective 6.3 speaks to managing and creating a diverse housing market that which attracts niche markets to which this development does not do.

Open Space

GCC 8-6B-7 Planned Unit Development

A. Purpose: The intent of this section is to provide for well planned developments which conform to the objectives of this title but may deviate in certain respects from the zoning map and the district regulations. It is not the intent that the planned unit development process be used solely for the purposes of deviation from the dimensional standards in the district unless the following objectives are also achieved:

2. Create a more useful pattern of open space and recreation areas; and, if permitted as part of the project, more convenience in the location of accessory commercial uses, industrial uses, and services.

The Design Review Committee also concluded that the application does not create a more useful pattern of open space and recreation areas.

Natural Features

GCC 8-6B-7 Planned Unit Development

A. Purpose: The intent of this section is to provide for well planned developments which conform to the objectives of this title but may deviate in certain respects from the zoning map and the district regulations. It is not the intent that the planned unit development process be used solely for the purposes of deviation from the dimensional standards in the district unless the following objectives are also achieved:

3. Establish a development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees, and other vegetation and prevents the disruption of natural drainage patterns.

The Design Review Committee concluded that the development the application ignores its special location adjacent to the Thurman Mill Lateral. The proposal lacks amenities adjacent to the canal such as common open space and walking paths. The development does not propose to make enhancements to or adjacent to the Thurman Mill that would better serve the neighborhood.

Subsequently the application is not in conformance with the Comprehensive Plan's Goal 2, Objective 2.1.2 by choosing to not utilize the existing Thurman Mill Drain as an amenity or design feature. By ignoring the existing canal, the subdivision conflicts with Goal 5, Focus on the River, specifically Objective 5.5.2 where it calls for the creation of pathways along waterways such as the Thurman Mill Ditch.

Transportation

GCC 8-6B-7 Planned Unit Development

A. Purpose: The intent of this section is to provide for well planned developments which conform to the objectives of this title but may deviate in certain respects from the zoning map and the district regulations. It is not the intent that the planned unit development process be used solely for the purposes of deviation from the dimensional standards in the district unless the following objectives are also achieved:

5. Develop a land pattern in harmony with land use density, transportation, and community facilities objectives of the comprehensive plan.

The Design Review Committee noted that without the necessary comments from the Idaho Transportation Department regarding the Traffic Impact Study, it is difficult to determine if the proposed ingress/egress onto W. Chinden is adequate for the type of development proposed.

Code Deviations

The Design Review Committee found that exceptions from standard district requirements is not warranted as they there is inadequate demonstration that 8-6B-7 A is achieved. Moreover, the waivers requested do not allow for the land to be used more efficiently than what is generally achieved through conventional development.

Neighborhood Compatibility Concerns

The Design Review Committee advised that the application is not appropriate to the location or the neighborhood as the proposal is less intensive than what is envisioned by the Mixed-Use Commercial designation, and it does not propose a mix of uses. The designation calls for mixed-use development including, office, and retail which are more urban in character with residential

units being three-stories high. The proposed development does not contain any commercial, and only proposes two-story units. If the surrounding area were to develop to the vision of the comprehensive plan, the proposed development would not be compatible with the surrounding area.

Remedy

The Design Review Committee concluded that the application could be approved if it provides a greater choice of living environments, create a more useful pattern of open space and recreational areas, establish a development pattern which utilizes the land more efficiently than what is achieved through conventional development, and demonstrated that it provides a land pattern in harmony with transportation and community facilities.

Decision Document

The draft potential City Council decision document has been drafted with the Planning and Zoning Commission's findings highlighted in green, and the Design Review Committee's findings highlighted in yellow. There are additional potential conditions of approval highlighted in yellow based on the Design Review Committee's discussions after the Planning and Zoning Commission's hearing.

Project Information

Proposed Scope of Work:

This application is for a subdivision and a Planned Unit Development per Garden City Code 8-7A-2 Definition of Terms:

Subdivision: The result of an act of dividing an original lot, tract, or parcel of land into two (2) or more parts for the purpose of transfer of ownership or development, which may also include easements and the dedication of a public street or designation of private lanes or rights-of-way, and the addition to, or creation of, a cemetery

Planned Unit Development: Property planned as a whole that demonstrates innovation in design to protect natural features or create public amenities through more flexible standards, such as lot sizes, densities, and setbacks, than those restrictions that would normally apply under these regulations.

Review Process	Notes
8-5B-2 Preliminary Subdivision Process	For the subdivision entitlement to be completed a final plat will be required per 8-5B-3 at a later date
8-6B-7 Planned Unit Development	A Planned Unit Development and a Subdivision can be processed concurrently

Purpose of a Planned Unit Development

A. Purpose: The intent of this section is to provide for well planned developments which conform to the objectives of this title but may deviate in certain respects from the zoning map and the district regulations. It is not the intent that the planned unit development process be used solely for the purposes of deviation from the dimensional standards in the district unless the following objectives are also achieved:

1. Provide a maximum choice of living environments by allowing a variety of housing and building types and permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks and area requirements.
2. Create a more useful pattern of open space and recreation areas; and, if permitted as part of the project, more convenience in the location of accessory commercial uses, industrial uses, and services.
3. Establish a development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees, and other vegetation and prevents the disruption of natural drainage patterns.
4. Use land more efficiently than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets.

5. Develop a land pattern in harmony with land use density, transportation, and community facilities objectives of the comprehensive plan.

Site Conditions:

- 1) Street Address: 8373 W Chinden Blvd
- 2) Parcel Number(s): R8191500522, R8191500605, R8191500577, R8191500598
- 3) Property Description:
 - a) PAR #0522 OF LOTS 1, 2 & 41 STRAWBERRY GLENN SUB IN TCA 06-7
 - b) PAR #0605 OF LOTS 1, 2 & 41 STRAWBERRY GLENN SUB IN TCA 06-8 #0600-0820-C
 - c) PAR #0577 OF LOT 2 STRAWBERRY GLENN SUB
 - d) PAR #0598 OF LOTS 2 & 41 STRAWBERRY GLENN SUB
- 4) Property Size:
 - a) R8192500522: .95 acres,
 - b) R8191500605: 4.378 acres,
 - c) R8191500577: 1.16 acres,
 - d) R8191500598: .703 acres
- 5) Zoning District: C-2 General Commercial
- 6) Zoning Overlay(s): None
- 7) Comprehensive Plan Land Use Map Designations:
 - a) Green Boulevard Corridor
 - b) Mixed Use Commercial
- 8) Legal Parcel of Record: Yes
- 9) Floodplain Designation:
 - a) The project is not located in the floodplain according to the 2003 FIRM.
 - b) The project is not located in the floodplain according to FEMA's most recent modeling of the Lower Boise River, adopted by resolution 1083-20.
- 10) Surrounding Uses within 600 feet:
 - a) Storage Facility, Self Service: U-Haul Moving & Storage
 - b) Transportation Authority: Idaho Department of Transportation
 - c) Single Family Dwelling Units
- 11) Existing Use: Vacant, Previous Manufactured Home Park
- 12) Easements on site: 100' Easement for Thurman Drain
- 13) Site Access:
 - a) Front: W Chinden Blvd
 - b) Side: Coffey St
- 14) Sidewalks: No sidewalk
- 15) Wetlands on site: none identified

Project Details: 76 Townhome Units, New Construction

- 1) Proposed development: Residential New Construction.
 - a) Preliminary Plat Processed as a Planned Unit Development
- 2) Total number of lots: 77
 - a) Common: 1
 - b) Residential: 76
- 3) Density: 10.59 Units per Acre
- 4) Site Coverage:
 - a) Building: 74,690sqft = 24% of the site
 - b) Landscaping: 151,804sqft (65,197 improved and 86,607 undisturbed) = 48% of site

- c) Paved Areas: 80,980sqft = 25% of the site
- 5) Access: Drive from Chinden Blvd; from Coffey St
- 6) Total number of vehicular parking spaces: 183
 - a) Enclosed: 152
 - b) Surface: 38
- 7) Total number of bicycle parking: Unknown
- 8) Refuse: The refuse will be in a common location
- 9) Fencing: No fence
- 10) Sidewalk:
 - a) Detached along Coffey
 - b) Public pathway along W. Chinden
- 11) Landscaping: 98,118sqft
 - a) 1,195 shrubs or bushes; turf and rock mulch
 - b) 137 new/19 existing trees
 - i) 19 Class I
 - ii) 52 Class II
 - iii) 33 Class III
 - c) Parameter Landscaping: N/A - adjacent use compatible with existing use; existing dense stream buffer exceeds perimeter screening intent.
- 12) City Utilities
 - a) Water and Sewer connection to lots
 - b) 8" water service
 - c) Hydrant
- 13) Proposed Easements:
 - a) 24' Public Utility Easement
 - b) 15' Public Utility Easement
- 14) PUD Waivers requested:
 - a) More than four lots on a common drive
 - b) 0-foot interior side setback
 - c) 9' x 10' parking space dimension

Chronical of Discussions

September 21, 2022, Planning and Zoning Commission

The Planning and Zoning Commission recommended approval of the application during the September 21, 2022, hearing. The commission was split on if there was enough variety of housing types proposed. The application passed with the motion carrying a 3/1 vote.

November 7, 2022, Design Review Commission

New materials were submitted on October 28, 2022, to address the code compliance concerns and Committee's previous comments. The below are the corresponding discussions.

Landscaping 8-41-4

The submitted narrative goes through the details of the landscaping requirements and proposals. The application proposes to improve 65,197 sqft of the 151,804 sqft of landscaping provided on site. The remaining 86,607 sqft of landscaping is to remain untouched, as it is a part of the Thurman Mill Drainage area. The application is proposing to preserve the existing trees.

Code requires that one tree is provided for every 1,000sqft of landscaping. The application contains 151,804sqft of landscaping, resulting in 151 required trees. The application proposes 137 trees, creating a deficiency of 14 trees.

The applicant has chosen to exclude the existing 86,607sqft landscaping in their calculation of this code because it will remain undisturbed. With the new landscaping being proposed at 65,197sqft, only 65 trees would be required.

The site also lacks the required tree mitigation caliper inches. The site calls for 401 caliper inches to be replaced, when only 229 caliper inches are being proposed.

September 19, 2022, Design Review Commission & September 21, 2022, Planning and Zoning Commission

This application met with the Design Review Committee on April 18, 2022. A summary of the meeting minutes, included with staff's comments, have been provided below. Staff's new comments are in **bold**:

- 1) Discussion with the Design Review Committee included:
 - a) Nicolette Womack and Ian Hoffman presented the application.
 - i) Six-plex, four-plex, and three-story units.
 - b) Why are there three-story units along the "garden" view as opposed to along W. Chinden? Suggestion to look at changes to height of building along W. Chinden. A taller structure or incorporating a variety of heights might be more appropriate. **The proposal consists of 76 two-story, three-bedroom units. There is no height or density variation being proposed within the development.**
 - i) Applicant stated that there is not a lot of current density in the area. Being partial to the surroundings. Would be overbearing along W. Chinden.
 - ii) Current design is an attempt to create an open and inviting concept. Trying to create building layers to the back of the site allowing progressive heights.
 - c) Contemporary architectural design is not required by code. So long as the design meets code provisions, the style of architecture doesn't matter. **Craftsman and farmhouse styles are proposed.**
 - d) Variety of massing is needed to better the overall street presence along Coffey and Chinden. **See schematics.**
 - e) Subdivision processed as a planned unit development requires variety of housing type. **The proposal consists of 76 two-story, three-bedroom townhomes. There are three floorplans provided with the difference being in square footages provided.**
 - f) Pedestrian connection along W. Chinden, and Coffey Street. **See staff analysis.**
 - g) Creation of semi public and private pedestrian nodes along W. Chinden. **The PUD subdivision does not provide public amenities other than the required 10' wide multi-use pathway.**
 - h) State Statues regarding tiling the Thurman Mill drain. **The drain/canal is to remain open.**
 - i) ITD correspondence was sent to the Committee members for review prior to the meeting.

Planned Unit Development

This application (SUBFY2022-0005) is a subdivision application that is to be processed as a Planned Unit Development (PUD). As a PUD development, the applicant can submit waivers to code standards such as minimum setbacks to allow for the 0' interior side setback, for allowing a greater number of lots to be accessible off a common drive, and proposing noncompliant parking space sizes, however, the applicant has only requested one waiver formally.

A section of PUD code requires that in any development that which proposes 10 or more dwelling units shall provide a variety of housing types. The proposed variety shall include attached units (townhouses, duplexes), detached units (patio homes), single-family and multifamily units; provided, that the overall density limit of the district is maintained. This application does not propose a variety of housing types in that all units are two-story townhomes of similar architectural design. The townhomes, while appearing similar in exterior elevations, provide a variety of three-bedroom floor plans ranging from 1,674sqft to 1,887sqft.

Please note, during the January 19, 2021, meeting the Design Review Committee discussed the criteria related to the requirement for a variety of housing to be provided when utilizing the Planned Unit Development ordinance. The Design Review Committee reviews architectural variety, design, and aesthetics whereas the Planning and Zoning Commission reviews the variety of housing types (multi-family, townhome, single family, etc.) proposed. The Planning and Zoning Commission makes their approval or denial recommendation based on how well the proposal meets the variety of housing needs of our community.

During the April 18, 2022, Design Review Committee pre-application conference, the Committee requested for the site design to include more variety in heights and densities. There were comments suggesting increasing the height of the structures adjacent to W. Chinden. Not only would it aid in breaking up the long rooflines, but it would be in conformance with the Mixed-use Commercial Comprehensive Plan Designation. The mixed-use commercial designation is meant to be more urban in character. Three story buildings and 40%- 60% lot coverage, with aggregated open spaces for pocket parks should guide the development pattern in this area. Given the adjacent commercial use, and the large vegetated/graded buffer between the development and the adjacent neighborhood, a denser development could be appropriate.

Density might become an issue when considering the Traffic Impact Study, the Idaho Transportation Department has yet to review and comment on. Access might become limited depending on ITD's access restrictions onto and from W. Chinden.

PUDs also require that all housing units be adjacent to common open space. The common open space information has been provided in the submitted documents, however, staff is concerned about site plans providing adequate open space square footage as it has not been specifically identified on the site plans. The proposal includes the large, untouched, densely vegetated area of the Thurman Mill Drain as part of their common open space. Common open space can be passive in use; however, staff is concerned that by including this area in the calculations, the rest of the development lacks open space amenities that residents can truly enjoy. Discussion regarding the usable common open space needs to commence. Additionally, a condition has been drafted to identify all common open space and for the space to be compliant with GCC 8-4L Open Space Provisions.

Decision Process

General Provisions

This application is processed per GCC 8-6A-7 Public Hearing.

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

Decision	Recommendation Authority/ Hearing Date	Decision Authority
Preliminary Plat Subdivision and Planned Unit Development	Planning and Zoning Commission: Hearing September 21, 2022 and Design Review Committee: Hearing September 19, 2022; November 7, 2022	City Council: Hearing October 10, 2022; November 28, 2022

Required Findings:

For the approval of a PRELIMINARY PLAT SUBDIVISION, the decision-making body must find the application meets the following findings, found in GCC 8-5B-5:

- A. The subdivision is in conformance with the comprehensive plan.
- B. The subdivision is in conformance with all applicable provisions of this title.
- C. Public services are available or can be made available; and are adequate to accommodate the proposed development.
- D. The subdivision is in conformance with scheduled public improvements in accord with the city's capital improvement program.
- E. There is public financial capability of supporting services for the proposed development.
- F. The development will not be detrimental to the public health, safety, or general welfare; and
- G. The development preserves significant natural, scenic, or historic features.

PLANNED UNIT DEVELOPMENT: To approve a planned unit development, the decision-making body must find the application meets the following findings, found in GCC 8-6B-7. E:

- A. The applicant has demonstrated that the proposed development can be initiated within two (2) years of the date of approval.
- B. Each individual unit of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability

or that adequate assurance will be provided that such objective will be attained; the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which would not be achieved under standard district regulations.

- C. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic and increased densities will not generate traffic in such amounts as to overload the street network outside the PUD.
- D. Any proposed commercial development can be justified at the locations proposed.
- 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.
- F. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.
- G. The PUD is in general conformance with the comprehensive plan; and
- H. The existing and proposed utility services are adequate for the population densities and nonresidential uses proposed.

Because the application is a Planned Unit Development, the Decision Maker must also find compliance with Conditional Use Permit findings, found in GCC 8-6B-2. D:

1. The use is appropriate to the location, the lot, and the neighborhood, and is compatible with the uses permitted in the applicable zoning district.
2. The use will be supported by adequate public facilities or services to the surrounding area, or conditions can be established to mitigate adverse impacts
3. The use will not unreasonably diminish either the health, safety, or welfare of the community; and
4. The use is not in conflict with the comprehensive plan or other adopted plans, policies, or ordinances of the city.

Required Decision

After hearing the evidence and considering the application, the decision maker shall make their decision. The decision maker shall report the facts upon which it based its conclusion, the ordinance and standards used in evaluating the application, the actions, if any, that the applicant could take to obtain a permit, and whether a permit is granted, granted with conditions, or denied. The decision maker shall make its findings and decision no later than by the next regular scheduled meeting.

Pursuant to Garden City Code [Table 8-6A-1 Authorities and Processes](#), the Design Committee and Planning and Zoning Commission are recommending authorities and the City Council is the final decision maker for the requested application.

Recommendations

The Recommending Authority may take one of the following actions:

1. Recommend that the City Council grant the application as applied.
2. Recommend that the City Council grant the application with conditions as drafted or as amended.
3. Recommend that the City Council deny the application; or
4. Request the applicant return with revised materials for additional review.

The recommendations of the Design Committee and the Planning and Zoning Commission does not constitute a final decision on the application. Their recommendations cannot be appealed, as they will be heard by the City Council. The City Council is the final decision maker for this application.

City Council Decision

The City Council may take one of the following actions:

1. Sustain the recommendation as presented to the City Council.
2. Modify the recommendation.
3. Reject the recommendations; or
4. Remand the application to a recommending body for additional proceedings and findings.

A reconsideration request may be made within 14 days of the formal decision being rendered by the City Council. Final decisions are subject to a 28-day right to judicial review pursuant to The Idaho Administrative Procedures Act, Chapter 65 Title 67 Idaho Code. A takings analysis pursuant to Idaho Code may be requested on final decisions.

Agency Comments

The following is a summary of the agency comments that were provided at the time of the drafting of this report. All comments are included in their entirety as a part of the record.

Agency	Comment Date	Summary
Department of Environmental Quality	8/12/2022	DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply.
Garden City Engineer	8/20/2022	Any approval of the project should be conditioned upon successfully addressing the items presented in the review dates 8/20/2022
Idaho Transportation Department	4/18/2022	Per the Idaho Administrative Procedures Act (IDAPA) 39.03.42.400.07(b) developments should, if possible, take access from local roads. If a development wants access to the State Highway system and there is local road access available, the applicant must prove the need for an access on the State Highway system with a Traffic Impact Study. Without reviewing the Traffic Impact Study, ITD

		cannot determine if the proposed site plan would be accepted.
North Ada County Fire and Rescue	8/31/2022	Fire Department required fire hydrants, access, and street identification shall be installed prior to construction or storage of combustible materials on site. Provisions may be made for temporary access and identification measures. Specific building construction requirements of the International Building Code, International Fire Code and NACFR Rules will apply. However, these provisions are best addressed by a licensed Architect at time of building permit application.

Public Comment

There were two individuals who provided written comments.

1. Steve Purvis submitted in opposition because:

- In adequate location including:
 - There is abundant wildlife that uses the Thurman Mill Drain
 - The application is residential that is surrounded by commercial.
 - Lack of sidewalks, bicycle paths.
 - Noise from Chinden affecting the new residents.
 - Lack of safety features on Coffey Street.
 - Lack of signalization crossing Chinden.

2. Kent Brown provided a BoiseDev article from September 15, 2022, regarding the project:

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	Undetermined at this point in time. Legal lot descriptions appear that they are portions of the same lots. As a subdivision, any nonconforming lot will be rectified through the subdivision process.
8-1B-3 Nonconforming Uses		No compliance issues noted	Single family attached dwelling units are permitted uses.
Title 8, Chapter 2: Base Zoning District Regulations			
8-2B-1 Purpose	PZ/CC	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. Activities which are more compatible with mixed use or residential uses and minimally disruptive to the neighborhood are to be in the general commercial (C-2) district.
8-2B-2 Allowed Uses	PZ/CC	No compliance issues noted	Single Family Attached Dwellings are a permitted use.
8-2B-3 Form Standards	PZ/CC	Compliant as conditioned	<p>The required setbacks are: Front: 5' Interior Side: 5' Rear: 5' Street side: 5'</p> <p>The allowable maximum height: n/a The minimum lot size n/a There are no encroachments All properties meet the minimum street frontage.</p> <p>A waiver has been requested to allow for a 0-foot interior side setback to allow for townhomes</p>
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	DC/CC	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/CC	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/CC	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 the formal review.
8-4A-7 Stormwater Systems	DC/CC	Complaint as Conditioned	A draft condition of approval has been provided requiring that the stormwater systems be built in compliance with provisions of 8-4A-7.
8-4A-8 Utilities	DC/CC	Complaint as Conditioned	All existing and new utilities shall be installed underground. For the purposes of this section, the term "utilities" shall include, but not be limited to, electric, natural gas, water, wastewater collection, storm drainage, telephone, and cable services. Another draft condition of approval is provided requiring that all utilities be underground.
8-4A-9 Waterways	DC/CC	No compliance issues noted	<p>The Thurman Mill Canal is adjacent to this property, located near the southern property boundary line which then flows up to W. Chinden Blvd.</p> <p>The Thurman Mill Canal appears to remain untiled, which is compliant with code.</p>

			If fencing were to be proposed, privacy fencing is not permitted, only open fencing. And it shall be approved by the irrigation or drainage district.
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8-4B Design Provisions for Residential Structures

8-4B-3 Single Family and Two-Family Attached and Detached Dwelling	DC/CC	Not Compliant	<p>The development proposes two-story units organized within 4 Plex and 6 Plex buildings. Each townhome structure consists of three different floor plan layouts, each comprising of 3 bedrooms.</p> <p>Unit Type A is 1,887 square feet and an end unit within the buildings; Unit Type B is 1,674 square feet and an interior unit within the buildings; Type C is 1,754 square feet with and interior unit within the buildings.</p> <p>The provided site plans, floor plans, and elevations appear to show code compliant public and private pathway systems, as well as front entryway design requirements.</p> <p>The end units on both building 7 & 14 appear to now orient themselves toward Coffey Street through the use of porches and pedestrian pathway access. (See site plans, landscape plans, and updated floorplans of the “Dalton”.) Updated renderings and schematics are required. To be code compliant, the end units facing Coffey Street shall not appear to be side elevations.</p> <p>These provisions will be reviewed in conjunction with the subsequent individual building permits.</p> <p>Drive isles are long and mostly unvegetated. Terminal view from Coffey no longer terminates at a trash enclosure.</p>
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8-4D Parking and Off-Street Loading Provisions

8-4D-3 Parking Design and Improvement Standards	DC/CC/PZ	Compliant as conditioned	<p>Parking space dimensions are required to be 10' x 20', the site plan shows some spaces being 9' x 20'. As a PUD application, a waiver to dimensional standards could be requested. Staff has drafted this compliance issue as a waiver.</p> <p>It is unclear if there are any ADA accessible parking spaces.</p>						
8-4D-4 Parking Use Standards	DC/CC/PZ	No compliance issues noted							
8-4D-5 Required Number of Off-Street Parking Spaces	DC/CC/PZ	Compliant as conditioned	<p>Dwelling Unit, Single Family Attached Requirements:</p> <table border="1" data-bbox="743 1520 1466 1629"> <thead> <tr> <th>Dwelling, single family attached</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* 76 Units= 152</td> <td>2* 82 Units= 152</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>Enclosed residential parking spaces required: 152 Total provided: 152 <i>*The project is required to provide 2 parking spaces within an enclosed garage for each unit. Each unit includes a two-car garage within the floor plans.</i></p> <p>Number of guest spaces required: 38</p>	Dwelling, single family attached	Total Required Parking	Required Within an Enclosed Garage	More than 1 bedroom	2* 76 Units= 152	2* 82 Units= 152
Dwelling, single family attached	Total Required Parking	Required Within an Enclosed Garage							
More than 1 bedroom	2* 76 Units= 152	2* 82 Units= 152							

			<p>Total provided: 38</p> <p>There is one bicycle space required for every 6 dwelling units necessitating at least 13 bicycle spaces. Bicycle parking has not been identified. However, the applicant has stated that bicycle parking is provided for within the garages. It is conditioned to require 13 bicycle parking spaces throughout the common areas of the development</p>
8-4D-6 Standards for Alternatives to On Site Parking	DC/CC/PZ	No compliance issues noted	None identified
8-4E Transportation and Connectivity Provisions			
8-4E-3 Public Street Connections	DC/CC	No compliance issues noted	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/CC	No compliance issues noted	The drive is 20' or greater in width.
8-4E-5 Private Street Standards	DC/CC	No compliance issues noted	Private drive isles are proposed, not private streets.
8-4E-6 Sidewalk Standards	DC/CC	Compliant as conditioned	<p><u>Coffey Street:</u> A 5' wide detached sidewalk with 6' wide landscape buffer has been proposed along the frontage of Coffey Street. Coordination with ACHD will be required for work within the ROW.</p> <p><u>W. Chinden Blvd.</u> The application proposes a 10' wide detached sidewalk along W. Chinden.</p> <p>In cooperation with ITD, Garden City requires a minimum 10ft wide detached multi-use pathway to be installed along the W. Chinden frontage. This pathway is required on the subject property with a public access easement. The easement has been drafted as a condition for approval.</p>
8-4E-8 Transit Facilities	DC/CC	No compliance issues noted	<p>Bus pullouts, shelter pads, shelters, and related right of way and easements may be required when a development is adjacent to an existing or planned bus stop or transit station. These facilities shall be integrated into the overall pedestrian plan of a project and designed consistent with the requirements of the Valley Regional Transit authority.</p> <p>There does not appear to be a bus stop located at this site.</p>
8-4H Flood Hazard			
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.

8-4G Sustainable Development Provisions			
8-4G Sustainable Development Provisions	Planning Official	No compliance issues noted	The development is required to provide 6 points. The application provided a checklist showing compliance.
8-4I Landscaping and Tree Protection Provisions			
8-4I-3 General Landscaping Standards and Irrigation Provisions	DRC/PZ/CC	No compliance issues noted	The application proposes more than 50 trees on site, thus at least 5 varieties of tree will be required. This appear to be met.
8-4I-4 Landscaping Provisions for Specific Uses	DRC/PZ/CC	Compliant as conditioned	<p>A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping. Landscape Required (312,300sqft): 15,615 Landscape Provided: 151,804 (48%) <i>*65,197sqft improved landscaped area and 86,607sqft of undisturbed Thurman Drain area included in the total.</i></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><u>W. Chinden Blvd. (1,227LF)</u> Trees Required: 1 Street + 25 Frontage = 26 Trees Trees Provided: 1 Street + 25 Frontage = 26 Trees <i>*A variety of Class I, II, and III trees are proposed along the frontages of both W. Chinden and Coffey Street. Some of the proposed trees do not have large tree canopies. The intent of code is to require large, high-and-wide branching trees to help protect the pedestrian, create a natural buffer, and aid in climactic resilience by providing shade and stormwater treatment. It has been conditioned in the decision document for the applicant to work with staff regarding the type of trees planted along both Coffey and W. Chinden. Class I trees do not meet the intent of this code. Especially when there is room for larger Class II or III trees.</i> <i>**Coordination with ITD will be required. There are no overhead utilities that would conflict with the trees.</i> <i>***It has been conditioned to require that the street trees be placed between the W. Chinden Blvd. right-of-way and the pedestrian path.</i></p> <p><u>Coffey Street (479LF)</u> Trees Required: 1 Street + 10 Frontage = 11 Trees Trees Provided: 1 Street + 10 Frontage = 11 Trees</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.</p> <p>Landscaping provided: 151,804 Trees required: 151</p>

			Trees provided: 137 (125 new; 19 existing) (Deficient 14 trees) <u>See linked Landscape discussion.</u>
<u>8-4I-5 Perimeter Landscaping Provisions</u>	DC/PZ/CC	No compliance issues noted	N/A - adjacent use compatible with existing use; existing dense stream buffer exceeds perimeter screening intent.
<u>8-4I-6 Parking Lot Landscaping Provisions</u>	DC/PZ/CC	No compliance issues noted	The provisions of this section shall apply to all new or substantially altered parking lots of five (5) spaces or more. Internal shade trees shall be provided at a minimum ratio of one tree planted for every five (5) parking spaces supplied. Provided. Internal shade trees shall be planted such that no parking space is more than one hundred feet (100') from a tree. Provided.
<u>8-4I-7 Tree Preservation Provisions</u>	DC/PZ/CC	Compliant as conditioned	A mitigation report was submitted, but it is unknown if the report was generated by a certified arborist. A certified arborist will be required to analyze all existing trees on site. Mitigation will be at a 1:1 ratio for all identified healthy trees that are being removed. Total Inventoried Trees on site: 78 Total Caliper Inches Inventoried on site: 1,551 Total Inches to Protect in Place: 282.5 Total Inches to Remove: 1,268.5 Total Mitigation Required (1:1): 409 caliper inches* Total Mitigation Provided: 229 caliper inches <i>*Excludes Poor Condition, Diseased, Protected in Place, and Invasive Species (Robinia, Salix, Ulmus)</i> Mitigation has not been met. All calipers removed must be mitigated for at a 1:1 ratio.
8-4L Open Space Provisions			
<u>8-4L-3 General Open Space Standards</u>	DC/PZ/CC	No compliance issues noted	The common open space area is located and designed to serve a passive or recreational function.
<u>8-4L-4 Open Space Standards for Single-family, Townhouse, and Two-Family Duplex Developments</u>	DC/PZ/CC	No compliance issues noted	As a single family attached dwelling unit planned unit development, the site is required to dedicate at least 10% of site to common open space. The original compliance statement indicated that 49% of the site is dedicated to common open space. the space included a centralized open space amenity, and the irrigation canal area towards the rear of the property. There are specific provisions within code that allow areas to count towards the requirement. For example: Any open space, not less than four hundred (400) square feet in area, and with a minimum length and width dimension of

			<p>twenty feet (20') that is active or passive in its intended use, and accessible by all residents of the development.</p> <p>It appears that the development has:</p> <ul style="list-style-type: none"> • Open grassy areas. • Existing vegetation areas to remain as dense vegetation. • A landscape buffer with a minimum of five feet (5') between the street and sidewalk and eighty feet (80') in linear distance. <p>The calculations include the densely vegetated canal area, which is not planned to be touched or enhanced. This area will essentially be unusable to the residence. Leaving the common open areas limited to the portions that are more centralized to the development. Stormwater detention facilities when designed in accord with article A, "General Provisions" of Garden City Code, can identify as common open space.</p> <p>Resubmittal documents identify common open space areas as being 1.12 acres, or 48,788sqft, or 16% of the overall site. This is code complaint.</p>
Title 8, Chapter 5 Article A: Land Division Regulations – General Provisions and Standards			
8-5A-4 General Standards	PZ/DRC/CC	No compliance issues noted	<p>See discussions on Design Review 8-4 B&C; Driveways 8-4-E; Floodplain 8-3-B 8-4H; Landscaping 8-4-I; Open Space 8-4-L; Parking 8-4-D; Planned Unit Development 8-6B; Private Streets 8-4-E; Sidewalks 8-4-E; Street design and development standards 8-4-G; Sustainable development provisions 8-4-G; Utilities 8-4-A; Zoning Provisions 8-2-B</p> <p>There are general conditions of approval that the application must be in conformance with the requirements of Garden City Code Erosion Control 4-15; Public water and sewer systems Title 6; Storm drainage and discharge control 4-14 prior to the approval of the subdivision.</p>
8-5A-6 Improvement Standards		Discussion is required.	<p>A subsequent application will be required for staff approval to ensure that the proposed improvements meet code standards and policies for storm drainage, water, sewer, utilities, and monuments and are otherwise in conformance with this approval.</p> <p>In accordance with the Planned Unit Development diversity of housing types, GCC 8-5A-6 also requests a variety of lot sizes as allowed by the zoning district to accommodate a range of housing types and sizes. This language states: A variety of lot sizes as allowed by the zoning district is <i>encouraged</i> to accommodate a range of housing types and sizes."</p> <p>Private streets shall be prohibited except where a private association or entity can provide proper maintenance, and shall be constructed in accordance with the standards and specifications adopted by the transportation authority and in compliance with the provisions set forth in section 8-4E-5 of Garden City Code. CC&Rs will be reviewed for private road maintenance.</p>

			<p>Common driveways shall serve a maximum of four (4) dwelling units, unless approved through a planned unit development.</p> <p>There shall be an easement for the multi-use pathway along W. Chinden, shall be a minimum of twelve feet (12') wide, with at least a ten foot (10') wide prepared travel width.</p>
Title 8, Chapter 6, Article A: Administration			
8-6A-3 General Application Process	PZ/DRC/CC	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	PZ/DRC/CC	No concerns noted	No application waivers requested pursuant to 8-6A-4A.
8-6A-7 Public Hearing Process	PZ/DRC/CC	No compliance issues noted	The applicant provided a neighborhood meeting more than one month and less than three months prior to application submittal. The City provided a radius notice, notifications to agencies with jurisdiction, and ran a legal notice in the Idaho Statesman, at least 15 days prior to the first hearing. The applicant provided an affidavit more than 7 days prior to the hearing that the property was posted more than 10 days prior to the hearing.
8-6B-7 Planned Unit Development	DC/CC	Discussion is required	<p>Application waivers requested pursuant to 8-6B-7:</p> <ol style="list-style-type: none"> 1. More than four lots on a common drive 2. Reduced setbacks 3. 10' x 20' parking space dimensions reduction <p>The Design Review Committee did not find that the deviations from code are warranted.</p>

Other Items Reviewed	
Plan/Policy	Discussion/ Analysis
Idaho Code 67-6513 Local Land Use Planning Subdivision Ordinance	<p>Garden City has, by ordinance, adopted hearing procedures compliant with section 67-6509, Idaho Code, for standards and for the processing of applications for subdivision permits under sections 50-1301 through 50-1329, Idaho Code.</p> <p>This statute enables Garden City regulations to provide for mitigation of the effects of subdivision development on the ability of political subdivisions of the state, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.</p> <p>This section notes that denial of a subdivision permit or approval of a subdivision permit with conditions unacceptable to the landowner may</p>

	be subject to the regulatory taking analysis provided for by section 67-8003 , Idaho Code, consistent with the requirements established thereby.
Idaho Code 67-6515 Local Land Use Planning Planned Unit Developments	This statute enables Garden City to process applications for planned unit developments.
Garden City Comprehensive Plan	This application is in future land use designations of the Comprehensive Plan: <ul style="list-style-type: none"> a) Mixed Use Commercial b) Green Boulevard Corridor <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. b.) 2.4 Objective: Create a vision for the design of all streets and highways consistent with city’s urban setting. <p>Goal 4. Emphasize the “Garden” in Garden City</p> <ul style="list-style-type: none"> a.) 4.1 Objective: Beautify and landscape. b.) 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art. c.) 4.3.1 Objective: Continue to require sidewalks and landscaping in all new development, and in major alterations and re-use of existing commercial sites. <p>Goal 5. Focus on the River</p> <ul style="list-style-type: none"> a.) 5.3 Objective Restore and naturalize water systems, including canals, ditches, drains, river channels and creeks. <p>Goal 7. Connect the City</p> <ul style="list-style-type: none"> a.) 7.1. Objective: Create pedestrian and bicycle friendly connections. b.) 7.4 Objective: Maintain and improve standards for sidewalks, curbs, and gutters. c.) 7.4.2 Objective: Work with Idaho Transportation Department in developing standards for sidewalk improvements along state highways. <p>The application may not be supported by:</p> <p>Goal 2. Improve the City Image</p> <ul style="list-style-type: none"> a.) 2.1 Objective: Encourage new and distinctive neighborhoods. b.) 2.1.2 Objective: Encourage high quality design and landscaping, including the use of water features, in new development. c.) Amend the Land Use Code to expand planned unit development (PUD) requirements to all sizes of parcels through a design review process. Amend the PUD standards to encourage a variety of housing, including well-designed smaller units; flexibility in setbacks and parking requirements to meet the needs of specific dwellings; and requirements for pedestrian amenities, including parks, open spaces, and pathways. d.) 2.4 Objective: Create a vision for the design of all streets and highways consistent with city’s urban setting. <p>Goal 5. Focus on the River</p> <ul style="list-style-type: none"> a.) 5.5.2 Objective Develop a city-wide pathway and sidewalk plan with links to the Boise River Greenbelt. Consider linear pathways adjacent to existing waterways such as the Thurman Mill Ditch and waterways to the Settler’s Canal that can link to the river and provide alternative locations for parking and river activity staging.

	<p>Goal 6. Diversity in Housing</p> <ul style="list-style-type: none"> a.) 6.2 Objective: Continue to be a leader and set an example for the region in creating a diversity of housing. b.) 6.3 Objective: Maintain the diversity of housing. c.) 6.3.1 Objective: Provide for a variety of housing types in the Land Use Code including smaller cottage and second housing units. Allow for housing that attract niche markets such as senior housing, live-work structures, and cooperative housing. d.) 6.3.2. Objective: Continue to explore opportunities that encourage mixed income housing in new developments. <p>Goal 7. Connect the City</p> <ul style="list-style-type: none"> a.) 7.4 Objective: Maintain and improve standards for sidewalks, curbs, and gutters.
Garden City Sidewalk Policy	<p>No waiver requested. Sidewalks required.</p>
Garden City Street Light Policy	<p>A streetlight is installed along W. Chinden Blvd. in accordance with the policy.</p>
Chinden- ITD Access Management Chinden Corridor Access Map	<p>The existing access onto Chinden has been identified by ITD as an access that shall remain. Further comment from ITD might be required.</p>
Garden City Transportation Needs List	<p>Install a pedestrian hybrid beacon at Coffey Street. This is a regional bike/ pedestrian corridor connecting the Boise Bench to the Greenbelt. There is significant pedestrian school traffic from Capital High School that utilizes the intersection of Glenwood and Chinden. A crossing at Chinden and Coffey would provide a safer and more comfortable alternative. This is a crossing identified in the Looking Glass Academy Garden City February 2019 recommendations.</p> <p>Standard Bike Wayfinding Signs Chinden & Coffey- East (North) noting: Marigold Street; City Hall, Library, Post Office, River Point Park</p> <p>Chinden Blvd. South Sidewalk Project Development Plan – Identifying the need for a 10ft multi-use pathway along the southside of W. Chinden Blvd.</p>