



DEVELOPMENT SERVICES DEPARTMENT

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DESIGN REVIEW REPORT AND DECISION

File Number: DSRFY2024 - 0003

Review Status: INITIAL REVIEW- NOT APPROVED – RESUBMITTALS REQUIRED

Plan Review Number: 1

Reviewer: Hanna Veal and Mariia Antonova

Design Consultant: Brett Labrie

Design Consultant: Derek Hurd

Date: December 27, 2023

Applicant: Jorre Delgado



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SITE INFORMATION

- 1) Owner: Amidon Lauana
- 2) Street Address: 5003 Alworth Street
- 3) Ada County Tax Parcel Number(s): R7334160161
- 4) Property Description: LOTS 08-09 & NWLY POR LOT 07 BLK 02 RANDALL ACRES SUB NO 05 #0220-C #0240-C #0250-C
- 5) Legal Lot of Record: **Unable to determine**
- 6) Property Size: 1.584 acres
- 7) Zoning District: C-2
- 8) Zoning Overlay: Neighborhood Commercial Node
- 9) Comprehensive Plan Land Use Map Designation:
 - a) Main Street Corridor
 - b) Activity Node: Neighborhood Destination
- 10) The project is in the:
 - a) 500 Year of the Special Flood Hazard Area according to the 2020 adopted FIRM (the FIRM has adopted seclusion and utilizes the 2003 Flood Insurance Study).
 - b) 100 Year of the Special Flood Hazard Area according to FEMA's most recent model as adopted by resolution 1083-20.
- 11) Adjacent Uses:
 - a) **Garden City Police Department**
 - b) Warehouse and storage, wholesale
 - c) Garage, shop and warehouse
 - d) Dwelling unit, single family detached
 - e) Dwelling unit, single family attached
 - f) Food products, small scale processing
- 12) Existing Use: None, no permits on file. (appears to contain residential manufactured home, detached dwelling unit, garage/shop, and outdoor storage.)
- 13) Easements on site:
 - a) RA05 B2 L7 IRRIGATION EASEMENT; 9022993
 - b) RA05 B2 L7 EAST 70' WARRANTY DEED; 200900018
 - c) BRADLEY PARK 01 SUB PLAT; 7' 6" PUBLIC UTILITY, IRR, AND DRAINAGE EASEMENT; 200600023
 - d) BRADLEY PARK 01 SUB PLAT; 15' PUBLIC UTILITY, IRR, AND DRAINAGE EASEMENT; 200600023
 - e) BOISE SLUDGE LNE AND PUMP PLANS 1988; SEWER LINE EASEMENT 15'; 201000001
 - f) UNPLATTED 7984; ROW; 200900062
- 14) Site Access:
 - a) Front: N. Alworth St. (vehicular)
 - b) Side: E. 50th St. (pedestrian connections)
- 15) Sidewalks: Sidewalks are installed and are in good repair
- 16) Wetlands on site: None identified

PROJECT INFORMATION

- 1) Proposed development: New construction of a multi-family dwelling unit
- 2) Noticing was completed on: November 27, 2023
- 3) The neighborhood meeting was held on: December 13, 2023
- 4) Site Coverage: 1.58 acres = 68,999sqft. *Site acreage is taken from the Ada County Assessor website. The calculations in the plans are based on 1.57 acres:*
 - a) Building: 41,513 SF 61% of the site
 - b) Landscaping: 16,190 SF 24% of the site
 - c) Paved Areas: 10,686 SF 16% of the site
- 5) Number of Structures: 1
- 6) Number of residential units total: 110 units
 - a) One-bedroom units: 60
 - b) More than one-bedroom units: 50
- 7) Total number of vehicular parking spaces: 183
 - a) Enclosed: 183
- 8) Total number of bicycle parking: 125
 - a) Enclosed: 125
- 9) Trash Enclosure: The refuse will be in a common location internal to the development
- 10) Fencing:
 - a) 4' black tube steel fence around dog run
 - b) 6' tall metal art screen
 - c) 6' closed vision fence
 - d) 3' black tube steel fence around playground
- 11) Sidewalk:
 - a) Attached sidewalk on N. Alworth (existing)
 - b) Attached sidewalk on 50th Street (existing)
- 12) Landscaping:
 - a) Street Trees: 12 trees, class II
 - b) Perimeter Landscaping: trees, evergreen trees, and shrubs
- 13) Connections:
 - a) Closest VRT Stop:
 - ~ 1.7 mi W Goddard Rd & N Milwaukee St SEC
 - ~ 2.0 mi W State St & W Wylie Ln NWM
 - b) Greenbelt: ~600' from the entrance of the building

AGENCY COMMENTS

The following agency comments were provided:

Agency	Comment Date	Summary
Republic Service Link to Comment	11/29/2023	<ul style="list-style-type: none">• The standards trash enclosure is 12"x18" (to fit both trash and recycling) with gates opening at least 120 degrees and the gates need to be staked. Need to provide dimensions
Flood Control District 10 Link to Comment	11/30/2023	<ul style="list-style-type: none">• Flood Control District 10 has no objections to this project, but all flood requirements with Ada County must be adhered to
Garden City Engineer Link to Comment	12/09/2023	<ul style="list-style-type: none">• The affidavit of legal interest provided with the application has been executed by a party that is not the landowner that we note of record. It appears that Lauana Amidon is the

		<p>landowner. Please provide a corrected affidavit or provide evidence that the entity signing the affidavit is the landowner.</p> <ul style="list-style-type: none"> • Prior to performing any grading on the site, the applicant must prepare and have approved by the city an erosion and sediment control plan. • Approval of the project by the Ada County Highway District will be required. • The applicant should be required to close the existing approach on East 50th Street. Fire access should be considered. • Approval of the project by the North Ada County Fire and Rescue District will be required. Should fire flow requirements exceed those available, the land use, improvement of off-site city water lines or other efforts may be necessary to obtain approval of plans. We did not locate a "will serve" letter for this project. Project approval should not occur until the "will serve" letter has been completed. • New water and sewer services must be reviewed and approved by the city's Public Works Department. The applicant is responsible to verify that adequate water system supply is available to provide any fire suppression water needs. The applicant is responsible to confirm/verify that adequate sewer capacity is available and that the existing system depth is adequate to serve the site. Water lines need to be at least 25 feet from storm water seepage beds. • A Conceptual Grading Plan has been provided as part of the submittal. However, the plan is not sealed, dated and signed by the design professional. The plan notes that it is "not for regulatory approval, permitting or construction". As it is not sealed, dated and signed, our office will not review the plan. A site grading and drainage plan will be required that is sealed, dated and signed by the design professional. Said plan must be reviewed and approved by the city. • A storm water design report and a drainage system operation and maintenance manual for handling of storm water prepared by an Idaho licensed design professional that is sealed, dated and signed will be required. Compliance with the storm water ordinance and policies of the city will be required. Drainage must be maintained on-site. • A site geotechnical report will be required for the design of the on-site storm water system prepared and sealed, dated and signed by a qualified license professional. • Reviewing the amount of ground to be covered by this project with hard surface, we suggest careful consideration of site storm water. • The landowner must enter into an agreement with the city that will be recorded addressing mandatory maintenance of the site's storm water system. The agreement must be fully executed, have conditionally approved plans attached and be recorded by the city with final plan approval. • The applicant should review the original FEMA work maps (not the current adopted maps) as the city has been placed in seclusion. The current maps (June 2020) do not display the possible future risk of the flooding potential of the Boise River. If the lowest floor building elevation is below the draft map BFE, a Flood Risk Acknowledgement form will be required from the landowner/developer. The work maps are
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		<p>available on the city's website. They are attached to a city council resolution 1083-20 dated 22 June 2020.</p> <ul style="list-style-type: none"> The site is currently portions of three original lots. A parcel consolidation survey/process will be required. We note that ROS #14119 lists the land as being Lots 8, 9 and a portion of Lot 7, Block 2 of RAS#5. Please note that originally Alworth Street was dedicated as a 50 foot road. The current south "half" of the roadway is now 27.00 feet. Therefore the land is portions of Lots 8, 9 and 7, Block 2 of RAS#5. Sheet L100 of the submittal (also not signed and dated by the design professional) depicts proposed landscaping on Parcel Number R7334160158. This narrow parcel of land (15 feet) is owned by Garden City and is adjoining East 50th Street. We presume the city will require the applicant to enter into a license agreement to allow the landscaping.
<p>Idaho Transportation Department Link to Comment</p>	12/04/2023	<ul style="list-style-type: none"> This project does not abut the State Highway system. Due to the type and proximity of this facility, impact to the State Highway system may be anticipated. Based on IDAPA 39.03.42 Section 400.03.f., a Traffic Impact Study (TIS) is required Any necessary mitigation for traffic impacts identified by the TIS shall be the responsibility of the applicant to install.
<p>North Ada County Fire and Rescue Link to Comment</p>	12/04/2023	<ul style="list-style-type: none"> Submit a fire flow report from the applicable water purveyor. The plans show the building roof height to be exactly at 83 feet. Aerial access is required. Aerial access is required by the AHJ to be along the long side of the building. Per the plans, the aerial access roadways would be the short side of the building on N. Alworth St, the long side of the building on E. 50th St., and the above ground power lines prevent access to the southwest exterior building between 270 E. 50th and the proposed building. Secondly, the distance from the street to the building envelope is over 30 feet per the plans provided. This needs to be reduced to between 15 and 30 feet. These Aerial access areas do not meet the AHJ requirement. An approved code alternate would be considered in lieu of meeting the initial aerial access location requirement. This will need to be proposed by the applicant. Dead-end fire apparatus access roads exceeding 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC 503.2.5) Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1) This requirement can be extended to 200 feet with the installation of fire sprinklers throughout the buildings. However, current plans present 250 feet along the southwest exterior wall between 270 E. 50th and the proposed building. Additionally, 300 feet is measured along the northwest exterior wall between 5021 N. Alworth St and the proposed building. Signage for addressing will be required at the entrances of the project. (IFC 505.1) Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (IFC 503.2.1)

		<ul style="list-style-type: none"> The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. (BCC 5-12-19, IFC 503.2.4) Fire apparatus access roads shall have an approved driving surface of asphalt, concrete or other approved driving surface and can support the imposed load of fire apparatus weighing at least 75,000 pounds. Please provide documentation the road surface meets this standard. (IFC D102.1) For streets having a width less than 33 feet back of curb to back of curb parking shall be restricted on one side; for streets having a width less than 27 feet back of curb to back of curb parking shall be restricted on both sides. A note on the face of the final plat is required noting the parking restriction prior to signing of the final plat by the Boise City Engineer. In addition, No Parking signs shall be installed in accordance with the requirements of the IFC. (BCC5-12-32, IFC 503.8) Parking will only be allowed in marked parking stalls. All roadways within the project and adjacent to the project are considered fire apparatus access roads. "No Parking – Fire Lane" signage is required throughout the project. If N. Alworth St. and E. 50th St. are employed to achieve aerial access distance requirements, then signage will also be required along these adjacent roadways in the immediate vicinity of the property. Vehicle Charging Stations. Battery chargers shall be of an approved type. Combustible storage and materials shall be kept more than 3 feet (915 mm) from battery charging systems. Battery charging shall not be conducted in areas open to the public (IFC 309.3). Battery-charging areas shall be provided with a fire extinguisher complying with Section 906 having a minimum 4-A:20-B:C rating within 20 feet (6096 mm) of the battery charger (IFC 309.5).
Idaho Department of Environmental Quality Link to Comment	12/08/2023	<ul style="list-style-type: none"> General comments provided
Garden City Police Department Link to Comment	12/27/2023	<ul style="list-style-type: none"> This project will be located directly across from the Garden City Police Department. Our officers work twenty-four hours a day, seven days a week. As a condition of approval, I would like the city to require the developer/manager/owner of the property to notify all future tenants that they will hear Police sirens at all hours of the day. It is important that our future citizens know this before they move in. I would request that any window or doors that face the police department on the second floor or higher to not open. While rare, attacks on police departments are not unheard of. Anyone on the second floor or higher will have an extreme tactical advantage in the event of an attack. For the same reason as stated in point number 2, I would request that the patio/rooftop deck not have direct line of sight access to the police department. Something like a decorative 6-8 foot wall might work.

PUBLIC COMMENT

The following public comments were provided:

Commenter	Comment Date	Summary
Barbara Barker Link to Comment	12/14/2023	Concerns about the size and height of the building, and the possible lack of sunlight in winter for neighboring buildings. Concerns have also been raised about parking and increased traffic.
Matthew Allred Link to Comment	12/14/2023	Concerns about the noise, traffic, safety, transit, and home value.
Kerri Donnelly Link to Comment	12/15/2023	Kerri Donnelly does not support the trend of replacing mobile homes with large apartment buildings in Garden City, considering single-family homes a more suitable solution for the neighborhood.
Clyde Valentine Link to Comment	12/16/2023	Design elements of concern are: <ul style="list-style-type: none"> • Massing • Architectural elements • Connectivity • Site layout
David Bergset Link to Comment	12/16/2023	Concern about property line
Nicholas Manfredo Link to Comment	12/16/2023	Concerns about the scale/height of the project. 7 stories would likely block sunlight on much of Alworth's north side.
Betsy Huwer Link to Comment	12/16/2023 12/18/2023	Design elements of concern are: <ul style="list-style-type: none"> • Excessive height • Excessive number of units in such a small area. • Parking issues • Ingress/egress issues on Alworth St and/or 50th St. • Site layout • Our neighborhood is not the place to erect an 84 foot tall building
Zachary Matthews Link to Comment	12/18/2023	Concerns include the height of the building and the possible lack of sunlight for neighboring buildings. Concerns have also been raised about noise, increased traffic, and possible negative impacts on property values.
Geoff Huwer and Alworth HOA Link to Comment	12/18/2023	Concerns about lack of sunlight, building height and possible negative impacts on property values.
Kathleen Robinson and Robert Knabe Link to Comment	12/18/2023	The opposition is twofold: <ul style="list-style-type: none"> • The height is set at 84' which would literally block out sunlight during the winter to the neighbors on the north side of Alworth. There are no other buildings nearby that are even close to this height. • After consulting with a real estate professional, he believes that a project of this size would reduce property value by as much as 20%, or approximately \$90,000.
Katie Terhune Link to Comment	12/19/2023	Katie Terhune's house is located lot directly across the proposed project. Her house has solar panels installed which will be in the shade due to the height and location of the project. In addition, young fruit trees may suffer due to lack of sunlight. Also of concern are the number of parking spaces and increased traffic, as well as only one entrance/exit to the site.

Mary Beckman Link to Comment	12/26/2023	Concerns about the building project at 5003 Alworth Street: <ul style="list-style-type: none">Increased traffic and safety of pedestrians at the 50th Street and Alworth intersection.The height of the proposed buildingPossible blockage of daytime sunlight during the winter (and possibly year-round) from four homes in Alworth that are directly across the street from the proposed building.The property value of the immediate area homes will likely decrease.A building of the proposed size will be very out of place in the neighborhood.Overflow parking
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MEETING SUMMARY

This is a summary of the discussions that occur at the Design Review consultation meetings. There have been no previous consultations on this project.

CODE AND POLICY REVIEW

Discussion

Documents submitted have conflicting information and lack necessary information needed for staff to review. Staff cannot approve plans that do not reflect accurate site details.

All calculations provided are based on a lot size of 1.57 acres. The Ada County Assessor's website shows the property as 1.584 acres or 68,999 square feet.

Garden City Police Department

There are safety concerns regarding the private balconies and rooftop deck amenity space in relation to the Garden City Police Department. The proximity of the proposed apartment building in relation to the police department could pose as a safety hazard. Because of the sensitive nature of a Police Department, staff recommends a view corridor analysis of the Police Department in relation to the proposed structure. It is recommended that access to the Police Department is minimized. For example, the upper story could be stepped back and balconies relocated. The upper windows that face the Police Department may be precluded from opening, and roof access can be prohibited.

The Garden City Police Department has provided comment in response to these concerns and can be reviewed in the "Agency Comment" section of the report above. Conditions have been drafted:

- The lease agreement, CC&Rs, or other binding documents shall inform tenants that the police department may have sirens daily at all hours of the day.
 - o Proof of these agreements noting as such shall be submitted to the city.
 - o This statement shall be within the documents for as long as the use remains.
- Any windows or doors that face the police department on the second floor or higher shall not open.
- The patio/rooftop deck shall not have direct line of sight access to the police department.
 - o A decorative 6-8 foot wall would be permitted, so long as North Ada County Fire and Rescue approves.

Traffic Impact Study

The proposed development is estimated to generate approximately 780 weekday daily trip ends (or 390 vehicles), 57 total weekday AM peak hour trip ends (14 inbound and 43 outbound), and 68 total weekday PM peak hour trip ends (43 inbound and 25 outbound). The development is centrally located within Ada County and the travel paths for development traffic are expected to be relatively evenly distributed to the north, south, east, and west.

Signage

The application proposes a large "Parking" sign atop the parking structure's main entrance's. Details of these signs were not provided, however renderings show that the sign is not illuminated. Staff is concerned that the signs might not meet the Garden City sign code

provisions based on the sign district's standards. A master sign plan is not required as part of this application, however, sign permits will be required prior to the installation of any sign proposed on site.

No other signage is proposed as part of this application, and as such, has not been reviewed. Any future signage will be required to meet code at the time of review and permit approval. This includes any signage identifying the proposed apartment such as a building name.

Agency Comments

The Idaho Transportation Department is requiring a Traffic Impact Study to be performed and any of the improvements required as part of the study will be the responsibility of the applicant to install.

The North Ada County and Fire District has many comments regarding aerial apparatus access and is requiring that the building be shifted to meet those standards. Resubmittals from the applicant on December 22, 2023, state that the building has been shifted to meet those standards, and 50th Street is acting as apparatus access to the south side of the building.

Comprehensive Plan and Zoning District

The property is located within the C-2 zoning district, the Main Street Corridor as well as an Activity Node as identified in the Garden City Comprehensive Plan. The C-2 zoning district does not have a minimum or maximum height limitation, nor does it limit density. For comparison due to proximity, the adjacent R-3 zoning district also does not have a minimum or maximum height requirement. However, it does have a density maximum of 35 dwelling units per acre in addition to a minimum of 14 dwelling units per acre for properties located within an Activity Node.

The proposed project contains 110 dwelling units on a 1.58 acre lot, equivalent to a density of 70 dwelling units per acre. While exceeding the adjacent zoning district standards, the proposal is code compliant with the standards of its C-2 zoning district.

The Main Street Corridor speaks of a vision for Adams/Alworth Street that has minimum front yard setbacks, and pedestrian amenities while coordinating with the vision of the Activity Node. Activity nodes are identified on the Land Use Map for neighborhood centers, local and regional destinations, and locations in proximity to existing and future transit stations and stops. Activity centers range in size depending on their function and location. Some nodes may be centered around the intersection of major streets or extend down a street to connect major community facilities. The common characteristics of the activity nodes are a mix of uses, public spaces, compatible transition to the uses surrounding the nodes and non-motorized connections to within a quarter mile walkable area of the node center. Some nodes, especially around transit stations, would have higher density (at least 14-20 units per acre) and multi-story development (three or more stories).

While there is no identified transit station along this section of Adams/Alworth, the precedent of an Activity Node remains. The proposed multi-family development aligns with the vision of the node by providing a dense, multi-story residential product at the main intersection of the Node. It does not, however, align with the Node due to its lack of commercial amenities that would make the node a neighborhood, local, and regional destination.

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 Applicable Code Sections		
Code Section	Compliance	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	Compliant as Conditioned	The site is currently portions of three original lots (7, 8, & 9). A parcel consolidation survey/process will be required. Warranty Deeds will be required to review for legal lot of record.
8-1B-2 Nonconforming Structures	No compliance issues noted	Existing nonconforming structures on the site will be removed as part of this application.
8-1B-3 Nonconforming Uses	No compliance issues noted	Existing uses on the property will be removed as part of this application. A multi-family dwelling unit use is a permitted use.
Title 8, Chapter 2: Base Zoning District Regulations		
8-2B-1 Purpose	No compliance issues noted	The purpose of the two commercial districts is to provide a full range of commercial uses and services for both the residents of Garden City and the region. Location determines the type and form of commercial uses. More intense commercial activities are intended to be located along arterial streets in the highway commercial (C-1) district. Activities which are more compatible with mixed use or residential uses and minimally disruptive to the neighborhood are to be located in the general commercial (C-2) district
8-2B-2 Allowed Uses	No compliance issues noted	Multifamily Dwellings are a permitted use in the C-2 zoning district.
8-2B-3 Form Standards	May not be compliant	<p>The required setbacks are:</p> <p>Front: 5'</p> <p>Interior Side: 5'</p> <p>Rear: 5'</p> <p>Street side: 5'</p> <p>The allowable maximum height is: n/a</p> <p>The minimum lot size is: n/a</p> <p>There appears to be structural encroachments within the setbacks. Clarification is needed. Some structural features are allowed within the setbacks.</p> <p>All improvements are more than 70' from the Boise River.</p>
8-2C-15 Multi-family	May not be compliant	All multi-family developments shall provide amenities. This proposal is complaint with this requirement.

		<p>The number of amenities required for multi-family developments with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one from each category.</p> <ol style="list-style-type: none"> 1) Quality of life amenities: <ul style="list-style-type: none"> • fitness facilities • enclosed bike storage 2) Open Space: <ul style="list-style-type: none"> • open grassy area of at least fifty feet by one hundred feet (50' x 100') in size. Provided open space: <ul style="list-style-type: none"> ❖ Ground: 7,645 SF ❖ Podium: 6,820 SF ❖ 2nd Floor Patio: 712 SF ❖ 3rd Floor Patio: 724 SF ❖ Roof deck: 12,750 SF <p>It is unclear from the plans whether there is a 50' x 100' grassy area.</p> <ul style="list-style-type: none"> • community garden 3) Recreation amenities: <ul style="list-style-type: none"> • children's play structures • pet park/dog run • game area on rooftop. <p>There is an rooftop deck proposed with community gardens (TBD), and other amenities including overhead pergola like structures with fire pits and seating, and landscaping including trees.</p> <p>The rooftop deck might pose future safety concerns regarding its location adjacent to the Garden City PD property. See discussion.</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. Provided. 2. A maintenance storage area. Provided 3. A central mailbox location, including provisions for parcel mail that provide safe pedestrian and/or vehicular access. Provided. 4. A directory and map of the development at an entrance or convenient location for those entering the development. Provided. <p>These items have been provided and the application is conditioned to require the facilities for the duration of the use.</p>
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Title 8, Chapter 3: Overlay Zoning District Regulations

[8-3D Neighborhood Commercial Node](#)

No compliance issues noted

No overlay requested.

Title 8, Chapter 4: Design and Development Regulations

<u>8-4A-3 Fences and Walls</u>	No compliance issues noted	<p>December 22, 2023 resubmittals: Dog run enclosed with 4' black tube steel fence. 6' tall privacy fence proposed along the west and south boundary lines. 6' art screens to screen trash enclosure, and pump station.</p> <p>All existing chain-link fencing shall be removed or replaced with code compliant fencing. This includes the chain-link fence on the City's parcel. A condition has been drafted to ensure all non-compliant fencing is removed.</p>
<u>8-4A-4 Outdoor Lighting</u>	Complaint as Conditioned	<p>Waiver request submitted for lighting plan.</p> <p>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.</p>
<u>8-4A-5 Outdoor Service and Equipment Areas</u>	Complaint as Conditioned	<p>All on site service areas for waste, recycling, or trash; and equipment areas for transformer and utility vaults shall be located in an area not visible from a public street or adjoining property, or shall be screened from view from a public street and adjoining property with a privacy fence.</p> <p>It is unclear if a trash enclosure is proposed, but there is a privacy fence to the west, and an art screen between the ROW and trash to screen from the public ROW and adjoining properties.</p> <p>December 22, 2023 Resubmittals: The trash enclosure meets Republic Services 12'x18' requirement. Republic Services has not indicated whether or not the new proposed location is acceptable. Their agency comment was made regarding the initial submitted documents.</p> <p>Any future outdoor service equipment area will be required to be in compliance with code at the time of development.</p> <p>A condition has been drafted to require code compliance. An additional condition has been drafted to require approval of the art screen by the design review consultants prior to installation.</p>
<u>8-4A-7 Stormwater Systems</u>	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.
<u>8-4A-8 Utilities</u>	Complaint as Conditioned	<p>All utilities for a new structure 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.</p> <p>A draft condition of approval is provided requiring that all utilities be underground.</p>
<u>8-4A-9 Waterways</u>	May not be compliant	<p>There is a 15' irrigation easement located along the whole frontage of 50th Street, on the City's parcel. More information is required regarding this easement to determine if this section is applicable.</p>

<u>8-4B-4 Multi-family Residential Dwelling Units</u>	May not be compliant	<p>Building setbacks shall consider windows, entrances, porches and patios, and how they impact adjacent properties. Public comment has been provided objecting to the height and shadows cast by the proposed structure. Additionally, there is concern regarding the structures proximity to the Garden City PD property. Specific conditions can be drafted to minimize the effects of these concerns, such as limiting patios and windows along the 50th Street frontage, and prohibiting roof access.</p> <p>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 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, shall be designed as an obvious entrance and focal point of the building through architectural treatment, lighting, and address identification. Design Review Consultant's provided comments. The building does not appear to have a prominent enough main entrance.</p> <p>Entrances shall be adequately covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. Not identified. Resubmittals received on December 22, 2023, show new elevations as well as providing an explanation of the design. Discussion required.</p> <p>Roof forms shall be distinctive and include variety and detail when viewed from the street. Sloped roofs shall have a significant pitch. Flat roofs should include distinctive cornice treatments. The 3D images appear to tell a slightly different story than the elevations with respect to the roofline. Resubmittals received on December 22, 2023, show new elevations as well as providing an explanation of the design. Discussion required. Clarification and discussion required.</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. Provided.</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. Provided.</p>
<u>8-4C-5 Prohibitions</u>	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.		
<u>8-4D-3 Parking Design and Improvement Standards</u>	Not Complaint	<p>Vehicle parking:</p> <div style="border: 1px solid black; padding: 5px; text-align: center;"> Table 8-4D-1: MINIMAL DIMENSIONAL STANDARDS FOR MOTOR VEHICLE STALLS </div>

<u>Parking Angle</u>	<u>Stall Width</u>	<u>Stall Depth</u>	<u>Length Per Car</u>	<u>Driveway Width*</u> <u>Must also meet fire requirements</u>
<u>Standard</u>				
90°	9'0"	20'0"	9'0"	22'0"

Compliant Parking Provided:

175 regular parking spaces

Stall Width: 9'

Stall Depth: 22'

Length per car: 20'

Driveway width: 23'

8 ADA parking spaces

Stall Width: 8'

Stall Depth: 22'

Length per car: 20'

When parking is in a structure, the structural columns may encroach up to six inches (6") into the parking spaces.

The design of the parking area shall minimize the trespass of lights from motor vehicles on adjacent properties and rights-of-way.

- The parking garage takes up the first two stories of the new structure. The parking lot will be covered with translucent aluminum sheets. There is a possibility that this kind of material will not protect from trespassing light onto neighboring streets, residential buildings, and commercial buildings. The proposed landscape may not be sufficient to protect nearby neighbors trespassing light from cars. **Discussion needed.**

The ground floor of the parking garage adjacent to public right-of-way shall be designed so that the facades appear to be commercial in nature. **Plans dated December 22, 2023 show a change to the parking garage screens. The metal screen has been modified to include opaque, perforated and open screens to provide additional relief.**

Stair and elevator towers shall be located to minimize pedestrians crossing drive aisles internal to the parking structure. **There are two stairwells located within the parking structure providing minimal pedestrian crossings of drive isles, but not full elimination. New plans submitted on December 22, 2023 outlined pedestrian paths within the parking structure. However, in part of the parking, there are still no marked pedestrian paths connecting the elevator tower.**

On December 22, 2023, the applicant made changes to the new plans in which the loading area was replaced by parallel parking. The plans do not specify the size or number of new parking spaces. Also, the data in other plans was not updated, for example on Site plan A100. **It is necessary to clarify the size and number of parking spaces considering the changes.**

Blank walls shall be interrupted at intervals of no more than twenty feet (20') with a variety of treatments including but not limited to fenestration, trellises for landscaping, artwork, and other similar treatments. **There is a large blank vertical wall in the center of the building facing Alworth St. This is due to the location of the elevator shaft and stairwell proposed. There are windows provided, but the appearance of a blank wall is still prominent as it is the most forward projection of the north elevation.**

		<p>Bicycle parking:</p> <ul style="list-style-type: none"> - On-site spaces shall be located within fifty feet (50') of the building entrance(s). The on-site bike parking is 82' from the main tenant entry. However, an additional entry to the building was added at the bike parking area that provides access directly into the building, see A101 of December 22, 2023 Resubmittals. - Shall be visible, unless specified for the use of tenants, in which case the bicycle parking spaces must be covered. Bike parking provided is enclosed, and presumed to be for the tenants. On-site bicycle parking is not visible from the public ROW as it is setback behind the building. - Be easily accessible from the street. Discussion required. - Be properly illuminated to increase security and avoid accidents. Not enough information to review. - EV Parking is not provided but encouraged. 									
<u>8-4D-4 Parking Use Standards</u>	No compliance issues noted	No required parking area or space provided, as required by this article, shall later be eliminated, reduced, or converted in any manner unless other equivalent facilities approved by the city are provided.									
<u>8-4D-5 Required Number of Off-Street Parking Spaces</u>	No compliance issues noted	<p>The minimum number of required off-street motor vehicle parking spaces for residential uses shall be in accord with Table 8-4D-2 of this subsection.</p> <table border="1"> <thead> <tr> <th>Dwelling Type</th> <th>Required Parking Spaces Per Each Dwelling Unit (Including Covered And Uncovered)</th> <th>Required Covered Parking Per Each Dwelling Unit</th> </tr> </thead> <tbody> <tr> <td>Studio and 1 bedroom</td> <td>1</td> <td>1</td> </tr> <tr> <td>More than 1 bedroom</td> <td>2</td> <td>1</td> </tr> </tbody> </table> <p>Guest Parking For developments with more than two (2) dwelling units there shall be one-half (0.5) additional parking space/unit provided for guest parking for the first ten (10) dwelling units. There shall be one-tenth (0.1) parking space/unit provided for guest parking for every unit after the first ten (10) units.</p> <p>Vehicular Parking: 1 bedroom: $1 \times 60 = 60$ parking spaces 2 bedrooms: $2 \times 50 = 100$ parking spaces Guest parking: $10 \times 0.5 = 5$ and $100 \times 0.1 = 10$. Total 15 parking spaces Total vehicle parking spaces required: 175 parking spaces Total vehicle parking spaces provided: 183 covered parking spaces.</p> <p>Bicycle Parking: 0.5 spaces/unit for the first 10 dwelling units: $10 \times 0.5 = 5$ then 0.1 parking spaces/unit for every unit after the first 10 units: $100 \times 0.1 = 10$ 1 covered space for every dwelling unit or home: $110 \times 1 = 110$ Total bicycle parking spaces required: 125 bicycle spaces. Total bicycle parking spaces provided: 125 bicycle spaces.</p>	Dwelling Type	Required Parking Spaces Per Each Dwelling Unit (Including Covered And Uncovered)	Required Covered Parking Per Each Dwelling Unit	Studio and 1 bedroom	1	1	More than 1 bedroom	2	1
Dwelling Type	Required Parking Spaces Per Each Dwelling Unit (Including Covered And Uncovered)	Required Covered Parking Per Each Dwelling Unit									
Studio and 1 bedroom	1	1									
More than 1 bedroom	2	1									
<u>8-4D-6 Standards for Equivalent Parking Adjustments</u>	No compliance issues noted	Equivalent parking was not requested.									

<u>8-4D-7 Off Street Loading Standards</u>	No compliance issues noted	Off Street Loading has been replaced by parallel parking.
8-4E Transportation and Connectivity Provisions		
<u>8-4E-3 Public Street Connections</u>	No compliance issues noted	<p>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.</p> <p>Standards Within The Clear Vision Triangle:</p> <ul style="list-style-type: none"> • Trees planted within a clear vision triangle shall be pruned to a minimum height of eight feet (8') above the ground or sidewalk surface and fourteen feet (14') above the adjacent street surface. Trees are proposed to be planted outside the clear vision triangle. • No evergreen trees shall be planted within any clear vision triangle. Compliant. • The maximum height of any berm or vegetative ground cover at maturity within the clear vision triangle shall be three feet (3') from the lowest adjacent street grade. All bushes indicated in the landscape plan and located in the clear vision triangle will reach a height of 2.5 feet at maturity. • No signs taller than three feet (3') are permitted in the clear vision triangle, except for street/stop signs approved by the transportation authority.
<u>8-4E-4 Internal Circulation Standards</u>	Compliant as Conditioned	Driveway dimension needs to be provided and meet fire and refuse requirements where necessary.
<u>8-4E-6 Sidewalk Standards</u>	May not be compliant	<p>All sidewalks shall be designed and constructed to the following standards:</p> <p>There are existing attached sidewalks along both Alworth and 50th Street, the applicant proposed to maintain these sidewalks which is code compliant. The applicant has proposed to improve the Alworth sidewalk, but details of how were not provided. More information required.</p> <p>Information mismatch between plans. In plan L100, a pedestrian path is indicated on the western side, while plan A100A does not indicate that there is a pedestrian connection there. In addition, Plan A100A indicates that there is no pedestrian connection within the site on the east side and is only via the sidewalk.</p> <p>Correction/clarification needed.</p>
<u>8-4E-8 Transit Facilities</u>	No compliance issues noted	No transit facility located on site. Valley Regional Transit has terminated the bus service along Adams/Alworth.
8-4F Sign Provisions		
<u>8-4G Sustainable Development Provisions</u>	No compliance issues noted	The development is exempt per 8-4G-2 (D).
<u>8-4H Flood Hazard</u>	No compliance issues noted	<p>The planning official is the decision maker on items regarding 8-4H.</p> <p>The applicant should review the original FEMA work maps (not the current adopted maps) as the city has been placed in seclusion. The current maps</p>

		<p>(June 2020) do not display the possible future risk of the flooding potential of the Boise River. If the lowest floor building elevation is below the draft map BFE, a Flood Risk Acknowledgement form will be required from the landowner/developer.</p> <p>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.</p>				
8-4I Landscaping and Tree Protection Provisions						
<u>8-4I-3 General Landscaping Standards and Irrigation Provisions</u>	Compliant as Conditioned	<ul style="list-style-type: none"> • A three foot (3') clearance zone shall be maintained around the circumference of fire hydrants. • Required landscape areas shall be at least seventy percent (70%) covered with vegetation at maturity, with mulch used under and around the plants. Use of mulch, organic or rock, as the only ground cover in required planting areas is prohibited. <table border="1"> <tr> <td>Required Number Of Class II Or Class III Trees</td><td>Minimum Number Of Species</td></tr> <tr> <td>11 to 30</td><td>3</td></tr> </table> <p>Provided number of species: 7</p>	Required Number Of Class II Or Class III Trees	Minimum Number Of Species	11 to 30	3
Required Number Of Class II Or Class III Trees	Minimum Number Of Species					
11 to 30	3					
<u>8-4I-4 Landscaping Provisions for Specific Uses</u>	Not Complaint	<p>Documents submitted have conflicting information and lack necessary information needed for staff to review. Staff cannot approve plans that do not reflect accurate site details.</p> <p>All calculations provided are based on a lot size of 1.57 acres. The Ada County Assessor's website shows the property as 1.584 acres or 68,999 square feet.</p> <p>A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping. $68,999 \times 5\% = 3,450 \text{ SF}$</p> <p>The new plans, dated December 22, 2023, do not indicate the percentage of the gross site area allocated for landscaped areas, excluding setbacks and perimeter landscaping.</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>N. Alworth St. (~232 LF): Trees Required: 6 Class II or III trees. Provided: 5 Class II Deficient of 1 tree</p> <p>E. 50th St. (~303 LF): Trees Required: 7 Class II or III trees Trees Provided: 7 Class II Street frontage calculations are based on site image measurements on the Ada County Assessor website (See Figure 1)</p> <p>Dimensions and calculations in landscape plan: N. Alworth St.: 172 LF/ 4 trees E. 50th St.: 278 LF/ 6 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>3,450 SF/1,000 SF = 3 trees 3,450 SF/150 SF = 23 shrubs Provided: 44 trees and 344 shrubs</p>
<u>8-4I-5 Perimeter Landscaping Provisions</u>	No compliance issues noted	<p>A perimeter landscaping area shall be at least ten feet (10') wide measured from the property line to the interior of the lot;</p> <ul style="list-style-type: none"> • A screen consisting of vegetation shall be at least six feet (6') wide and six feet (6') in height at maturity; All proposed vegetation is greater than six feet (6') wide and six feet (6') in height at maturity. • At least one tree shall be planted for every fifteen (15) linear feet of perimeter length (or as appropriate to the selected species) to quickly establish continuous canopy coverage. Compliant. Dimensions provided • Structures less than one hundred twenty (120) square feet, including, but not limited to, trash enclosures and storage sheds may encroach into the perimeter landscape area. • Perimeter landscape areas shall provide for pedestrian access from residential development to abutting commercial districts and vice versa.
<u>8-4I-7 Tree Preservation Provisions</u>	Not Complaint	<p>Arborist report not submitted for review. Trees are proposed to be removed. Arborist report needed.</p>
8-4L Open Space Provisions		
<u>8-4L-3 General Open Space Standards</u>		<p>Areas on the site of mature landscaping, trees, and natural features have been incorporated into the common open space area;</p> <p>The common open space area provides connectivity with other open areas, public spaces, trails, or water features within and off the site; and</p> <p>The common open space area is located and designed to serve a passive or recreational function.</p>
<u>8-4L-5 Open Space Standards for Multi-family Developments</u>	May not be compliant	<p>A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit.</p> <ul style="list-style-type: none"> • This requirement can be satisfied through porches, patios, rooftop gardens, decks, and/or enclosed yards. • The minimum dimension of any open space shall be six feet (6') in any direction. • Landscaping, entryway and other accessways shall not count toward this requirement. <p>Plans show each unit will have 80 square feet or more of private space with 6' in one direction.</p> <p>For any new multi-family development: A minimum area of outdoor common open space shall be provided as follows:</p> <ul style="list-style-type: none"> - Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area. <p>Required: 44 units x 250SF=11,000 SF</p>

		<ul style="list-style-type: none"> - Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. <p>Required: 66 units x 350SF=23,100 SF</p> <p>Total common open space required: 33,100 SF</p> <p>Total common open space provided: 28,651 SF</p> <p>The open space exhibit provided includes the City property as part of their calculations.</p>
Title 8, Chapter 6, Article A: Administration		
<u>8-6A-3 General Application Process</u>	N/A	<p>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.</p> <p>There have been denials of an application in substantially the same form for the same use, within one (1) year.</p>
<u>8-6A-4 Required Application Information</u>	N/A	<p>Application waivers requested pursuant to 8-6A-4A:</p> <ul style="list-style-type: none"> - Lighting Plan - Ability to Serve - Sustainability Checklist - Ada County approved addresses
<u>8-6A-5 Administrative Process with Notice</u>	Compliant upon approval	<p>A notice of intent was sent to adjoining property owners within 300' and agencies with jurisdiction.</p> <p>If no objections are filed within 15 days, the Design Review Committee's decision shall be considered final.</p> <p>Objections will be heard by City Council following the public hearing provision set forth in section GCC 8-6A-7.</p> <p>Conditions of approval that are deemed necessary to protect the public health, safety, and welfare, and prevent undue adverse impacts on surrounding properties may be required.</p>

Other Items Reviewed	
Plan/Policy	Discussion/ Analysis
<u>Garden City Comprehensive Plan</u>	<p>This application is in future land use designations of the Comprehensive Plan:</p> <p>The land use map shows generalized designations for future land uses. The map also identifies unique possibilities for land use and areas for future studies. The following is an explanation for the designations shown in the legend on the land use map.</p> <ol style="list-style-type: none"> MAIN STREET CORRIDOR: Create a "Main Street" corridor as a principle street with a mix and concentration of uses along Adams/ Alworth Street with a possible alignment through a redeveloped Idaho Expo site connecting with the Activity Node at Glenwood and Marigold Streets. The corridor should have activity nodes along the street that connect the main street to the arterial roadways and/or the Boise River. The activity nodes should be limited so as to not dilute their function as a center. The focus of development should be on minimum front yard setbacks, parking on the street and behind buildings, and pedestrian

	<p>amenities. The center of the activity nodes on the Main Street corridor should be integrated vertically with more height at the principle main street intersection of the node.</p> <p>2. ACTIVITY NODE: Activity nodes are identified on the Land Use Map for neighborhood centers, local and regional destinations, and locations in proximity to existing and future transit stations and stops. Activity centers range in size depending on their function and location. Some nodes may be centered around the intersection of major streets or extend down a street to connect major community facilities. The common characteristics of the activity nodes are a mix of uses, public spaces, compatible transition to the uses surrounding the nodes and non-motorized connections to within a quarter mile walkable area of the node center. Some nodes, especially around transit stations, would have higher density (at least 14-20 units per acre) and multi-story development (three or more stories). It is not intended that all nodes could be developed within the twenty-year period of the plan. Activity Nodes by type shown on the Land Use Map are as follows:</p> <p>Neighborhood and Destination Centers: The centers should be focused on uses that facilitate making the location a destination. Uses may include small scale retail, art, office, and higher density residential. Identified centers are:</p> <ul style="list-style-type: none"> a) Adams and 50th Streets intersection to the Boise River b) Adams and 42nd street intersection to the Boise River. c) East city boundary to 36th street between the Boise River and Chinden Boulevard d) Glenwood and Marigold Streets intersection e) Chinden Boulevard and Garrett Street intersection f) Chinden Boulevard and 50th Street intersection g) State Street and Pierce Park Transit Oriented Development Nodes h) Chinden Boulevard and Glenwood Street intersection i) Chinden Boulevard and Veterans Parkway intersection j) State Street and Horseshoe Bend Road k) State Street and Glenwood Street <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.) 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art. <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. <p>The application may not be supported by:</p> <p>Goal 10. Plan for the Future</p> <ul style="list-style-type: none"> a.) Designate locations in proximity to existing and future transit stops throughout the city that serve as activity centers.
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	<p>b.) Create a "Main Street" corridor with commercial nodes as designated on the Land Use Map and described in the Land Use Designation.</p>
Garden City Sidewalk Policy	Existing attached sidewalks to remain
Garden City Street Light Policy	A streetlight is installed along N. Alworth Street in accordance with the policy.
Garden City Transportation Needs List	<p>The Garden City Transportation Needs List has identified 50th Street and Alworth as needing improvements, specifically pedestrian oriented improvements:</p> <p>A crossing at 50th will link a safe bike and pedestrian route from the bench and Boise's bike/pedestrian path to the greenbelt on the south side of the river. The crossing on Alworth will serve the residents of Mallard Point Apartments and residents frequenting the Garden City Police Department and Omega business complex or Moxie Java. The crossings should be part of an overall effort to improve 50th Street to facilitate the generation of the land use neighborhood commercial node as identified in the Comprehensive Plan and codified in Garden City Ordinance. Improvements should also include landscaping, pedestrian amenities, street lighting and potential for a bus shelter.</p> <p>Addition of landscaping, pedestrian scaled lighting, and on-street parking on 50th Street. Reconfigure Adams to remove center turning lane, add parking and landscape bulb outs on both sides of the street from 51st to 49th Streets. The node is identified in the Garden City Comprehensive Plan and there is zoning in place to support the nodes. The design portion of this project is in the concept phase along Adams Street within anticipated two-lane 40' face to face section with on street parking and landscaping corresponding to the design of 36th Street or the design of 42nd Street north of Adams. Adams street may allow for a potential bike path.</p>

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](#). The Planning Official and City Council have decision authority once a Design Review Consultation has occurred.

Decision

Pursuant to GCC 8-6A-5, staff shall take one of several actions:

- a. Intent to approve as submitted;
- b. Intent to approve with changes;
- c. Request changes and resubmittal;
- d. Recommend denial; or
- e. Recommend public hearing.

Once the decision is rendered it will be sent to the applicant and interested parties. If the determination is a recommendation for a public hearing or if a person with standing objects, a hearing with City Council will be scheduled.

Appeals of Decision:

Per Garden City Code [8-6A-5 Administrative Process with Notice](#), there is a 15-day period to file a written objection to the application. The objection shall be made on the appeal submittal form and must be accompanied by the appeal fee. 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. Verbal objections will not be accepted. Written objections received after the 15-day objection period will not be accepted.

When a design review consultation is required as part of an application that requires a public hearing, public testimony regarding design will be heard by the planning and zoning commission at the planning and zoning commission's scheduled hearing.

REQUIRED FINDINGS, CONCLUSIONS OF LAW AND DECISION

Required Findings

In order to approve a design review application after a recommendation by the design review consultant(s), the decision maker shall make a determination with written reasoned statements on the following findings:

GCC 8-6B-3_Required Findings	Determination	Reasoned Statements
<ol style="list-style-type: none">1. The proposed design shall comply with all design standards in Garden City Code, Title 8.2. The proposed design shall provide effective bicycle and pedestrian access and movement to, from, within, and across the site.3. The proposed design shall be compatible with or improve the public's use of existing and planned public spaces, including but not limited to the greenbelt and pathways, sidewalks, parks, roadways, open space, public facilities, Boise river and waterways, canals, and other surface irrigation.4. The proposed design shall be compatible with the neighborhood in scale and intensity.5. The proposed design shall not create an adverse impact on the surrounding neighborhood.6. The proposed architecture and site improvements shall have facades, features, materials and building form, and other physical	Not Determined: This will be completed in conjunction with the formal decision	TBD: This will be completed in conjunction with the formal decision

<p>improvements that are compatible with or enhance the neighborhood.</p> <p>7. The proposed design and landscape shall improve the design and function of the site and be consistent with the southwest Idaho climatic conditions; and</p> <p>8. The proposed design shall be compatible with applicable natural, scenic, and historic features, including but not limited to wetlands, the Boise River, waterways, and historic structures.</p>		
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The Planning Official reviewed the application with regard to Garden City Code, Title 8, Chapter 4, and based on the conditions required herein, concludes the application **TBD** the standards of approval under **GCC 8-6B-3 Design Review**.

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law contained herein, the Planning Official hereby **TBD** the application, subject to the following conditions:

Potential Conditions are in grey

IN APPROVAL

Site Specific Requirements:

Scope of this permit:

1. The building permits must be in conformance with the approved plans. Staff may approve minor changes to the approvals so if they are compliant with Garden City Code including:
 - a. Substitutions of plant species, if there is no reduction in landscaping and the species are comparable in height and width. Substitutions of trees must be of the same or larger tree classification and be comparable or larger in tree canopy and height.
 - b. Less than 5% of rearrangement of elevations or building façade materials if there is no reduction in building modulation, fenestration, or glazing.
 - c. Less than 5% of rearrangement of site.

Prior to Construction:

1. A building permit shall be applied for and approved by the Garden City Development Services Department.
2. A lot line consolidation application shall be applied for and approved by the City.
 - a. The lot line consolidation shall be recorded by the county, with proof submitted to the city for its completion.

3. Any future outdoor lighting will be required to be in compliance with code at the time of development.
4. The screening art wall design shall return to the Design Review Consultants for approval prior to installation.
5. A landscape maintenance agreement shall be recorded between the property owner and the City for all landscaping installed on City property located at 5005 N. Alworth.
6. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit.
 - a. This requirement can be satisfied through porches, patios, rooftop gardens, decks, and/or enclosed yards.
 - b. The minimum dimension of any open space shall be six feet (6') in any direction.
 - c. Landscaping, entryway and other accessways shall not count toward this requirement.
7. A minimum area of outdoor common open space shall be provided as follows:
 - a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area.
 - b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area.
 - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area.
8. A minimum of one class II or class III tree shall be planted in the frontage and every adjacent streetside. An additional class II or III tree shall be planted in the corresponding setback for every increment of fifty feet (50') of linear feet of frontage.
 - a. 50th Street frontage shall have a minimum of 7 Class II or III trees.
 - b. Alworth Street frontage shall have a minimum of 6 Class II or III trees.
 - c. All frontage/street trees shall have high and wide branching canopies.
9. An ability to serve request shall be submitted for review at the Development Services Department.
10. A corrected affidavit of legal interest shall be submitted to the Development Services Department.

Prior to Occupancy:

1. Occupancy of the site shall not commence until after a Certificate of Occupancy has been obtained from Garden City Development Services Department.
2. A copy of recorded 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 shall be provided to the City

3. A keyless entry system, or suitable alternative, to provide police access to the common corridors under exigent circumstances shall be installed and maintained. The keyless entry system or alternative shall be subject to review and approval by the Garden City Police Department.
4. The lease agreement, CC&Rs, or other binding documents shall inform tenants that the police department may have sirens daily at all hours of the day.
 - a. Proof of these agreements noting as such shall be submitted to the city.
 - b. This statement shall be within the documents for as long as the use remains.
5. Any windows or doors that face the police department on the second floor or higher shall not open.
6. The patio/rooftop deck shall not have direct line of sight access to the police department.
 - a. A decorative 6-8 foot wall would be permitted, so long as North Ada County Fire and Rescue approves.
7. All fencing shall be found in conformance with Garden City Code 8-4A.
 - a. All existing fencing made of non-compliant fencing materials, including but not limited to chain-link, chain-link with slats, and barbed wire, shall be removed or replaced with code compliant fencing materials.
 - b. Any new fence installed on-site shall be of code compliant height.
 - c. The chain-link fence located at 5005 N. Alworth St. shall be removed as part of this application's approval.
8. All on-site service areas for waste, recycling, or trash; and equipment areas for transformer and utility vaults shall be located in an area not visible from a public street or adjoining property, or shall be screened from view from a public street and adjoining property with a privacy fence.
9. All signs proposed in association with this project shall obtain a sign permit through the Development Services Department.

Site Specific Requirements for the Duration of the Use:

1. Roof access shall be limited for the purpose of maintenance only. The roof shall not be accessible to the general public or any residence of the building.
2. 125 enclosed bike parking spaces shall be provided for the residence of the building and their guests.
3. There will be a minimum of 175 vehicular parking spaces provided; with at least 85 to be enclosed.
4. A property management office must be on site, and tenants, and outside members of the public or police must be able to get a hold of emergency services 24- hours of the day.

5. A maintenance storage area must be provided.
6. A central mailbox location is provided in accordance with this approval.
7. A directory and map of the development is located at the entrance or convenient location for those entering the development.
8. Multi-family amenities shall be provided on-site for the duration of the use. The following amenities shall be provided or replaced with an amenity from the same category of amenity as identified in Garden City Code:
 - a. The property shall provide at least four (4) amenities, with at least one (1) from each category of:
 - i. Quality of Life: Fitness facilities, enclosed bike storage
 - ii. Open Space: Community gardens, open grassy area of at least 50' x 100' in size
 - iii. Recreation: Children's play structures, pet park and dog run, game area on rooftop deck,

General Requirements:

1. This review and approval is specific to the design of the project. Final approval is subject to the approval of other reviewing agencies. Any more restrictive standards adopted and made applicable by any Transportation Authority, Fire Authority or other Federal, State or Local regulatory agencies shall prevail. This approval shall not annul any portion of Garden City Code or other applicable regulation unless specifically noted.
2. Any changes to the plans and specifications upon which this approval is based, other than those required by the above conditions, will require submittal of an application for modification and approval of that application prior to commencing any change.
3. All improvements and operations shall comply with applicable local, state and federal requirements and procedures whether specifically addressed in the analysis of this application or not. This shall include but not be limited to 8-4A General Provisions of Design and Development Regulations; 8-4I-3 and Landscape Maintenance Provisions 8-4I-9; and Standards for Transportation and Connectivity Provisions identified in 8-4E.
4. All utilities on the site, including telephone, cable television, and electrical systems shall be underground and in compliance with Garden City Code 8-4A-8.
5. Driveway openings in curbs shall comply with the requirements of the Transportation Authority. The driveway shall be straight or provide a 28-foot inside and 48-foot outside turning radius.
6. Plant materials which exhibit evidence of insect pests, disease, and/or damage shall be appropriately treated to correct the problem. Dead plant materials shall be replaced.
7. Where landscaping might impact motorist or pedestrian sight distance, shrubs shall be maintained below three feet (3') in height and trees shall be pruned so that the lowest branches will be at least seven feet (7') above the ground level.
8. A three-foot (3') clearance zone shall be maintained around the circumference of fire hydrants.
9. Retain and protect existing trees, vegetation, and native soils and integrate these features into the overall landscape plan as required by or exempted from Garden City Code 8-4I and as shown in the approved landscape plans.

10. Required landscape areas shall be at least seventy percent (70%) covered with vegetation at maturity, with mulch used under and around the plants. Use of mulch, organic or rock as the only ground cover in required planting areas is prohibited.
11. If trees are staked, the stakes shall be removed within twelve (12) months to prevent damage to the tree.
12. All planting areas that border driveways, parking lots, and other vehicle use areas shall be protected by curbing, wheel stops, or other approved protective devices.
13. Trees shall be planted at least three feet (3') from curbs, sidewalks, driveways and other hard surfaces to buffer from stress caused by vehicle overhang and compacted soils or planted with sufficient space to provide for the full maturity of the particular tree species.
14. All other plant material, except sod or ground cover, shall be set back a minimum of one foot (1') from any curb edge to protect from vehicle overhang and mechanical damage.
15. The landscape installation shall stabilize all soil and slopes.
16. All required landscaping shall be provided with an automatically controlled irrigation system in conformance with the best management practices for automatic irrigation systems.
17. Demonstrate compliance with or an exemption from Garden City Code 8-4G prior to certificate of occupancies.
18. This approval is for this application only. Additional permits, licenses and approvals may be necessary. All other applicable permits must be obtained prior to a Certificate of Occupancy.
19. Property Maintenance Standards shall be maintained as required by Garden City Code.
20. The property owner is responsible for the maintenance of all landscaping and screening devices required.
21. All outdoor living spaces must comply with Garden City Code 8-3C General Provisions-Living Space Requirements.
22. All outdoor service and equipment areas shall comply with Garden City Code 8-4A-5 Outdoor Service and Equipment Areas.
23. All stormwater systems must comply with Garden City Code 8-4A-7.
24. System Installation Required: Each and every lot within the subdivision shall have underground pressurized irrigation water. The pressurized irrigation system shall be constructed and installed at the same time as the domestic water lines but shall not necessarily be in the same trenches.
25. Materials submitted after the decision shall not be considered part of the record for this decision. If additional materials or information is submitted after the decision the application may be remanded to the decision-making body during which time the decision shall be stayed provided that there is no immediate threat to life or safety.
26. Any changes in the design, construction, operation or use shall be brought to the immediate attention of the Planning Official for determination if the changes are in substantial conformance with the City's action. Any modification to approved plans shall require submittal and approval of these modifications prior to construction. Final approval is based on substantial conformance with the plans reviewed and approved.
27. Any substantial changes to the design shall be reviewed by the Design Review Committee for compliance with Garden City Code 8-4. Any other changes that are not in substantial conformance with the approval shall be remanded to the decision-making body.
28. Occupying the site prior to Certificate of Occupancy is a criminal offense.
29. The date of action is the date the decision body formalizes their decision. The decision body may formalize their decision by approving a draft decision or a draft decision with

noted changes at the hearing. The date of action may be a different date than the applicant is provided with a signed copy of the decision.

30. Pursuant to 8-6A-9 Appeals, those with standing may appeal a decision within fifteen days from the date of action.
31. This approval shall expire one (1) year from its approval, unless otherwise extended as allowed by Garden City Code .
32. If any term or provision of this decision, to any extent, is held invalid or unenforceable, the remaining terms and provisions hereof shall not be affected thereby, but each such remaining term and provision shall be valid and enforced to the fullest extent permitted by law.

IN DENIAL

1. The date of action is the date the decision body formalizes their decision. The decision body may formalize their decision by approving a draft decision or a draft decision with noted changes at the hearing. The date of action may be a different date than the applicant is provided with a signed copy of the decision.
2. Pursuant to 8-6A-9 Appeals, those with standing may appeal a decision within fifteen days from the date of action.
3. If any term or provision of this decision, to any extent, is held invalid or unenforceable, the remaining terms and provisions hereof shall not be affected thereby, but each such remaining term and provision shall be valid and enforced to the fullest extent permitted by law.

TBD

Development Service Staff

Date

IMAGES

Details

Parcel Number
R7334160161

Zoning Code
C-2

Tax Code Area
06-1

Total Assessed Value
346500

Assessed Acres
1.584

Property Tax Year
2023

Parcel Type
Residential

Address
5003 N ALWORTH ST GARDEN CITY, ID 83714-
0000

Assessor ID
LOTS 08-09 & NW'LY POR LOT 07 BLK 02
RANDALL ACRES SUB NO 05



Figure 1: Site dimensions