



DEVELOPMENT SERVICES DEPARTMENT

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DESIGN REVIEW REPORT AND DECISION

File Number: DSRFY2024 - 0008

Review Status: INITIAL REVIEW- NOT APPROVED

Plan Review Number: 1

Reviewer: Hanna Veal and Mariia Antonova

Design Consultant: Brett Labrie

Design Consultant: Derek Hurd

Date: May 6, 2024

Applicant: Ian B Hoffman



REPORT CONTENT

SITE INFORMATION.....	3
PROJECT INFORMATION.....	4
AGENCY COMMENTS.....	4
PUBLIC COMMENT.....	7
MEETING SUMMARY.....	8
CODE AND POLICY REVIEW.....	8
DECISION PROCESS.....	21
REQUIRED FINDINGS, CONCLUSIONS OF LAW AND DECISION	22
IMAGES	27

SITE INFORMATION

- 1) Owner: 403 E 50TH STREET LLC
- 2) Street Address: 403 E 50TH ST & E 50TH ST, GARDEN CITY, ID 83714
- 3) Ada County Tax Parcel Number(s): R7334160303, R7334160306
- 4) Property Description: LOT 01 EXC SE 140' BLK 03 EXC R/W RANDALL ACRES SUB NO 05 #0320-B VIN # 113457AB TL # E581361 & PAR #0306 VAC 50TH ST ADJ LOT 01 BLK 03 RANDALL ACRES SUB NO 05
- 5) Legal Lot of Record: **Unable to determine**
- 6) Property Size: 0.354 acres or 15,420 SF
- 7) Zoning District: R-3 Medium density residential
- 8) Zoning Overlay: Neighborhood Commercial Node
- 9) Comprehensive Plan Land Use Map Designation:
 - a) Main Street Corridor
 - b) Mixed Use Residential
- 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) Residential
 - b) Vehicle service
- 12) Existing Use: Residential
- 13) Easements on site: EASEMENTS: UNPLATTED 7984; 200900062; ROW
- 14) Site Access:
 - a) Side: E 50th St.
- 15) Sidewalks: Sidewalks are installed and are in good repair
- 16) Wetlands on site: None identified

PROJECT INFORMATION

- 1) Proposed development: New construction
- 2) Noticing was completed on: March 19, 2024
- 3) The neighborhood meeting was held on: April 4, 2024
- 4) Site Coverage: 15,420 SF¹
 - a) Building: 10,030 SF; 62% of the site
 - b) Landscaping: 3,613 SF; 22 % of the site²
 - c) Paved Areas: 2,474SF; 15 % of the site
- 5) Number of Structures: 1
- 6) Number of residential units total:
 - a) One-bedroom units: 6
 - b) One bedroom unit with office: 1
 - c) Two-bedroom units: 5
- 7) Total number of vehicular parking spaces: 22
 - a) Surface: 22
- 8) Total number of bicycle parking: 18
- 9) Trash Enclosure: The refuse will be in a common location.
- 10) Fencing: 6' Fence
- 11) Sidewalk:
 - a) None proposed. The existing sidewalk remains unchanged
- 12) Landscaping:
 - a) Street Trees: 11 trees Class II
 - b) Parameter Landscaping: shrubs, perennials, ornamental grasses, ornamental trees.
- 13) Connections:
 - a) Closest VRT Stop:
 - ~0.5 mi W Chinden Blvd & W Murray St SWC
 - ~0.8 mi W Chinden Blvd & N Kent Ln NWC
 - b) Greenbelt: ~0.1 mi

AGENCY COMMENTS

The following agency comments were provided:

Agency	Comment Date	Summary
Idaho transportation Department Link to Comment	03/28/2024	The Idaho Transportation Department has reviewed the Design Review for DSRFY2024-0008 and does not have any comments at this time.
Idaho Department of Environmental Quality Link to Comment	04/03/2024	General comments are provided.
City Engineer Link to Comment	04/12/2024	<ul style="list-style-type: none">• A complete review of construction plans will not occur until a later date. Staff of Public Works will need to perform a review prior to a complete review by the city engineer.• The project appears to be portion(s) of Lot 1 of Block 3 of Randall Acres Subdivision No. 5. Is the project eligible for

¹ Conflicting data between plans. Site plans reflect 16,117 SF. The site is 0.354 acres or 15,420 SF.

² The square feet on the site plan do not match the landscape plan.

development? Is the parcel an original parcel as defined by City Code?

- Will the project be subdivided? If a subdivision will be proposed, the applicant is placed on notice that additional comments should be expected and, depending on the proposed land divisions, fire code requirements could impact the construction of buildings.
- The land appears to be owned by 403 East 50th Street, LLC, which has Beacon Investment Group, LLC as its member. Beacon Investment Group, LLC appears to have Evan McLaughlin and Tony Mattero as its members. The affidavit of legal interest provided with the application has been executed by an individual rather than by the entity owning the land. Please provide corrected affidavit or provide evidence that the entity signing the affidavit is the landowner.
- 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.
- 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. The review by the District will need to include review of locations of fire hydrants.
- **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. Public water lines need to be at least 25 feet from storm water seepage beds. **It is not clear from the material submitted how water and sewer will be provided to serve the project. Please provide specific details on how service is proposed.**
- The project is proposing to utilize permeable pavers as the mechanism for storm water disposal.
Please note the following comments regarding the pavers: 1) Public water main lines (if any) under and within ten feet of pavers need to be ductile iron pipe. 2) Sanitary sewer mains (if any) under pavers will be public, but all service lines extending from the main will be private from the point of connection to the main. 3) The city will not repair/replace pavers or their base sections should repair/replacement of public main lines (if any) be required.
- All public (if any) water/sewer facilities must be covered by an adequate easement benefiting the city.
- Any changes to irrigation facilities (existing or proposed) must be approved by the irrigation entity.
- A grading plan has been provided as part of the submittal. The following are initial comments regarding the grading plan and its Project Manual:
 - The "C" coefficient used in the report is 0.75. Please provide an analysis of why the 0.75 is correct. We understand that 0.75 is commonly used for multi-family projects, but projects in Garden City tend to have less soft surfaces than other projects.
 - The 10 minute storm intensity for Boise per the storm water design manual is ± 2.6 inches per hour, not 2.2 inches per

hour. It appears the ACHD IDF curve may have been used and not the Boise IDF?

- The run-on ratio for the pavers is shown as 5.90:1 with a contributing area of 15,446 square feet and a paver area of 2,618 square feet. Please provide the analysis and dimensions of how these areas were derived.

Roof drainage must be accounted for and disposed of in a site storm water facility. It is not clear how roof drainage is being mitigated. Please note that roof drainage is not to be sent to the base section below the pavers. Roof drainage must be directed to the surface of the pavers or be handled separately. 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. Said report must identify the depth to seasonal high groundwater, provide a profile of encountered soils and their infiltration rates. The report also must provide a design infiltration rate recommendation for the storm water system. The storm water design must provide for at least three feet of vertical separation between the bottom of the storm water facility and the seasonal high groundwater.

Reviewing the amount of ground to be covered by this project with hard surface, we suggest careful consideration of site storm water. Groundwater depths are relatively shallow in Garden City. Handling storm water in compliance with the storm water design manual usually requires notable footprints and separation from structures (at least 10 horizontal feet). We presume the expected shallow groundwater is why permeable pavers have been selected as the storm water disposal method.

- 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. We note a Flood Risk Acknowledgement form has been provided. The following are comments on the form:

- The subdivision, Lot and Block should read "A portion of Lot 1, Block 3, Randall Acres Subdivision No. 5.
- The tax parcel numbers should include R7334160306.
- Page 2 - the Property Owner needs to be 403 East 50th Street, LLC with its member being Beacon Investments Group, LLC and signed by the members of Beacon Investments Group, LLC (currently listed as Evan McLaughlin or Tony Mattero).

The work maps are available on the city's website. They are attached to a city council resolution 1083-20 dated 22 June 2020.

- **Please verify there are no existing easements on the property. If they exist, who do they benefit or serve.**

Boise Fire Link to Comment	04/18/2024	<ul style="list-style-type: none"> Fire hydrants, capable of producing the required fire flow, shall be located so that no part of the structure is more than 600-feet from the hydrant. Fire hydrants, capable of producing the required fire flow, shall be located along approved fire lanes. Fire hydrant spacing shall meet the requirements of IFC table C105.1.1 Structures greater than 30-feet in height will require aerial fire access roadways. These roadways shall be a minimum of 26-feet in width and located at least 15-feet but no more than 30-feet from the building. (IFC D105) The plans show the building roof height to be over 30 feet. Aerial access is required. Aerial access is required by the AHJ to be along the long side of the building.
ACHD Link to Comment	04/17/2024	<ul style="list-style-type: none"> This development is estimated to generate 81 vehicle trips per day; 6 vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 11th edition. Repair or replace any damaged or deficient transportation facilities on Alworth Street and 50th Street abutting the site, as determined by ACHD staff, and consistent with the current version of PROWAG. Close the existing 17-foot-wide driveway onto 50th Street located 57-feet north of Alworth Street with vertical curb, gutter and 7-foot-wide attached concrete sidewalk to tie into the existing improvements on either side, as proposed. Construct a 27-foot-wide paved curb cut type driveway onto 50th Street located 93-feet north of Alworth Street, as proposed. Direct lot access is prohibited to Alworth Street. Submit civil plans to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD. There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time. The impact fee assessment will not be released until the civil plans are approved by ACHD.

PUBLIC COMMENT

The following public comments were provided:

Commenter	Comment Date	Summary
Matthew Burns Link to Comment	03/24/2024	Concerns about parking, stop signs, road congestion, height, massing, architectural elements, connectivity, landscaping, water features, and site layout.
Julie Dahl Link to Comment	04/04/2024	Concerns about massing and site layout.
Huwer Geoffry Link to Comment	04/22/2024	Concerns about massing, architectural elements, connectivity, landscaping, and site layout.

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

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		
<u>8-1A-4 Applicability</u>		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.
<u>8-1B-1 Nonconforming Properties</u>	Not Determined	The legal parcel of record cannot be determined. The project appears to be portion(s) of Lot 1 of Block 3 of Randall Acres Subdivision No. 5. It is unclear whether the project eligible for development.
<u>8-1B-2 Nonconforming Structures</u>	No compliance issues noted	Existing structures are to be demolished.
<u>8-1B-3 Nonconforming Uses</u>	No compliance issues noted	Existing uses on the property will be removed as part of this application. Multi-family dwelling unit use is a permitted use.
Title 8, Chapter 2: Base Zoning District Regulations		
8-2B-1 Purpose		The purpose of the four (4) residential districts is to provide a full range of housing products within the city in areas that are exclusively for residential uses.
<u>8-2B-2 Allowed Uses</u>	No compliance issues noted	Multi-family Dwellings are a permitted use.
<u>8-2B-3 Form Standards</u>	May not be compliant	<p>The required setbacks are: Front: 5'/20' Rear: 15' Interior Side:0'/5' Street side: 5' The minimum lot size is: n/a</p> <p>The provided setbacks are: Front: 5' Rear: 15' Interior Side:5' Street side: 5'</p> <p>There are no encroachments.</p> <p>All improvements are more than 70' from the Boise River (<i>~700' from the Boise River</i>)</p>

		There is minimal frontage along 50th Street. A plaza has been included along the 50the Street frontage to mitigate for the lack of building frontage.	
<u>8-2C-15 Multi-Family</u>	Compliant as Conditioned	<p>The number of amenities shall depend on the size of multi-family development as follows: For multi-family developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.</p> <p>All multi-family developments shall provide for quality of life, open space, and recreation amenities to meet the particular needs of the residents as follows:</p> <ol style="list-style-type: none"> 1. Open Space: pedestrian plaza (rear and 50th St.) 2. Recreation amenities: bocce ball court <p>Site Maintenance: 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.</p>	
Title 8, Chapter 3: Overlay Zoning District Regulations			
<u>8-3D Neighborhood Commercial Node</u>	No compliance issues noted	Overlay was not requested.	
Title 8, Chapter 4: Design and Development Regulations			
<u>8-4A-3 Fences and Walls</u>	Compliant as Conditioned	<p>The applicant proposes to retain a portion of the existing 6-foot fence on the north side of the property and install a new 6-foot fence on the east side. The applicant provided photographs of the fence that is planned to remain. <u>Picture 1</u></p> <p>Any future fence or wall will be required to be in compliance with code at the time of development.</p>	
<u>8-4A-4 Outdoor Lighting</u>	Compliant 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.	
<u>8-4A-5 Outdoor Service and Equipment Areas</u>	Compliant as Conditioned	<p>Renderings show an enclosed structure for trash.</p> <p>The applicant in an email dated April 11, 2024, states that the trash enclosure meets the requirements of the Republic Service, namely the enclosure is at least 12'x18'.</p> <p>Plans show mechanical on the roof of the building. It is necessary to clarify how HVAC or other equipment will be screened from view from a public street and adjoining property.</p> <p>Any future outdoor service equipment area will be required to be in compliance with code at the time of development.</p>	
<u>8-4A-7 Stormwater Systems</u>	Compliant as Conditioned	<p>The applicant should carefully review the provided comments by the city engineer regarding site grading, drainage plan, and stormwater operation.</p> <p>A draft condition of approval has been provided requiring that the stormwater systems be built in compliance with provisions of 8-4A-7 and City Engineer report.</p>	

<u>8-4A-8 Utilities</u>	Compliant as Conditioned	Another draft condition of approval is provided requiring that all utilities be underground.
<u>8-4A-9 Waterways</u>	No compliance issues noted	There does not appear to be Boise River irrigation facilities on the site.
<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.</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>Architectural features:</p> <ul style="list-style-type: none"> • Recessed patios/balconies • Extruded window frames. • Irregular window pattern • Recessed entries • Angles in parapet <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. The main entrances to the residential units face the parking lot, not Alworth/Adams St. internal pedestrian pathways connect to the main entrances from the public street, and unit balconies face Adams/Alworth.</p> <p>Entrances shall be adequately covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. Compliant</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. Angles are provided in the parapet.</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. The main material for exterior finishing is metal siding.</p> <p>Windows are required to allow views to exterior activity areas or vistas. Windows face the common open space.</p>
<u>8-4C-3 Design Provisions for Nonresidential Structures</u>	May not be compliant	<p>For any new construction, the requirements of this article shall apply to all parts of the building and lot.</p> <p><i>Objective 1: The design of all structures shall have a scale, massing and urban form that has a relationship to the street, the pedestrian, and adjacent properties.</i></p>

- **Floor Area Ratio (FAR):** All new construction should have a minimum floor area ratio of 1.0 or a minimum of two (2) stories. **FAR:0.5 and 3 stories building**
- **Street Setback:** max: 15'; provided; 5'
- **Street Frontage: Not enough frontage on 50th Street**
- **First Floor Facades:** First floor facades visible from a public street should include surfaces in windows, showcases, displays, or pedestrian access elements as follows: for all other uses at least fifteen percent (15%). **Not enough information to review.**
- **Upper Story Facades:** Upper story facades should be set back ten feet (10') where the location is adjacent to a residential district. **Not provided.**
- **Wall Plane:** Facades should have no wall plane wider than two and one-half (2 1/2) times the height of the wall plane. If a new wall plane is required to achieve compliance with this requirement, it must be offset by at least six feet (6'). **Not enough information to review.**

Objective 2: The design layout of all sites shall maximize opportunities for safe and comfortable pedestrian accessibility and minimize the obtrusive effects of parking and vehicular circulation.

- **Parking Lot Locations:** All parking lots should be located to the side and rear of the building fronting on the street. A parking lot may be located between a building and a street when the visual effect of the parking lot has been mitigated. **A minimum of ten feet (10') of landscaping has been provided between the parking lot and the view of the surface lot from the street is minimized;**
- **Driveway Lanes:** Driveway lanes crossing a public sidewalk intersection should be clearly distinguished with special pavement or coloring. **Not provided.**
- **Pedestrian Pathways:**
 - a. Pedestrian pathways should be designed to provide a direct connection between the main building entrance and the public sidewalk. **Compliant**
 - b. Direct, convenient, and attractive pedestrian pathways should be provided that are clearly marked and connect all portions of the site. **Compliant**
 - c. Pedestrian pathways should be functionally separate from parking lots and driveways except where they cross driveways. **Compliant**
- **Primary Entrance:**
 - a. The building closest to the street should have its primary entrance to the street and be clearly defined by the architectural design of the building. **Not Compliant**
 - b. The primary entrance of all buildings should provide a covered pedestrian open space such as a building recess, an awning, canopy or marquee. **Compliant**
 - c. Pedestrian amenities should be provided at the entrance including a minimum of one hundred (100) square feet of landscaping, outdoor seating, plazas, courtyards, public art, fountains, special paving, bicycle racks, transit stop. **There is outdoor seating, plazas, special paving, and bicycle racks.**

Objective 3: Buildings shall be designed and constructed of quality materials.

Metal siding, which is a discouraged material, was chosen as the main finishing material.

Objective 4: The site design shall respect existing notable site features including existing buildings, landscaping, trees and water.

Existing trees will not be saved.

Objective 5: The design of all buildings shall provide visual interest, support the vision for the area as articulated in the comprehensive plan and positively contribute to the overall urban fabric of the community.

Building Orientation: Buildings should be oriented to a prominent feature, such as a corner location, a plaza, a street or the river. Buildings and site design should provide inviting entry orientation. Buildings should not turn their backs to the street. **The site is on a corner but the building faces Alworth Street**

Articulation: Buildings should be articulated to reduce the apparent scale. Architectural details that are used to articulate the structure may include reveals, battens, and other three-dimensional details that create shadow lines and break up the flat surfaces of the facade. The following are ways to achieve building articulation:

a. **Window Treatments:** Provide ample articulated window treatments in facades visible from streets and public spaces for architectural interest and human scale. Windows should be articulated with mullions, recesses, etc., as well as applying complementary articulation around doorways and balconies. **Compliant**

b. **Architectural Elements:** The mass of long or large-scale buildings can be made more visually interesting by incorporating architectural elements, such as arcades, balconies, bay windows, dormers, and/or columns. **Patios/balconies provided.**

c. **Rooflines:** A distinctive roofline can reduce perceived building height and mass, increase compatibility with smaller scale and/or residential development, and add interest to the overall design of the building.

(1) Change the roofline by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval.

(2) Roofs that incorporate a variety of vertical dimensions such as multiplaned and intersecting rooflines are encouraged.

(3) Flat roofed designs should include architectural details such as cornices, and decorative facings to provide interest to the roofline.

Building Details: The design of buildings should be enhanced with appropriate details. The following elements are examples of techniques used on buildings to provide detail:

a. **Ornate Rooflines:** Examples include ornamental molding, entablature, frieze, or other roofline devices.

b. **Detailed Treatment Of Windows And Doors:** Examples include decorative lintels, sills, glazing, door design, molding or framing details around all windows and doors located on facades facing or adjacent to public streets or parks. Window sizing and treatment should be as follows:

(1) Windows should not have individual glass panes with dimensions greater than five feet by seven feet (5' x 7').

(2) Windows should be surrounded by trim, molding and/or sill at least four inches (4") wide. Commercial buildings with no trim or molding should have window frames at least two inches (2") wide.

		<p>(3) Individual window units should be separated from adjacent window units by at least six inches (6") of the building's exterior finish material.</p> <p>c. Ornamentation: Examples include ornamental railings, grillwork, landscape guard, and trellises.</p> <p>d. Distinctive Light Fixtures: Examples include lights with a decorative shade or mounting.</p> <p>e. Artwork Or Decorative Paving: The artwork may be freestanding or attached to the building, and may be in the form of mosaic, mural, bas-relief sculpture, light sculpture, water sculpture, fountain, freestanding sculpture, art in pavement, or other similar artwork.</p> <p>Building details show extruded window frames, irregular window patterns, recessed entrances, and angles in the parapet.</p> <p><u>Colors:</u> Colors used on building exteriors should integrate a building's various design elements or features.</p> <ol style="list-style-type: none"> Accent colors should use color combinations that complement each other. Use accent colors in a way to enhance or highlight building design, and not in a manner that creates clutter or otherwise detracts from building design. The use of bright colors should be avoided. Softer, muted or earth toned colors are preferred. Colors should be compatible with the architectural character of the surrounding buildings and neighborhood. <p>The main colors of the building are light gray and light brown.</p> <p><i>Objective 6: The site development should support and be consistent with the adopted streetscape.</i></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 Compliant	<p>Vehicle parking:</p> <table border="1"> <caption>Table 8-4D-1: MINIMAL DIMENSIONAL STANDARDS FOR MOTOR VEHICLE STALLS</caption> <thead> <tr> <th>Parking Angle</th> <th>Stall Width</th> <th>Stall Depth</th> <th>Length Per Car</th> <th>Driveway Width* Must also meet fire requirements</th> </tr> </thead> <tbody> <tr> <td>90°</td> <td>9'0"</td> <td>20'0"</td> <td>9'0"</td> <td>22'0"</td> </tr> <tr> <td colspan="4">Standard</td><td></td></tr> <tr> <td>90°</td> <td>7'6"</td> <td>15'0"</td> <td>7'6"</td> <td>22'0"</td> </tr> <tr> <td colspan="4">Compact</td><td></td></tr> </tbody> </table> <p>Parking Provided:</p> <p><u>14 regular parking spaces</u> Stall Width: 9' Length per car: 20'</p> <p><u>7 compact parking spaces</u> Stall Width: 8' Length per car: 15'</p> <p><u>1 ADA parking space</u> Stall Width: 9' Access aisle: 5'</p>	Parking Angle	Stall Width	Stall Depth	Length Per Car	Driveway Width* Must also meet fire requirements	90°	9'0"	20'0"	9'0"	22'0"	Standard					90°	7'6"	15'0"	7'6"	22'0"	Compact				
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Compact																											

		<p>Length per car: 20'</p> <p>Surface parking lots shall not be located within forty feet (40') of an intersection; Compliant</p> <p>Pedestrian routes shall facilitate passage from parking spaces to the principal entrance and meet standards set forth in sections 8-4E-6 and 8-4E-7 of this chapter. The parking lot consists of two parts. The first part is adjacent to the building and has access to the pathway. The second part is located opposite the building and is not connected to the main entrance by a separate pedestrian path. At the same time, the drive aisle has a different surface (pavers for stormwater) from the sidewalk and parking lot.</p> <p>Bicycle parking spaces shall:</p> <ol style="list-style-type: none"> Be a minimum space six feet (6') long by two feet (2') wide; On-site spaces shall be located within fifty feet (50') of the building entrance(s); Public bicycle spaces may be provided within three hundred feet (300') of the property in lieu of on-site spaces. If public bicycle spaces are provided, legally binding documentation including property owner approval, maintenance responsibility, and public use allowance shall be provided to the city; Be separated by a physical barrier to protect the bicycles from damage by motor vehicles if located within a motor vehicle parking area. The physical barrier can be curbs, poles, wheel stops, or other similar features; Be visible, unless specified for the use of tenants, in which case the bicycle parking spaces must be covered; Be easily accessible from the street; Not impede pedestrian movement or loading zones; Not impede pedestrian or vehicular circulation or loading zones. The facilities shall be incorporated, whenever possible, into the structure's design or street furniture; and Be properly illuminated to increase security and avoid accidents and adhere to section 8-4A-4 of this chapter, Outdoor Lighting. <p>The bicycle support shall:</p> <ol style="list-style-type: none"> Support bicycles in a stable position without damage to the frame, wheels, or other components; Provide for a bicycle to be locked to the frame and front wheel with one (1) lock; Be securely anchored to the lot surface so bicycles cannot be easily removed and shall be of sufficient strength to resist theft and vandalism; and Not be placed too close to a wall or other obstruction so as to make difficult to use. There shall be sufficient space (at least twenty-four inches (24")) beside each parked bicycle to allow easy access. <p>The project provides several types of bicycle parking. All bicycle parking must comply with code requirements.</p>
8-4D-4 Parking Use Standards	No compliance issues noted	Number Of Spaces: No use shall provide less than the minimum spaces required by this article.

<p><u>8-4D-5 Required Number of Off-Street Parking Spaces</u></p>	<p>No compliance issues noted</p>	<table border="1" data-bbox="563 73 1313 559"> <thead> <tr> <th colspan="3">Dwelling Parking</th> </tr> <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>Dwelling, Accessory:</td><td>0</td><td>0</td></tr> <tr> <td colspan="3">All Other Dwelling Units:</td></tr> <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> <tr> <td colspan="3">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.</td></tr> </tbody> </table> <p>Vehicular Parking: 1 bedroom: $1*7= 7$ parking spaces 2 bedrooms: $2*5= 10$ parking spaces Guest parking: $10*0.5= 5$ & $2*0.1= 0.2$ Total vehicle parking spaces required: 22 parking spaces. Total vehicle parking spaces provided: 22 parking spaces.</p> <p>Total covered vehicle parking spaces required: 12 parking spaces. Provided: 12 parking spaces</p> <p>Bicycle Parking: 0.5 spaces/unit for the first 10 dwelling units: $10*0.5=5$ 1 covered space for every dwelling unit or home: $12*1=12$ Covered bicycle parking provided: 15 Total bicycle parking spaces required: 17 bicycle spaces. Total bicycle parking spaces provided: 18.</p> <p>Compact Parking: A maximum of thirty percent (30%) of the required parking spaces can be compact. Multifamily, mixed use, and nonresidential compact spaces shall be clearly marked as such on the pavement or curb or otherwise signed. Allowed: $22*0.3=7$ Provided: 7</p>	Dwelling Parking			Dwelling Type	Required Parking Spaces Per Each Dwelling Unit (Including Covered And Uncovered)	Required Covered Parking Per Each Dwelling Unit	Dwelling, Accessory:	0	0	All Other Dwelling Units:			Studio and 1 bedroom	1	1	More than 1 bedroom	2	1	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.		
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<p><u>8-4D-6 Standards for Equivalent Parking Adjustments</u></p>	<p>No compliance issues noted</p>	<p>Equivalent parking was not requested.</p>																					
<p><u>8-4D-7 Off Street Loading Standards</u></p>	<p>No compliance issues noted</p>	<p>An off street Loading zone was not proposed.</p>																					
<p>8-4E Transportation and Connectivity Provisions</p>																							
<p><u>8-4E-3 Public Street Connections</u></p>	<p>Compliant as Conditioned</p>	<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><u>8-4E-4 Internal Circulation Standards</u></p>	<p>Compliant</p>	<p>The drive is 22' in width</p>																					
<p><u>8-4E-6 Sidewalk Standards</u></p>	<p>May not be compliant</p>	<p>There is an existing attached sidewalk on both sides adjacent to the property.</p>																					

		The part of the sidewalk on the E. 50th Street side looks narrow. It is necessary to provide the dimensions of sidewalks on all sides of the property.				
<u>8-4E-7 Pedestrian and Bicycle Accessibility Standards</u>	May not be compliant	<p>A pathway system shall extend through the development site and connect the street sidewalk to all primary building entrances. A pathway shall be a minimum width of four feet (4'). Measurements not provided.</p> <p>Pedestrian amenities shall be provided along sidewalks and pathways to support defensible space, crime prevention, pedestrian comfort and accessibility.</p>				
<u>8-4E-8 Transit Facilities</u>	No compliance issues noted	No comment				
8-4F Sign Provisions						
<u>8-4F-13 Master Sign Program</u>	Not Applicable	The sign is not part of this application.				
<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>	Compliant as Conditioned	<p>The planning official is the decision maker on items regarding 8-4H.</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> <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 (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>				
8-4I Landscaping and Tree Protection Provisions						
<u>8-4I-3 General Landscaping Standards and Irrigation Provisions</u>	No compliance issues noted	<p>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.</p> <p>When five (5) or more trees are to be planted to meet the requirements of any portion of code (including street trees, perimeter landscaping, parking lot landscaping and other landscape guidelines) a mix of species shall be provided. The number of species to be planted shall vary according to the overall number of trees required as set forth in table 8-4I-1.</p> <table border="1"> <thead> <tr> <th>Required Number Of Class II Or Class III Trees</th> <th>Minimum Number Of Species</th> </tr> </thead> <tbody> <tr> <td>5 to 10</td> <td>2</td> </tr> </tbody> </table> <p>Provided: 4</p>	Required Number Of Class II Or Class III Trees	Minimum Number Of Species	5 to 10	2
Required Number Of Class II Or Class III Trees	Minimum Number Of Species					
5 to 10	2					

<u>8-4I-4 Landscaping Provisions for Specific Uses</u>	May not be compliant	<p>A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping. (Ord. 898-08, 9-8-2008)</p> <p>The lot site is 15,420 SF</p> <p>Required: $15,420.24 \times 0.05 = 771\text{SF}$</p> <p>Provided: 2,917 SF (18.9%)</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. (Ord. 944-12, 5-14-2012)</p> <p>E 50th St (97 LF): 1 Street Tree + 2 Frontage trees = 3 trees</p> <p>Provided: 4</p> <p>N Alworth St. (160 LF): 1 Street Tree + 3 Frontage trees = 4 trees</p> <p>Provided: 7</p> <p><i>*The trees along Alworth are the species Acer saccharum 'Barrett Cole' which reaches a maturity size of 30' in height and 10' in width. In order to meet the intent of street trees, a wide and high branching tree is required. However, a wider canopy may conflict with the proximity of the structure.</i></p> <p>A minimum of one tree per one thousand (1,000) square feet of landscaped area and one shrub per one hundred fifty (150) square feet of landscaped area shall be planted.</p> <p>Landscaping provided: 2,917 SF</p> <p>Trees required: $2,917 \text{ SF} / 1,000 = 3 \text{ trees}$</p> <p>Trees provided: 18 (excluding street trees)</p> <p>Shrubs required: $2,917 \text{ SF} / 150 = 19$</p> <p>Shrubs provided: 151</p>
<u>8-4I-5 Perimeter Landscaping Provisions</u>	Not Compliant	<p>Required perimeter landscaping: Along the common property line between a multi-family residential use and a single-family or two-family residential use or vacant single-family or two-family zoned property.</p> <p>The landscape plan shows 5' wide perimeter landscaping.</p> <p>Standards:</p> <ol style="list-style-type: none"> 1. A screen consisting of vegetation shall be at least six feet (6') wide and six feet (6') in height at maturity; Compliant 2. 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. 11 trees need to be planted on the northern border of the site. It is planned to plant 9 trees. Deficient of 2 trees. <p>On the east side of the site, 6 trees are required. It is planned to plant 7 trees. Compliant.</p>
<u>8-4I-6 Parking Lot Landscaping Provisions</u>	No compliance issues noted	<p>The provisions of this section shall apply to all new or substantially altered parking lots of five (5) spaces or more.</p> <p>Standards:</p> <ol style="list-style-type: none"> 1. Landscaped areas in large parking lots shall be consolidated to enhance tree and plant material growing conditions. 2. Landscaped areas shall be designed to accommodate the following:

		<p>a. Trees shall be planted with access to at least five (5) square feet of area and three (3) in depth of quality soil prepared to the specifications set forth in "Garden City Design And Construction Guide".</p> <p>b. High branching, deciduous shade trees planted evenly at fifteen foot (15') intervals (or as appropriate to the selected species) to quickly establish continuous canopy coverage.</p> <p>Plant high branching deciduous trees throughout the parking lot interior to provide shade for pedestrians, vehicles and surfaces.</p> <p>a. Internal shade trees shall be provided at a minimum ratio of one tree planted for every five (5) parking spaces supplied.</p> <p>b. Internal shade trees shall be planted such that no parking space is more than one hundred feet (100') from a tree.</p> <p>c. On small or narrow sites, shade trees provided in non-street facing perimeter planting areas can be counted toward the internal tree requirement, provided that the maximum distance from a parking space one hundred feet (100'), is met.</p> <p>Two shade trees are planned to be planted on both sides of the open parking lot for 10 parking spaces.</p>
<u>8-4I-7 Tree Preservation Provisions</u>	Not Compliant	Arborist report not submitted for review. Trees are proposed to be removed. Arborist report required.
8-4L Open Space Provisions		
<u>8-4L-3 General Open Space Standards</u>	No compliance issues noted	
<u>8-4L-5 Open Space Standards for Multi-family Developments</u>	May not be compliant	<p><u>Private Open Space Requirements:</u> For any new multi-family development: A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit.</p> <p>1. This requirement can be satisfied through porches, patios, rooftop gardens, decks, and/or enclosed yards.</p> <p>2. The minimum dimension of any open space shall be six feet (6') in any direction. It seems that the dimensions of the patio in the corner units do not meet the requirements of this paragraph.</p> <p>3. Landscaping, entryway and other accessways shall not count toward this requirement.</p> <p><u>Common Open Space Requirements:</u></p> <p>1. 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"> o One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area. (Ord. 898-08, 9-8-2008) 6*150 SF=900 SF

		<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. 6*250 SF=1,500 SF <p>Total outdoor common open space required: 2,400 SF Total outdoor common open space provided: Unable to determine</p> <p>Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty feet (20').</p>
Title 8, Chapter 6, Article A: Administration		
<u>8-6A-3 General Application Process</u>	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.
<u>8-6A-4 Required Application Information</u>	N/A	N/A
<u>8-6A-5 Administrative Process with Notice</u>	No compliance issues noted	<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> <p>3. MIXED USE RESIDENTIAL: The mixed-use residential area is north of Adams/ Alworth Street. This designation allows for residential and commercial uses in a form and scale that is residential in character and design. A mix of residential; small scale office and retail; and public and semi-public uses are appropriate in this district. Regulations for this area should focus on form more than use, with a maximum height of two stories.</p> <p>4. 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</p>

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 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.

The application may be supported by:

Goal 1. Nurture the City

- 1.4 Objective: Create a premier destination place to live, work, and recreate.

Goal 2. Improve the City Image

- 2.1 Objective: Encourage new and distinctive neighborhoods.
- 2.4 Objective: Create a vision for the design of all streets and highways consistent with city's urban setting.

Goal 4. Emphasize the “Garden” in Garden City

- 4.1 Objective: Beautify and landscape.
- 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.

Goal 6. Diversity in Housing

- 6.1 Objective: Eliminate and upgrade substandard housing.
- 6.2 Objective: Continue to be a leader and set an example for the region in creating a diversity of housing.
- 6.3 Objective: Maintain the diversity of housing.

Goal 7. Connect the City

- 7.1 Objective: Create pedestrian and bicycle friendly connections.
- 7.3 Objective: Protect neighborhoods from through traffic.
- 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters.

The application may not be supported by:

Goal 2. Improve the City Image

- 2.3 Objective: Promote quality design and architecturally interesting buildings.

Goal 4. Emphasize the “Garden” in Garden City

- 4.2 Objective: Promote community gardens.

Goal 9. Develop a Sustainable City

- 9.3 Objective: Promote and recognize green building construction.

Goal 10. Plan for Future

- 10.5 Objective: Create a “Main Street” corridor with commercial nodes as designated on the Land Use Map and described in the Land Use Designation.

Goal 12. Evolve as a Destination

- 12.2 Objective: Continue to support commercial and industrial land uses.
- 12.3 Objective: Create a premier destination for work, recreation, entertainment, culture and commerce.

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 or Planning and Zoning Commission 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 improvements that are compatible with or enhance the neighborhood.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	Not Determined: This will be completed in conjunction with the formal decision	TBD: This will be completed in conjunction with the formal decision

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.		
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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:

DRAFTED POTENTIAL CONDITIONS OF APPROVAL

Site Specific Requirements:

Scope of this permit:

1. The scope of this permit is to allow for the use of a multi-family development.
2. 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 Building Permit:

1. The structural elevations shall be in conformance with this approval as reviewed and approved or otherwise conditioned.
2. The ability to serve shall be provided.
3. Submit a sustainability checklist that demonstrates compliance with, or an exemption from Garden City Code 8-4G.
4. A copy of recorded legally binding documents that states 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.
5. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit.
6. There shall be a minimum of 22 vehicular parking spaces provided; with 12 to be enclosed.
7. There shall be a minimum of 17 bicycle parking spaces provided; with 12 to be enclosed.
8. The landscaping shall be in conformance with this approval as reviewed and approved or otherwise conditioned.
 - a. If any trees are to be removed from the site, a tree mitigation plan must be submitted in compliance with GCC 8-4I-7 Tree Preservation provisions.

- i. Any trees removed prior to the certified arborist's report being submitted will be considered to have been healthy, and thus, mitigation will be required.
- b. A minimum of one class II or class III tree shall be planted in the frontage of every adjacent streetside. An additional tree shall be planted in the corresponding setback for every increment of fifty feet (50') of linear feet of frontage.
 - i. The frontage of E 50th Street shall have a total of 3 trees class II or III trees.
 - ii. The frontage of N Alworth Street shall have a total of 4 trees class II or III trees.
- c. At least 5% of the site shall consist of landscaping.
- d. Perimeter landscaping shall be installed along the northern and eastern boundaries of the site.

9. Any future outdoor lighting will be required to be in compliance with code at the time of development.

10. Any future fence or wall will be required to be in compliance with code at the time of development.

11. All stormwater systems must comply with Garden City Code 8-4A-7.

- a. Stormwater swales incorporated into required landscape areas shall be vegetated with grass or other appropriate plant materials. Gravel, rock, or cobble stormwater facilities are not permitted on the surface of required landscape areas, unless designed as a dry creek bed or other design feature.
- b. All stormwater systems must comply with city engineer report.

12. All vehicle parking spaces shall meet the minimum dimensional standards set forth in Garden City Code 8-4D-3.

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 building permit including fire and environmental review shall be applied for and approved by Garden City Development Services Department.
- 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. Contrasting hardscape material shall be installed at the drive aisles to better identify the pedestrian crossings along E 50th Street.
- 5. Bicycle Parking
 - a. Bicycle parking spaces shall be placed in such a way that when mounting and dismounting the bicycles do not reverse into the sidewalk traffic area, or E. 50th Street.
 - b. All bicycle parking shall be located so as to not prevent the Greenbelt or sidewalk traffic from maintaining a continuous momentum.
- 6. All HVAC systems and outdoor service and equipment areas shall be identified in building plans for permit review and screened to be compliant with Garden City Code 8-4A-5 Outdoor Service and Equipment Areas.
 - a. Utility boxes and transformers will also require screening. Coordination with Idaho Power will be required.
- 7. A pathway system shall extend through the development site and connect the street sidewalk to all primary building entrances.
 - a. A pathway shall be a minimum width of four feet (4').

b. Pedestrian amenities shall be provided along sidewalks and pathways to support defensible space, crime prevention, pedestrian comfort and accessibility.

Site Specific Requirements for the Duration of the Use:

1. The following amenities shall be provided or replaced with an amenity from the same category of amenity as identified in Garden City Code: list amenities
2. 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.
3. A maintenance storage area must be provided.
4. A central mailbox location is provided in accordance with this approval.
5. A directory and map of the development is located at the entrance or convenient location for those entering the development.
6. All roof and wall mounted mechanical, electrical, communications, and service equipment should be screened from public view from the adjacent public streets and properties by the use of parapets, walls, fences, enclosures, or by other suitable means.

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

Picture 1

