



CONDITIONAL USE PERMIT

Permit info: CUPFY2023-0009

Application Date: 5/26/2023 Rec'd by: CW

FOR OFFICE USE ONLY

6015 Glenwood Street ▪ Garden City, ID 83714 ▪ 208.472.2921
▪ www.gardencityidaho.org ▪ building@gardencityidaho.org

APPLICANT	PROPERTY OWNER
Name: Kelly Gonzalez	Name: Michael Talbott
Company: Vida Properties LP	Company: Vida Properties LP
Address: PO Box 1743	Address: PO Box 1743
City: Boise	City: Boise
State: Idaho	State: Idaho
Zip: 83701	Zip: 83701
Tel.: 208.760.5711	Tel.: 208.402.8804
E-mail: kelly@vidaprop.com	E-mail: mike@vidaprop.com

PROPERTY AND DESIGN INFORMATION: [VISIT ADA COUNTY ASSESSOR'S SITE](#)

Site Address: 510 E 41st Street, Garden City, Idaho 83714; The NW ¼ of the NE ¼ of Section 5, T.3N., R.2E. AND the SW ¼ of the SE ¼ of Section 32, T.4N., R.2E. (43 degrees 38'07.0"N; 116 degrees 14'34.9"W

Subdivision Name: Fairview Acres SUB No.3	Lot: 8	Block: 16
Tax Parcel Number: R2734520934	Zoning: C-2	Total Acres: 0.05 Acres
Proposed Use: Bike Knoll for Public use	Floodplain:	YES NO

Describe the proposed use:

The Bike Knoll will provide Boise Greenbelt users eight (8) hoop bike racks, a drinking foundation with an extra watering spout, a dog waste station, gas lamps, and benches to rest and enjoy the beautiful Boise River scenery.

SIZE: Approx. 120 feet long, 30 feet wide (at greatest point), 2,450 SF/0.05 acres

Will you be making changes to the structure(s)?	YES	NO
If no, will you be changing the occupancies as defined by the IBC?	YES	NO
Check any that are applicable to this application: <i>*If any of the first three boxes are checked, a Design Review Application is required*</i>	X	I will build a new structure
		I will add 25% or more to the floor area of an existing building
		I will alter, replace rehabilitate or restore 25% or more of a store façade.

How is the use appropriate to the location, the lot, and the neighborhood, and is compatible with the uses permitted in the applicable zoning district?

The Bike Knoll's proposed location will alleviate congestion and increase circulation of pedestrian and cyclist Greenbelt users between the underpass of Veteran's Memorial Parkway and 41st street. Located directly adjacent to the Greenbelt, above the high water mark, and across from The Boardwalk development's public restaurants/retail storefronts, this high quality design and landscaping serves as a unique attribute of the neighborhood, creating a sense of place and destination through the beautification and improvement of the widened path and existing+future Riparian restorative efforts along the River (See attached IDL Land Use Permit LU600431 and JAfp - Riparian Restoration Phases 1&2 application).

It will be a place for city residents to engage with the community's offerings while enhancing the City's aesthetic features and promoting the health and safety of local residents and tourists. The overall effort of the Bike Knoll development encourages courtesy and respect among Greenbelt users, with the needs of recreational users taking priority over commuter cyclists.

Is the use supported by adequate public facilities or services such as water/sewer, schools, roads, parks, transit, fire protection and police protection?

The use is supported by adequate public facilities or services including water/sewer, schools, roads, parks, transit, fire protection and police protection.

How does the use affect the health, safety or welfare of the community?

The use of the Bike Knoll will positively affect the health, safety and welfare of the community. This project will promote the use of the Boise River Greenbelt which will inadvertently increase the number of shoppers/restaurant goers at various business locations along the Greenbelt path in Garden City.

The Bike Knoll's proposed location will alleviate congestion and increase circulation of pedestrian and cyclist Greenbelt users between the underpass of Veteran's Memorial Parkway and 41st street. Located directly adjacent to the Greenbelt, above the high water mark, and across from The Boardwalk development's public restaurants/retail storefronts, this high quality design and landscaping serves various needs of the public, such as providing a place for dog waste to be adequately discarded, a place for cyclists to lock-up their bikes and enjoy the restaurants/retail stores located at The Boardwalk, and for Greenbelt users to stop to rest on a bench, or replenish with a clean water source, ultimately minimizing congestion/decreasing traffic on the Greenbelt.

How does the use support the goals of the Comprehensive Plan?

The use of this project supports various goals on Garden City's Comprehensive Plan, including:

(2.1-2.4) The encouragement of new and distinctive neighborhoods: This feature increases pedestrian circulation, maintains high quality features and design to include a water foundation, and creates a sense of place and destination "at The Boardwalk on the River". The Bike Knoll structure is in coordination with the existing and future efforts to restore the adjoining Riparian area and the current development underway known as The Boardwalk on the River Apartment Homes. These elements, in addition to pedestrian and bicycle needs, landscaping and trees are consistent in design reflecting the "garden" in Garden City.

(5.4-5.8) The use of this project provides a buffer to protect the Greenbelt, Wetlands and River while increasing the accessibility to the River and Greenbelt maintaining an area for walkers to enjoy the path and community offerings and a location to help regulate pet waste. The Bike Knoll project aligns with City plans for the future of the Greenbelt Pathway and the Boise River, acknowledging an increase in the attraction of the Greenbelt and mitigating conflicts to further maintain compatibility among users through wider Greenbelt sections at congestion points, creating pedestrian and bicycle friendly connections.

How far is the proposed use from a pedestrian/bicycle pathway?

The proposed Bike Knoll will be utilized by pedestrians and bicyclists directly adjacent to the Boise River Greenbelt, outside of the Riparian floodway and believed to be above the high water mark.

I consent to this application and hereby certify that information contained on this application and in the accompanying materials is correct to the best of my knowledge. I agree to be responsible for all application materials, fees and application correspondence with the City. I will hold harmless and indemnify the City of Garden City from any and all claims and/or causes of action from or an outcome of the issuance of a permit from the City.

Kelly Gonzalez

05-26-2023

Signature of the Applicant

(date)

Signature of the Owner

(date)

APPLICATION INFORMATION REQUIRED

**NOTE: AN ELECTRONIC COPY OF THE ENTIRE APPLICATION SUBMITTAL REQUIRED
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED UNDER ANY CIRCUMSTANCES**

ONE (1) HARD COPY OF EACH CHECKLIST ITEM REQUIRED:

- Compliance Statement and Statement of Intent
- Neighborhood Map
- Fire Flow / Ability to Serve
- 11"x17" Site Plan
- Irrigation/Ditch Company Authorization Letter
- Landscape Plan
- Photos of Site
- Neighborhood Meeting Verification
- Affidavit of Legal Interest
- Waiver Request of Application Materials
- Structural Documentation
(if previous Certificate of Occupancy has been issued and no change to IBC occupancy is anticipated)

**Additional information may be required by staff such as a traffic/parking analysis, a use analysis or documents related specifically to a business.*



PLEASE CHECK THE FOLLOWING:

INFORMATION REQUIRED ON COMPLIANCE STATEMENT AND STATEMENT OF INTENT:

- Statement explaining how the proposed use(s) is compliant with the standards of review for the proposed application. Cite the ordinances the proposed use(s) is compliant with
- Should include purpose, scope, and intent of project
- Information concerning noxious uses, noise, vibration, and any other aspects of the use or structure that may impact adjacent properties or the surrounding community

INFORMATION REQUIRED ON NEIGHBORHOOD MAP:

- 8 1/2" x 11" size minimum
- Location of contiguous lots and lot(s) immediately across from any public or private street, building envelopes and/or existing buildings and structures at a scale not less than one inch equals one hundred feet (1" = 100')
- Impact of the proposed siting on existing buildings, structures, and/or building envelopes

INFORMATION REQUIRED ON SITE PLAN:

- Scale not less than 1" = 20', legend, and north arrow.
- Property boundary, dimensions, setbacks and parcel size.
- Location of the proposed building, improvement, sign, fence or other structure, and the relationship to the platted building envelope and/or building zone
- Building envelope dimensions with the center of the envelope location established in relation to the property lines
- Adjacent public and private street right of way lines
- Total square footage of all proposed structures calculated for each floor. If the application is for an addition or alteration to an existing building or structure, then the new or altered portions shall be clearly indicated on the plans and the square footage of new or altered portion and the existing building shall be included in the calculations

- For uses classified as drive-through, the site plan shall demonstrate safe pedestrian and vehicular access and circulation on the site and between adjacent properties as required in Section 8-2C-13 of Title 8.

INFORMATION REQUIRED FOR IRRIGATION/DITCH AUTHORIZATION LETTER:

- Required if irrigation canal/irrigation ditch runs through property or along property lines

INFORMATION FOR NEIGHBORHOOD MEETING VERIFICATION:

- Copy of notice sent to property owners within 300' of an applicable property
- List of notice recipients with names and addresses
- Sign-up sheet from meeting

INFORMATION REQUIRED FOR WAIVER REQUEST OF APPLICATION MATERIALS:

- Statement must include a list of the application materials to be waived and an explanation for the request

STRUCTURAL DOCUMENTATION (IF NO CHANGE TO STRUCTURE OR IBC OCCUPANCY):

- Industrial treatment compliance: a statement answering the following questions:**
 - Do you or will you discharge wastewater other than domestic water from bathrooms to the City Sewer System? If yes, please describe.
 - Are floor drains present in your facility? If yes, are any chemicals stored on site in containers exceeding 1 gallon?
 - Do you or will you use fats, oils or greases in your business? If yes, do you have a grease trap/interceptor present
- One set of detailed current floor plans legibly drawn on minimum 8 1/2 X 11 plan sheet drawn to 1/4"= 1' scale (with scale noted on plans) identifying:**
 - Use and square footage per room (i.e. office, storage, restroom, etc.)
 - Primary Occupancy Classification (2018 IBC sec 303-312)
 - Occupancy Load (2018 IBC Sec 1004, table 1004.5)
 - Interior and exterior wall and opening dimensions, windows, doors, roll-up doors
 - Electrical panels interior and exterior
 - Gas meter location
 - Fire extinguisher locations and size
 - Emergency lighting locations
 - Illuminated exit sign locations
 - Fire sprinkler riser location
 - Fire alarm panel location
 - Commercial cooking operation location, including size and type of hoods and grease traps
 - Spray finishing operation location
 - Flammable or combustible product locations
 - Welding operation locations
 - Rack storage locations

Disclaimer Clause: X Denotes application information that may be waived depending on the nature of the request" found under table 8-6a-2 "required application information."

Boise Greenbelt Bike Knoll

Project Description/Purpose: The bike knoll will provide Boise Greenbelt users eight (8) hoop bike racks, a drinking foundation with extra watering spout, and benches to rest and enjoy the beautiful Boise River scenery.

Size: Approx. 120 feet long, 30 ft wide (at greatest point), 2,450 SF/0.05 acres.



Concept drawings of the Bike Knoll.



APPLICATION FOR DISCLAIMER OF INTEREST

Disclaimer Number (Bureau use only) _____

Project Number (Bureau use only) _____

Acquired Easement Number (Bureau use only) _____

Acquired Easement Number (Bureau use only) _____

GENERAL INFORMATION

The State of Idaho owns the beds and banks of all navigable waters below the Ordinary High Water Mark (OHWM). These sovereign lands were acquired by virtue of the Equal Footing Doctrine and are administered by the Idaho Department of Lands (IDL) for the benefit of the general public in accordance with the Public Trust Doctrine.

If a river or lake has moved through accretion or reliction and the waterbed has become upland, a disclaimer of interest may be granted upon request by the adjacent upland landowner to provide clear title to their land. This means that the state is disclaiming any underlying interest in this portion of former state owned waterbed.

PROCEDURE

The procedure for acquiring a disclaimer of interest is as follows:

1. Contact the appropriate IDL Supervisory Area Office to determine if the subject property qualifies for issuance of a disclaimer.
2. If the property does qualify, a completed and signed application for Disclaimer of Interest and a \$300 application fee will be required prior to any extensive consultations or surveys. The exact name(s) and address you wish to appear on the disclaimer should be on the form.
3. The subject property will require a legal land survey. An IDL representative will visit the site with the applicant's land surveyor to establish the OHWM. The applicant may also be present.
4. In cases where the present river has moved onto lands outside the General Land Office (GLO) meander lines, the IDL will require the requesting party to disclaim to the State that portion of the present riverbed.
5. The applicant is responsible for coordinating with adjoining land owners who could have a competing claim to the same property. Quit claim deeds from neighbors may be required.
6. IDL will require the applicant to grant a 25-foot public use right-of-way easement along and adjacent to the existing OHWM of rivers. This serves to protect the public trust values associated with rivers and the disclaimed lands by providing river access to the public.
7. The surveyor will submit a record of survey and legal descriptions which show: 1) areas to be disclaimed from the state to the property owner; 2) areas to be disclaimed from the property owner to the state; and 3) the 25-foot public use right of way easement. The record of survey must show the present OHWM, as identified by IDL, in relation to the original GLO meander line. The survey must be tied to at least one, and preferably two, PLSS corner(s).

APPLICATION

When the record of survey has been completed, submit the following documents to the Department of Lands Supervisory Area Office:

- 1) A full size copy of the record of survey and a copy of the legal descriptions. A digital copy of each will also need to be provided, the legal descriptions as an MS Word file, and the record of survey as a PDF file.
- 2) Tax payment history.
- 3) Proof of ownership of the upland property adjacent to the area to be disclaimed. A copy of the property deed is preferable. The applicant must be the legal owner.
- 4) Any additional documentation needed to prove ownership and/or legal authorization to sign the disclaimer application and related documents (e.g. quit claim deeds from neighbors).

This is not to be considered an exhaustive list of all the information the Idaho Department of Lands may require. Additional information may be required as needed on a case by case basis.

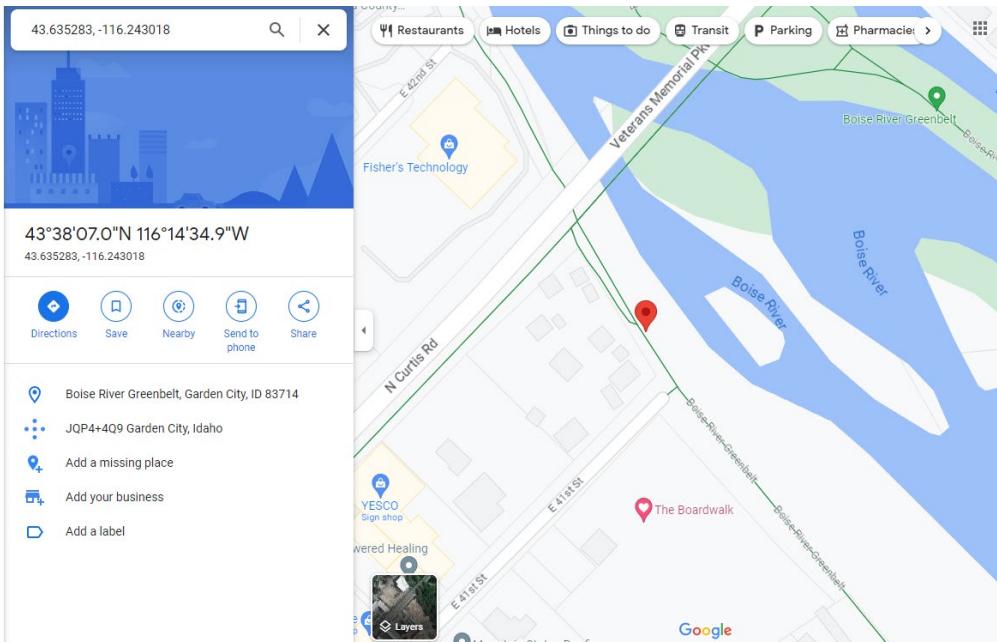
The final fee for the disclaimer is the actual cost of the field inspection and preparation of the required documents minus the \$300 application fee, but not less than \$300. The applicant will be billed for the remainder following approval by the State Board of Land Commissioners and before the final documents are issued.

APPLICATION INFORMATION

1. NAME: VIDA Properties LP d/b/a: _____
2. ADDRESS: 3527 S Federal Way, Ste 103-443
CITY, STATE, ZIP CODE: Boise, Idaho 83705-5204
3. TELEPHONE: 949-422-2084
4. LEGAL DESCRIPTION (Section, Township, and Range) TO THE QUARTER-QUARTER SECTION:
The NW 1/4 of the NE 1/4 of Section 5, T.3N., R.2E. AND the SW 1/4 of the SE 1/4 of Section 32, T.4N., R.2E.
5. RIVER/LAKE: Boise River
6. COUNTY(ies): Ada

I HEREBY REQUEST A DISCLAIMER OF INTEREST FROM THE STATE OF IDAHO AND ACKNOWLEDGE THAT I UNDERSTAND MY OBLIGATIONS DESCRIBED HEREIN, INCLUDING THE GRANTING OF A TWENTY-FIVE (25.00) FOOT WIDE PUBLIC USE ACCESS EASEMENT IF THE DISCLAIMER IS FOR FORMER RIVERBED.

APPLICANT(S) SIGNATURE:  DATE: October 10th 2019



43 degrees 38'07.0"N; 116 degrees 14'34.9"W

 Ada County Assessor

R2734520934 Search...

Description
510 E 41ST ST GARDEN CITY, ID 83714-0000
[View in the Assessor Online Property System](#)

Details

Parcel Number
R2734520934

Zoning Code
C-2

Tax Code Area
06

Total Assessed Value
1305200

Assessed Acres
1.189

Property Tax Year
2023

Parcel Type
Bare Land

Address
510 E 41ST ST GARDEN CITY, ID 83714-0000

Assessor ID
PAR #0934 OF SEC 32 4N 2E AND OF LOT 8
BLK 16 FAIRVIEW ACRES SUB NO 03



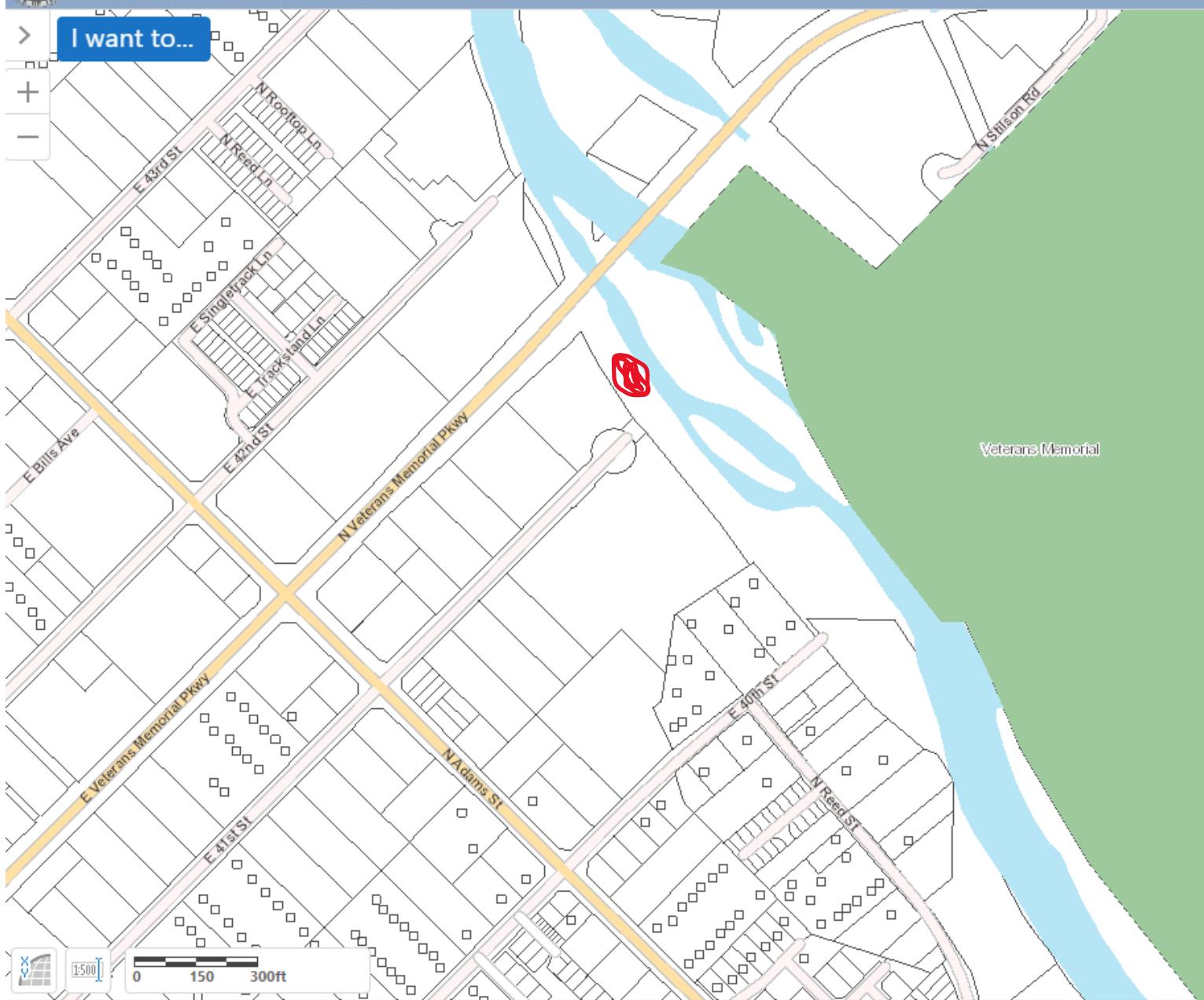
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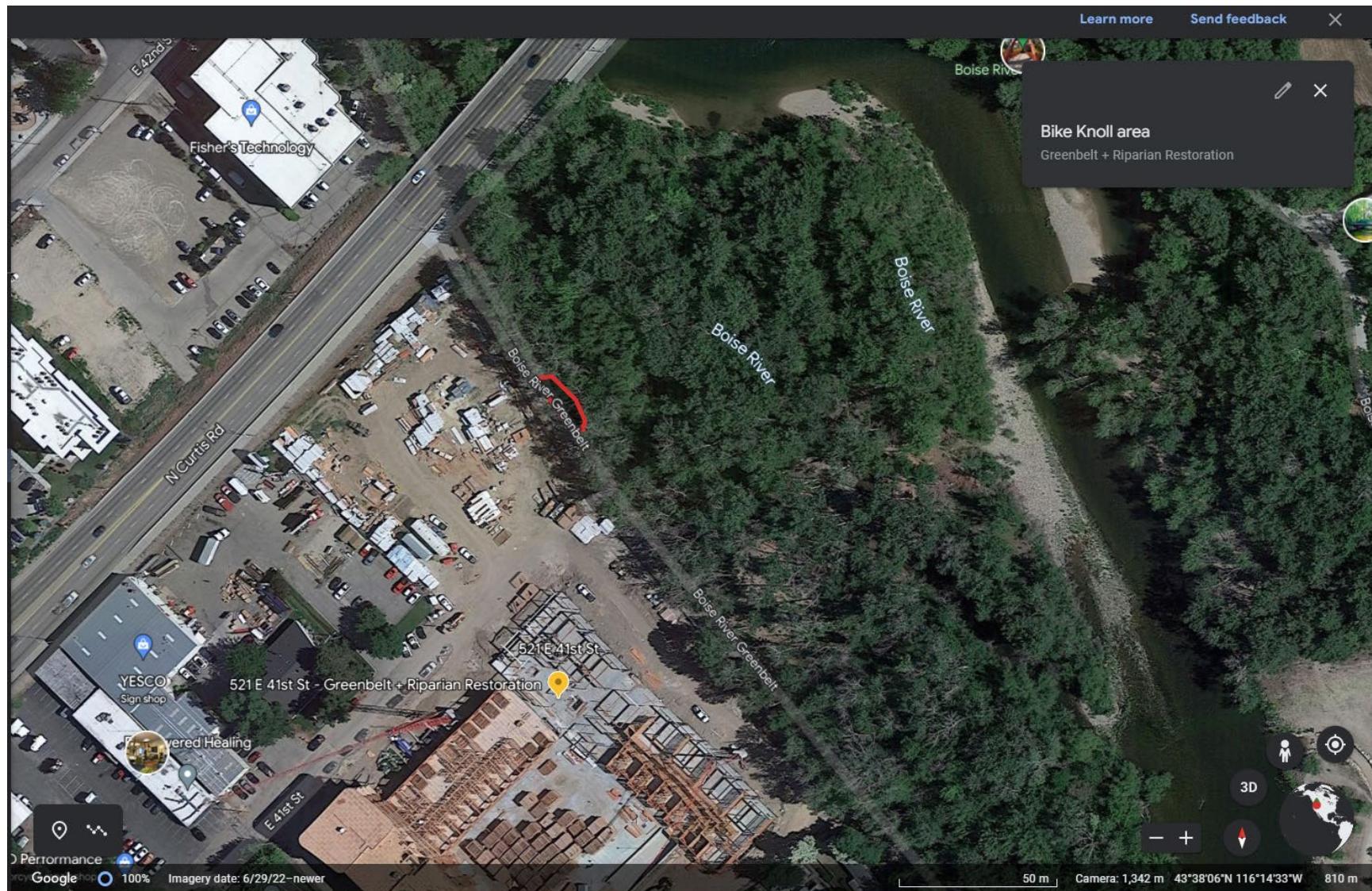
Layers R2734520934

0 10 20ft



> I want to...





Conditional Use Permit (CUP) Application – Garden City – Bike Knoll Project Proposal
COMPLIANCE STATEMENT

Vida Properties LP is proposing to build a Bike Knoll, located off the Greenbelt in front of The Boardwalk Apartment Homes in Garden City, Idaho. At approximately 120 feet long and 30 feet wide (at its greatest point), this 2450 square foot will project, known as the Bike Knoll, will provide Boise Greenbelt users eight (8) hoop bike racks, a drinking foundation with an extra watering spout, a dog waste station, gas lamps, and benches to rest and enjoy the beautiful Boise River scenery. The Bike Knoll's proposed location will alleviate congestion and increase circulation of pedestrian and cyclist Greenbelt users between the underpass of Veteran's Memorial Parkway and 41st street. Located directly adjacent to the Greenbelt, above the high water mark, and across from The Boardwalk development's public restaurants/retail storefronts, this high quality design and landscaping serves as a unique attribute of the neighborhood, creating a sense of place and destination through the beautification and improvement of the widened path and existing & future Riparian restorative efforts along the River (See attached IDL Land Use Permit LU600431 and JAFF - Riparian Restoration Phases 1&2 application).

It will be a place for city residents to engage with the community's offerings while enhancing the City's aesthetic features and promoting the health and safety of residents and tourists. The overall effort of the Bike Knoll development encourages courtesy and respect among Greenbelt users, with the needs of recreational users taking priority over commuter cyclists. The use is supported by adequate public facilities or services including water/sewer, schools, roads, parks, transit, fire protection and police protection.

The use of the Bike Knoll will positively affect the health, safety, and welfare of the community. This project will promote the use of the Boise River Greenbelt which will inadvertently increase the number of shoppers/restaurant goers at various business locations along the Greenbelt path in Garden City. It will serve various needs of the public, such as providing a place for dog waste to be adequately discarded, a place for cyclists to lock-up their bikes and enjoy the restaurants/retail stores located at The Boardwalk, and for Greenbelt users to stop to rest on a bench, or replenish with a clean water source, ultimately minimizing congestion/decreasing traffic on the Greenbelt.

The use of this project supports various goals on Garden City's Comprehensive Plan, including:

- (2.1-2.4) The encouragement of new and distinctive neighborhoods: This feature increases pedestrian circulation, maintains high quality features and design to include a water foundation, and creates a sense of place and destination "at The Boardwalk on the River". The Bike Knoll structure is in coordination with the existing and future efforts to restore the adjoining Riparian area and the current development underway known as The Boardwalk on the River Apartment Homes. These elements, in addition to pedestrian and bicycle needs, landscaping and trees are consistent in design reflecting the "garden" in Garden City.
- (5.4-5.8) The use of this project provides a buffer to protect the Greenbelt, Wetlands and River while increasing the accessibility to the River and Greenbelt maintaining an area for walkers to enjoy the path and community offerings and a location to help regulate pet waste. The Bike Knoll project aligns with City plans for the future of the Greenbelt Pathway and the Boise River, acknowledging an increase in the attraction of the Greenbelt and mitigating conflicts to further maintain compatibility among users through wider Greenbelt sections at congestion points, creating pedestrian and bicycle friendly connections.

It would be ideal to start the construction of this development as soon as possible and during the continued construction of The Boardwalk's Phase 2 – North facing building which is scheduled for completion in January 2024. Building the Bike Knoll at this time will mitigate any concern of noxious uses, noise, vibration, etc. for adjacent properties or the surrounding community.

2.1 Objective: Encourage new and distinctive neighborhoods. → Increases Pedestrian circulation, including sidewalks and trails, with inter and intra connectivity; Encourages high quality design and landscaping, including the use of water features, in new development; Creates distinctive neighborhoods through defining the unique attributes of the individual neighborhood, the incentives needed to encourage those characteristics, and the design, architecture and development standards to guide future development.

2.3 Objective: Promote quality design and architecturally interesting buildings. → site and building designs that create a sense of place and destination;

2.4 Objective: Create a vision for the design of all streets and highways consistent with city's urban setting. → Proactively develop new streetscape standards that are distinctive to the Garden City built environment. The standards should apply to state highways, major arterials, collectors, local streets, and alleys. The standards should reflect the characteristics of the street, the neighborhood and adjacent land uses. Such planning should be in coordination with future development or redevelopment. The elements in the street standards should be as follows: adjacent land uses; vehicular, pedestrian and bicycle needs; lighting; landscaping and trees. Improve the city's gateways with consistent design treatment reflecting the "garden" in Garden City including signs, landscaping and public art. Consider gateway treatment at all entrances into the city.

4.1 Objective: Beautify and landscape. → Improve the landscaping standards for all new development. The standards should address minimum size, plant materials, maintenance requirements, irrigation, and landscape design that complement the urban environment.

4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art. → for new development to provide detached sidewalks with parkways.

5.4 Objective: Develop a river walk. → urban uses in limited locations along the river with setbacks and buffers that protect the greenbelt, wetlands, and river.

5.5 Objective: Create more accessibility to the Boise River and Greenbelt. → Inventory opportunities for public purchase or easements that add to the greenbelt, and coordinate with local advocacy groups.

5.6 Objective: Protect wildlife habitat associated with the river. → Maintain portions of the greenbelt as gravel paths for walkers only. Enforce leash laws and pet waste regulations.

5.7 Objective: Maintain and protect the Greenbelt Pathway. → Support efforts to encourage courtesy and respect among greenbelt users, with the needs of recreational users taking priority over commuter cyclists. Consider licensure of bicycles, more volunteers, and police presence on the greenbelt.

5.8 Objective: Plan for the Future of the Greenbelt Pathway and the Boise River. → Acknowledge the increasing attraction of the Greenbelt and potential conflicts for II types of users: river-related activities, maintenance, recreation bicyclists and walkers, other wheeled device users, and commuters. Plan for the future to maintain compatibility among users through signage, shielded lighting, wider greenbelt sections at congestion points, delineation lines, and enforcement, including off-hour use.

7.1. Objective: Create pedestrian and bicycle friendly connections.

7.2 Objective: Promote public transportation along State, Chinden, Glenwood and Adams with stops in neighborhoods and with pedestrian and bicycle connections to major city destinations including schools. → pedestrian amenities such as wide sidewalks, benches, public art and decorative paving.



SURVEY RECORDING SHEET

Digital Image of Survey Available in Separate System

SURVEY NO.

13080

NAME OF SURVEY

Idaho Department of Lands Disclaimer Survey

SURVEYOR

James R. Washburn

AT THE REQUEST OF

The Land Group

COMMENTS

S 1/2 SEC 32 T4N R2E
NE 1/4 SEC 5 T3N R2E