

## POTENTIAL CONDITIONS FOR APPROVAL DECISION

1. Approval of this application is for:
  - a. Approval of the Zoning Code Amendment.
  - b. Approval of rezoning the subject property from R-2 Low Density Residential to The Residences at River Club District/ DA
  - c. The approval of the conceptual Master Plan as conditioned
2. Future applications within the area designated by this Specific Area Plan application shall be in conformance with the Residences at River Club District, Development Agreement and in substantial conformance with the conceptual master plan.
3. The ~~revisions to the conceptual Master Plan east end revision and detached sidewalks criteria~~ shall be reviewed by the Design Review Consultants ~~with a DR to be incorporated in the record for the City Council's review of this~~ application.
  - (1) The DR Consultants asked us to develop detached sidewalk criteria for the conceptual master plan, which we have done. **SEE, CONDITION 13.b.xii BELOW.** The DR Consultants did not ask the applicant to return for review by the Consultants. Of course, the design of each phase of the final master plan will be reviewed by the DR Consultants.
  - (2) The applicant is opposed to the DR Consultants' review of the applicant's proposed East Sub-district adjustment prior to City Council. The applicant's proposal is a PZC/City Council matter and is in response to the opposition proposal to move the boundary of the project further west by removing the entire East Sub-district from the project.
4. ~~Documentation of legal ownership shall be approved by the Garden City Legal Department prior to the rezoning of the property.~~

This information has been provided and City Staff has reviewed the records at the Ada County Assessor's office.

5. ~~Any determination that the owner of record has not consented to this application shall nullify approvals.~~

The consent of the owner has previously been provided to the City.
6. The lot must be verified by the city as a legal lot of record or made into a legal lot of record.
7. A subdivision or Minor Land Division must be completed to separate the subject property area from the current parcel.
8. A development agreement shall be approved prior to the third reading and adoption of the rezone ordinance. The purpose of the development agreement will be to adopt the conceptual Master Plan.

9. Each structure required by code and each sub-area must obtain a design review approval prior to construction.
10. Connection to the city of Boise's sanitary sewer collection system must be coordinated with the city of Boise.
11. Required revisions to the Conceptual Master Plan include:
  - a. ~~Extending the publicly accessible bicycle and pedestrian pathway that runs adjacent to the golf course to connect the West Sub-district and the Pierce Park and State Street intersection. The pathway shall also be designed to the subject property's boundaries to allow for a potential future connection to the golf course club house and to the southeast project parameter for a potential connection to N. Fair Oaks Place.~~

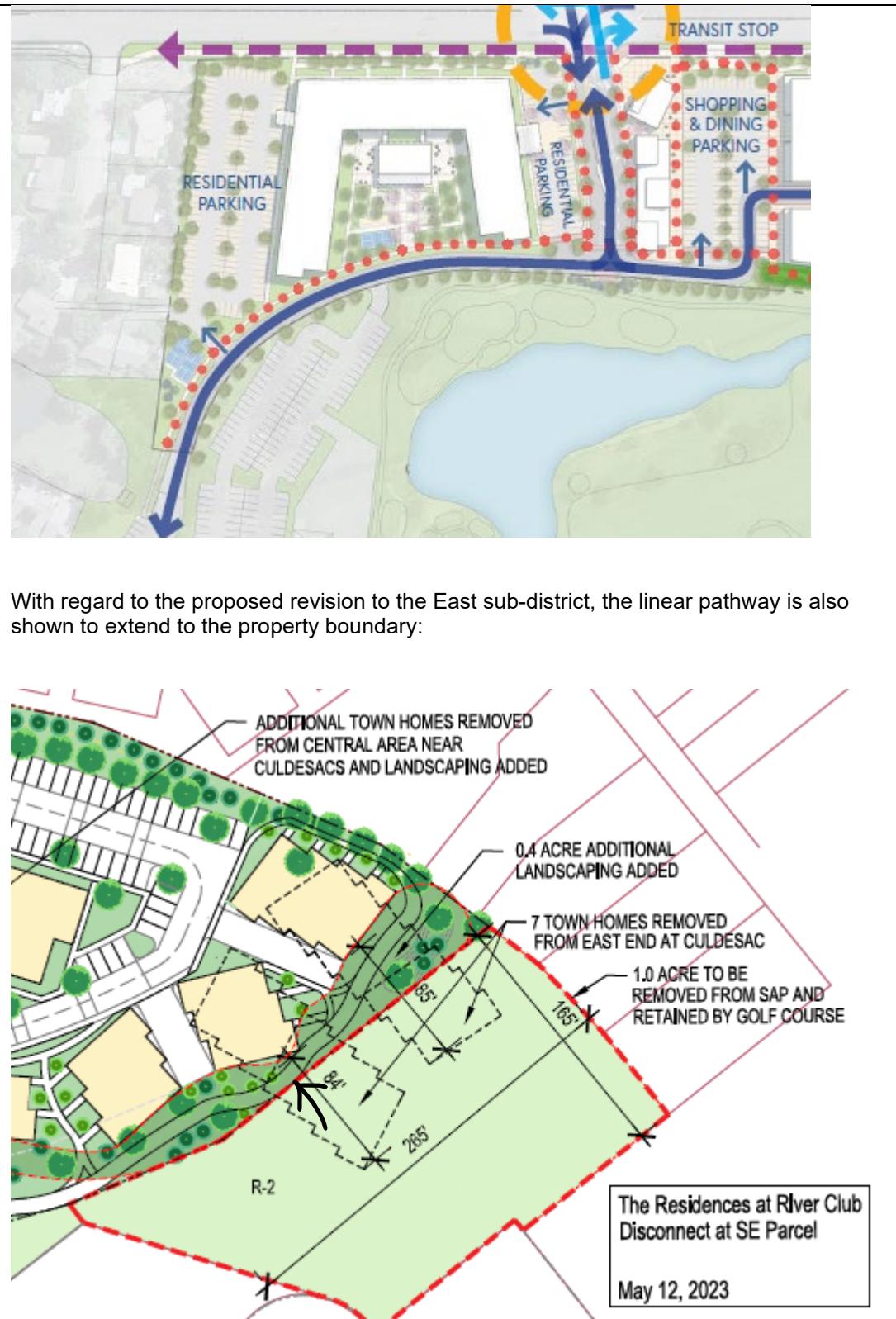
Delete. Based on the conceptual master plan, these connections are already shown. The publicly accessible bike and pedestrian pathway, detached sidewalks and the 10-foot sidewalk with street trees in grates on both sides of Pierce Park show the connection to the West sub-district, the Pierce Park intersection, Savannah Lane, and The River Club.



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APPLICANT RESPONSE TO PROPOSED CONDITIONS OF APPROVAL FOR 5-24-23 PZC HEARING

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- b. The private road through the Central and East sub-districts shall be reviewed at the design review of the sub-districts to ensure that it adequately addresses the Garden

City design consultant's recommendation to increase intuitive function of the traffic flow through the sub-districts to the State Street/Pierce Park intersection.

- c. Design for adequate stacking for left turn movements onto State Street as requested by ACHD.
- d. Vacate the existing right-of-way for Plantation Drive as required by ACHD.
- e. There shall be no unsignalized left turns into or out of the project from State Street, unless determined by Garden City and ACHD at a future date as safe and appropriate.
- f. ~~Extend the multi-use pathway/ linear park to better connect to N. Pierce Park Lane and the East Subdistrict to the pathway and to also allow for a potential future connection to the golf course.~~

Please see comments above for Section 11.a with regard to connection to N. Pierce Park Lane and the East sub-district.

12. A Development Agreement shall be entered into that adopts the Master Plan with the following conditions:

- a. The master plan is conceptual.
- b. The phasing of the development will occur as identified in the master plan.
- c. The pathways shall be consistent or greater in width and landscaping buffering as depicted in the master plan.
- d. The irrigation drain may be piped in sections but shall be daylighted and utilized as an amenity as shown in the conceptual Master Plan. If the waterway amenity is precluded by the drainage district or property owner, an amenity that equally enhances the linear park shall be provided. Any revisions to the proposed amenity shall be reviewed with the future review of the West sub-district. If the waterway amenity is constructed, permission from the off-site property owner allowing for the construction of the off-site improvement shall be provided.
- e. No vehicular access shall be allowed onto a public right-of-way unless approved and according to the Ada County Highway District standards.
- f. The setbacks for any type of encroachments including but not limited to walls, bushes, artwork, etc. must be at least 18" from any sidewalk or multi-use path to not create shy space into the usable area of the sidewalk/path.
- g. Easements required to enact the Final Master Plan:
  - i. Shall be provided as required by the City Engineer, Development Services Staff, or this decision.
  - ii. Shall be recorded with Ada County Land Records.
  - iii. Shall be provided to Garden City once recorded.
  - iv. Shall define the grantee and adequate information to depict the location of the easement such as a legal description and illustration.
  - v. Shall be unobstructed unless otherwise specified.
  - vi. At a minimum, include easements for the following:
    - 1. Public utilities
    - 2. Water and sewer
      - a. If not otherwise designated by the City Engineer the total easement width shall not be less than ten feet (10'), with twelve feet (12') recommended, front and rear, with at least twenty feet (20') required for water and sewer easements for main lines.
    - 3. Drainage
    - 4. Public connections to and from the public rights-of-way and pathways, including but not limited to existing users of Plantation Drive connecting to State Street.

[Redacted]

- 5. Public 12-foot, for a minimally 10-foot -wide concrete multiuse bicycle and pedestrian) pathway along State Street.
- 6. Publicly accessible 12-foot easement, for a minimally 10-foot -wide multi-use (bicycle and pedestrian) pathway that runs along the southern boundary of the subject property.
  - a. The term publicly accessible shall be defined to mean that the easement shall be perpetual and allow for public access with minor identified exceptions such as closures after customary travel hours.
- h. New water and sewer services, and site grading and drainage must be provided for review and approval by the Garden City Public Works Department.
- i. Should any connections be made to the Boise City sanitary sewer collection system, review and approval by Boise City Public Works must be provided.
- j. The alignment of N. Pierce Park Lane shall reflect ACHD's 99% design plans for the intersection ~~coincide with the realignment to be conducted by ACHD at State Street~~.
- k. The bus stop amenities as outlined in the conceptual master plan are a requirement of the infrastructure to be installed as part of the master plan.
- l. The design and location of the proposed bus stop must be approved by Valley Regional Transit prior to construction.
- m. The phasing for the removal of the current bus stop and the installation of the proposed bus stop shall be coordinated with VRT and included in the phasing plan.
- n. Private roads shall provide street names and stop sign signage.
- o. The construction of roadway projects shall be coordinated with Ada County Highway District.

13. Prior to the adoption passing of the Specific Area Plan ordinance: The Residences at River Club SAP District Ordinance, revisions to the proposed code shall be made to:

- a. Provide any clarifying or clerical language that does not change the intent of the approved provisions.
- b. Make clear the following concepts are incorporated:
  - i. Add a new chapter to Garden City Code 8-8 Specific Area Plan Ordinances.
  - ii. Amend proposed code to be consistent with a new article of Garden City Code 8-8 Specific Area Plan Ordinances rather than the current proposal of including the proposed SAP in a new title 11.
  - iii. Add Garden City Code Sustainability and Nonconforming regulations by reference.
  - iv. Add Language: Accesses onto public roads shall comply with the requirements of the Transportation Authority.
  - v. Add Language: Specific Area Plan: The Residences at River Club District Ordinance shall supersede if in conflict with The Residences at River Club District Master Plan.
  - vi. Add Language: A variety of housing for the project shall be provided at a rate of at least 5% from each of two or more of the categories of universal design, studio, or one bedroom units.
  - vii. Pressurized Irrigation: utilize term "shall" rather than "may;" delete word "proposed".
  - viii. Amend Language: Remove word "potentially" and define "active adult" or change term to multi-family in regulations in the district's language.
  - ix. Add Language: Design must meet "design character" as identified in the adopted master plan.

x. Office: language to require centrally and unique is needed.

Revise to state the language requested by the DR Consultants: "A property management office centrally located, identifiable, and distinct as office space open to the public during business hours."

xi. Single family attached: Connection to sidewalk rather than drive-aisle needs clarified.

The DR Consultants wanted to confirm the townhome connection. We confirmed for the DR Consultants that all townhomes will be connected to a paved pedestrian walkway and also to the path in the linear park south of the townhomes.



xii. Add language: Detached sidewalks are required to allow for landscaping and street tree buffer. Detailed criteria can be added to identify when a different solution is appropriate.

We will adjust the language to capture that detached sidewalks will be provided:

- Along State Street - 10'
- North side of the east-west street going west from Pierce Park - 5'
- West side of the north-south street from the east access on State Street - 5'

A minimum 10' attached sidewalks, with street trees in grates, will be constructed on Pierce Park's east and west sides and between Pierce Park and the parking lot at the rear of the commercial buildings fronting Pierce Park.

All other sidewalks for internal circulation will not be detached.

- xiii. Amend language: Add criteria for roof signs or maintain as prohibited.
- xiv. Amend language: Maintain Electronic Message Boards as prohibited or with a master sign plan approval.
- xv. Add language to require the integration of signage with the architecture.
- xvi. Amend language for perimeter screening: remove the allowance for vinyl fencing and add wrought iron as an alternative.
- xvii. Amend language in tree mitigation to require mitigation for trees equal to or less than 4" in diameter.
- xviii. Amend language that will allow for private open space to provide for an aggregate of private open space within the project.
- xix. Amend language for open space to state that common open space areas shall not be adjacent to a collector or arterial street unless separated from the street by a constructed barrier of at least two feet (2') in height and an additional landscape buffer that incorporates shrubs and trees.
- xx. Amend language for open space to remove the word "interior."
- xxi. Amend language for pedestrian walkways to clarify when it is appropriate for pedestrian pathway (concrete or paved) to be considered open space, while precluding sidewalks from the open space calculations that are adjacent to public streets or primary private streets.
- xxii. Amend language for parking to provide a definition for active adult if it will be utilized as standard.
- xxiii. Adopt parking by reference, or incorporate the city's adopted parking, except for the proposed residential and bicycle parking standards:

Use	Total Required Vehicle Parking Spaces Per Dwelling Unit	Required Covered Vehicle Parking Spaces Per Dwelling Unit	Required Covered Bicycle Spaces Per Dwelling Unit
<b>Dwelling, multi-family:</b>			
Up to 1 bedroom	1	.5	.5
2+ bedrooms	2	.5	.5
Age Restricted	1	.5	.5
Dwelling, single-family detached	2	2	n/a
Dwelling, townhouse:	2	2	n/a
<b>Guest Parking</b> For developments with more than 2 dwelling units there shall be 0.5 additional vehicle parking spaces/unit provided for guest parking for the first 10 dwelling units. There shall be 0.1 parking spaces/unit provided for guest parking for every unit after the first 10 units.			

- xxiv. Amend language for bicycle connectivity standards to require connectivity to the boundary of public right-of-way.
- xxv. Amend language setback language to clarify that the setbacks are reduced from parking areas only.
- xxvi. Add language that the setbacks for any type of encroachments including but not limited to walls, bushes, artwork, etc. must be at least 18" from any sidewalk or multi-use path to not create shy space into the usable area of the sidewalk/path.
- xxvii. Amend language to identify that the multi-use path on State Street shall be 10' in width.
- xxviii. Amend language within code that refers to bicycle routes and lanes to be consistent with the Institute for Traffic Engineers (ITE) definitions.
- xxix. Provide a clearer Image of the conceptual Master Plan area for codification.
- xxx. Add Language: The design of structures and amenities must be comparable compatible with "Design Objectives" and "Design Character" as identified in the conceptual master plan.
- xxxi. Adjust the requirement that parking cannot be within 40' of a corner to be state that parking cannot be within 25' from where two travel ways adjoin.