



## ZONING MAP AMENDMENT (REZONE) APPLICATION

Permit info: \_\_\_\_\_  
Application Date: \_\_\_\_\_ Rec'd by: \_\_\_\_\_  
FOR OFFICE USE ONLY

Amendment  
10.23.2023  
ZONFY2023-0002

6015 Glenwood Street • Garden City, ID 83714 • 208.472.2921  
• [www.gardencityidaho.org](http://www.gardencityidaho.org) • [building@gardencityidaho.org](mailto:building@gardencityidaho.org)

APPLICANT	PROPERTY OWNER
Name: Chad Weltzin	Name: Michael Talbott, Vida Properties
Company: erstad Architects	Company: Crispy Investments; 408 E 40th / 507 E 41st, Parlay Investments; 508 E 40th Chop It Up Investments LLC; 411 E 43rd St Smokestack Jack; 4044 N Adams St 6 Point Teaser Investments LLC; 510 E 41st St
Address: 310 n 5th street	Address: 750 W Bannock Street, #1743
City: Boise	City: Boise
State: ID Zip: 83702	State: ID Zip: 83701
Tel.: 208.331.9031	Tel.:
E-mail: <a href="mailto:cweltzin@erstadarchitects.com">cweltzin@erstadarchitects.com</a>	E-mail:

### PROPERTY INFORMATION

Site Address: 521 E 41st / 408 E 40th, 508 E 40th, 4044 E Adams, 510 E 41st, 411 E 43rd		
Subdivision Name:	Fairview Acres Sub #3	Lot: Multiple
Tax Parcel Number:	R2734520795/R2734520790, R2734560160, R2734520741, R2734520933, R2734521516	Zoning: R-3
Proposed Use:	Multi-Family	Floodplain: yes <input checked="" type="radio"/> no <input type="radio"/>
Existing Zoning:	R-3	Proposed Zoning: C-2
Existing use:	Multi-Family + Single Family	Proposed use: Multi-Family
Surrounding Zoning:	C-2 & R-3	Surrounding Uses: Mixed Use, Multi-Family, Single Family, Commercial

Is the property proposed to be annexed into Garden City?

YES

NO

How does the proposed zoning map amendment comply with the applicable provisions of the Comprehensive Plan? All listed properties are within the region identified as a Neighborhood/Destination Activity Node in the Future Land Use Map and are labeled 'Mixed Use Residential'

How does the proposed zoning map amendment comply with the regulations outlined for the proposed zoning district? The C-2 zone outlines uses such as mixed-use and residential. Given their location and adjacency to existing C-2 parcels these properties would be compatible

**How does the proposed zoning map amendment affect the public health, safety, and welfare of the community?**

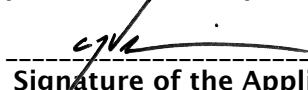
Granting this zoning change will not create any nonconformities and will not affect the public health, safety, and welfare of the community

**Does a zoning map amendment result in an impact upon the delivery of services including, but not limited to, school districts, utilities, fire safety, school districts, etc?**

YES

NO

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.



10.23.2023

Signature of the Applicant

(date)



10.23.2023

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:**

N/A	<input checked="" type="checkbox"/> Compliance Statement and Statement of Intent
	<input checked="" type="checkbox"/> Preliminary Title Report
	<input checked="" type="checkbox"/> Neighborhood Map
	<input checked="" type="checkbox"/> Master Plan
	<input checked="" type="checkbox"/> Site Plan
	<input checked="" type="checkbox"/> Topographic Survey
N/A	<input type="checkbox"/> Natural Hazard and Resources Analysis
N/A	<input type="checkbox"/> Dedications and Easements
	<input checked="" type="checkbox"/> Affidavit of Legal Interest
	<input checked="" type="checkbox"/> Waiver Request of Application Materials



## **PLEASE CHECK THE FOLLOWING:**

### **INFORMATION REQUIRED ON COMPLIANCE STATEMENT AND STATEMENT OF INTENT:**

- Statement explaining how the proposed structure(s) is compliant with the standards of review for the proposed application
- Should include purpose, scope, and intent of project
- N/A  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 FOR PRELIMINARY TITLE REPORT:**

- Document confirming property has been purchased contingent to approvals by city and other agencies
- Document should confirm if there are liens on property and if there are other issues with title
- Document typically generated by lender or title company

### **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')
- N/A  Impact of the proposed siting on existing buildings, structures, and/or building envelopes

### **INFORMATION REQUIRED ON MASTER PLAN:**

- N/A  The master plan is a plan that includes narrative information and illustrations about the proposal
- N/A  The required narrative information shall be as follows:
  - a. Description of the vision for the Master Plan area, including design guidelines, land uses and phasing of development
  - b. A range of square footage, density, site coverage, and locational distribution of land uses;
  - c. Description of a circulation plan for autos, bicycles, transit, and pedestrians within the site and to other off site systems including the Boise River Greenbelt and other waterways
  - d. Description of the amenities within the site including both natural and manmade
  - e. Description of the general mass, scale, and character of the buildings
  - f. Summary of general public facility requirements to serve the development; and
  - g. Proposal for incorporation of existing structures in future development plans
- N/A  The required illustrative plans shall be as follows:
  - a. A map showing property dimensions and legal description
  - b. A map showing existing and proposed building footprints
  - c. A map showing the circulation system including streets, alleys, parking, pedestrian walkways and linkages both within and outside the district.
  - d. A diagram showing development parcels, maximum unit densities, site ingress and egress, and relationship of development to public amenities, public facilities, and/or open site areas
- N/A  A section showing the relationship of the buildings, public spaces and the street edge to adjacent properties

**INFORMATION REQUIRED ON SITE PLAN:**

- 24" x 36" size minimum
- N/A Scale not less than 1" = 20'), legend, and north arrow.
- Property boundary, dimensions, setbacks and parcel size.
- N/A Location of the proposed building, improvement, sign, fence or other structure, and the relationship to the platted building envelope and/or building zone
- N/A 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
- N/A 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
- N/A 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.
- N/A For uses other than a drive-through, the site plan shall demonstrate safe vehicular access as required in 8-4E-4
- N/A Driveways, access to public streets, parking with stalls, loading areas.
- N/A Sidewalks, bike and pedestrian paths.
- N/A Berms, walls, screens, hedges and fencing.
- N/A Location and width of easements, canals, ditches, drainage areas.
- N/A Location, dimensions and type of signs.
- N/A Trash storage and mechanical equipment and screening.
- N/A Parking including noted number of regular, handicap and bike parking as well as dimensions of spaces and drive aisles depicted on plan
- N/A Log depicting square footage of impervious surface, building and landscaping
- N/A Location and height of fences and exterior walls
- N/A Location and dimensions of outdoor storage areas
- N/A Location of utilities and outdoor serviced equipment and areas
- N/A Location of any proposed public art
- N/A Location of any proposed exterior site furniture
- N/A Location of any exterior lighting
- Location of any existing or proposed signage

**INFORMATION FOR TOPOGRAPHIC SURVEY:**

- The topographic map is a map of the application site and adjoining parcels prepared by an engineer and/or land surveyor, and at a scale of not less than one inch (1") to twenty feet (20'). If the site has been known to have been altered over time, then the applicant shall provide evidence of the natural topography of the site.

**INFORMATION FOR NATURAL HAZARD AND RESOURCES ANALYSIS:**

Waiver  
Requested

- Prepared by a licensed engineer
- The natural hazards and resources analysis shall provide an inventory and recommendation regarding natural conditions existing on the site.
- The analysis shall include: significant natural resources existing on the site shall be identified including vegetation; fish and wildlife habitat; and water, including streams and riparian zones. A plan for preservation and/or mitigation of significant resources should be prepared by a qualified professional.
- For subdivisions within a floodplain: Detained information on the nature, source, and extent of the hazard and the proposed actions to minimize or

**eliminate danger to public health, safety or property. The analysis shall include the following information:**

- a. The location of existing water channels and drainage ways, floodway, flood plain and base flood elevation
- b. The location of all planned improvements including dams, dikes, and similar structures
- c. All planned diversions, alterations or rerouting of channels and drainage ways.

**INFORMATION FOR DEDICATIONS AND EASEMENTS:**

The statement of intent for dedications and/or easements shall include the location, size, dimensions, and purpose.

**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.



*different* is good

## Zoning Change Request

09.12.2023 [amended 10.23.2023]

### Parcels:

- R2734520790 / R2734520795, 521 E 41<sup>st</sup> Street & 408 E 40<sup>th</sup> Street, Crispy Investments LLC\*
- R2734560160, 508 East 40<sup>th</sup> Street; Parlay Investments LLC
- R2734520741, 4044 North Adams Street; Smokestack Jack LLC  
Garden City, ID 83714
- R2734520933, 510 E 41<sup>st</sup> Street; 6 Point Teaser Investments LLC
- R2734521516, 411 E 43<sup>rd</sup> Street; Chop It Up Investments LLC

\* Parcels R2734520790 and R2734520795 were consolidated in 2021 via ROS 13033, but the Ada County Assessor's GIS mapping still shows them as separate parcels, so we are unaware what the new parcel number will be. For the purpose of this application, we are calling this parcel R2734520790 / R2734520795.

### ***Letter of Intent & Compliance Statement***

Dear Planning & Zoning Commission,

We are requesting a zoning change for three parcels between 40<sup>th</sup> and 41<sup>st</sup> Streets, and between Adams Street and the Boise Greenbelt. Currently this block contains a mixture of parcels zoned C-2 and R-3. In fact, one of the lots (R2734520790 / R2734520795) has a change of zoning mid-way through the parcel. We request to convert each of the identified parcels from R-3 to C-2 zoning. Each parcel is adjacent to and contiguous with other parcels that are already zoned C-2, so this request would not create spot zoning.

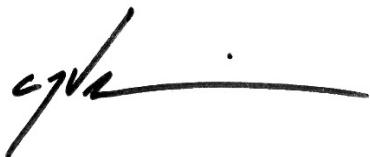
The purpose of our request is to have the flexibility to achieve higher densities than are allowed under R-3 zoning, and to create a more cohesive neighborhood with uniform dimensional standards. The parcels in question are all part of the greater Boardwalk development.

10.23.2023 amendment: The City has proposed incorporating a Development Agreement. We also wish to include the parcels at 510 E 41<sup>st</sup> Street (R2734520933) and 411 E 43<sup>rd</sup> Street (R2734521516, which currently spans two zones) in the Development Agreement.

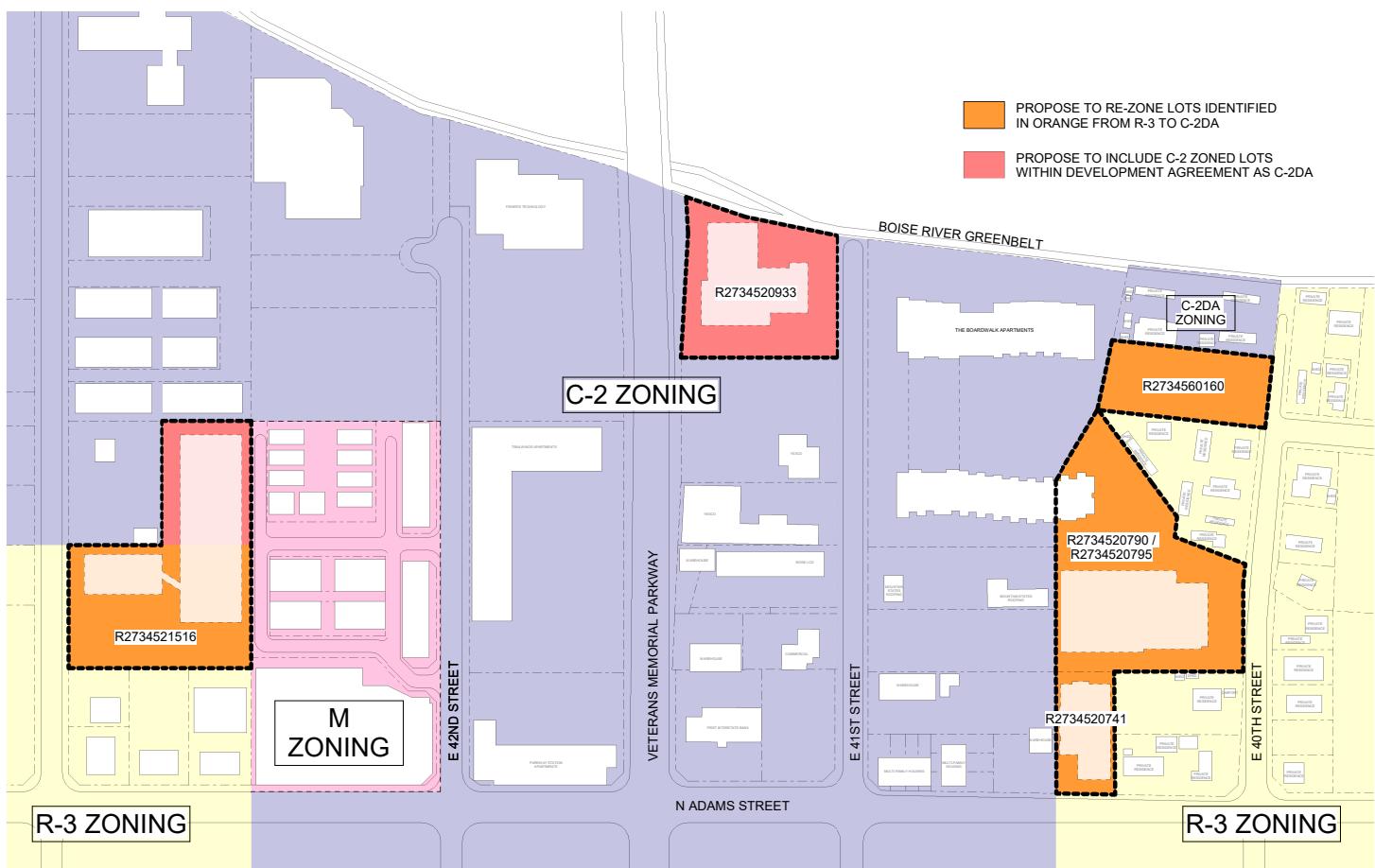
This zoning request is in keeping with the Garden City Comprehensive Plan. This area is designated Mixed-Use Residential, as well as a Neighborhood/Destination Activity Node. If granted, this zoning change will help achieve greater density and a mix of uses which, in turn, will promote greater use of public transit. It will also lead to a more cohesive neighborhood.

To our knowledge, granting this zoning change will not create any nonconformities. In fact, it will eliminate some confusion surrounding certain existing atypical conditions (such as the Boardwalk Apartment building that currently spans two different zones).

Thank you for your consideration.



Chad Weltzin, Principal





neighborhood map  
A0.1

rezone application  
R2734520790/R2734520795, R2734520741, +  
R2734560160, + R2734520933, +  
R2734521516

revision:  
no. desc. date

project: 230701  
date: 10.23.2023  
drawn:  
checked:

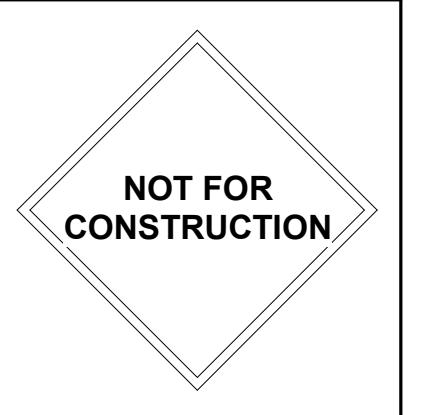
rezone  
application

neighborhood map  
A0.1

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rezone application  
R2734520790/R2734520795, R2734520741, +  
R2734560160, + R2734520933, +  
R2734521516

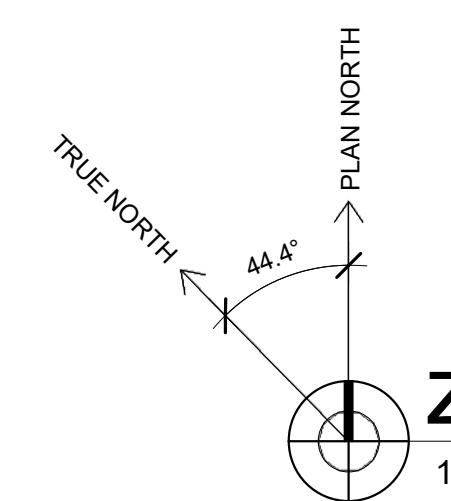
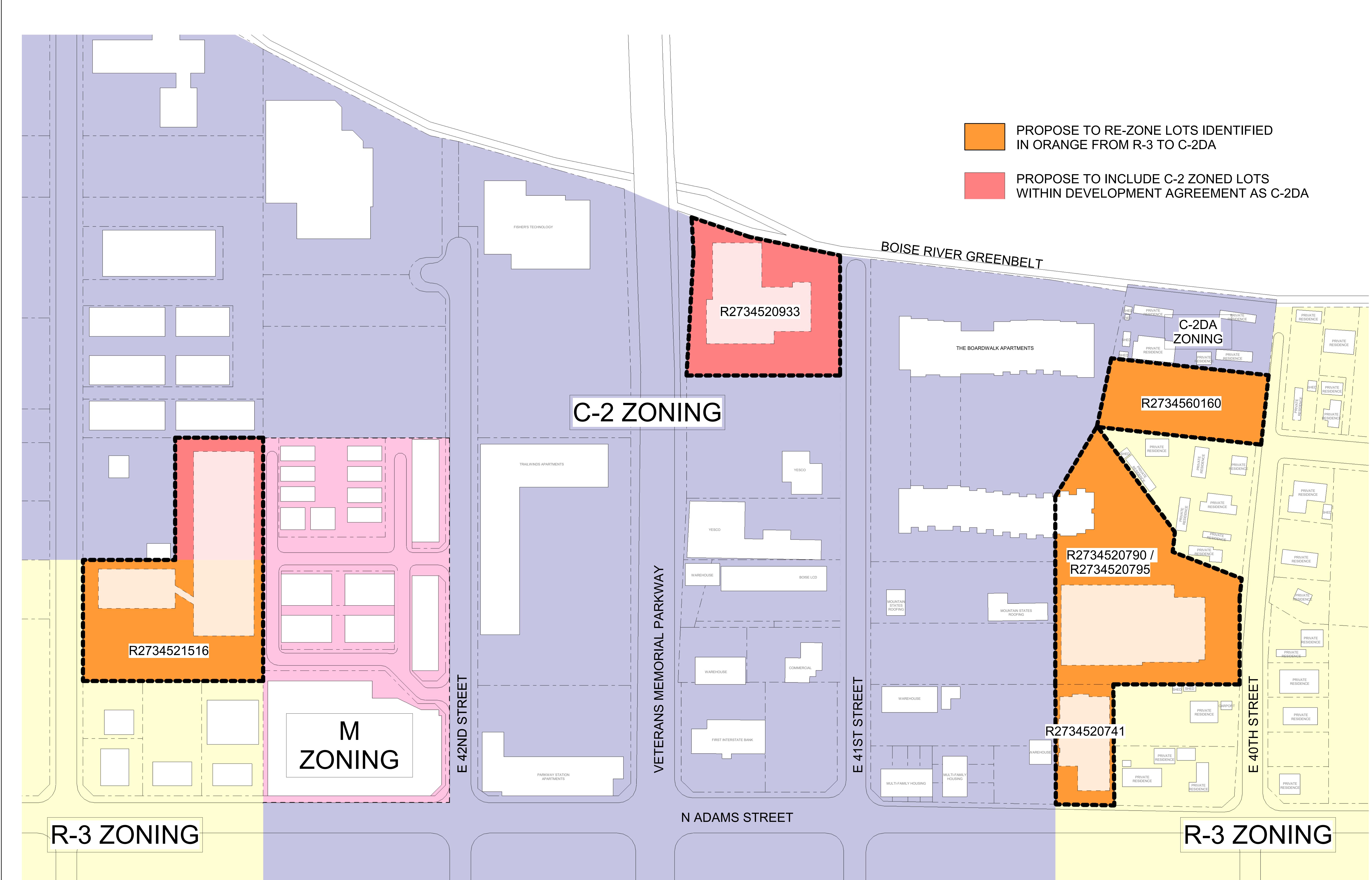
revision:  
no. desc. date

project: 230701  
date: 10.23.2023  
drawn: Author  
checked: Checker

rezone  
application

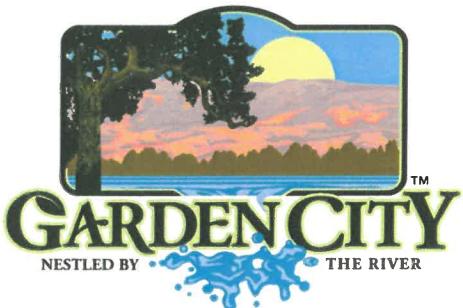
zoning map  
/ site plan

A1.0



zoning map

1" = 60' 0"



6015 Glenwood Street • Garden City, Idaho 83714  
Phone 208 - 472-2921 • Fax 208 - 472-2926 •  
[www.gardencityidaho.org](http://www.gardencityidaho.org)

## Affidavit of Legal Interest

State of Idaho )  
                  )SS  
County of Ada )

I, 6 POINT TEASER INVESTMENTS LLC (c/o Michael S. Talbott), 750 W Bannock Street, #1743  
Name (must be primary owner as noted in Ada County Assessor's records) Address

Boise, ID, 83702  
City State and Zip

Being first duly sworn upon oath, depose and say:

1. That I am the record owner of the property described on the attached, and I grant my permission  
to Erstad Architects, 510 East 41st Street, Garden City, ID 83714  
Name (applicant) Project Address  
to submit the accompanying application pertaining to that property.
2. I agree to indemnify, defend and hold the City of Garden City and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.
3. I hereby grant permission to City of Garden City staff to enter the subject property for the purpose of site inspections related to processing said applications.

Dated this 28th day of July 20 21

Michael Sattler

**Signature (must be primary owner, registered agent, or otherwise have legal authority to sign on behalf of primary owner)**

Subscribed and sworn to before me the day and year first above written

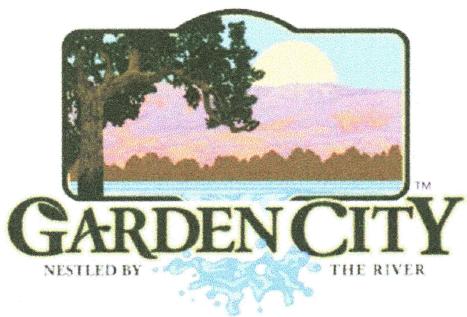
Notary Public for Idaho

SYNTHIA WALDEN  
NOTARY PUBLIC - STATE OF IDAHO  
COMMISSION NUMBER 20181534  
MY COMMISSION EXPIRES 8-16-2024

Notary Public for Idaho

Residing at: 2106 Myers Pl Boise ID 83705

My Commission expires \_\_\_\_\_



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[www.gardencityidaho.org](http://www.gardencityidaho.org)

## Affidavit of Legal Interest

State of Idaho )  
 )SS  
County of Ada )

I, Michael S. Talbott, Chop It Up Investments LLC, 750 W. Bannock Street, #1743  
Name Address  
Boise Idaho, 83702  
City State and Zip

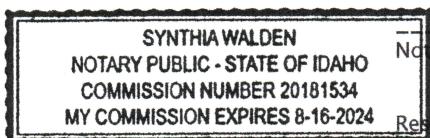
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to \_\_\_\_\_, \_\_\_\_\_  
Name \_\_\_\_\_, Address \_\_\_\_\_  
to submit the accompanying application pertaining to that property.
2. I agree to indemnify, defend and hold the City of Garden City and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.
3. I hereby grant permission to City of Garden City staff to enter the subject property for the purpose of site inspections related to processing said applications.

Dated this 20th day of May, 2020

-----  
Signature

Subscribed and sworn to before me the day and year first above written



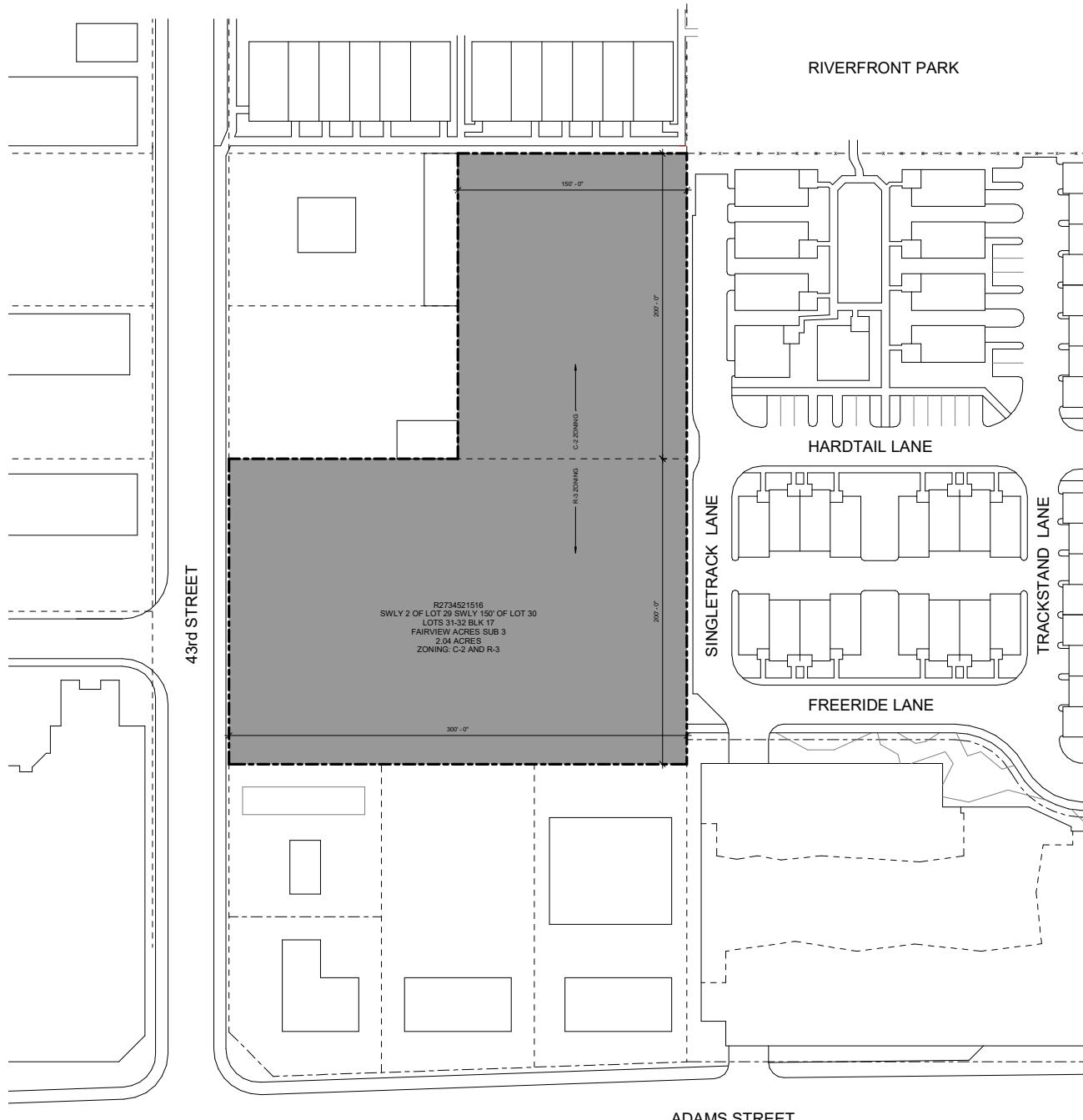
Notary Publics for Idaho

Residing at

My Commission expires

1 of 1

04-13-18



NORTH