



DEVELOPMENT SERVICES DEPARTMENT

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DESIGN REVIEW REPORT AND DECISION

File Number: DSRFY2025 - 0008

Review Status: INITIAL REVIEW- NOT APPROVED

Plan Review Number: 1

Reviewer: Hanna Veal

Design Consultant: Brett Labrie

Design Consultant: Derek Hurd

Date: November 3, 2025

Applicant: Zach Turner



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SITE INFORMATION

- 1) Owner: BOISE BIBLE COLLEGE INC
- 2) Street Address: 8695 W Marigold St.
- 3) Ada County Tax Parcel Number(s): S0525233602
- 4) Property Description: PAR #3602 OF W2NW4 SEC 25 4N 1E #233600-B #7923556
- 5) Legal Lot of Record: Yes
- 6) Property Size: 16.320 acres
- 7) Zoning District: R-3 Medium density residential
- 8) Comprehensive Plan Land Use Map Designation: Residential Medium Density
- 9) The project is in the:
 - a) Outside 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) Outside of the Special Flood Hazard Area according to FEMA's most recent model as adopted by resolution 1083-20.
- 10) Adjacent Uses:
 - a) Dwelling unit, single family attached
 - b) Dwelling unit, single family detached
- 11) Existing Use: School
- 12) Easements on site:
 - a) Boise Bible College - water and sewer easement
- 13) Site Access:
 - a) Front: Marigold St.
- 14) Sidewalks: Sidewalks are installed and are in good repair
- 15) Wetlands on site: None identified

PROJECT INFORMATION

- 1) Proposed development: New construction
- 2) Noticing letter was sent on: September 5, 2025
- 3) The neighborhood meeting was held on: September 22, 2025
- 4) Site Coverage: 369,577 SF
 - a) Building: 63,300 SF (17%)
 - b) Landscaping: 151,386 (41%)
 - c) Paved Areas: 149,835 SF (41%)
 - i) **Phase 1 (Parcel 2): 151,414 SF**
 - (1) Building: 31,650 SF (20.9%)
 - (2) Landscaping: 46,010 SF (30.4%)
 - (3) Paved Areas: 71,298 SF (47.1%)
 - ii) **Phase 2 (Parcel 3): 151,841 SF**
 - (1) Building: 31,650 SF (20.8%)
 - (2) Landscaping: 54,856 SF (36.1%)
 - (3) Paved Areas: 62,717 SF (41.3%)
 - iii) **Phase 2 (Parcel 4, Open Space): 66,322 SF**
 - (1) Landscaping: 50,502 SF (76.1%)
 - (2) Paved Areas: 15,820 SF (23.9%)
- 5) Number of Structures: 2
 - a) Number of residential units total: 236
 - i) One-bedroom units: **Unknown**
 - ii) More than one-bedroom units: **Unknown**
- 6) Total number of vehicular parking spaces: 389
 - a) **Phase 1 (Parcel 2): 168**
 - i) Covered: 117
 - ii) Surface: 21
 - b) **Phase 2 (Parcel 3): 170**
 - i) Covered: 119
 - ii) Surface: 51
 - c) Off-site with a cross-parking agreement: 51
- 7) Total number of bicycle parking:
 - a) Enclosed: **Unknown**
 - b) Surface: **Unknown**
- 8) Trash Enclosure: The refuse will be in a common location
- 9) Fencing:
 - a) 6' Tall solid tan vinyl privacy fence
 - b) 4' & 6' tall wrought iron fence
- 10) Sidewalk:
 - a) Existing attached sidewalk to remain along W. Marigold St.
- 11) Connections:
 - a) Closest VRT Stop: ~0.6 miles; N. Glenwood St & Marigold St. NW corner
 - b) Greenbelt: ~0.2 miles

AGENCY COMMENTS

The following agency comments were provided:

Agency	Comment Date	Summary
<p>Ada County Highway District Link to Comment</p>	<p>6/17/2025</p>	<p>Site Specific Conditions of Approval:</p> <ul style="list-style-type: none"> - Repair or replace any damaged or deficient transportation facilities on Marigold Street abutting the site, as determined by ACHD staff. - Utilize the two existing curb return type driveways onto Marigold Street to provide access to the proposed development. <p>Findings for Consideration:</p> <ol style="list-style-type: none"> 1. Traffic Impact Study: At the request of the Garden City and ITD a traffic impact study was prepared for this development. ACHD did not require the traffic study as the proposed development was not anticipated to meet ACHD's threshold policy threshold of 100 new PM peak hour trips that necessitate a study. The study notes that all study area roadways and intersections are anticipated to operate at an acceptable level of service planning threshold with the exception of the Marigold Street/Glenwood Street intersection. ACHD has previously received comments from area property owners regarding the function of the signalized Marigold Street/Glenwood Street intersection, specifically long wait times on Marigold Street. The traffic study notes that each individual turning movement operates at acceptable levels of service, however, the overall intersection exceeds ACHD's acceptable level of service planning thresholds. The TIS recommends the construction of a southbound right-turn lane on Glenwood Street, which is under the jurisdiction of ITD. ACHD has made several changes to the signal to improve wait times on Marigold Street, but they have not been effective due to the high volume of traffic on Glenwood Street. 2. Marigold Street – Planning Level of Service Threshold: The site has frontage on and is proposed to take access from Marigold Street which is classified as a collector roadway. ACHD's Planning Level of Service Threshold policy allows up to 530 vehicle trips in the PM peak hour for a 3-lane collector roadway. Marigold Street has a current traffic count of 391 vehicle trips in PM peak hour, and the proposed development is estimated to generate 92 additional PM peak hour trips. This would total approximately 483 trips, which is below ACHD's level of service planning threshold. 3. On-Site Parking Staff Comments and Recommendations: The applicant's proposal for 338 on-site parking stalls plus the additional 51

		<p>parking spaces at the college exceeds the requirements of the ITE Parking Generation Manual 6th Edition which recommends a total of 269 parking stalls for this development. It is recommended that Garden City approve the proposed amount of on-site parking, as on-street parking is not allowed on Marigold Street.</p> <p>4. Marigold Street Staff Comments and Recommendations: Marigold is fully improved; therefore, no additional street improvements should be required as part of this application.</p> <p>5. Driveways Staff Comments and Recommendations: The applicant's proposal for the two existing driveways to remain to provide access to the site meet District policy and should be approved, as proposed. The applicant's proposal to construct a third driveway onto Marigold Road for this site does not meet District Access Management and Driveway Width policies which limits and controls access to collector roadways and restrict driveways to a maximum width of 36-feet and should not be approved as proposed. Because the site has two existing driveways, the applicant should be required to utilize those driveways to provide access to the proposed development</p> <p>ACHD Planned Improvements</p> <p>1. Capital Improvements Plan (CIP)/ Five Year Plan (FYP):</p> <ul style="list-style-type: none"> - Marigold Street between Garrett Street and Glenwood Street is scheduled in the FYP as a community improvement project which includes establishing a new bikeway corridor. The project may include a variety of treatment types such as wayfinding/ bikeway signage, striping, vertical delineators, etc. with the design year in 2027-2028 and the construction year is not determined. - The intersection of State Street and Glenwood Street is scheduled in the FYP to be widened consistent with the State/Glenwood Intersection Concept Study to include median U-turns and improved crossings. The construction date has not been determined.
<p>Republic Services Link to Comment</p>	<p>6/6/2025</p>	<p>We need some clarification with the pictured trash enclosure. We cannot back up more than 70' according to our safety standards and this design looks like we would have to do so. We have two enclosure concerns. First, the containers look as though they are too close together and we don't have enough room to maneuver each container with the truck. Second, it doesn't look like we have straight on access to the containers because of the bump outs in the roadway leading into the enclosure.</p>

		Are we also able to enter the complex at the entrance nearest the enclosure? Could we please get some clarification these items?
Garden City Engineer Link to Comment	6/8/2025	<p>Please note the issue with providing sewer service to this project. Our comment may be summarized as: The developer has been working to provide an alternative solution to the sewer capacity issue, but a resolution has not occurred at this time. The project cannot be constructed until sewer service is resolved.</p> <p>Approval is contingent upon addressing review items, including completion of the Minor Land Division and adherence to minimum setback requirements.</p> <p>Approval from the Ada County Highway District and North Ada County Fire and Rescue District is necessary, including fire flow assessments and hydrant access.</p> <p>The project must comply with gravity irrigation facility regulations, requiring approval from the Thurman Mill Ditch Company Ltd and Drainage District No. 2.</p> <p>An Army Corps of Engineers 404 permit may be needed for impacts to existing facilities.</p>
Idaho Transportation Department Link to Comment	6/10/2025	The Department had previously reviewed and accepted the traffic impact study and does not have any requirements for this development. However, ITD would like to remind the city that this corridor is already congested, and the Department does not have any funding assigned to mitigate traffic congestion in the Glenwood corridor.
Department of Environmental Quality Link to Comment	6/9/2025	General comments provided. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply.
North Ada County Fire and Rescue		No comment received.

PUBLIC COMMENT

The following is a summary of the public comments that were provided by October 13th, 2025, in accordance with [Resolution 1053-18](#). All comments are included in their entirety as a part of the record.¹

¹ The City received over 35 public comments regarding application DSRFY2025-0008. All recommending and decision-making bodies have full access to the complete set of public comments, which are included in the official record. This summary is not intended to capture every individual comment, concern, or question, but rather to provide an overview of the predominant themes reflected in the public input.

Public comments on the application reflect a range of perspectives, with the majority expressing opposition and a few acknowledging potential benefits. Supportive remarks recognize the need for affordable housing and the financial benefit to Boise Bible College. Some commenters expressed openness to development if it were scaled appropriately and designed to better integrate with the existing neighborhood character.

Opposition to the proposal is widespread and centers on several key concerns. Many comments cite significant traffic impacts, noting that Marigold Street and surrounding corridors already experience congestion, particularly during rush hour and when there are events at Expo Idaho and Hawks Stadium. Residents report long wait times at the Glenwood and Marigold intersection and fear that the development will worsen conditions without adequate mitigation. The absence of a traffic impact study was repeatedly criticized, with calls for a third-party analysis prior to approval.

Parking is another major concern. The proposed is viewed as insufficient, with residents anticipating overflow parking on neighborhood streets, similar to issues seen near other multi-family developments. Comments also raise concerns about emergency vehicle access, school bus safety, and pedestrian and bike traffic.

The proposed building height and design drew strong criticism. The four-story structures are considered incompatible with the surrounding one- and two-story homes. Commenters describe the architecture as “blocky” and “urban,” lacking the residential character of the area. Requests were made to reduce the height and incorporate design elements that reflect the neighborhood’s aesthetic.

Environmental and infrastructure concerns include potential impacts to the water table, drainage systems, and sewage capacity. One detailed comment highlighted the absence of a hydraulic study for the Warm Springs Canal, which could pose liability risks during storm events. Others noted that the development could strain existing water and sewer systems, and questioned whether Boise Bible College would contribute to infrastructure costs or pay taxes on rental income.

Several comments emphasized the potential for decreased property values, increased noise, and loss of privacy. Residents expressed frustration with what they perceive as a pattern of overdevelopment and disregard for community input. Suggestions were made to consider alternative uses for the site, such as a park, school, or community center.

Committer/Date	Committer/Date	Committer/Date
Bob Sorvaag 06222025	Capozzi Sandy 07012025	Carrie Witt 07222025
Charles Leffler 06062025	Corey Arnold 09092025	Corey R. Arnold 06062025
Darla Rhude 06092025	Dopko, Matthew 06242025	Janis Rusev 09112025
Johnson, Cheryl 09182025	Ken Johnson 06262025	Kenley Grover 07072025
Laurie Langdon 09232025	Les Bock 09122025	Les Bock 09252025
Les Bock 09302025	Leslie Bock 09102025	Linda Gurrola 06192025
Mark C. Mitchell 09232025	Mark Wasdahl 07032025	Nick & Robin Bradish 09222025
Nick and Robin Bradish 10052025	Paul Cooperrider 08152025	Rodney Wolfe 06272025

Sandra and Lawrence Chess 09292025	Sara Poppleton & Jason McGlynn 09292025	Sorvaag, Bob 06302025
Thiel, Rebecca 06202025	Trent, James & Carol 08012025	Trent, James & Carol 08012025
WB residents 06122025: Sherry Montosa, Edward Montosa, Mary Jean Norton, Barbara Filiatreaux, Gloria Nutter, Marila Jones, Mike Huffman, Fred and Jane Hahn, Deborah Caserotti, Lisa and Dave Toney, Marsha Huffman, Yvonne Nelson, Tina Duran, Cynthia Rose, Larry Kelsey, Jane Hahn, Mike O'Brian, Kali Carringer, Judy O'Brian, Linda Hales Sutch, David Caswell, George and Gail Newton, Gerrie Kenyon, Ineligible names and signatures,	WB residents 06302025: Carolo Zimmermann, Tanya Edwards, Chris Dirschl, James Carney, Cheryl Watts-Bastida, John Carey, and Rosanna Ford	WB residents 07022025: Jay Agosta, Janis Rusev, Gretchen Siri, Frances Rehrmann, Jim Yeamans, Tanna Willis, James Trent, Jordana Trent, and Carol Trent
WB residents 07032025: David Nichols, Mary Adams, and Sharon and Cory Hawkins		

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MEETING SUMMARY

There have been no previous consultations on this project.

CODE AND POLICY REVIEW

Discussion

Decision Maker's Limitations

The City Council is required to base its decision on the parameters established by applicable codes, ordinances, and state statutes. These legal frameworks provide the foundation for lawful decision-making. Furthermore, any determination must be supported by substantial evidence presented in the record, so that their decisions are objective. The decision cannot be based on personal beliefs or subjective impressions that are not backed by evidence that is within the record. This ensures that the Council's actions are legally correct and defensible.

Compatibility with neighborhood

Within the context of the code, the proposed development is compatible with the surrounding neighborhood as it adheres to the established standards of the R-3 Zoning District. As outlined in Garden City's zoning code, the R-3 district permits multiple-family dwellings and other residential uses, including condominiums, single-family homes (subject to specific requirements), and supportive housing. The district regulations, as applied under, allow for residential densities of up to 35 dwelling units per net acre and unrestricted building heights. These parameters are predetermined by municipal code to ensure compatibility with the neighborhood's character and infrastructure capacity. Therefore, the proposed use, height, and density are not only permitted but are specifically supported by the goals of the R-3 district.

The current City Council was not involved in the 2015 amendment to the R-3 zoning district, which increased the allowable height and density. As the R-3 zoning designation in this area has faced scrutiny regarding its compatibility with adjacent land uses, the City Council has responded by initiating the creation of a new R-M (Residential Medium Density) zoning district and implementing enhanced buffer requirements to promote transitional land use and mitigate potential impacts.

Although there is an active effort to rezone portions of the neighborhood to the newly adopted R-M designation, this application was submitted prior to the adoption of those changes. In accordance with Idaho land use law and Garden City's municipal code, zoning applications must be reviewed under the standards that were in effect at the time of submission. Therefore, the proposed development must be evaluated based on the R-3 zoning regulations as they existed at the time of application and is legally presumed to be compatible with the neighborhood under those standards.

Transportation

ACHD is the transportation department. While the city has requested that ACHD review Marigold for capacity, and there is anecdotal evidence that traffic is cumbersome on Marigold, there is no evidence in the record that supports the claim that this application would cause Marigold Street ACHD adopted levels of service. ACHD's report does not indicate that the application exceeds capacity. Furthermore, traffic analysis submitted by the applicant suggests no significant service degradation or safety concerns.

The below serves as an analysis of applicable provisions Garden City Code, Title 8, Development Code and identified applicable policies, plans, and previous approvals.

Garden City Title 8 Applicable Code Sections		
Code Section	Compliance	Analysis/ Discussion
Title 8, Chapter 1: General Regulations		
8-1A-4 Applicability		The regulations of Garden City Code, Title 8 Development Code of the City, shall apply and govern development and use of all properties within the corporate limits of the city.
8-1B-1 Nonconforming Properties	Compliant as Conditioned	<p>Legal parcel of record as described.</p> <p>Associated MLDFY2024-0001 is in process, approval of this design review is contingent on the minor land division application being approved, the restricted build agreement being signed and recorded, and the pending sewer issues being resolved.</p> <p>The scope of this permit is limited to Parcels 2, 3, and 4 of the proposed MLD. Without the approval of MLDFY2024-0001, this application is not viable as proposed based on the limited scope of the project, and the city's current inability to service the proposed project.</p> <p>Conditions of approval have been drafted.</p>
8-1B-2 Nonconforming Structures	No compliance issues noted	
8-1B-3 Nonconforming Uses	No compliance issues noted	<p>There is an existing active conditional use permit associated with the Boise Bible College on file.</p> <p>Multi-family dwelling units are a permitted use within the R-3 zoning district.</p>
8-1C-3 Property Maintenance Standards	No compliance issues noted	Per 8-1C-2, this article applies to all existing residential and non-residential buildings, structures, and lands.
Title 8, Chapter 2: Base Zoning District Regulations		
8-2B-1 Purpose	No compliance issues noted	<p>The City's residential zoning comprises four (4) distinct districts, each designed to accommodate a comprehensive range of housing types while preserving areas for residential use. These districts are differentiated primarily by the permitted housing types and the allowable densities.</p> <p>R-3 Medium Density Residential District The R-3 Medium Density Residential Zoning District permits single-family, two-family, and multi-family residential developments, with a maximum allowable density of thirty-five (35) dwelling units per acre.</p> <p>Project Overview and Density Analysis The proposed development includes a total of 236 dwelling units on a 6.532-acre site, resulting in an overall density of approximately 36.13 dwelling units per acre. This figure exceeds the maximum density permitted under the base R-3 zoning designation.</p>

		<p>However, the associated Minor Land Division application (MLDFY2024-0001) proposes to subdivide the property into four separate parcels, two of which will contain one multi-family residential structure. The proposed parcel configuration and corresponding densities are as follows:</p> <ul style="list-style-type: none"> • Parcel 2: 117 dwelling units on 3.476 acres (approx. 33.7 du/ac) • Parcel 3: 119 dwelling units on 3.485 acres (approx. 34.1 du/ac) <p>Upon approval and recordation of MLDFY2024-0001, the resulting parcels will comply with the maximum density requirements of the R-3 zoning district.</p>
8-2B-2 Allowed Uses	No compliance issues noted	Multifamily Dwellings are a permitted use.
8-2B-3 Form Standards	No compliance issues noted	<p>The required setbacks are: Front: 5'/20' Interior Side: 0'/5' Rear: 15' Street side: 5'</p> <p>The allowable maximum height is: n/a The minimum lot size is: n/a</p> <p>There are no encroachments.</p> <p>Building 1 on Parcel 2 is setback roughly 32' from the Marigold property boundary line.</p> <p>There is a 152.8' setback between Building 1 on Parcel 2 and the adjacent neighborhood to the east.</p> <p>There is an 88.8' setback between Building 2 on Parcel 3 and the adjacent neighborhood to the east.</p> <p>There is a 15' setback between the trash enclosure and the eastern property boundary line.</p>
8-2C-15 multi-family	No compliance issues noted	<p>All multi-family developments shall provide amenities. This proposal is compliant with this requirement.</p> <p>Four (4) amenities shall be provided, with at least one from each category for multi-family developments with seventy-five (75) units or more:</p> <ol style="list-style-type: none"> 1. Quality of life amenities provided: clubhouse, fitness facilities, enclosed bike storage, coworking space 2. Open space amenities provided: open grassy area of ~ 66,322 SF feet. All of parcel 4 is considered open space. 3. Recreation amenities provided: walking trails and dog park <p>All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features. A draft potential condition</p>

		<p>of approval requiring that such documentation be provided to the City has been included.</p> <p>For developments with twenty (20) units or more the following are required:</p> <ol style="list-style-type: none"> 1. A property management office. 2. A maintenance storage area. 3. A central mailbox location, including provisions for parcel mail that provide safe pedestrian and/or vehicular access. 4. A directory and map of the development at an entrance or convenient location for those entering the development. <p>These items have been provided, and the application is conditioned to require the facilities for the duration of the use.</p>
Title 8, Chapter 4: Design and Development Regulations		
8-4A-3 Fences and Walls	Not Compliant	<p>There is a proposed 6' tall solid vinyl privacy fence along the property boundary lines, and a 4' tall wrought iron fence internal to the development & 6' tall wrought iron fence along the frontage (Marigold) property line.</p> <p>Fences within the front yard setback must be set flush with the building façade if they are greater than 3.5' tall. As such, the 6' tall wrought iron fence along Marigold is not compliant with code standards. Additionally, the perimeter vinyl fence is also not compliant with this code.</p>
8-4A-4 Outdoor Lighting	No compliance issues noted	<p>No compliance issues noted. The existing outdoor lighting has underground electrical feeds, all pole light fixtures are led, and wall-mounted fixtures are fluorescent. No street lighting therefore, the existing site lighting is in compliance with garden city outdoor lighting standard 8-4a-4 sections (a)(2), (a)(3), and (b).</p>
8-4A-5 Outdoor Service and Equipment Areas	Compliant as Conditioned	<p>All on-site service areas for waste, recycling, or trash, and equipment areas for transformer and utility vaults shall be located in an area not visible from a public street or adjoining uses or shall be screened from view from a public and adjoining uses with a privacy fence.</p> <p>HVAC equipment, trash dumpsters, recycling, trash compaction, and other service functions shall be incorporated into the overall design of buildings and landscape so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent uses and streets.</p> <p>This proposal does not identify any outdoor service equipment. Any future outdoor service equipment area will be required to be in compliance with code at the time of development.</p> <p>The existing power transformer or utility box adjacent to W. Marigold is visible from the public right-of-way. This is not compliant and will need to be screened from view either via a privacy fence or landscape screening prior to the city signing the survey.</p> <p>Screening of all equipment will be required and will continue to be reviewed throughout the permitting process. Compliance will be required prior to occupancy.</p>
8-4A-7 Stormwater Systems	Compliant as Conditioned	<p>The development provides a system of permeable pavers within the parking lot areas for stormwater management.</p>

		<p>Building roof and open space stormwater runoff to discharge to landscaping feature (dry creek bed) within the courtyards.</p> <p>The stormwater systems shall be built in compliance with provisions of 8-4A-7 and will continue to be reviewed throughout the permitting process.</p> <p>The City Engineer has provided comments regarding the stormwater management proposed throughout the development. See Agency Comment section of this staff report and link to Engineer's comments.</p>
8-4A-8 Utilities	Compliant as Conditioned	<p>Refer to City Engineer's comments. All comments from the City Engineer regarding water and sewer services must be fully addressed and resolved. Prior to the associated MLDFY2024-0001 being signed by the city, the developer will be required to design and install water and sewer connections that are appropriately scaled to meet the needs of the proposed buildings in DSRFY2025-0008.</p> <p>The city has issued a conditional "will serve" letter for water and sewer service for the area included in this project and for the Minor Land Division. Adequate city sanitary sewer service for the site is not available at this time. The sewage monitoring station and the Ruby Sewage Lift Station that serve this site are both at capacity and cannot accept the flows from this project.</p> <p>The developer has been working to provide an alternative solution to the sewer capacity issue, but a resolution has not occurred at this time. The project cannot be constructed until sewer service is resolved.</p>
8-4A-9 Waterways	Not Determined	<p>There is an existing open Thurman Mill Canal along the southern property boundary line, and an existing open Drainage District No. 2 canal along the northeastern property boundary line.</p> <p>Per code, all waterways shall remain open as a natural amenity and shall not be piped or otherwise covered. Irrigation ditches, laterals, canals, and drains shall be left open and used as a water amenity or linear open space.</p> <p>The application proposes tiling the existing Drainage District No. 2 canal along the northeastern property boundary line, which is not compliant with code. There are exceptions, however, in which canals can be tiled, but only if the applicant can prove to the design review consultant(s) and the planning official that:</p> <ol style="list-style-type: none"> a) The maintenance of the irrigation ditch, lateral, canal, or drain with any associated easement encumbers more than fifty percent (50%) of the property; or b) The irrigation ditch, lateral, canal, or drain is located on the property in such a manner that a use of the property is infeasible; or c) The irrigation ditch, lateral, canal, or drain is enclosed on both ends adjacent to the property, and the adjacent properties are fully developed in a manner that future opening of the enclosed irrigation ditch, lateral, canal, or drain is infeasible. <p>The applicant has not submitted evidence to support the tiling of the canal, and staff does not believe that the canal is located on the property in such a manner that makes the use of the property infeasible, nor would it encumber more than 50% of the property. Though it does appear that the canal is open to the south of the property, and tiled to the north.</p>

8-4B-4 Multi-family Residential Dwelling Units	May not be compliant Discussion required	<p>All building elevations have a portion of the elevation devoted to architectural features designed to provide articulation and variety. These features include, windows, offsetting walls that extend at least two feet (2'), recessed entrances, balconies, and changes in material types.</p> <p>Despite having the main entrances identified via an awning sign, they are not designed as an obvious entrance and focal point of the building. It is unclear exactly where and how residence will be able to enter the building(s). Further discussion is required.</p> <ul style="list-style-type: none"> - The entrances that are provided are covered via an awning. - Appears that residences can enter through the leasing area, bike storage and maintenance area, stairwell/hallway, and the internal courtyard. <p>The proposed roof forms are distinctive and include variety and detail including a cornice treatment when viewed from the public street.</p> <p>Development of multiple structures on one site shall comply with the requirements set forth in subsection 8-4C-4B, "Multiple Non-residential Structures On One Development Site".</p>
8-4C Design Provisions for Non-residential structures	No compliance issues noted	The proposed development complies with the design standards outlined in Section 8-4C. No compliance issues have been identified. A review under Section 8-4C-4B is required in accordance with Section 8-4D to ensure parking lot design meets applicable standards. All parking areas are appropriately located to the side and rear of the street-facing building, consistent with city design guidelines.
8-4C-4 Special Provisions for Specific Nonresidential Development Multi-family development with more than one building	Compliant as Conditioned Discussion required	<p>All portions of the site are accessible via a direct, convenient, attractive, safe and comfortable system of pedestrian pathways. There is a pedestrian pathway providing a direct route between the proposed buildings and the public sidewalk. The pathway is free from hazards, and conditions of approval have been written to require appropriate lighting levels. Pathway layouts appear to promote the shortest distance between building entrances.</p> <p>Consistent setbacks to the front or internal parking areas are provided which create an organized spatial enclosure.</p> <p>All terminal views other than the one looking west between the two proposed buildings end with either landscaping, landmarks or significant site features. The one looking west end with the trash enclosure. It is unclear what the trash enclosure looks like.</p>
8-4C-5 Prohibitions	No compliance issues noted	There are no visible false fronts, prefabricated structures or prohibited materials proposed with this application.
8-4D Parking and Off-Street Loading Provisions.		
8-4D-3 Parking Design and Improvement Standards	Not Compliant	Vehicle parking: <div style="border: 1px solid black; padding: 5px; text-align: center;"> Table 8-4D-1: MINIMAL DIMENSIONAL STANDARDS FOR MOTOR VEHICLE STALLS </div>

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

Driveway Width: 24' – 26', Compliant

Parking Stall Dimensions:

9' x 18' parking stalls with 2' overhang at building **Compliant (see below)**

9' x 18' parking stalls with 2' overhang at parking lot perimeter **Compliant**

9' x 20' parking stall in center island on Parcel 2 **Compliant**

Overhang Rule: *When a bumper overhangs onto a sidewalk or landscape area, the parking stall dimensions may be reduced two feet (2') in length if two feet (2') is added to the width of the sidewalk or landscaped area planted in ground cover.*

- Primary pathways shall be a minimum width of four feet (4') (per 8-4E-7A.5).
- Secondary pathways must be at least three feet (3') in width (per 8-4C-4B.1.d)

Pursuant to the Overhang Rule, parking stalls may be reduced by up to two feet (2') in length when the vehicle overhangs onto a sidewalk or landscape area, provided that the overhung area is increased by an equivalent width and improved with either pavement or landscape groundcover. The applicant's plans indicate that adjacent pedestrian pathways range between 5 and 6 feet in width, exceeding the minimum width standards established under code. The covered parking structures include a 2-foot overhead extension above the sidewalk, satisfying the intent of the overhang provision.

However, several parking rows do not include dimension callouts identifying the stall width and length. It is unclear whether all perimeter and interior parking stalls are intended to be consistent with the 9' x 18' or 9' x 20' standard(s). Clarification is needed.

Parking areas with more than ten (10) spaces must be located at least twenty feet (20') from any dwelling unit, school, hospital, or other institution for human care on an adjoining lot, unless separated by a screen that meets the landscaping standards outlined in Chapter 4, Article I: Landscaping and Tree Protection Provisions. Additional design requirements include minimizing light trespass from vehicles onto adjacent properties and public rights-of-way.

To address these standards, the applicant proposes a 15-foot-wide landscaped buffer along the northeastern property boundary adjacent to the neighboring residential subdivision. The buffer includes trees, shrubs, and bushes, in addition to a six-foot-tall vinyl fence providing full visual screening between the parking area and the residential uses. The proposed combination of landscaping and fencing meets and exceeds the intent of the code by providing effective separation, screening, and light mitigation in compliance with 8-4I.

Most pedestrian routes facilitate easy passage from parking spaces to the principal entrances, however, the southern parking lot between Building B and the large common open space on parcel 3 has some

disconnect. There is no clear path through the rows of parking, and the pedestrian pathway within the common open space area doesn't clearly link with the rest of the development. Staff recommends the applicant revise the site plan to provide a continuous, clearly defined pedestrian connection between the southern parking area, Building B, and the common open space on Parcel 3.

[8-4D-4 Parking Use Standards](#) | Compliant as Conditioned | No use shall provide less than the minimum spaces required.
No required parking area or space provided, shall later be eliminated, reduced, or converted in any manner unless other equivalent facilities approved by the city are provided.

[8-4D-5 Required Number of Off-Street Parking Spaces](#) | Not Determined

Vehicle Parking Standards		
Dwelling Type	Required Parking Spaces Per Dwelling Unit (Covered and Uncovered)	Required Covered Vehicle Parking Spaces Per Dwelling Unit
Studio & 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-tenths (0.1) parking space/unit provided for guest parking for every unit after the first ten (10) units.

Bicycle Parking Standards	
Type of Use	Minimum Number of Bicycle Parking Spaces Required
Multifamily residential structures	0.5 spaces/unit for the first 10 dwelling units, then 0.1 parking spaces/unit for every unit after the first 10 units; and 1 covered space for every dwelling unit or home

Parcel Two, Building 1: 117 Units
Total vehicle parking spaces required: **Unknown**
Total Provided: **Unknown**

Parcel Three, Building 2: 119 Units
Total vehicle parking spaces required: **Unknown**
Total provided: **Unknown**

Total Provided: 389
Phase 1: 168

		<p>Phase 2: 170 Off-site: 51</p> <p>Staff is uncertain whether the provided floorplans contain errors. Each floor shows a fitness facility, indoor bike rack and maintenance locations, and doors leading to outside that resemble the first floor plans. Clarification needed. Staff recommends a detailed note of the units breakdown per floor per building to ensure adequate parking is provided.</p> <p>Total bicycle parking spaces required: 264 For units: 236 Additional: 28</p> <p>Staff does not see a detail indicating the amount of bike parking to be provided. Clarification needed.</p>
<p>8-4D-6 Standards for Equivalent Parking Adjustments</p>	<p>Not Compliant</p>	<p>Equivalent parking was requested for 51 off-site parking spaces.</p> <p>If equivalent parking is provided off site:</p> <ol style="list-style-type: none"> (1) In no instances shall motor vehicle parking for residential uses be located more than three hundred feet (300') from the dwelling, measured as walked, rather measured from the shortest distance on the map, via public right-of-way or easement as otherwise dedicated to the public. Compliant as conditioned. An easement will be required as part of this approval. (2) There must be continuous, code-compliant sidewalk that connects the use to the parking. Not compliant, there does not appear to be a pedestrian pathway from the off-site parking lot(s) to either Building 1 or 2. <p>Required Findings For Approval Of A Parking Adjustment:</p> <ol style="list-style-type: none"> 1. A request for a parking adjustment is not a guarantee that a reduction to on-site parking will be granted. The decision maker may approve reduced on-site parking if it finds that: <ol style="list-style-type: none"> a. Special conditions, including, but not limited to, the nature of the proposed operation or site; transportation characteristics of the use; and/or persons residing, working, or visiting the site exist that will reduce the parking demand at the site or preclude adequate parking on site. b. The use(s) will adequately be served by the proposed parking. c. Parking demand generated by the project will not have an impact on the supply of public parking in the surrounding area. d. The parking reduction does not preclude or significantly diminish the ability for a different future use of the property to be adequately parked. e. The parking of the use will not create a nonconformity on another property. f. The administration of the alternative will not create a burden to the city. <p>To evaluate a proposed project's compliance with the above criteria, documentation that substantiates the basis for granting a reduced number of spaces shall be submitted.</p>

		<p>1. Parking Demand Study: A parking demand study shall be submitted to evaluate the request. The parking demand study should provide, at minimum, the following information:</p> <ul style="list-style-type: none"> a. The number of spaces that the reduction is requesting; b. A statement documenting the need for a reduction in parking; c. A detailed site plan and parking space count; d. Anticipated occupant load per the current adopted building code for all structures on site; e. Anticipated number of outdoor users of the site if outdoor activity is anticipated; and f. Documentation providing verification of conditions that warrant a parking reduction. g. The study must demonstrate that: <ul style="list-style-type: none"> (1) The parking reduction methodology will be effective; (2) The proposed reduction will be sustainable and legal; and (3) The reduction request is based on reputable sources and data and the data supports comparable local conditions. <p>2. Additional Documentation:</p> <ul style="list-style-type: none"> a. The decision maker or planning official may require additional information or documentation to determine compliance. b. All contracts, agreements, and programs shall be legally binding. <p>The above information, including a parking demand study, was not provided for review.</p>
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8-4E Transportation and Connectivity Provisions

<p>8-4E-3 Public Street Connections</p>	<p>May not be compliant</p>	<p>The city may recommend access management controls, such as shared access or variances from transportation authority standards, to protect the safety and functionality of streets. While the application does not directly conflict with Garden City Code, ACHD has identified non-compliance with its access management policies regarding the proposed third driveway on Marigold Street. ACHD staff noted that the applicant's proposal to retain the two existing driveways meets District policy and should be approved as proposed. However, the proposed third driveway does not comply with ACHD Access Management and Driveway Width policies, which limit and control access to collector roadways and restrict driveway widths to a maximum of 36 feet. For this reason, ACHD recommends that the third driveway not be approved and that the applicant be required to utilize the two existing driveways to provide access to the proposed development.</p>
<p>8-4E-4 Internal Circulation Standards</p>	<p>No compliance issues noted</p>	
<p>8-4E-6 Sidewalk Standards</p>	<p>No compliance issues noted</p>	<p>The existing attached sidewalk is to remain, which is compliant with the Garden City Sidewalk Policy and Code.</p>
<p>8-4E-8 Transit Facilities</p>	<p>No compliance issues noted</p>	<p>Valley Regional Transit does not have a bus route along Marigold and no transit facility is proposed within this application.</p>

8-4F Sign Provisions		
8-4F-13 Master Sign Program	<p>Not Determined</p> <p>Discussion required</p>	<p>A monument sign and a mounted sign have been proposed as part of this application, see Sheet A-15, Concept sign plan. The applicant has noted that signage text is placeholder and will be updated as more information is known.</p> <p>The purpose of the master sign program is to encourage the integration of signs into the site and building design. Through this integration, the intent is to allow flexibility to the standards set forth in code 8-4F-11 and 8-4F-12 of this article and promote improved quality of design.</p> <p>Signs shall incorporate materials, colors and design that are compatible with and complement the scale and design of the building for which the sign identifies.</p> <p>Multiple signs on the same parcel shall reflect common design elements including materials, color, letter style, illumination, sign type and sign style.</p> <p>Sign height and placement of similar sign types shall be consistent throughout the development site.</p> <p>Sign size, height or placement shall not impede pedestrian patterns.</p> <p>Signs that exceed the standards set forth in sections 8-4F-11 and 8-4F-12 of this article shall demonstrate superior quality, creativity, or artistry and integration with the buildings and site.</p> <p><u>Preliminary review of signs proposed:</u></p> <p>Monument Sign review: Marigold is SD2 and monument signs are prohibited. Exceptions: Monument signs may be allowed in SD1, SD2 or SD3 sign districts provided that:</p> <ol style="list-style-type: none"> a. They are for a multi-family complex greater than three (3) units where one or more of the units do not have street frontage; or a non-residential use where one or more of the units does not have street frontage. The proposal is for a multi-family development, where building two does not have any street frontage. b. The monument sign has indirect illumination or is not illuminated (No illumination plan stated on sheet submitted), is made of distinctive materials (no materials stated on sheet), not greater than five feet (5') in height (compliant at 4' tall), including structure; one and one-half feet (1.5') in depth (compliant); the sign area is no greater than fifteen (15) square feet per face or thirty (30) square feet total (not compliant at 8'x4'); and set back three feet (3') (compliant @ ~13ft setback) or more from the property line. <p>Wall sign review: Staff is unable to determine if the proposed wall sign is to be cabinet, channel letter, or distinctive. It appears to be cabinet but could easily be any type.</p> <p>Allowable area for a cabinet sign in SD2 is 20sf, would not be compliant. Allowable area for Channel Letter is 40sf, would be compliant. Allowable area for distinctive is 60sf, would be compliant.</p> <p>Maximum number of wall signs shall be limited to one per unit for each face not to exceed a sign area of greater than ten percent (10%) of the face. This number does not include exempt signs. Staff does not know what the</p>

		square footage is for the building's face, but doubts they are infringing on the 10% rule.
8-4G Sustainable Development Provisions	Not Determined	A sustainability checklist was not provided. The development is required to provide 24 points based on the proposed 63,300sqft total building coverage for the new construction. Otherwise, the applicant needs to demonstrate how the development is exempt per 8-4G-2 (D).
8-4H Flood Hazard	Compliant as Conditioned	The planning official is the decision maker on items regarding 8-4H. 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. The applicant should review the original FEMA work maps (not the current adopted maps) as the city has been placed in seclusion. The current maps (June 2020) do not display the possible future risk of the flooding potential of the Boise River. If the lowest floor building elevation is below the draft map BFE, a Flood Risk Acknowledgement form will be required from the landowner/developer. The work maps are available on the city's website. They are attached to a city council resolution 1083-20 dated 22 June 2020.
8-4I Landscaping and Tree Protection Provisions		
8-4I-3 General Landscaping Standards and Irrigation Provisions	No compliance issues noted	
8-4I-4 Landscaping Provisions for Specific Uses	May not be compliant	<i>A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping. While landscaping is provided, it is not clear if it meets this standard of code, since the calculations include buffers. Additional information required.</i> <u>Parcel 2 (building 1) area calculations:</u> Total site: 151,414sqft (3.476 acres) Landscaping including courtyard, planters, & buffers: 46,010sqft (30.4%) <u>Parcel 3 (building 2) area calculations:</u> Total site: 151,841sqft (3.485 acres) Landscaping including courtyard, planters, & buffers: 54,856sqft (36.1%) <u>Parcel 4 (open space) area calculations:</u> Total site: 66,322sqft (1.522 acres) Landscaping: 50,502sqft (76.1%) Total landscape area provided: (minus open space/common area) = 61,243sqft, 21% <i>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.</i> Required trees on Marigold Street (375LF): 1 Frontage + 8 streetside = 9

		<p>Provided trees on Marigold Street: 10 trees Compliant</p> <p>Note: Staff recommends requiring Class II street trees (or larger where planting strip width allows) along public frontages to maximize cooling, public health, habitat, stormwater, and long-term canopy outcomes; Class I trees should only be permitted where overhead utilities or substandard planter widths preclude larger forms. This is consistent with regional practices and local streetscape precedents of new developments in Garden City. Conditions have been drafted to require Class II or III trees in lieu of the Class I trees.</p> <p><i>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.</i></p> <p>Total open space/common area provided = 123,195sqft, 43% (1 tree/1,000sqft. Landscape area) = 184 required, 197 proposed. Compliant (1 shrub/150sqft Landscape area) = 1,230 required, 2,604 proposed. Compliant</p>
8-4I-5 Perimeter Landscaping Provisions	No compliance issues noted	Perimeter landscaping is required along the common property line between an adjacent non-residential use and a residential use. Perimeter landscaping is required along the eastern property boundary lines. Provided.
8-4I-6 Parking Lot Landscaping Provisions	Not Compliant	<p>Edge treatments along streets and other public spaces shall visually screen parked vehicles, but not completely obstruct views into and out of the parking lot for the purpose of supporting pedestrian safety and security. Provided.</p> <p>Solid masonry or wood fencing a minimum of six feet (6') in height with landscaped screening shall be provided between parking lots and residential uses or vacant residentially zoned properties. Provided.</p> <p>Include landscaped islands with at least one tree at the beginning and end of each parking row and to break up longer rows or highlight special features. Not provided.</p>
8-4I-7 Tree Preservation Provisions	Not Compliant	Trees are proposed to be removed. An arborist report was not submitted for review.
8-4L Open Space Provisions		
8-4L-3 General Open Space Standards	No compliance issues noted	
8-4L-5 Open Space Standards for Multi-family Developments	May not be compliant	<p>For any new multi-family development: A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, rooftop gardens, decks, and/or enclosed yards. Provided.</p> <p>The minimum dimension of any open space shall be six feet (6') in any direction. Not enough information provided, the dimensions of each patio/deck are not provided.</p> <p>A minimum area of outdoor common open space shall be provided as follows:</p>

- a. 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.
 - i. Units S1, S1A, 1A, 1B, 1BA, 2A, 2B, 2C, 2CA, 2D, and 2E are all between 500-1200sqft.
- b. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area.
 - i. Units 3A and 31A are more than 1200sqft.

As mentioned previously, staff believes the floorplan sheets have errors regarding the facilities on each floor and is unable to determine the amounts of each units provided. As such, staff cannot calculate the exact requirements for open space.

However, the open space exhibit has details that state:

Parcel one: Common/open space

Parcel one - 0 total units

Total common open space required = 0 sf

Total common open space provided = 13,258 sf

Parcel Two: Building - 117 total units

Units 500>1200 sf: 111 units x 250 sf/unit = 27,750 sf of common open space required

Units >1200: 6 units x 350 sf/units = 2,100 sf of common open space required

Total common open space required = 28,850 sf

Total common open space provided = 30,373 sf **Compliant**

Parcel Three: Common/open space

Building 2 (parcel three) - 119 total units

Units 500>1200 sf: 113 units x 250 sf/unit = 28,750 sf of common open space required

Units >1200: 6 units x 350 sf/units = 2,100 sf of common open space required

Total common open space required = 29,850 sf

Total common open space provided = 38,101 sf **Compliant**

Parcel four: Common/open space

Parcel four - 0 total units

Total common open space required = 0 sf

Total common open space provided = 60,383 sf

In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. **Compliant.**

Title 8, Chapter 6, Article A: Administration

[8-6A-3 General Application Process](#)

No compliance issues noted

[8-6A-4 Required Application Information](#)

N/A

The applicant did not request to waive required materials pursuant to 8-6A-4A.

[8-6A-5 Administrative](#)

No compliance issues noted

A notice of intent was sent to adjoining property owners within 300' and agencies with jurisdiction.

Process with Notice		<p>If no objections are filed within 15 days, the Design Review Consultant's recommendation and the Planning Official'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>
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Other Items Reviewed	
Plan/Policy	Discussion/ Analysis
Previous entitlement that might affect this project	<p>MLDFY2024-0001, minor land division of existing Boise Bible College property/campus. The land division will subdivide the property into the parcels as identified in this DSRFY2025-0008 application. Without the approval and recording of the record of survey and utilities (as required in the MLDFY2024-0001 decision), the current design review application cannot proceed to construction. Reference the conditions of approval of DSRFY2024-0008 and MLDFY2024-0001.</p>
Garden City Comprehensive Plan	<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>This application is in future land use designation of the Comprehensive Plan:</p> <ol style="list-style-type: none"> RESIDENTIAL MEDIUM DENSITY: The residential medium density designation is shown for the areas north of Chinden and west of Glenwood. This designation allows for detached and attached dwelling units including duplexes and townhouses. <p><u>The application may be supported by:</u></p> <p>Goal 1. Nurture the City</p> <ul style="list-style-type: none"> 1.4 Objective: Create a premier destination place to live, work, and recreate. <p>Goal 2. Improve the City Image</p> <ul style="list-style-type: none"> 2.1 Objective: Encourage new and distinctive neighborhoods. 2.3 Objective: Promote quality design and architecturally interesting buildings. 2.4 Objective: Create a vision for the design of all streets and highways consistent with city's urban setting. <p>Goal 4. Emphasize the "Garden" in Garden City</p> <ul style="list-style-type: none"> 4.1 Objective: Beautify and landscape. 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art. <p>Goal 6. Diversity in Housing</p>

	<ul style="list-style-type: none"> 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. <p>Goal 7. Connect the City</p> <ul style="list-style-type: none"> 7.1 Objective: Create pedestrian and bicycle friendly connections. 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters. <p>Goal 12. Evolve as a Destination</p> <ul style="list-style-type: none"> 12.3 Objective: Create a premier destination for work, recreation, entertainment, culture and commerce. <p>The application may not be supported by:</p> <p>Goal 5. Focus on the River</p> <ul style="list-style-type: none"> 5.3 Objective: Restore and naturalize water systems, including canals, ditches, drains, river channels and creeks.
Garden City Sidewalk Policy	There is an existing attached sidewalk that will remain.
Garden City Street Light Policy	A streetlight is installed along Glenwood Street in accordance with the policy.
Garden City Transportation Needs List	<p>Multiuse Path Waterways</p> <p>Goal: Create multiuse paths along irrigation ditches and drainage ditches in Garden City, specifically Settlers and Thurman Mill.</p> <p>The Garden City Comprehensive Plan and the Original Old Town Network Plan speak of creating public pathways along canals and waterways. Additionally, COMPASS and other city municipalities in Ada County are starting to create this connection by providing public access easements along these waterways. To create the future connection along the Thurman Mill Canal, staff has conditioned that a public access easement is granted and shown on the survey. As the pathway will be a multi-modal pathway system, the condition states “A minimum 16-foot-wide public access easement shall be granted along the southern property boundary line for the future pedestrian pathway along Thurman Mill Canal. The easement shall be wide enough to allow for a minimum 12-foot-wide pedestrian pathway with at least 2-foot clearance zones on each side. The easement shall be wide enough to allow for maintenance vehicles.”</p> <p>As a part of the associated MLD application a public access easement was required along the Thurman Mill drain.</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
<p>1. The proposed design shall comply with all design standards in Garden City Code, Title 8.</p> <p>2. The proposed design shall provide effective bicycle and pedestrian access and movement to, from, within, and across the site.</p> <p>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.</p>	<p>Not Determined: This will be completed in conjunction with the formal decision</p>	<p>TBD: This will be completed in conjunction with the formal decision</p>

<p>4. The proposed design shall be compatible with the neighborhood in scale and intensity.</p> <p>5. The proposed design shall not create an adverse impact on the surrounding neighborhood.</p> <p>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.</p> <p>7. The proposed design and landscape shall improve the design and function of the site and be consistent with the southwest Idaho climatic conditions; and</p> <p>8. The proposed design shall be compatible with applicable natural, scenic, and historic features, including but not limited to wetlands, the Boise River, waterways, and historic structures.</p>		
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The Planning Official reviewed the application with regard to Garden City Code, Title 8, Chapter 4, and based on the conditions required herein, concludes the application **TBD** the standards of approval under **GCC 8-6B-3 Design Review**.

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

IN 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. Approval of this permit is contingent upon resolution of all outstanding issues related to adequate water and sewer service. The developer shall meet all City requirements for providing water and sewer connections to Parcels 1, 2, 3, and 4.
3. 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.
4. Construction noise that is disruptive to the neighborhood shall be limited to Monday through Saturday from 7:00 am to 8:00 pm unless residents within 300' and the city have been notified in advance of the specific days which it will be necessary to exceed this limitation.

Prior to Building Permit:

1. The structural elevations shall be in conformance with this approval as reviewed and approved or otherwise conditioned.
2. The associated minor land division (MLDFY2024-0001) shall be approved by the city and recorded by the county prior the issuance of any building permit(s).
3. All comments from the City Engineer, including but not limited to the comments regarding water and sewer services, shall be fully addressed and resolved.
4. Submit a sustainability checklist that demonstrates compliance with, or an exemption from Garden City Code 8-4G.
5. 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.
6. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit.
7. There shall be a minimum of X vehicular parking spaces provided; with X to be covered.
8. There shall be a minimum of 264 bicycle parking spaces provided.
9. The landscaping shall be in conformance with this approval as reviewed and approved or otherwise conditioned.
 - a. The development shall mitigate for all tree caliper inches removed from the site in accordance with Garden City Code 8-4I-7 Tree Preservation provisions.
 - i. A certified arborist report shall be submitted, documenting all trees on site including their location, species, caliper inches and health status.
 - ii. 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.
 - iii. Mitigation shall be required for all existing trees 4" caliper or greater that are removed or damaged from the site.

1. Mitigation shall be provided at a 1:1 caliper inch replacement ratio, up to 100% of the total caliper inches lost.
 2. All mitigation trees shall be a minimum of 2-inch caliper at the time of planting, unless otherwise approved by the Planning Official.
 - b. A minimum of one class II or class III tree shall be planted in the frontage of every adjacent streetside. An additional Class II or III tree shall be planted in the corresponding setback for every increment of fifty feet (50') of linear feet of frontage.
 - i. The frontage of Marigold Street shall have a total of 10 class II or III trees.
 - c. 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.
 - d. 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.
 - e. All required landscaping shall be provided with an automatically controlled irrigation system in conformance with the best management practices for automatic irrigation systems.
 - f. The landscaping plan may be amended, and reviewed at a staff level, to ensure compliance with Garden City Code 8-4I Landscaping and Tree Protection Provisions, and 8-4L Open Space Provisions provided that there is equal or greater landscaping provided and no reduction in tree canopy. All other changes to landscaping must be approved by the Design Review Consultants or decision maker.
10. To enhance pedestrian visibility and safety within the development and to the adjacent Boise Bible School, all internal pedestrian street crossings shall be designed with enhanced features. These enhancements shall include at minimum, but are not limited to:
 - a. Increased crossing widths to improve pedestrian comfort and visibility; and
 - b. Raised crosswalks to calm vehicular traffic and emphasize pedestrian priority; and
 - c. Use of contrasting hardscape materials to clearly delineate pedestrian zones; and
 - d. Additional crossing width where appropriate to accommodate higher pedestrian volumes or improve accessibility.
 - e. All pedestrian pathway crossings that traverse the common drive and parking lot drive isles shall be directly aligned with the corresponding pathway on the other side.
 - f. Final design details shall be subject to review and approval by the Planning Official, and all modifications shall meet the intent of the comments made by Design Review Consultants.
11. All outdoor lighting will be required to be in compliance with code at the time of development.
 - a. Pedestrian Pathway Lighting:

- i. A revised site lighting plan shall be submitted for review and approval. The plan shall demonstrate consistent and adequate illumination along all pedestrian pathways throughout the development, including but not limited to shared walkways, common areas, and access routes between lots.
 - ii. The lighting plan shall incorporate a combination of pedestrian-scale lighting fixtures such as bollard lights, pole-mounted pathway lights, or recessed step/pathway lighting. Fixtures shall be compliant with dark sky standards; designed to minimize glare and light pollution and shall maintain a consistent color temperature for visual comfort and safety.
 - iii. Lighting fixtures shall be spaced and positioned to ensure continuous illumination with no significant dark spots along pedestrian routes. The plan shall include photometric analysis or diagrams demonstrating adequate light levels across all pedestrian areas.
 - iv. Lighting shall be integrated with the site's landscaping and architectural features.
12. 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 drainage shall be retained on site;
 - c. All comments made by the City Engineer regarding site grading and drainage plan(s) and a Storm Water Operation and Management Agreement shall be resolved prior to civil plan approval.
13. All vehicle parking spaces shall meet the minimum dimensional standards set forth in Garden City Code 8-4D-3 or as otherwise reviewed and approved.
 - a. When a bumper overhangs onto a sidewalk or landscape area, the parking stall dimensions may be reduced two feet (2') in length if two feet (2') is added to the width of the sidewalk or landscaped area planted in ground cover.

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. 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.

5. A master sign plan shall be submitted for review and approval.

Site Specific Requirements for the Duration of the Use:

1. The development shall maintain all open spaces in accordance with Garden City Code 8-1C Property Maintenance Provisions as well as Garden City Code 8-4L Open Space Provisions.
 - a. The common open spaces shall not be altered or eliminated unless otherwise approved by the City of Garden City.
2. The following amenities shall be provided or replaced with an amenity from the same category of amenity as identified in Garden City Code:
 - a. Quality of life amenities provided: clubhouse, fitness facilities, enclosed bike storage, coworking space;
 - b. Open space amenities provided: open grassy area of ~ 66,322 SF feet. All of parcel 4 is considered open space;
 - c. Recreation amenities provided: walking trails and dog park.
3. 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 a day.
4. A maintenance storage area must be provided.
5. A central mailbox location is provided in accordance with this approval.
6. A directory and map of the development is located at the entrance or convenient location for those entering the development.
7. 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. If trees are staked, the stakes shall be removed within twelve (12) months to prevent damage to the tree.
11. 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.
12. 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.
13. 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.
14. The landscape installation shall stabilize all soil and slopes.
15. All required landscaping shall be provided with an automatically controlled irrigation system in conformance with the best management practices for automatic irrigation systems.
16. Demonstrate compliance with or an exemption from Garden City Code 8-4G prior to certificate of occupancies.
17. 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.
18. Property Maintenance Standards shall be maintained as required by Garden City Code.
19. The property owner is responsible for the maintenance of all landscaping and screening devices required.
20. 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.
21. 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.
22. 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.

23. 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.
24. Occupying the site prior to Certificate of Occupancy is a criminal offense.
25. 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 consultation. The date of action may be a different date than the applicant is provided with a signed copy of the decision.
26. Pursuant to 8-6A-9 Appeals, those with standing may appeal a decision within fifteen days from the date of action.
27. This approval shall expire two (2) years from its approval, unless otherwise extended as allowed by Garden City Code.
28. 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

Mayor, John. G. Evans

Date