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To: planning
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Subject: SAPFY2026-0001 DRAFT 5 COMMENTS
Date: Thursday, September 3, 2026 1:32:38 PM

SAPFY2026-0001 DRAFT 5 COMMENTS

My name is Curt Fransen. I reside at 3844 N WILLOWBAR LN, adjacent to the ACHD Maintenance Yard and the area addressed by the proposed SAP.

Regarding this application, I responded to Garden City's Public Survey, provided comments regarding previous drafts, attended the joint P&Z/City Council Work Session, attended and testified at the last P&Z Commission hearing, participated with two other City residents in an informal meeting with the City's Director of Development Services and followed up by submitting proposed edits to the draft SAP ordinance. The meeting with the Director was appreciated; it was a valuable opportunity to ask questions, gain a better understanding of the City's interests and constraints and explain our concerns and suggestions. The below Comments are confined to Draft 5 and supplement my previous comments and submissions.

At the outset I note that Draft 5 makes a number of notable improvements to the previous draft. In particular I generally support changes made regarding Adams Street connectivity, encouraging potential relocation of the Greenbelt by providing open space credit for doing so, improving the alignment of local streets and circulation networks and some improvements to the adjacency requirements along the Greenbelt and Boise River. A number of other positive changes and clarifications are also evident. These changes indicate the City is listening to its residents and this somewhat contentious process is worthwhile. But, and not to detract from the progress that has been made, a number of concerns and the potential for improvement remain. I am hopeful City staff and the Commission will continue to listen to the concerns of directly affected City. Development of Heron Commons can be accomplished in a manner that reasonably protects and improves the quality of life of residents already living in this vibrant part of Garden City and those that will come.

1.MAJOR CONCERNS AND PROPOSED CHANGES

A.TRANSITION AND COMPATIBILITY

As to transition and compatibility of the proposed Heron Commons with surrounding neighborhoods, the Garden City Comprehensive Plan generally requires: "Provide a transition in the height and scale of development compatible with the existing surrounding neighborhood." (p.49). Regarding the ACHD yard as a "future planning area," transition and compatibility are addressed as one of the three goals for the site: "Challenge in creating higher intensity of use of the site that transitions and is compatible with the surrounding neighborhood." (p. 64). The other two goals are opening "additional access and river frontage to the public" and regeneration of the ACHD yard to "highest and best use."

The height and setbacks limits in Draft 5 are inadequate to assure a reasonable transition and provide compatibility between the higher intensity development provided for by the SAP and the existing adjacent Waterfront District neighborhood. Draft 5 allows building heights of 6 stories/74 feet (plus additional stories or height in certain circumstances) and setbacks of 5 feet

(rear) and 3 feet (side) from the SAP property line. No different heights or setbacks are provided for adjacent residential neighborhoods. Narrative language in the SAP suggests that lower heights and increased setbacks may be utilized to accomplish compatibility. No standard or definition for "compatibility" is provided.

The existing residences in the Waterfront District are 1, 2 or 3 stories and 40' or less. The majority are 2 stories. There are 36 residences (single family homes and townhouses) in the Waterfront District along the SAP boundary; three are 1 story, ten are 2 stories and twenty-three (Live/Work Townhouses) are 3 stories. These residences are generally setback more than 20 feet from the Waterfront District/SAP property line.

It seems obvious that 6 story structures which are 5 or 3 feet from the Waterfront District property line will not be compatible with the 1, 2 or 3 story residences that already exist there. Nor would the location and height of such structures provide any sort of transition to the higher intensity use of the SAP area. Certainly no resident of the Waterfront District will think so. If a developer proposes such structures, or any structure much higher or larger in scale than what exists in the Waterfront District, there will inevitably be opposition and conflict. City staff, the P&Z Commission, the City Council and potentially a Court will be in the middle of that conflict and required to determine what is an adequate transition and what is compatible without definition or guidance.

That scenario can be avoided by the SAP ordinance. There is no developer currently seeking to build such structures. Nor in this current process has any developer or owner provided any input as to maximum heights or setbacks. It would seem, in the absence of any present controversy, that the City should look to residents of the adjacent neighborhood to determine and establish reasonable height limits and setbacks that will provide for transition and compatibility.

PROPOSAL: Establish a zone within the SAP area 150 feet from the shared property line with the Waterfront District in which the height limit is 3 stories/40 feet and a setback from the property line of 20 feet. 3 stories is still considerably higher than the majority of the residences in the Waterfront District and a 20' setback is generally less than the setbacks within the Waterfront District. There is precedence for this sort of height limit in the Garden City River Club SAP where a height limit was established in part of the East Sub-District to protect an existing neighborhood. The height limit there is 35' and appears to extend at least 300 feet from existing residences. The prosed 20 foot setback area could be utilized for yards, patios, decks, open public space or bike/pedestrian corridors. The setback area would also allow for landscaping and trees and preservation of existing trees situated within the Waterfront District that extend over the property line.

See 2.H and K below regarding addition of "transition" to the narrative language concerning compatibility.

B. HEIGHTS, DENSITY AND MID-URBAN MIXED USE

The Garden City Comprehensive Plan does not appear to require or even suggest the building heights, density, intensity of use or mid-urban core concepts that have been present in one

form or another in the various SAP drafts. The Comprehensive Plan speaks to the creation of a “heart” or “urban core” at or near the Idaho Expo area. The Comp Plan also focuses on the creation and development of “activity centers” within the City in proximity to existing and future transit. The proposed Heron Commons SAP area fits none of these parameters. Motor vehicle transportation into and out of the proposed SAP is limited to Adams Street and is extremely limited compared to “activity center” areas identified by the Comp Plan which are served by local streets, collectors and arterials including Chinden, Glenwood, Veterans or State. In contrast, the Comp Plan simply identifies the ACHD yard as a “future planning area” and provides for development to its “highest and best use,” one of the three goals flagged for this area as noted above (public riverfront access and transition/ compatibility are the other two)

Nevertheless, the SAP drafts have proposed heights, density and intensity of use that appear to exceed that of any other area of the City of similar size (34 acres). Notably, a review of the record in this matter fails to demonstrate any public support for this level of development. Indeed, the record demonstrates significant concern and opposition to the proposed heights and density. The early Public Survey taken by the City did demonstrate public support for mixed-use development but the Survey did not identify the level of mixed-use prescribed by the subsequent SAP drafts. In completing the Survey I checked the boxes in support of mixed-use development but what I had in mind is the sort of mixed-use evident in the Waterfront District and the areas near it between the River, Chinden and the Connector. I believe other participants in the Survey were thinking likewise. Other successful, desirable mixed-use areas, include Hyde Park, Bown Crossing and Harris Ranch. These areas appear to be viable without the heights, density or intensity of use sought by the draft SAP. None of these appear to be “mid-urban” as the Draft 5 prescribes. What all these viable existing mixed use areas have in common is decent transportation options for residents and visitors including local street grids, collectors and arterials.

There are two somewhat contradictory purposes or needs that are reflected in the draft SAP in support of its intended height, density and intensity of use, now referenced in Draft 5 as “mid-urban mixed use.” The first is that it is necessary for the viability of a balanced mix of residential, commercial, offices and services and lessen the need for motorized vehicle travel. The second is that the area should be an attractive regional destination. So on the one hand density is advanced as necessary to keep residents local and on the other hand to attract non-residents. This is problematic since motor vehicle ingress and egress to the SAP area remains limited. Residents will still need to travel, mostly by car, for work, school, government services, health care, large retail shopping, recreation and the like. Residents will have visitors. Non-residents will need or want to access the envisaged non-residential businesses.

PROPOSAL: Moderately scale back the height maximums, particularly near the Greenbelt and Boise River and established neighborhoods. Set up a series of perhaps 3 flexible zones or rings from those areas with 2 to 3 stories allowed near the river and neighborhoods, 3 to 4 stories in a middle zone and finally, if necessary, 4 to 6 stories in the center of the SAP near Adams and 38th. Moderating the allowed heights and therefore decreasing overall density within the SAP area will lessen the transportation burden and at the same time protect the river corridor and existing neighborhoods. This layer cake approach can also provide desirable views of the river corridor and foothills across the development. As evidenced by other low-rise mixed use areas across the Treasure Valley, Heron Commons can be viable and, arguably, more livable at a more modest scale.

If the City remains committed to the current height, density and intensity of use presented in the current draft SAP, a traffic study is needed prior to adoption to realistically assess transportation impacts and needs.

2. OTHER COMMENTS/SUGGESTIONS BY PAGE NUMBER OF DRAFT 5

A. P. 11. Include location of height limits on Illustrative Infrastructure Plan.

B. P. 14. Regarding the Street and Pathway Typology, why would pedestrian use of the Adams Connector not be supported?

C. P. 19-22. Consider connecting the Thurman Pathway to the Adams Connector along the SAP property boundary with the Waterfront District. In addition, consider requiring an additional bicycle/pedestrian pathway from the Adams Connector to the Greenbelt along the Waterfront District property boundary.

D. P. 22. Change name to "Adams Street Connector" or "Adams Street Pathway" and allow pedestrian use in addition to bicycles.

E. P. 25. Is the "Local Circulation Network" depicted on the "Illustrative Infrastructure Plan" as "Local Public Road Extension" and "Connections to reduce block size"? If so, perhaps clarification is needed.

F. P. 31. Is item D. regarding Waterfront District emergency access necessary? As noted there is access via 36th. There is also, I believe, an alternate access at the end of 35th through a fire lane gate. Perhaps check with the relevant fire authority to determine whether additional access is even required.

G. P. 40. As proposed above, include a 20' setback along the boundary with the Waterfront District and a height limit of 3 stories and 40' within 150' of said boundary. Also consider adding height limit zones in a ring-like orientation from the greenbelt and existing neighborhoods toward the center of the SAP area near Adams and 38th. The purpose would be to provide transition and compatibility with the existing neighborhood and the Greenbelt, modestly reduce density and provide vistas of the river corridor, parks and foothills to most of the SAP area.

H. P. 46. In item J., the concept of "transition" as specified by the Comprehensive Plan and reflected in the "intent" portion of the proposed ordinance (P.5 Item 5) is missing. Therefore, amend the first sentence to read "Development adjacent to existing residential neighborhoods shall be designed to provide a transition in height and scale and be compatible with those neighborhoods." Also amend I.1. To read "Transition and compatibility shall be"

I. P. 52-56. F. BOISE RIVER GREENBELT ADJACENCY DESIGN. Ideally the area near the Greenbelt should be a public park as an extension of Heron Park. The City has stated repeatedly that such a park is not possible. If that is the case, the proposed adjacency standards need to be improved. In F.3, the area of applicability should be much larger than 60'. 150' is more appropriate for the purpose and intent of these standards. Likewise, no building setback from the Greenbelt is apparent except the diagram on page 56 which shows a "15' front setback from the greenbelt." 50' would seem more appropriate but it should at least be

consistent with the area designated by F.1 as a “park-like environment” (which should go back to 30’ as in the previous Draft). Likewise, in C.2.a the “stepback” allowance should return to 20’ of horizontal building instead of 10’. The goal should be to avoid creating a “canyon-like” environment along the Greenbelt and river.

J. P. 72. B.3. “Review Process” The Regulatory Master Plans will ultimately determine what is actually developed within the large parcels of Heron Commons. It is therefore imperative that the process to approve such Plans provide the public an opportunity to comment and testify through the Public Hearing process and final decision making by the City Council. Accordingly, this provision should be amended to expressly provide that the process to be followed is the Design Review Administrative with Notice with public hearing and final decision making by City Council.

K. P.77. B.8.l. Amend this sentence to read “The proposed development provides transition and is compatible with existing adjacent neighborhoods....” See 2.H above for explanation.

Thank you for this opportunity to provide comments and suggestions regarding Draft 5.

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