



## CITY OF GARDEN CITY

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**File Number:** SUBFY2020-01  
**For:** Combined Preliminary and Final Plat with a Planned Unit Development  
A 68 lot residential subdivision  
Mountain View Townhomes  
**Location:** At the terminus of W. 53<sup>rd</sup> Street  
**Applicant:** David Hale  
**Property Owner:** CS2, LLC  
**Report Date:** Planning & Zoning: September 16, 2020  
Design Review Committee: September 21, 2020 moved to October 5, 2020  
**Updated to Include Recommendations:** TBD



Staff Report  
Report prepared by Hanna Veal

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## A. Recommendation Summary:

September 16, 20202 Planning & Zoning Hearing Minutes summary:

1. Applicant, David Hale, presented the application.
2. Staff, Hanna Veal, presented the staff report
3. There was no public testimony.
4. David Hale provided rebuttal testimony.
  - a. Willing to create a water featured monument sign.
  - b. Subdivision liability for pedestrian pathway from Glenwood to and through proposed subdivision.
  - c. Settlers Canal should be considered and amenity.
5. Public testimony was closed.
6. Commissioner Pounds moved to approve the application as drafted in the draft decision in the affirmative with draft conditions of approval.
7. Commissioner Pelton seconded the motion.
8. The motion carried unanimously.

## B. Project Information

### Proposed Scope of Work:

This application is for a subdivision and a Planned Unit Development per Garden City Code 8-7A-2 Definition of Terms:

**Subdivision:** The result of an act of dividing an original lot, tract or parcel of land into two (2) or more parts for the purpose of transfer of ownership or development; which may also include easements and the dedication of a public street or designation of private lanes or rights-of-way, and the addition to, or creation of, a cemetery

**Planned Unit Development:** Property planned as a whole that demonstrates innovation in design to protect natural features or create public amenities through more flexible standards, such as lot sizes, densities and setbacks, than those restrictions that would normally apply under these regulations.

Review Process	Notes
<a href="#">8-5B-4</a> Combined Preliminary and Final Subdivision Process	* the combined process cannot be utilized for applications that include special development considerations such as hillside development. While this application is on a site that includes a variety of topography, this has not been applied for as "hillside development".
<a href="#">8-6B-7</a> Planned Unit Development	A Planned Unit Development and a Subdivision can be processed concurrently

### Site Conditions:

- 1) Street Address: N/A located at terminus of W. 53<sup>rd</sup> Street
- 2) Parcel Number(s): S0536141980
- 3) Subdivision: NA; Parcel #1980 of SE4NE4 Sec 36 4N 1 E Parcel B record of survey #11772 in TCA 06-8 # 141952
- 4) Property Size: 7.261 acres
- 5) Zoning District: M Mixed Use
- 6) Zoning Overlay(s): None
- 7) Comprehensive Plan Land Use Map Designation:
  - a) Activity Node: Transit Oriented Development
  - b) Mixed Use Commercial
- 8) Legal Lot of Record: Creation of the new subdivision will create a legal lot of record
- 9) Floodplain Designation:
  - a) 2003 FIRM: outside of the Special Flood Hazard Area
  - b) 2017 Draft FIRM: outside of the Special Flood Hazard Area
- 10) Surrounding Uses
  - a) Retail (Fred Meyer)
  - b) Single Family Detached
  - c) Vehicle Sales
  - d) Health Club
  - e) School (Capital High)
  - f) Eating Establishment

- 11) Existing Use: Vacant
- 12) Easements on site: There are no records on file with Garden City of existing easements
- 13) Site Access: 53<sup>rd</sup> Street
- 14) Sidewalks: There is no public street within the project area
- 15) Wetlands on site: none identified

**Project Details:**

- 1) Proposed development: residential combined Preliminary and Final Plat – Processed as a Planned Unit Development
- 2) Total number of lots: 68
  - a) Common: 7
  - b) Residential: 61
  - c) Non-Residential: 0
  - d) Mixed-Use: 0
  - e) Live-Work: 0
- 3) Density: 7.8 Dwellings per acre
- 4) Site Coverage:
  - a) Building: 35,337 sq. ft. (0% of the site)
  - b) Landscaping: 16,945 = 5%
    - i) Open Space 145,683sqft = 43%,
    - ii) Canal Area 84,071sqft = 25%
  - c) Paved Areas: Not disclosed
- 5) Access: Private road from W. 53<sup>rd</sup> Street
- 6) Total number of vehicular parking spaces: 159
  - a) Enclosed: 61
  - b) Surface: 61 in front of units + 37 guest
  - c) On-Street: N/A
  - d) Off-site with a cross parking agreement: N/A
- 7) Total number of bicycle parking: 7
  - a) Enclosed: 0
  - b) Surface: 7
- 8) Refuse: Not Disclosed
- 9) Fencing: Wrought iron 42" around development and 6' around canal
- 10) Sidewalk:
  - a) Attached proposed
- 11) Landscaping: 16,945 = 5%
  - a) 725 of shrubs
  - b) 100 Total number of trees
    - i) 35 Class I
    - ii) 55 Class II
    - iii) Unknown # Class III
  - c) Open Space 1 tree per 1,000SF: 17 required & 17 provided trees
  - d) Townhouses: 62 required & 62 trees
  - e) Townhome Frontage: 33 required & 58 provided
  - f) Parking Lot: 2 required & 8 provided
- 12) City Utilities
  - a) Sanitary sewer service provided by the City of Garden City

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- b)** Potable Water will be provided by the City of Garden City
  - c)** All water mains shall be 8" unless otherwise shown
  - d)** All sanitary sewer mains shall be 8" unless otherwise shown.

**e)** 3 proposed fire hydrants

**13)** Pathway: none proposed

**14)** Proposed Easements:

- a)** All lot lines common to a public or private right-of-way have a 10' utility easement.
- b)** All side yard lot lines have a 5' property drainage & irrigation easement.
- c)** There is a 20' easement located on all driveways for parking.

**15)** Waivers requested:

- a)** Grading Plan
- b)** Hydrology Report
- c)** Natural Hazard and Resources Analysis
- d)** Dedications and Easements
- e)** Covenants and Deed Restrictions
- f)** Irrigation/Ditch Company Information Form
- g)** Subdivision entry/monument Sign

## C. Discussion

This is an application for a 68 lot residential combined preliminary and final plat processed as a planned unit development for the Mountain View Townhomes. The parcel of land is currently 7.78 acres of vacant land situated directly behind/south of the Fred Meyer at 5425 W. Chinden. The proposed site is within the Mixed Use zoning district which allows for a mix of commercial and residential uses that are complementary of one another. Single Family attached dwellings are a permitted use within this district.

The application was previously proposed as a 72-unit Preliminary Plat and Planned Unit Development with a Condition Use Permit in December 2019. Changes to the layout of the project and total number of units reflect the attempt to minimize the impact to the existing slope and the location placement of retaining walls further away from Settler's Canal.

The proposed development appears to conflict with multiple required findings. The City Engineer's comments have raised issues to this effect. The Settler's Irrigation Company comments also raise concerns about the project. However the applicant has provided an updated Geotech report that states there is no geotechnical concern that will prevent development ([here](#)).

### **Bike & Pedestrian Connectivity**

The applicant has proposed closing off access to the walkways of the Settler's Canal citing liability concerns. There is not presently a plan in place to coordinate with the Settler's Canal to officially open the adjacent pathways to public use. Capital High is on the southwestern side of the property, about 400 feet away. A pathway from the proposed subdivision to the intersection of Glenwood St. and Mountain View Dr. would provide a better alternative route for not only the students, but for the whole community. There are currently dirt pathways exemplifying the connections pedestrians already take through the parcel of land. (please refer to Pg. 21 of the staff report). By building a bike/pedestrian pathway from the subdivision to Glenwood it would provide a safe, alternative route to the one they are currently using. In addition, the proposed 6' wrought iron fencing on the perimeter of the subdivision will discourage mobility for the residents within the community. Due to the lack of connectivity to N. Glenwood, residents are forced to travel on 53<sup>rd</sup> St. to W. Chinden Blvd. then take the left up to Glenwood just to reach the intersection. This route adds an additional 4768.65 feet to what could be a 400-foot trip.

If the applicant were to gain permission from the adjacent parcel of land to the west to provide an easement for a bike and pedestrian pathway, the connectivity of the entire neighborhood and its surrounding uses would drastically increase.

### **Amenities**

In order to access the property from 53<sup>rd</sup> street. The Thurman Mill Canal must be crossed. Because a monument sign for the development has not been designed yet, staff encourages using the accessible Thurman Mill water to be incorporated into their sign. In addition to it being used as a key feature in their sign, staff encourages the applicant to consider adding the water as an amenities feature. (Please refer to pg. 20 of the staff report for examples).

### **Private Road vs. Public Roads**

Staff would like to discuss the proposed private road instead of proposing a public road.

## D. Decision Process

### General Provisions

This application is processed per GCC 8-6A-7 Public Hearing.

**Required Decisions:** The following decision processes are required for the project as governed by GCC Table 8-6A-1:

Decision		Recommendation Authority/ Hearing Date	Decision Authority
Combined Preliminary/Final Subdivision	Plat	Planning and Zoning Commission: Hearing September 16, 2020  and  Design Review Committee: Hearing September 21, 2020 moved to the date certain of October 5, 2020 based on applicants request.	City Council Hearing: October 12, 2020
And Planned Unit Development			

### Required Findings:

For the approval of a **COMBINED PRELIMINARY/FINAL PLAT SUBDIVISION**, the decision making body must find the application meets the following findings, found in GCC 8-5B-5:

- A. The subdivision is in conformance with the comprehensive plan;
- B. The subdivision is in conformance with all applicable provisions of this title;
- C. Public services are available or can be made available; and are adequate to accommodate the proposed development;
- D. The subdivision is in conformance with scheduled public improvements in accord with the city's capital improvement program;
- E. There is public financial capability of supporting services for the proposed development;
- F. The development will not be detrimental to the public health, safety or general welfare; and
- G. The development preserves significant natural, scenic or historic features

**PLANNED UNIT DEVELOPMENT:** To approve a planned unit development, the decision-making body must find the application meets the following findings, found in GCC 8-6B-7.E:

- A. The applicant has demonstrated that the proposed development can be initiated within two (2) years of the date of approval;

B. Each individual unit of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which would not be achieved under standard district regulations;

C. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic and increased densities will not generate traffic in such amounts as to overload the street network outside the PUD;

D. Any proposed commercial development can be justified at the locations proposed;

E. Any exception from standard district requirements is warranted by the design and other amenities incorporated in the final development plan, in accordance with the PUD and the adopted policy of the council;

F. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development;

G. The PUD is in general conformance with the comprehensive plan; and

H. The existing and proposed utility services are adequate for the population densities and nonresidential uses proposed.

**Decision:**

After hearing the evidence and considering the application, the decision maker shall make their decision. The decision maker shall report the facts upon which it based its conclusion, the ordinance and standards used in evaluating the application, the actions, if any, that the applicant could take to obtain a permit, and whether a permit is granted, granted with conditions, or denied. The decision maker shall make its findings and decision no later than by the next regular scheduled meeting.

The Planning and Zoning Commission and Design Review Committee are recommending bodies for this application.

**Recommendation**

The Recommending Authority may take one of the following actions:

1. Recommend the City Council grant/ approve the application as applied;
2. Recommend the City Council grant/ approve the application with conditions as drafted or as amended to the City Council;
3. Recommend the City Council deny the application; or
4. Request the applicant return with revised materials for additional review.

The City Council is the final decision maker for this application.

**Decision**

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The City Council may take one of the following actions:

1. Sustain the recommendation as presented to the City Council;
2. Modify the recommendation with conditions;
3. Reject the recommendations; or
4. Remand the application to a recommending body for additional proceedings and findings.

Appeal of Decision:

Pursuant to Garden City Code [Table 8-6A-1 Authorities and Processes](#), the Design Committee and Planning and Zoning Commission are recommending authorities and the City Council is the final decision maker for the requested application. The recommendations of the Design Committee and the Planning and Zoning Commission does not constitute a final decision on the application.

The applicant or someone with standing may request City Council to reconsider their decision. A reconsideration request may be made within 14 days of the formal decision being rendered. Final decisions are subject to a 28-day right to judicial review pursuant to The Idaho Administrative Procedures Act, Chapter 65 Title 67 Idaho Code. A takings analysis pursuant to Idaho Code may be requested on final decisions.

## E. Agency Comments

The following is a summary of the agency comments that were provided at the time of the drafting of this report. All comments are included in their entirety as a part of the record.

<b>Agency</b>	<b>Comment Date</b>	<b>Summary</b>
Ada County Highway District	1/23/2020	<ul style="list-style-type: none"> <li>• Site specific conditions of approval concerning cul-de-sac construction, impact fees, and civil plan review</li> <li>• Standard ACHD conditions of approval requested</li> </ul>
Central District Health	12/31/19 08/27/2020	Standard Comments
Garden City Engineer	01/02/2020	<ul style="list-style-type: none"> <li>• Canal stabilization a significant concern</li> <li>• Opposition to the waiver requests due to identified site issues</li> <li>• Issues concerning location of sewer services with relation to the canal</li> <li>• Slope of property presents significant concerns</li> </ul>
North Ada County Fire and Rescue	01/08/2020	<ul style="list-style-type: none"> <li>• Fire hydrants required along fire lanes</li> <li>• Monument signage require at entrance and at all intersections of project</li> <li>• Restrictions on parking to accommodate fire lane; Final plat note required to this effect</li> <li>• Security gate requirements noted</li> </ul>
Settlers Irrigation District	01/06/2020 09/08/2020	<ul style="list-style-type: none"> <li>• No work that digs into canal bank authorized – significant concern as some buildings and parking areas within canal bank area</li> <li>• In opposition of ANY construction impacting any</li> </ul>

		portion of the embankment which provides stability to the hillside upon which the Settlers Main Canal is located.
West Boise Sewer District	09/08/2020	<ul style="list-style-type: none"> <li>On February 10, 2015 the District's Board approved the petition for exclusion of property from the District.</li> </ul>
Site Consulting , LLC	July 22, 2020 Revise August 8, 2020	<ul style="list-style-type: none"> <li><a href="#">HERE</a></li> <li>Based upon observed conditions and reported development plans, there is no geotechnical concern that will prevent development or construction of the proposed townhouse complex on the referenced parcel. The construction as described in the provided Site Plan and Grading Plan can be completed and not adversely impact the adjacent properties, slopes, and Settler's Canal.</li> </ul>

## F. Public Comment

The following public comments were provided:

<b>Committer</b>	<b>Comment Date</b>	<b>Summary</b>
Crysta Swarts	01/23/2020	As a newer member of the Treasure Valley community, I am thrilled when on the Greenbelt I see bikers and pedestrians of all ages enjoying themselves and traveling safely and sustainably through our community. I strongly believe as we develop our canal system that we include accessible pathways for helping more of our community move around town without using our cars.
Eric Willadsen	01/06/2020	I'm not able to make it to the hearing this afternoon, but was hoping to comment on the Hale Development proposal for 72 townhomes near the Fred Meyer along Settlers Canal. I was hoping to comment on the need and community's desire for Settler's Canal to be open for public bike/ped. use along its bank, and to advocate for the developer to leave space for a public right-of-way at some point.
Henry Grasmick – LATE EXHIBIT	09/02/2020	"Great place for storage sheds, but I think not homes for 2 or 3 hundred people. Would you live there?"

## G. Code/Policy Review

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

<b>Garden City Title 8 Code Sections</b>			
Code Section	Review Authority	Compliance Issues	Analysis/ Discussion
<b>Title 8, Chapter 1: General Regulations</b>			
<a href="#">8-1A-4 Applicability</a>			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.
<b>Title 8, Chapter 2: Base Zoning District Regulations</b>			
8-2B-1 Purpose	PZ/CC	No compliance issues noted	The application about 8 units per acre, under the 14 units per acre minimum within the Mixed Use Zoning District with a TOD designation. A density reduction is proposed through the PUD application. The subdivision does specifically request entitlements for the use of single family attached dwelling units, which is consistent with the purpose identified for the Mixed Use Zoning District.
8-2B-2 Allowed Uses	PZ/CC	No compliance issues noted	Single Family Attached Dwellings are a permitted use.
8-2B-3 Form Standards	PZ/CC	No compliance issues noted	<p>The required setbacks are:</p> <ul style="list-style-type: none"> <li>• Front: 10' max</li> <li>• Interior Side: 0/3'</li> <li>• Rear: 5'</li> <li>• Street Side: 0'</li> </ul> <p>The Applicant has request:</p> <ul style="list-style-type: none"> <li>• Front: 20'</li> <li>• Rear: 15 min</li> <li>• Interior Side: 5' and 0' common lot line</li> <li>• Street Side: 15'</li> </ul> <p>The allowable maximum height is: 72'</p> <p>The minimum lot size is: n/a</p> <p>There are not encroachments</p> <p>All improvements are more than 70' from the Boise River.</p> <p>All properties meet the minimum street frontage.</p>
<b>Title 8, Chapter 4: Design and Development Regulations</b>			
<a href="#">8-4A-3 Fences and Walls</a>	DC/CC	No compliance issues noted	42" perimeter wrought iron fencing 6' wrought iron fencing along the Settlers Canal 6' white vinyl fence between yards
<a href="#">8-4A-4 Outdoor Lighting</a>	DC/CC	May not be compliant	12 proposed streetlights according to new submittals. Details on streetlights not proposed.

			The original lighting plan submittal, while providing specifications of the light fixtures, does not include whether the lighting will be down shielded. Upward glare could affect surrounding property owners.
<a href="#">8-4A-5 Outdoor Service and Equipment Areas</a>	DC/CC	Compliant as conditioned	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.
<a href="#">8-4A-7 Stormwater Systems</a>	DC/CC	Compliant as conditioned	The City Engineer has noted issues concerning the grading and slope of the site, which can affect stormwater system installation.  A draft condition of approval has been provided requiring that the stormwater systems be built in compliance with provisions of 8-4A-7.
<a href="#">8-4A-8 Utilities</a>	DC/CC	Compliant as conditioned	The City Engineer has noted issues concerning the requirements of easements for utilities and the installation of city services at this site.  A draft condition of approval is provided requiring each lot to be connected to City services.  Another draft condition of approval is provided requiring that all utilities be underground.
<b><a href="#">8-4B Design Provisions for Residential Structures</a></b>			
<a href="#">8-4B-3 Single Family and Two-Family Attached and Detached Dwelling</a>	DC/CC	No compliance issues noted	These provisions will be reviewed in conjunction with the subsequent individual building permits.
<b><a href="#">8-4D Parking and Off Street Loading Provisions</a></b>			
8-4D-3 Parking Design and Improvement Standards	DC/CC	No compliance issues noted	
8-4D-4 Parking Use Standards	DC/CC	No compliance issues noted	
8-4D-5 Required Number of Off-Street Parking Spaces	DC/CC	No compliance issues noted – waiver has been submitted	Required parking for the use “Dwelling Unit, Single Family, Attached”:  <ul style="list-style-type: none"> <li>• Two garage spaces per unit</li> <li>• 0.5 guest parking spaces</li> </ul> Total spaces required for 61 units: 153 <ul style="list-style-type: none"> <li>• 122 garage spaces</li> <li>• 31 guest parking spaces</li> </ul> The applicant has requested a waiver to this standard,

			specifically allowing one of the spaces to be located outside of a garage and within the unit's driveway. The applicant has proposed adequate parking: <ul style="list-style-type: none"> <li>• 61 garage parking</li> <li>• 61 driveway parking</li> <li>• 37 guest parking</li> <li>• Total Parking: 159</li> </ul>
<b>8-4E Transportation and Connectivity Provisions</b>			
8-4E-3 Public Street Connections	DC/CC	May not be complaint – Discussion needed	<p>The applicant has proposed a driveway system directly connected to the end of W. 53<sup>rd</sup> Street. Access is subject to ACHD approval, which has not been granted as of the drafting of this report.</p> <p>An unnamed private common drive connects at 53<sup>rd</sup> St. All proposed residential units use this unnamed private common drive for access.</p> <p>There is a general condition of approval requiring that all streets and driveways shall adhere to the standards of a clear vision triangle at all times.</p>
8-4E-4 Internal Circulation Standards	DC/CC	No compliance issues noted	
8-4E-5 Private Street Standards	DC/CC	May not be complaint	<p>The applicant has requested a waiver through the PUD application to GCC 8-5A-4D, which requires more than four dwelling units to access a private road instead of a shared driveway. If the waiver is not granted, the private road standards must be adhered to.</p> <p>The private street names shall obtain approval from the Ada County street name committee.</p>
8-4E-6 Sidewalk Standards	DC/CC	No compliance issues noted	The applicant has proposed connecting a private sidewalk network to the existing public sidewalk network at W. 53 <sup>rd</sup> Street. The private sidewalk network is subject to the standards of GCC 8-4E-7 and is reviewed below.
8-4E-7 Pedestrian and Bicycle Accessibility Standards	DC/CC	No compliance issues noted	The applicant has provided interconnectivity through a pedestrian pathway system throughout the development. The system connects to existing pedestrian connectivity at the Fred Meyer supermarket directly adjacent to the development. Condition of approval contingent upon this cross-access agreement.
<b>8-4F Sign Provisions</b>			
8-4H Flood Hazard	Planning Official	No compliance issues noted	Proposed property is not within the FEMA Flood Hazard designations.
<b>8-4G Sustainable Development Provisions</b>			
8-4G Sustainable Development Provisions		Compliant as conditioned	<p>All new development and additions to existing development shall be required to provide for sustainable development practices based on a point system.</p> <p>All new residential developments over 4 dwelling units: 6 points/unit</p>

<b>8-4I Landscaping and Tree Protection Provisions</b>			
8-4I-3 General Landscaping Standards and Irrigation Provisions	DRC/CC	No compliance issues noted	
8-4I-4 Landscaping Provisions for Specific Uses	DRC/CC	No compliance issues noted	
8-4I-5 Perimeter Landscaping Provisions	DRC/CC	No compliance issues noted	
8-4I-6 Parking Lot Landscaping Provisions	DRC/CC	No compliance issues noted	
8-4I-7 Tree Preservation Provisions	DRC/CC	Discussion needed – additional information of tree mitigation	The record does not indicate whether existing trees are being removed. The landscape plans indicate that three trees are to be retained. The Committee can request more information to determine compliance or include a recommended condition of approval allowing administrative review of these provisions.
<b>8-4L Open Space Provisions</b>			
8-4L-3 General Open Space Standards	DRC/CC	No compliance issues noted	Required Open Space: 51,400 Sqft Proposed Open Space: 72,745Sqft
8-4L-4 Open Space Standards for Single-family, Townhouse, and Two-Family Duplex Developments	DRC/CC	No compliance issues noted	
<b>Title 8, Chapter 5 Article A: Land Division Regulations – General Provisions and Standards</b>			
8-5A-4 General Standards	PZ/DRC/CC	No compliance issues noted	See discussions on Design Review 8-4 B&C; Driveways 8-4-E; Floodplain 8-3-B 8-4H; Landscaping 8-4-I; Open Space 8-4-L; Parking 8-4-D; Planned Unit Development 8-6B; Private Streets 8-4-E; Sidewalks 8-4-E; Street design and development standards 8-4-G; Sustainable development provisions 8-4-G; Utilities 8-4-A; Zoning Provisions 8-2-B  There are general conditions of approval that the application must be in conformance with the requirements of Garden City Code Erosion Control 4-15; Public water and sewer systems Title 6; Storm drainage and discharge control 4-14 prior to the approval of the subdivision.
8-5A-5 Design Standards		Discussion Needed	Subsection D limits a common driveway to four dwelling units unless approved through a planned unit development. The applicant has requested a waiver to this requirement through the PUD application. The intent of this requirement is to

			<p>ensure dwelling units can be assigned addresses. Ada County assigns the addresses during the final plat phase and can designate a driveway as a private road for addressing purposes.</p> <p>Granting the waiver waives the private street requirements of GCC 8-4E-5 but does not waive the Ada County designation.</p>
8-5A-6 Improvement Standards		Requires discussion	<p>A variety of lot sizes is <i>encouraged</i> by code to accommodate a range of housing types and sizes. The proposal has 61 similar lot sizes.</p> <p>A subsequent application will be required for staff approval to ensure that the proposed improvements meet code standards and policies for storm drainage, water, sewer, utilities, and monuments and are otherwise in conformance with this approval.</p> <p>A hydrant and a fire turn-around have been proposed.</p> <p>There are proposed streetlights within the subdivision.</p>
Title 8, Chapter 6, Article A: Administration			
<a href="#">8-6A-3 General Application Process</a>	PZ/DRC/CC	No compliance issues noted	The application was reviewed and considered complete within 30 days of submittal, a notice of application acceptance was issued to the applicant, and staff started processing the application.
<a href="#">8-6A-4 Required Application Information</a>	PZ/DRC/CC	No compliance issues noted	<p>Application waivers requested pursuant to 8-6A-4A:</p> <ol style="list-style-type: none"> <li>Grading Plan</li> <li>Hydrology Report</li> <li>Natural Hazard and Resources Analysis</li> <li>Dedications and Easements</li> <li>Covenants and Deed Restrictions</li> <li>Irrigation/Ditch Company Information Form</li> <li>Subdivision entry/monument Sign</li> </ol>
<a href="#">8-6A-7 Public Hearing Process</a>	PZ/DRC/CC	No compliance issues noted	The applicant provided a neighborhood meeting more than one month and less than three months prior to application submittal. The City provided a radius notice, notifications to agencies with jurisdiction, and ran a legal notice in the Idaho Statesman, at least 15 days prior to the first hearing. The applicant provided an affidavit more than 7 days prior to the hearing that the property was posted more than 10 days prior to the hearing.
<a href="#">8-6B-7 Planned Unit Development</a>	DC/CC	May not be complaint – Discussion needed	<ul style="list-style-type: none"> <li>With ten (10) or more dwelling units, a variety of housing types shall be included including attached units (townhouses, duplexes), detached units (patio homes), single-family and multi-family units; provided, that the overall density limit of the district is maintained.</li> <li>For townhouses, no more than eight (8) townhouse units shall be located in any contiguous group.</li> <li>Proposed buildings are all similar layouts and use the same materials according to elevations.</li> </ul>

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Other Items Reviewed	
Plan/Policy	Discussion/ Analysis
<a href="#">Idaho Code 67-6513</a> Local Land Use Planning Subdivision Ordinance	<p>Garden City has, by ordinance, adopted hearing procedures compliant with section <a href="#">67-6509</a>, Idaho Code, for standards and for the processing of applications for subdivision permits under sections <a href="#">50-1301</a> through <a href="#">50-1329</a>, Idaho Code.</p> <p>This statute enables Garden City regulations to provide for mitigation of the effects of subdivision development on the ability of political subdivisions of the state, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.</p> <p>This section notes that denial of a subdivision permit or approval of a subdivision permit with conditions unacceptable to the landowner may be subject to the regulatory taking analysis provided for by section <a href="#">67-8003</a>, Idaho Code, consistent with the requirements established thereby.</p>
<a href="#">Idaho Code 67-6515</a> Local Land Use Planning Planned Unit Developments	<p>This statute enables Garden City to process applications for planned unit developments.</p>
<a href="#">Garden City Comprehensive Plan</a>	<p>This application is in future land use designations of the Comprehensive Plan:</p> <ul style="list-style-type: none"> <li>a) Activity Node: Transit Oriented Development</li> <li>b) Mixed Use Commercial</li> </ul> <p>The mixed-use commercial designation is for the area south of Adams Street. The intent of this designation is to create an area for mixed uses, including residential, office, retail, and small scale industrial, that are more urban in character than in the mixed-use residential area. Three story buildings and 40%- 60% lot coverage, with aggregated open spaces for pocket parks should guide the development pattern in this area.</p> <p><b>The application may be supported by:</b></p> <p>Goal 2: Improve the City Image            Objective 2.1: Encourage new and distinctive neighborhoods.            Objective 2.3 Promote quality design and architecturally interesting buildings.</p> <p>Goal 4: emphasize the “Garden” in garden City            Objective 4.1: Beautify and landscape            Objective 4.3: Beautify streets, sidewalks, and gateways with landscaping, trees, and public art.</p> <p>Goal 7: Connect the City            Objective 7.1: Create pedestrian and bicycle friendly connections.</p> <p><b>The application may not be supported by:</b>        While most of the Comprehensive Plan goals, objectives, and action steps may be met through a combination of residential uses, landscaping, sidewalk and pedestrian connectivity, and diverse housing types, the</p>

	<p>application creates potential concern with completing the following goals, objectives, and action steps:</p> <p>Goal 5: Focus on the River  5.5 Objective: Create more accessibility to the Boise River and Greenbelt  5.5.2 Action Step: Develop a city-wide pathway and sidewalk plan with links to the Boise River Greenbelt. Consider linear pathways adjacent to existing waterways such as the Thurman Mill Ditch and waterways to the Settler's Canal that can link to the river and provide alternative locations for parking and river activity staging</p> <p>Goal 6: Diversity in Housing  Objective 6.2: Continue to be a leader and set an example for the region in creating a diversity of housing.</p>
<a href="#">Garden City Sidewalk Policy</a>	<p>The Garden City Sidewalk Policy was reviewed as part of this application. The applicant has proposed a sidewalk connecting to the existing public sidewalk network and to the private sidewalk network on the development.</p>
<a href="#">Garden City Street Light Policy</a>	<p>The Garden City Streetlight Policy was reviewed as part of this application. A streetlight is required every 400' along a public street. The applicant has provided a streetlight at the end of W. 53<sup>rd</sup> Street.</p>



Figure 3: Monument Sign Example (Google Maps)



Figure 2: Water Amenity Example (Google Image)



Figure 1: Monument Sign Example (Google Images)



Figure 4: Existing Pedestrian Pathways (Google Maps)