

**LAND DIVISION**

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

6015 Glenwood Street ▪ Garden City, ID 83714 ▪ 208.472.2921 (tel.)  
 208.472.2926 (FAX) ▪ [www.gardencityidaho.org](http://www.gardencityidaho.org) ▪ [planning@gardencityidaho.org](mailto:planning@gardencityidaho.org)

**CONTACT INFORMATION**

**APPLICANT**

**Name:** Pam Gaines **Address:** 725 E. 2nd Street Meridian, Id 83642  
**Email:** [pgaines@neudesignarch.com](mailto:pgaines@neudesignarch.com)  
**Phone:** 208-884-2824

**OWNER**

**Name:** Mesa Construction, Inc. John Hook **Address:** 105 S. El Camino Real San Clemente, CA 92672  
**Email:** [buymesa@yahoo.com](mailto:buymesa@yahoo.com)  
**Phone:**

**PROPERTY INFORMATION**

**Subdivision/Project Name:**  
 Riverpointe Subdivision

**Site address:**  
 404 E. 49th Street Garden City, ID 83714

**Description of Existing Use(s):**  
 Undeveloped Lot

**Description of Surrounding Uses:**  
 Single family homes & apartment complex.

**APPLICATION INFORMATION**

- Minor Land Division     Preliminary Plat     Planned Unit Development  
 Combined Preliminary/Final Plat     Final Plat     Condominium

If final plat have there been any changes since the preliminary plat? Y/ N

Number of residential lots 8    Number of commercial lots 0    Number of mixed use lots 0

Number of common lots 3    Square feet of common open space 2,870 sq ft

Are any improvements planned within the common open space area? If so, specify.  
Greenbelt path access

What public services and facilities are required for this development?  Fire Protection  Police Protection  Water  Sewer  Drainage  
 Streets  Schools

What housing types are proposed? MARK ALL THAT APPLY  
 Single Family     Condos \_\_\_\_\_    Townhomes     Live/Work \_\_\_\_\_  
 Manufactured/ Mobile Homes \_\_\_\_\_    N/A \_\_\_\_\_

Is this plat a portion of a larger land holding intended for subsequent development? If yes, please explain.    No

Is the project within the Floodplain?    Yes

Are there any proposed uses not allowed in the zoning district where the project is located? If so, specify. If so, what is the gross land area devoted to such uses?  
 No

**What is the effect of this site development on roadways and traffic conditions?**

The subdivision will be accessed from 49th Street via a private drive way. There will be minimal impact to traffic conditions due to the size of the project.

**Are there new roads proposed/required?**

Yes, Private Road

**Are there new ingress/egress being proposed?**

Yes

**How has off-street parking and loading been arranged and sized to prevent traffic congestion?**

Garages and on-site parking

**How has vehicular and pedestrian circulation been arranged with respect to adjacent facilities and internal circulation?**

Internal sidewalks and pathway to homes & E. 49th St.

**Has there been connection to or access provided for future connections to bicycle and pedestrian pathways or regional transit?**

Yes, a pathway will connect to the greenbelt for public use.

**What neighborhood characteristics exist or are planned which make this development compatible with the neighborhood and adjoining properties?**

There are apartments located to the north and single family residences to the East.

**What is the effect of this site development on the adequacy of storm and surface water facilities?**

See applicant's waiver letter.

**How will the design create a sense of place (usable open space, public art, visual focus points)?**

The design creates a sense of place by utilizing open space to create a walkway to the greenbelt that is open to everyone and the proposed buildings are similar in style to adjacent buildings.

**How has landscaping been used to protect existing trees, utilize existing features, create harmony with adjacent development and prevent erosion and dust?**

See landscape plan

**What type of water will be used for landscaping? \_\_\_\_\_Irrigation - Non-Potable  
\_\_\_\_\_Irrigation - Potable \_\_\_\_\_X\_\_\_\_\_City Water System**

**Have native or drought resistant plants been utilized in the landscaping plan? If so what types and what percentage of the overall landscape is dedicated to these plants?**

See landscape plan

**What sustainable concepts have been incorporated into the design?**

N/A

## APPLICATION INFORMATION REQUIRED

**NOTE:**

**AN ELECTRONIC COPY OF THE ENTIRE APPLICATION SUBMITTAL REQUIRED**  
**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED UNDER ANY CIRCUMSTANCES**

**TWO (2) HARD COPIES OF EACH CHECKLIST ITEM REQUIRED**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Planning Submittal Form   | <input checked="" type="checkbox"/> Compliance Statement |
| <input checked="" type="checkbox"/> Preliminary Title Report  | <input checked="" type="checkbox"/> Statement of Intent  |
| <input checked="" type="checkbox"/> Legal Description   | <input type="checkbox"/> Approved Sketch Plat            |
| <input checked="" type="checkbox"/> Neighborhood Map  |  |
| <input checked="" type="checkbox"/> Sketch Map (Required for subs with 4 or more proposed lots)       |  |
| <input checked="" type="checkbox"/> Subdivision Map   |  |
| <input checked="" type="checkbox"/> Site Plan   |  |
| <input checked="" type="checkbox"/> Landscape Plan  |  |
| <input checked="" type="checkbox"/> Schematic Drawings  |  |
| <input checked="" type="checkbox"/> Lighting Plan   |  |
| <input checked="" type="checkbox"/> Topographic Survey  |  |
| <input type="checkbox"/> Grading Plan   |  |
| <input checked="" type="checkbox"/> Soils Report  |  |
| <input checked="" type="checkbox"/> Hydrology Report  |  |
| <input type="checkbox"/> Engineering Drawings and Specifications                                      |  |
| <input checked="" type="checkbox"/> Natural Hazard and Resources Analysis                             |  |
| <input type="checkbox"/> Dedications and Easements  |  |
| <input type="checkbox"/> Covenants and Deed Restrictions  |  |
| <input type="checkbox"/> Ability to Serve Letter  |  |
| <input checked="" type="checkbox"/> Neighborhood Meeting Verification                                 |  |
| <input checked="" type="checkbox"/> Affidavit of Legal Interest                                       |  |
| <input checked="" type="checkbox"/> Affidavit of Posting and Photos (Due 7 days before the hearing)   |  |
| <input type="checkbox"/> Irrigation/Ditch Company Information Form                                    |  |
| <input type="checkbox"/> Locations, elevations, and materials of proposed signage or Master Sign Plan |  |
| <input checked="" type="checkbox"/> Waiver Request of Application Materials                           |  |

**FOR CONDOMINIUM SUBDIVISIONS:**

**IN ADDITION TO THE ABOVE REQUIRED DOCUMENTS AND INFORMATION, THE FOLLOWING MUST BE SUBMITTED:**

- Diagrammatic floor plans of the building or buildings built or to be built in sufficient detail to identify each unit, its relative location and approximate dimensions, showing elevations where multi-level or multi-story structures are diagrammed
- A declaration and by-laws consistent with the provisions contained in Idaho Code 15-1505

**INFORMATION REQUIRED FOR WAIVER REQUEST OF APPLICATION MATERIALS (PLEASE CHECK):**

- Statement must include a list of the application materials to be waived and an explanation for the request.

**INFORMATION REQUIRED ON COMPLIANCE STATEMENT (PLEASE CHECK):**

- Statement explaining how the proposed structure(s) is compliant with the standards of review for the proposed application

**INFORMATION FOR STATEMENT OF INTENT(PLEASE CHECK):**

- Should include purpose, scope, and intent of project
- Information concerning noxious uses, noise, vibration, and any other aspects of the use or structure that may impact adjacent properties or the surrounding community

**INFORMATION FOR PRELIMINARY TITLE REPORT (PLEASE CHECK):**

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

**INFORMATION FOR LEGAL DESCRIPTION (PLEASE CHECK):**

- A document legally describing the property.
- Must have Ada County instrument number or county seal inscribed.

**INFORMATION FOR SKETCH PLAT (PLEASE CHECK):**

- A plat preliminary to the preparation of a preliminary plat that show the basic outline of the plat, including lots, roads, and dedicated sites.
- Required for subs with 4 or more proposed lots

**INFORMATION REQUIRED ON NEIGHBORHOOD MAP (PLEASE CHECK):**

- 8 ½" x 11" size minimum
- Location of contiguous lots and lot(s) immediately across from any public or private street, building envelopes and/or existing buildings and structures at a scale not less than one inch equals one hundred feet (1" = 100')
- Impact of the proposed siting on existing buildings, structures, and/or building envelopes

**INFORMATION REQUIRED ON PRELIMINARY SUBDIVISION MAP (PLEASE CHECK):**

- 30" x 42" minimum size
- Scale no less than one inch (1") to one hundred feet (100')
- The names, addresses, and telephone numbers of the planners, engineers, surveyors or other persons who designed the subdivision and prepared the plat
- The legal description of the proposed subdivision, and a topographical map showing the proposed subdivision at a scale of not less than one inch (1") to one hundred feet (100')
- The intended use of the lot such as: residential single-family, duplex, townhouse and multiple housing, commercial, industrial or recreational;
- A proposed building envelope shall be designated and dimensioned on each lot to demonstrate that a building can comply with the required setbacks. This building footprint is not binding on future building on the lot.
- Streets and public rights of way, including proposed street names and dimensions
- Blocks, if any, building envelopes and lot lines as required by subsection 10-4-4F of this Title, showing the dimensions and numbers of each. In addition to providing this information on the plat or supporting addenda, the applicant shall stake the perimeters of each lot and the center of its building envelope sufficiently to permit the Commission to locate the same when inspecting the site of the proposed subdivision
- Contour lines, shown at two foot (2') intervals, reference to an established bench mark, including location and elevation

- Location of any proposed or existing utilities, including, but not limited to, domestic water supply, storm and sanitary sewers, irrigation laterals, ditches, drainages, bridges, culvers, water mains, fire hydrants, and their respective profiles
- Location of bicycle parking
- Location of existing and proposed street lights
- Location of existing and proposed pedestrian and bicycle pathways

**INFORMATION REQUIRED ON SITE PLAN(PLEASE CHECK):**

- 24" x 36" size minimum
- Scale not less than 1" = 20', legend, and north arrow.
- Property boundary, dimensions, setbacks and parcel size.
- Location of the proposed building, improvement, sign, fence or other structure, and the relationship to the platted building envelope and/or building zone
- Building envelope dimensions with the center of the envelope location established in relation to the property lines
- Adjacent public and private street right of way lines
- Total square footage of all proposed structures calculated for each floor. If the application is for an addition or alteration to an existing building or structure, then the new or altered portions shall be clearly indicated on the plans and the square footage of new or altered portion and the existing building shall be included in the calculations
- For uses classified as drive-through, the site plan shall demonstrate safe pedestrian and vehicular access and circulation on the site and between adjacent properties as required in Section 8-2C-13 of Title 8.
- The site plan shall demonstrate safe vehicular access as required in 8-4E-4
- Driveways, access to public streets, parking with stalls, loading areas.
- Sidewalks, bike and pedestrian paths.
- Berms, walls, screens, hedges and fencing.
- Location and width of easements, canals, ditches, drainage areas.
- Location, dimensions and type of signs.
- Trash storage and mechanical equipment and screening.
- Parking including noted number of regular, handicap and bike parking as well as dimensions of spaces and drive aisles depicted on plan
- Log depicting square footage of impervious surface, building and landscaping
- Location and height of fences and exterior walls
- Location and dimensions of outdoor storage areas
- Location of utilities and outdoor serviced equipment and areas
- Location of any proposed public art
- Location of any proposed exterior site furniture
- Location of any exterior lighting
- Location of any existing or proposed signage

**INFORMATION REQUIRED ON LANDSCAPE PLAN (PLEASE CHECK):**

- 24" x 36" size minimum
- Scale the same as the site plan.
- Type, size, and location of all existing and proposed plants, trees, and other landscape materials.
- Size, location and species of existing vegetation labeled to remain or to be removed.
- All areas to be covered by automatic irrigation, including location of proposed irrigation lines.
- Cross section through any special features, berms, and retaining walls.
- A plant list of the variety, size, and quantity of all proposed vegetation
- Log of square footage of landscaping materials corresponding to location

- Proposed storm water systems
- Locations and dimensions of open space

**INFORMATION REQUIRED ON SCHEMATIC DRAWINGS (PLEASE CHECK):**

- 11" x 17" size minimum
- Scale not less than 1/8 inch = 1 foot (1/8" = 1')
- Floor plans; elevations, including recorded grade lines; or cross sections that describe the highest points of all structures and/or buildings, showing relationship to recorded grade existing prior to any site preparation, grading or filing
- Decks, retaining walls, architectural screen walls, solid walls, and other existing and proposed landscape features shall be shown in elevations and sections with the details to show the completed appearance of those structures
- Overall dimensions of all proposed structures
- Specifications on exterior surface materials and color
- Sample materials (as determined by the staff)

**INFORMATION REQUIRED ON LIGHTING PLAN (PLEASE CHECK):**

- 11" x 17" size minimum
- Location, type, height, lumen output, and luminance levels of all exterior lighting
- Refer to Garden City Code 8-4A-6 for outdoor lighting requirements
- Location of municipal street lights

**INFORMATION FOR TOPOGRAPHIC SURVEY (PLEASE CHECK):**

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

**INFORMATION REQUIRED ON GRADING PLAN (PLEASE CHECK):**

- N/A
- 11" x 17" size minimum
  - Scale not less than one inch equals twenty feet (1" = 20')
  - Two foot (2') contours for the entire proposal site
  - One foot (1') contours for details, including all planimetric features
  - Existing site features, including existing structures, trees, streams, canals, and floodplain hazard areas
  - Existing easement and utility locations
  - Approximate limiting dimensions, elevations, and finish contours to be achieved by the contemplated grading within the project, showing all proposed cut and fill slopes, drainage channels, and related construction; and finish and spot grade elevations for all wall and fence construction, and paved and recreational surfaces
  - Slope and soil stabilization and re-vegetation plan, including identification of areas where existing or natural vegetation will be removed and the proposed method of re-vegetating. Show all areas of disturbance and construction fencing location; re-vegetation is required for all disturbed areas
  - Proposed storm water systems

**INFORMATION FOR SOILS REPORT (PLEASE CHECK):**

- N/A
- Prepared by a licensed engineer
  - Report showing the nature, distribution, and strength of existing soil;
  - Conclusions and recommendations for grading procedures

- Opinions and recommendations regarding the adequacy of the soil for the proposed development
- The design criteria for any corrective measures which are recommended

**INFORMATION FOR HYDROLOGY REPORT(PLEASE CHECK):**

- Prepared by a licensed engineer
- Description of the hydrological conditions existing within the proposed site, the adequacy of the existing conditions for the proposed project and the design criteria for any recommended corrective measures
- Map or drawing showing existing surface drainage patterns in the proposed site and identifying any anticipated changes in those patterns due to the project development
- For preliminary plat: Preliminary plans and approximate locations of all surface and subsurface drainage devices or other devices to be employed in controlling drainage water within the project site, including proposed, existing, and natural drainage swales, culverts, catch basins, and subsurface drain piping
- For final plat: A storm drainage plan shall be submitted showing compliance with the standards of section 8-4B-1. The storm drainage plan shall include:
  - a. A map indicating the on-site and off-site drainage applicable to the site
  - b. Detailed engineering plans of all subsurface drainage improvements to be constructed as a part of the proposed development
  - c. Location of all drainage easements, or drainage rights of way
- For a subdivision within a floodplain, documentation shall be provided that will show and explain at the following to demonstrate conformance with Chapter 3, Article B. Flood Hazard. Location of all planned improvements:
  - a. The location of the floodway and the floodway fringe per engineering practices as specified by the Army Corp of Engineers
  - b. The location of the present water channel
  - c. Any planned re-routing of waterways
  - d. All major drainage ways
  - e. Areas of frequent flooding
  - f. Means of flood proofing buildings, and means of insuring loans for improvements within the floodplain

**INFORMATION FOR ENGINEERING DRAWINGS AND SPECIFICATIONS (PLEASE CHECK):**

- waiver*
- Prepared by a licensed engineer
  - The engineering drawings and specifications are for streets, water systems, sewers, and other required public improvements to support the proposal
  - The plans shall contain sufficient information and detail to enable the Planning Official to make a determination as to conformance of the proposed improvements to applicable regulations, ordinances, and standards
  - For a sexually oriented business: The applicant shall provide evidence certified by a professional land surveyor licensed in the State of Idaho that the proposed adult entertainment establishment conforms to the separation requirements as set forth in Section 8-2C-33 of this Title

**INFORMATION FOR NATURAL HAZARD AND RESOURCES ANALYSIS (PLEASE CHECK):**

- Prepared by a licensed engineer
- The natural hazards and resources analysis shall provide an inventory and recommendation regarding natural conditions existing on the site.
- The analysis shall include: significant natural resources existing on the site shall be identified including vegetation; fish and wildlife habitat; and water, including streams and riparian zones. A plan for preservation and/or

mitigation of significant resources should be prepared by a qualified professional.

- For subdivisions within a floodplain: Detained information on the nature, source, and extent of the hazard and the proposed actions to minimize or eliminate danger to public health, safety or property. The analysis shall include the following information:
  - a. The location of existing water channels and drainage ways, floodway, flood plain and base flood elevation
  - b. The location of all planned improvements including dams, dikes, and similar structures
  - c. All planned diversions, alterations or rerouting of channels and drainage ways.

**INFORMATION FOR DEDICATIONS AND EASEMENTS (PLEASE CHECK):**

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

*waiver*

**INFORMATION FOR COVENANTS AND DEED RESTRICTIONS (PLEASE CHECK):**

- The draft of any proposed covenants and deed restrictions to be recorded with the plat or plat amendment.

*waiver*

**INFORMATION FOR WILL SERVE LETTER(PLEASE CHECK):**

- A document from the City Engineer certifying that a property has adequate access to city services.

*waiver*

**INFORMATION FOR NEIGHBORHOOD MEETING VERIFICATION (PLEASE CHECK):**

- Copy of notice sent to property owners within 300' of an applicable property
- List of notice recipients with names and addresses
- Sign-up sheet from meeting

**INFORMATION FOR AFFIDAVIT OF LEGAL INTEREST (PLEASE CHECK):**

- A signed affidavit indicating legal interest in a property and application

**INFORMATION FOR AFFIDAVIT OF PROPERTY POSTING AND PHOTOS(PLEASE CHECK):**

- A signed affidavit affirming that the required sign has been posting on the property ten days before the hearing
- Photos (digital or print) of posted sign

**INFORMATION REQUIRED FOR IRRIGATION/DITCH INFORMATION FORM (PLEASE CHECK):**

- Required if irrigation canal/irrigation ditch runs through property or along property lines

*waiver*

**INFORMATION REQUIRED FOR MASTER SIGN PLAN (PLEASE CHECK):**

- Required for commercial or mixed-use developments of two or more buildings
- Location, elevations, and materials of proposed signage

*N/A*



## B & A Engineers, Inc.

Consulting Engineers & Land Surveyors  
5505 West Franklin Rd. Boise, ID 83705  
Telephone 208.343.3381 Facsimile 208.342.5792

### Re-subdivision of Lot 10, Block 3 of Randall Acres Subdivision No. 5 Riverpointe Subdivision Boundary Description

10 January 2020

A parcel of land situate in the northwest quarter of the northeast quarter of Section 31, Township 4 North, Range 2 East, Boise Meridian, Garden City, Ada County, Idaho, being Lot 10, Block 3 of Randall Acres Subdivision No. 5, as shown on the official plat thereof on file in the office of the Ada County, Idaho, Recorder, and being more particularly described as follows:

Commencing at the northwest corner of said Section 31; thence  $S89^{\circ}17'01''E$ , 2,773.15 feet along the northerly boundary of said Section 31 to the centerline of East 51<sup>st</sup> Street, thence  $S34^{\circ}18'20''W$ , 805.94 feet along the centerline of East 51<sup>st</sup> Street to the intersection of East 51<sup>st</sup> Street and North Alworth Street; thence  $S55^{\circ}41'40''E$ , 1,300.28 feet along said centerline of North Alworth Street to the intersection of North Alworth Street and East 49<sup>th</sup> Street; thence  $N34^{\circ}18'20''E$ , 125.00 feet along the centerline of East 49<sup>th</sup> Street to the extension of the southwesterly boundary of said Lot 10; thence  $N55^{\circ}41'40''W$ , 25.00 feet along the extension of the southwesterly boundary of said Lot 10 to the most southerly corner of Said Lot 10, which is the **Point of Beginning**:

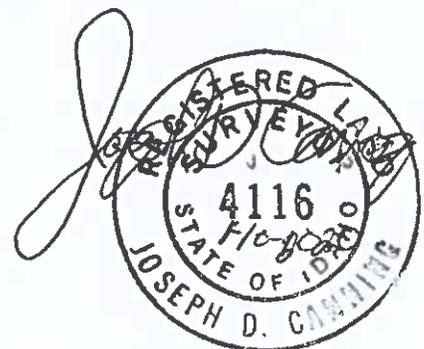
Thence continuing  $N55^{\circ}41'40''W$ , 300.00 feet along the southwesterly boundary of said Lot 10 to the most westerly corner of said Lot 10;

Thence  $N34^{\circ}18'20''E$ , 100.00 feet along the northwesterly boundary of said Lot 10 to the most northerly corner of said Lot 10;

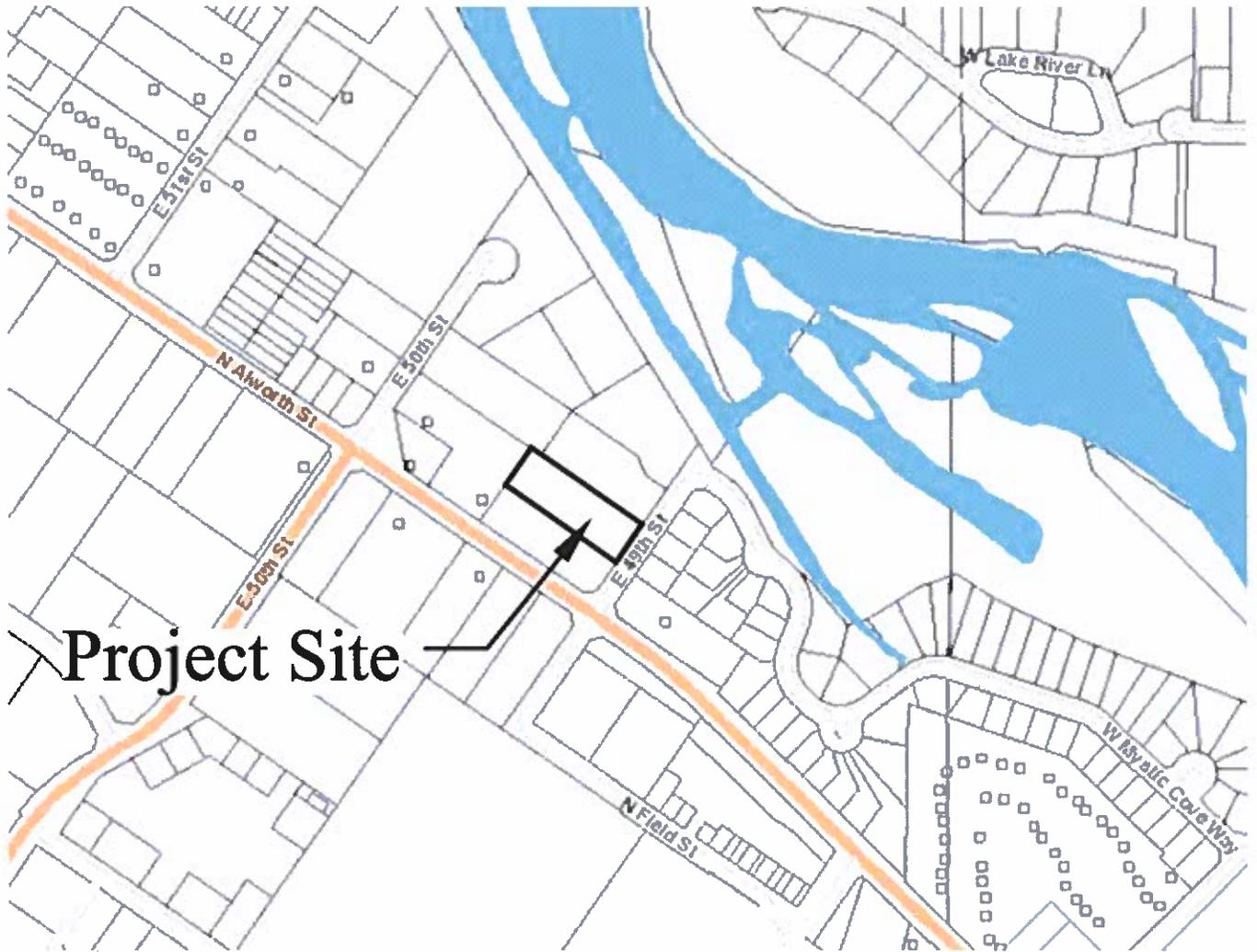
Thence  $S55^{\circ}41'40''E$ , 300.00 feet along northeasterly boundary of said Lot 10 to the most easterly corner of said Lot 10;

Thence  $S34^{\circ}18'20''W$ , 100.00 feet along the southeasterly boundary of said Lot 10 to the **Point of Beginning**.

Comprising 30,000 square feet, more or less.



# 404 E. 49th Street Neighborhood Map



Project Site



**B&A Engineers, Inc.**  
Consulting Engineers, Surveyors & Planners  
5505 W. Franklin Rd. Boise, Id. 83705  
(208) 343-3381



NORTH  
SCALE: NTS

HJT

**ALTA COMMITMENT FOR TITLE INSURANCE  
SCHEDULE A**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

**Transaction Identification Data for reference only:**

Issuing Agent: Stewart Title Company  
Issuing Office: 435 E Shore Drive, Suite 110, Eagle, ID 83616  
Issuing Office 's ALTA® Registry ID:  
Loan ID Number:  
Commitment Number: 378675  
Issuing Office File Number: 378675  
Property Address: 404 E 49th Street, Garden City, ID 83714  
Revision Number:  
Contact: Title Officer: Sumer Brenden Phone: (208) 287-8101 Email: [sumer.brenden@stewart.com](mailto:sumer.brenden@stewart.com)  
Escrow Officer: Beth Wilson Phone: (208) 515-3202 Email: [Beth.Wilson@stewart.com](mailto:Beth.Wilson@stewart.com)

1. Commitment Date: February 28, 2019 at 9:00AM

2. Policy to be issued:	Proposed Policy Amount
(a) ALTA Owner's Standard	\$359,000.00
Proposed Insured: Mesa Construction, Inc.	Premium: \$1,131.00
	Credit Given: (\$207.00)
(b) ALTA Loan	
Proposed Insured:	

Endorsements Premium: \$0.00

3. The estate or interest in the Land described or referred to in this Commitment is:

FEE SIMPLE

4. The Title is, at the Commitment Date, vested in:

Ronald E. Brumley and Marquita K. Brumley, as co-Trustees of The Ron and Keeta Brumley Family Trust, U/A dated March 29, 2018

5. The Land is described as follows:

See Exhibit "A" Attached Hereto

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II -Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.*

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File No.: 378675

ALTA Commitment For Title Insurance 8-1-16 (4-2-18)

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AMERICAN  
LAND TITLE  
ASSOCIATION



**ALTA COMMITMENT FOR TITLE INSURANCE  
EXHIBIT "A"  
LEGAL DESCRIPTION**

**File No.: 378675**

Lot 10 in Block 3 of Randall Acres Subdivision No. 5, according to the official plat thereof, filed in Book 12 of Plats at Page 725, records of Ada County, Idaho.

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File No.: 378675

ALTA Commitment For Title Insurance 8-1-16 (4-2-18)

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# ALTA COMMITMENT FOR TITLE INSURANCE SCHEDULE B PART I

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

File No.: 378675

## Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. If title is to be insured in the Trustee(s) of a Trust, (or if their act is to be insured) this Company will require a copy of the Trust Instrument creating such Trust, and all Amendments thereto, together with a written verification by all present Trustees that the copy is a true and correct copy of the Trust, as it may have been amended, that it is full force and effect and that it has not been revoked or terminated
6. No additional requirements at this time.

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File No.: 378675

ALTA Commitment For Title Insurance 8-1-16 (4-2-18)

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AMERICAN  
LAND TITLE  
ASSOCIATION



# ALTA COMMITMENT FOR TITLE INSURANCE SCHEDULE B PART II

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

## Exceptions

File No.: 378675

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by public records.
3. Any facts, rights, interests or claims which are not shown by the public records, but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
4. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
5. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
6. (a) Unpatented mining claims;(b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
7. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
8. Any service, installation, connection, maintenance or construction charges for Sewer, Water, Electricity, or Garbage collection or disposal or other Utilities unless shown as an existing Lien by the Public Records.

Paragraphs 1-8 will not appear as printed exceptions on Extended coverage Policies, except as to such parts thereof which may be typed as a Special Exception in Schedule B, Section 2

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.*

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File No.: 378675

ALTA Commitment For Title Insurance 8-1-16 (4-2-18)

Page 4 of 6

AMERICAN  
LAND TITLE  
ASSOCIATION



# ALTA COMMITMENT FOR TITLE INSURANCE SCHEDULE B PART II

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

9. General Property taxes for the year 2019, a lien, not yet due and payable.
  
10. General taxes for the Year 2018, which are a Lien;  
Original Amount: \$1,151.04  
1st Installment: \$576.52 Paid  
2nd Installment: \$576.52  
Due and Payable On Or Before June 20, 2019 and not delinquent until after said date.  
Homeowner's Exemption: NO  
Code Area: 06-1  
Tax Parcel Number: R7334160441
  
11. General Taxes which may be assessed and extended on any "subsequent" or "occupancy" Tax Roll for the current tax year and previous tax years with respect to improvements completed during current and previous years which may escape assessment of the regular Tax Roll; which are a Lien not yet due or payable.
  
12. Water rights, claims or title to water.
  
13. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof.
  
14. Sewer charges and Special Assessments powers of the City of Garden City. No search has been made.
  
15. Liens and Assessments of the Thurman Mill Ditch Co. LTD, and the rights, powers and easements of said District as by law provided. No search has been made.
  
16. Easements, reservations, restrictions and dedications, if any, as shown on the official plat of said subdivision.
  
17. An easement and the terms and conditions thereof; in favor of: Idaho Power Company, purpose: Public Utilities, and recorded: August 12, 1939 as Instrument No. 191602, records of Ada County, Idaho. The exact location of this easement is not known.
  
18. Protective Covenants, Conditions and Restrictions, and/or easements, and other matters imposed by Instrument recorded February 28, 1969 as Instrument No. 284319, records of Ada County, Idaho.

But omitting any Covenants, Condition or Restriction, if any, based on Race, Color, Religion, Sex, Handicap, Familial status or National Origin unless and only to the extent that the Covenant, Condition or Restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to Handicap, but does not discriminate against handicapped persons.

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ALTA Commitment For Title Insurance 8-1-16 (4-2-18)

Page 5 of 6

AMERICAN  
LAND TITLE  
ASSOCIATION



**ALTA COMMITMENT FOR TITLE INSURANCE  
SCHEDULE B PART II**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

19. Matters contained in Record of Survey No. 9990, recorded January 2, 2015 as Instrument No. 2015000236, records of Ada County.
20. NOTE: Please be advised that our search did not disclose any open deeds of trust of record. If you should have knowledge of any outstanding obligation, please contact the title department immediately for further review prior to closing.
21. Questions of survey, discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, rights of parties in possession, material or labor Liens, disposition of which will be determined by our inspection of the premises.

Note: A general index search of the county records for liens and judgments has been performed on the names of the parties and none were found other than what is shown in Schedule B herein.

Note: This is an accommodation and not part of this commitment, no liability is assumed by noting the following: We have provided a 24 month chain of conveyance deeds and there has not been any other recorded conveyance deeds in the last 24 months.

End of Exceptions

Note: For a new Deed of Trust, the Trustee should appear as follows: Stewart Title Company

Your Title Officer for this transaction is: Sumer Brenden who can be reached at Stewart Title Company, 1944 S. Eagle Road, Meridian, ID 83642 at (208) 287-8101, and whose e-mail address is: [sumer.brenden@stewart.com](mailto:sumer.brenden@stewart.com).

Your Escrow Officer for this transaction is: Beth Wilson who can be reached at (208) 373-0009, and whose e-mail address is: [Beth.Wilson@stewart.com](mailto:Beth.Wilson@stewart.com). If you have any questions, please do not hesitate to call us.

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.*

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File No.: 378675

ALTA Commitment For Title Insurance 8-1-16 (4-2-18)

Page 6 of 6





**This Document Prepared By:**

JUSTIN T. JEPPESEN  
*Attorney at Law*  
Parsons Behle & Latimer  
800 West Main Street, #1300  
Boise, Idaho 83702  
208-562-4900

**After Recording, Return and  
Mail Tax Statements To:**

Ronald E. Brumley and Marquita K. Brumley, as co-Trustees  
23952 Howe Road  
Caldwell, ID 83607

---

**QUITCLAIM DEED**

RONALD E. BRUMLEY and MARQUITA K. BRUMLEY, husband and wife, the GRANTORS,

Whose mailing address is 23952 Howe Road, Caldwell, ID 83607;

FOR NO CONSIDERATION, do hereby convey and quitclaim to

RONALD E. BRUMLEY and MARQUITA K. BRUMLEY, as co-Trustees of THE RON AND  
KEETA BRUMLEY FAMILY TRUST, U/A dated March 29, 2018, the GRANTEE,

Whose mailing address is 23952 Howe Road, Caldwell, ID 83607;

and to Grantee's successors and assigns, all of THE FOLLOWING described real property located  
in the County of Ada, State of Idaho:

↙ Lot 10 in Block 3 of Randall Acres Subdivision No. 5, according to the official plat  
thereof, filed in Book 12 of Plats at Page(s) 725, records of Ada County, Idaho.

More commonly known as 404 E. 49th St., Garden City, ID.

Assessor's Parcel Number: R7334160441

SUBJECT TO: Restrictions, Conditions, Covenants, Rights, Rights of Way, and Easements that  
are now of record, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise  
appertaining.

The then-acting Trustee has the power and authority to encumber or otherwise to manage and dispose of the hereinabove described real property; including, but not limited to, the power to convey.

NOTE: DEED PREPARED WITHOUT BENEFIT OF TITLE SEARCH

Dated this 29th day of March, 2018.

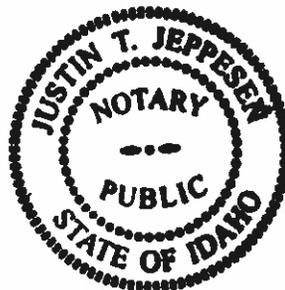
  
Ronald E. Brumley

  
Marquita K. Brumley

STATE OF IDAHO            )  
  ) ss.  
County of Ada                )

On this 29th day of March, 2018, before me, Justin T. Jeppesen, a notary public in and for said state, personally appeared Ronald E. Brumley and Marquita K. Brumley, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

  
Notary Public for Idaho  
Residing at Meridian, Idaho  
My commission expires October 20, 2020





07.18.19



Attn: Garden City Planning Department  
Garden City City Hall  
6015 N Glenwood St, Garden City, ID 83714

Re: 404 E. 49<sup>th</sup> Street Townhomes  
Garden City, 83714

#### Design Review Letter:

Near the corner of 49<sup>th</sup> St. and Alworth St. is a vacant lot zoned R-3. The lot to the south is a single family residential and the lot to the north is an apartment complex. The intended development for this property is two-story attached single family residential units with the idea of creating diversity as well as aiding in the transition from individual single story single family homes to the three story apartments along the greenbelt.

The buildings themselves will add to the visual interest and connectivity, both from vehicular and pedestrian viewpoints – eliminating an idle overgrown parcel of land that is highly visible from the street and from the buildings abutting it. The two-story 4-plex structures will include 3 bedroom dwelling units with 2 car ground floor garages. The facades will be undulating – composed of materials such as batten board, cultured stone, cementitious siding, etc. – with projections and recesses.

An internal driveway, guest parking, greenscapes, and walking/biking paths will be developed, – connecting the site to 49<sup>th</sup> street and to the Greenbelt. The development will provide diverse housing, minimize sprawl, and bind the community together. We believe the greenscape along the south façade poses an amicable relationship to the single family home and any future developments to the south. The interconnection to the apartments is formed by the additional "living quarters" story, narrowed drive and path connection to the Greenbelt.

It is our intent to vary building features in addition to establishing the site as a destination with its green corridor to ensure the character of the entire community is linked together. We have addressed all four sides of the building to have similar design quality including wall façade modulations, stone accents, various fenestration assemblies, etc. We feel the beauty of the buildings are well within the guidelines criteria of the Garden City's Plan. However, we will address each item below as it might relate to this building:

#### 1. Architectural Character:

- a. Facades - there are enhancements such as changes in plane with recessed entries, popouts, etc. We have varied the color and materials as well.
- b. Primary Public Entrances - allowing the pronounced portions of the building to be the main entrances creates visual understanding as soon as one looks at the building as to where the entrances can be found on each side of the building. It enhances importance and creates a building language.

- c. Roof Lines - wall undulations accomplishes, in an aesthetic way, variation that allows the buildings to show different forms as one travels by, particularly at the entrance of the building.
  - d. Pattern Variations - the differences in wall undulations, materials and colors creates a cohesive tapestry of natural elements.
  - e. Fenestration - natural light is important to us, thus we have located numerous windows around the perimeter of the building and on the roof of interior units. They also serve as a connection to the outside.
  - f. Mechanical – the mechanical equipment will be located on the ground, but screened from the street and neighboring building views opaque fencing.
2. Color and Materials – Uses a color palette that has cool neutral colors that come together to compliment the surrounding area. The well composed mixture of cultured stone to batten board, combined with a complimentary colored asphalt shingle creates an attractive building with variations in textures, colors and materials - similar (and even improved) to other attractive buildings in the Garden City area.
3. Site Plan and Building Layout:
- a. Building Location – as it pertains to the nearby streets and neighboring homes
  - b. Parking areas - same note as above
  - c. Access – to the east of the property for main site access.
  - d. Street Layout and Internal Circulation – as pertains to the dwelling units and neighboring streets
  - e. Pedestrian Walkways and Facilities – a concrete sidewalk will be added along the south of the building to allow entrances to the units from the street, guest parking, and will continue into a path that connects to the greenbelt through the adjacent property to the north.

#### Cohesive Design –

This building is similar in style to other newer buildings in the neighborhood. Connectivity is present through a unified drive and walkways through the area. Our project relates well to the overall character and intent of Garden City's design objectives and shall have a positive impact on the area by fulfilling needs. It is our goal to make this one of the premier places for people to live, as our great city continues to expand in all directions.



July 29, 2019

Attn: City of Garden City Planning & Zoning Services Department  
6015 N. Glenwood Street Garden City, ID 83714-1347

Re: 404 E. 49<sup>th</sup> Street Townhomes Development

**PUD Application / Variance Request**

Please find attached a Planned Unit Development Application for the 49<sup>th</sup> Street Townhomes development. The project is located at 404 E. 49<sup>th</sup> Street, on a rectangular lot with Alworth street to the south, and 49<sup>th</sup> Street to the east. Single family homes surround the lot to the south and west. To the north is an apartment complex. The site coordinates are 4N, 2E, 31, Parcel #R7334160441, and is currently zoned R-3. The project will consist of the construction of two new Four-Plex townhome buildings with a two car garage for each unit. All units will have their own entry coming off the pathway to the south connecting to 49<sup>th</sup> Street and to the guest parking, which is centrally located between the two buildings. The total of conditioned space for the townhome will be approximately an overall 7,000 square feet with approximately 2,100 square feet of garage area per building. The buildings will be light-framed wood, Type VB construction. The owner of this site is intending on enhancing the neighboring community with his project infill on an empty site in an older neighborhood. The project provides diversity in type, density, and location of housing in a neighborhood that's transitioning from single family residential to a higher density residential. It will offer occupants access to a pedestrian / bicycle path and the close proximity to the Boise Greenbelt. The added benefits of the attached garage and the larger units compared to the single family houses in the neighborhood will encourage the residents to be more permanent in nature.

**Planned Unit Development**

The development property is 30,000 square feet of vacant lot, surrounded by single family homes and apartment complexes. The project will create diverse housing options while still complementing the nature and comprehensive plan for the surrounding community. The building will add to the visual interest and connectivity, both from vehicular and pedestrian viewpoints – eliminating a vacant lot that isolates portions of the neighborhood. The building will be oriented south toward Alworth Street with the alley drive aisle to the north, connecting 49<sup>th</sup> Street to the units' garages. The front entry and focus on public space will be to the south. There will be a meandering sidewalk running the full length of the front and connecting to the attached sidewalk along 49<sup>th</sup> Street. The buildings will be varying colors and materials including a combination of cultured stone wainscot, horizontal lap siding, and board and batten siding.

The intent of the design is to provide an alternative housing style as part of the gentrification of the area while still interacting with the surrounding community already in place. The townhomes are two stories which adds to the nature of the surrounding homes, progressing from single story single family homes to three story apartments. This seamless transition from single family residential to multi-dwelling ties into the comprehensive plan for Garden City's future.

## Variance Request

Our initial understanding of the site was that garage or carport shall be deemphasized when viewed from the public street. (Garden City Code 8-4B-3-C). Our building is designed that the main entryway that most of the building users will enter will be to the south side of the building. This leaves the drive aisle to the north as the rear of the building. Under Garden City Code 8-4B-3-C the garage needs to be recessed at least six feet behind the building line unless the garage is located off an alley or has windows in or above the garage doors. We propose that the private access drive to the garages from 49<sup>th</sup> Street be classified as an "Alley". We have mitigated the lack of undulation by recessing the garage back two feet from the face of the building. We are seeking a variance that allows us to designate the access drive as an "Alley" and that excuses the six feet variance in garage facades requirement. We are also seeking a variance to the landscape buffer to the North. Code requires a 10'-0" landscape buffer around the perimeter of the property. With a limited site already due to the constraints of the ditch easement we are left with little room to plant the continuous canopy of trees surrounding the perimeter (8-4I-5-C). With this buffer to the North we would not be able to plant trees on the South property line due to the ditch and the easement for the ditch rider the building would be too close to plant. With shifting the easement up 5'-0" there is enough room to have the tree canopy coverage on the North and South property line instead of just the North. The last variance we are seeking is changing the width of the drive aisle from 26'-0" to 20'-0". Again this is in regards to the limited site constraints. If we classify the Private Road as a Driveway/Alley then we will have more space for the landscaping requirements and the buildings units could be offset which was suggested by the Design Review Committee in the Pre-App process.

In summary, we believe this project is congruous with the atmosphere of the neighborhood's future while still achieving the City's goals of providing diverse housing, minimizing sprawl, and creating links in street connectivity. The property owner has had a vision of developing this site, with the hope to build a suitable housing option in that area. Because he feels the site's location and natural elements offer more than most sites to potential residents he wants the project to go forth. He is excited to add to the existing infrastructure and provide a much needed use. He is attempting to work with the City, the neighbors, and the site's constraints to provide a high quality product(s) that is beneficial to the overall community plan. To deny the Minor PUD and requested variances would create a hardship for our client as he is invested in this idea both theoretically and financially. Granting these items will not conflict with the Comprehensive Plan or be detrimental in any way to our growing population.

We hope this project will be acceptable to the Planning and Zoning Commission. We feel that it truly will have a positive impact in the area and substantially increase the property value, while fulfilling everyone's needs.

Please call if you have any questions or concerns. Thank you for your time and consideration.

Sincerely,

Pamela Gaines, Project Manager



## B & A Engineers, Inc.

Consulting Engineers & Land Surveyors  
5505 West Franklin Rd. Boise, ID 83705  
Telephone 208.343.3381 Facsimile 208.342.5792

### **Riverpointe Subdivision Request for Waiver of Preliminary Engineering Plans, Specifications and Grading Plan**

Date: 13 January 2020

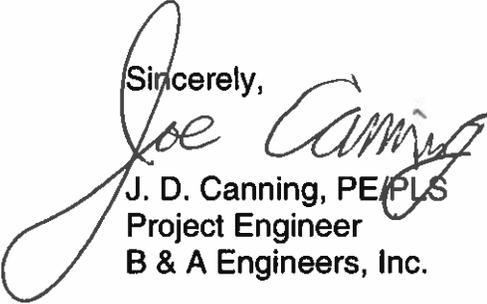
Riverpointe Subdivision is an in-fill development on East 49<sup>th</sup> Street consisting of eight townhomes.

Storm water runoff from the site is proposed to be retained on-site with a "T" shaped shallow subsurface seepage bed. A site geotech report is completed for the site and a shallow seepage bed will function as the disposal mechanism. The seepage bed will be located under the private road and outside of the proposed sewer main, but sewer services will need to cross the seepage bed. The geotechnical report has been completed and included as part of the Natural Resources analysis for the project that is submitted with the application.

Water and sewer is available to the project from existing infrastructure in East 49<sup>th</sup> Street. The project intends to extend a public sewer mainline within the proposed private road and then extend individual services from that mainline to each home. Depending upon the review of the project by the North Ada County Fire and Rescue District, the project currently proposes to extend water service either via a public main or from individual services located along the southwest boundary of the development to serve each lot via an individual meter.

Although the proposed land use has been approved under a design review application, the project is yet to be approved as a subdivision. We would prefer to submit full engineering plans, specifications and a grading plan with a specific submittal to the city upon or after subdivision entitlement.

Sincerely,



J. D. Canning, PE/PLS  
Project Engineer  
B & A Engineers, Inc.

01.07.2020



Attn: Garden City Planning Department  
Garden City City Hall  
6015 N Glenwood St, Garden City, ID 83714

Re: Waiver

Waiver Request:

The items we're requesting a waiver for are as follows –

- 1) Dedications and Easements
- 2) Covenants and Deed Restrictions
- 3) Ability to Serve Letter
- 4) Irrigation/Ditch Company Information Form

Item number one – Council recommended, but did not require, connecting the path from the greenbelt through the legacy apartments and continuing on through our property. We happily complied with the recommendation.

Item number two – Will submit once project is complete

Item number three – Waived for DR. Will finalize

Item number four – Thurman Mill said that the ditch running along the property was a run off from one of their ditches, but exercise no rights of the water. Contact Steve Ball at Vineyard Church if any changes are to be made to the ditch and send a letter to Thurman Mill regarding the changes made.

Please let me know if you have any questions or concerns.

Sincerely,

Pam Gaines

# Riverpointe Subdivision

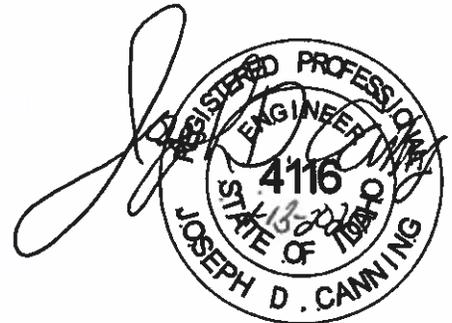
## 404 East 49<sup>th</sup> Street

# Natural Features and Resource Analysis

January 2020

**Lot 10, Block 3  
Randall Acres No. 5 Subdivision  
Garden City, Idaho**

Prepared for: Mesa Construction, Inc.



**B & A Engineers, Inc.**  
Consulting Engineers & Land Surveyors  
5505 West Franklin Road, Boise, ID 83705  
Telephone 208.343.3381 Facsimile 208.342.5792

## **INTRODUCTION**

This report will be divided into the following categories:

- Overview of Proposed Project
- Groundwater and Soils
- Floodplain
- Surface Waters and Site Pressure Irrigation
- Notable Vegetation
- Fish & Wildlife
- Existing City Infrastructure

A general discussion of each category follows.

## **OVERVIEW OF PROPOSED PROJECT**

The project is a residential housing subdivision development consisting of eight townhome lots and three common area lots. The site is 0.69 acres in land area.

## **GROUNDWATER AND SOILS**

The site is very similar to most of the land within Garden City. It is blessed with a preponderance of strong, free draining soils just a few feet deep, while development is challenged by the presence of somewhat shallow groundwater.

The site is generally very flat, with little relief other than a gentle natural slope from the southeast to the northwest.

The normal period of time to encounter seasonal high groundwater should occur when the peak flows occur in the Boise River – ordinarily from as early as April to sometime in June. Irrigation water delivered to area surface ditches may impact the depth to groundwater, but the Boise River flow is usually the single largest contributor to shallow groundwater. Depths to seasonal high groundwater have been determined this site as approximately 8 feet below ground surface. This seems reasonable as the site is somewhat elevated in relation to other project areas in Garden City.

Surface soils are classified as sandy silts or silty sand. The predominance of sands and gravels located at depths starting at around four feet in depth soils will easily support roadways and structures.

The soils are also highly permeable for the efficient hydraulic design of storm water disposal systems. However, the somewhat elevated groundwater limits or confines the configuration for options from the toolbox for appropriate treatment of storm water prior to its disposal.

Attached as Appendix A to this analysis is the site geotechnical report authored by Bob Jones, PE of Site Consulting, LLC.

## **FLOODPLAIN**

The site is currently located in the 500-year floodplain or 0.2% flood zone of the Boise River, not the 100-year floodplain or 1% flood zone. No special construction for the development is required based upon the current floodplain.

However recent studies by FEMA have been concluded that have placed all of Garden City in a proposed seclusion area. Seclusion may be considered a “holding” period where FEMA desires to further study the floodplain in the city during an interim period of several years. As such, the 2016 preliminary mapping completed by FEMA duplicates the current 2003 mapping. But all land developments must be aware of the impending changes that could be adopted in the near future.

As first noted in this section of this report for this project site, it resides in the 500-year or 0.2% flood zone. The new flood study work information notes that all of the project site will be included in the 100-year floodplain or 1% flood zone.

Failure of the development to recognize that potential impact to future home owners in the project could result in huge mandatory annual flood insurance costs by placing home lowest floors below the future Base Flood Elevation (BFE) for the site. Work maps provided by FEMA during the early phases of the study have indicated that might be an elevation of  $\pm 2636.5$ . It is prudent to construct homes to at least this elevation and preferably higher.

## **SURFACE WATERS AND PRESSURE IRRIGATION**

The Boise River is not located in close proximity to the site, but is about 250 feet away.

The Thurman Mill Ditch Company LTD. is the water provider in the area. A small irrigation ditch is located along the southwest side of the subject property and continues off-site to the southwest. This ditch intersects another ditch that heads in a northeast direction, near, but northwest, of the northwest property line.

This ditch along the southwest boundary is proposed to be piped to continue water delivery to downstream water users. The development of this project will not interfere with the existing irrigation system.

Due to the size of the project and therefore the cost of a pressure irrigation system, a specific waiver of a pressure irrigation system will be requested by the applicant. This waiver will be submitted for approval with the final construction plans.

## **NOTABLE VEGETATION**

There are no significant trees in good condition located on the property. We direct the reader to the landscape plan for particulars. None of this vegetation may be considered as an asset to the property or the neighborhood.

## **FISH AND WILDLIFE**

We are not aware of any endangered plant or animal species on the site. Garden City is known for its population of eagles; however prime eagle habitat is usually located much closer to the Boise River.

## **EXISTING CITY INFRASTRUCTURE**

City infrastructure and public services of interest to serve a development primarily exists of:

- Potable Water
- Fire Suppression Water
- Irrigation Water
- Sanitary Sewer
- Storm Drainage Facilities
- Public Utilities
- Existing Pedestrian Access
- Police, Fire and Emergency Services
- Public Schools
- Library
- Refuse Collection
- Mail Service

All of the above are readily available to the site with the exception of accessible public storm water facilities.

### ***Water***

City water is available in East 49<sup>th</sup> Street. Capacity appears to be more than adequate to provide potable water, fire suppression needs and irrigation water. As noted earlier in this report, surface irrigation water may be available from the Thurman Mill Ditch Company, LTD, but a waiver of the city's pressure irrigation requirements due to the cost of the system will be requested.

### ***Sanitary Sewer***

Sanitary sewer is only available from East 49<sup>th</sup> Street. Our analysis of its capacity and depth indicate that it will adequately serve the proposed development. Care will be necessary to assure crossings of potable water lines and sanitary sewer lines meet state IDAPA rule requirements.

***Storm Sewer***

The Ada County Highway District (ACHD) operates and maintains a sizable storm sewer line in Alworth Street. However, this line is not expected to be assessable for use of the development on the subject site. ACHD has informed our office in the past that this line was only designed to accept drainage from the public right-of-way and possibly a narrow band of land adjoining the right-of-way. The development is expected to develop and construct its own storm drainage system to maintain storm water on-site.

***Public Utilities***

All needed public utilities are readily available to the site.

***Existing Pedestrian Access***

A common pedestrian access walkway currently exists to the north corner of the site from the apartment complex to the northeast.

***Police, Fire and Emergency Services***

As the project may be considered an "in-fill" development all emergency services are currently provided to the area. The area is already patrolled by existing services.

***Public Schools***

The area is within the boundaries of the Boise School District. The District's student population's trends of recent years have been decreasing. The District has capacity to accept additional students.

***Library***

Garden City has a vibrant and active library located at city hall. It is known for its community involvement and programs to educate and energize the residents.

***Refuse Collection***

Collection services consisting of trash and recycling pick-up are available to area residents.

***Mail Service***

Mail delivery is available. Shared individual or a central mailbox will be provided to home owners.

**Appendix A**

**Site Geotechnical Report**



Post Office Box 190537 - Boise, Idaho 83719  
site.consulting.idaho@gmail.com - 208-440-8276

Steve Zinser  
Mesa Construction, Inc.  
1001 South Leadville Avenue  
Boise, Idaho 83706

August 13, 2019  
Page 1 of 15  
File 19206-A

Re: Geotechnical Recommendation Report  
Proposed Townhomes  
404 East 49<sup>th</sup> Street  
Garden City, Idaho

Steve:

As per your authorization, on April 23, 2019, SITE personnel observed the excavation of three test pits on the referenced property. Soil samples were gathered and submitted for laboratory analysis. Based on the observed and reported conditions and compliance with the recommendations provided herein, the referenced lot is acceptable for construction of the planned development for multi-family structures. The planned buildings can be constructed using standard construction methods. Conventional strip foundations with slab on grade floors or a conventional crawlspace are acceptable. Foundations can be designed to exert bearing pressures of up to 2500 psf on the existing native pitrun type soils or upon approved structural fill extending to this soil layer. Based upon this bearing pressure and the recommendations of this report being followed, we anticipate total settlements of less than one inch, with differential settlements less than half of this value. If these values are unacceptable, please contact SITE for additional recommendations. Recommendations are also included herein for design of the proposed development. We appreciate this opportunity to be of service. Please contact our office if additional information or services are required.

Respectfully submitted,  
Bob J. Arnold, PE  
SITE Consulting, LLC



8/13/19



Post Office Box 190537 - Boise, Idaho 83719  
site.consulting.idaho@gmail.com - 208-440-6276

## GEOTECHNICAL RECOMMENDATION REPORT 404 East 49<sup>th</sup> Street Garden City, Idaho

### GENERAL

This report presents the results of a Geotechnical Evaluation performed for a proposed multi-family residential development to be constructed on a single parcel located on the west side of East 49<sup>th</sup> Street, just north of Alworth Street in Garden City, Idaho. The property is approximately 500 feet south of the Boise River. Access to the property was gained from 49<sup>th</sup> street past the existing residence to the pasture area west of the home. It is assumed that all onsite structures will be demolished as a part of this development. Parcel information from the Ada County Assessor's website is as follows:

#	Ada County #	Address	Acres
1	R 73334160441	404 East 49 <sup>th</sup> Street	0.69

The field investigation included subsurface exploration by means of a rubber tire mounted backhoe operated by an independent contractor. During excavation of the test pits, logs were generated, and soil samples were gathered. Soil samples were returned to our in-house soil laboratory for testing. After the field investigation and laboratory testing was completed, all available field and laboratory test data was reviewed, the provided design information was evaluated, and this report was prepared. This report summarizes our findings and recommendations regarding the geotechnical aspects of the project.

### AUTHORIZATION

Email authorization to proceed with this geotechnical investigation was received in March 2019 from the client. Authorization to proceed and the use of the recommendations provided herein indicate the client's acceptance of the scope of work, warranty, limitations, and general conditions provided herein and within any submitted proposal.

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*Geotechnical Services / Soil Testing & Inspection Services*

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## RESEARCH & BACKGROUND

### GENERAL

Historical aerial photos available on Google Earth indicate other structures were previously located on the property. Therefore, foundations and utilities for former buildings may be present. Historically, the majority of the property appeared to have been used as pastureland.

### FIELD INVESTIGATION

Three test pits were advanced to depths of approximately one foot below the current groundwater elevation. At this depth, souging soils prevented deeper exploration. During excavation, samples were recovered from the spoil piles as excavation was performed. These samples were sealed in plastic bags, labeled, and returned to the laboratory for evaluation and analysis. In the laboratory, sieve analysis, moisture content, and Liquid Limit, Plastic Limit and Plasticity Index testing were performed on selected samples. Tests were performed in general accordance with the cited ASTM test methods. All test results are included in the Test Pit Logs located in the Appendix.

### OBSERVED CONDITIONS

All three test pits were similar with approximately three feet of silty sand with gravel or sandy silt with gravel atop the Boise River gravel formation. The sand and gravel layer was encountered at 3-4 feet deep in all three test pits and extends to greater depth than we could explore. Groundwater was encountered in all three test pits at five to seven feet deep when excavated in April 2019. This variation is likely due to differences in ground surface elevation not the groundwater elevation. It is noted that two adjacent property well logs were located in the IDWR database and they indicate the static groundwater was 3-5 feet deep when the wells were drill. These logs are included in the Appendix. Monitoring wells were installed in all three test pits. Monthly readings will continue until design is approved for construction. See Well data in the Appendix.



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## DESIGN & CONSTRUCTION RECOMMENDATIONS

### General Earthwork

All native soils that are free of organic matter and expansive clays can be used as fill. After proper grubbing, the native silty sand or sandy silt, soils can be utilized as structural fill to fill building pads or street section subgrade.

Removal of the majority of the organic materials will require grubbing of 2-4 inches of surface soils. This is required in all areas to receive structural fill. Deeper excavation may be required in landscaped areas, along irrigation ditches, and where large trees, bushes, and soft wet areas are present. The depth of grubbing is to be confirmed during construction to ensure that organic materials are properly removed from beneath future pavements and structural fills. Inspection by the project geotechnical engineer should confirm that all organic material and demolition debris is removed. Inspection must confirm complete removal of previously demolished structures including slab on grade floors. Any well or septic system/tank encountered are to be abandoned as per IDEQ and IDWR requirements.

Structural fills less than three feet deep are to be compacted to 95 % of the maximum dry density by ASTM D698, Standard Proctor. For deeper fills, such as ditch backfill, basement backfill, and fill intended to contain rerouted irrigation canals, ditches, or storm water runoff, fill materials are to be compacted to 100 % of the Standard Proctor maximum dry density. If structural fill is to be placed on the building pads, the fill is to extend laterally outside foundations a distance equal to the depth of structural fill. Compaction testing of all structural fill is required. Visual inspection is also required to confirm stability and the lack of soft, deflecting, or rutting areas. Fill can pass compaction tests and still be rejected if it fails visual inspection.



### Excavations

Shallow excavations and trenches that do not exceed four feet in depth may be constructed with side slopes approaching vertical. The ability of soils to maintain a vertical or near vertical slope over any extended period can be quite variable. This information is provided for planning purposes. It is our opinion that maintaining safe working conditions is the responsibility of the contractor. Jobsite conditions such as soil moisture content, weather condition, earth movements and equipment type and operation can all affect slope stability. All excavations should be sloped or braced as required by applicable local, state, and federal requirements.

### Pavement Section

It is assumed that an R-Value of greater than R=20, would be obtained if the native surface soils were tested. Pavement sections have been calculated based upon an R-Value of R=20 and Traffic Index of TI=6. The results are shown in the table below. Materials meeting the requirements of ISPWC & / or ACHD are required for all work within this project. For this project, it is recommended that the subgrade be inspected (proof-rolled) prior to the placement of subbase materials.

HMA	2.5"
¾" Base	4.0"
Subbase	10.0"
Subgrade	Inspected

### Storm Water

Free draining sand and gravel material were present at four to five feet deep in all test pits. Based upon free draining conditions, a percolation rate of P=8 in/hr. is to be assumed for design of facilities that extend four feet below the existing ground surface. Over excavation and backfilling with free draining materials may be required. Confirmation of perc rate and clearance above groundwater at the time of construction by field testing is recommended. Groundwater levels are reported in the Appendix. Give the projects proximity to the Boise River, groundwater is more likely influenced by flows in the Boise River and not irrigation practices.



## **Building Foundation System**

The proposed multi-family residential structures may be supported on conventional, continuous, and isolated pad foundations founded upon the native soils or upon structural fill extending to these soils. Based upon proper placement and compaction of structural fill, bearing pressures of up to 2500 psf are allowed for foundations founded on the native sand and gravel layer or upon properly placed and compacted structural fill. Either crawlspaces or slab on grade floors are acceptable but slab on grade floors will eliminate the possibility of water accumulating in crawlspaces. Basements are not allowed without an extensive groundwater study beyond the scope of this report. If clay soil, wet soil, or deflecting soil is present at the foundation support elevation a geotechnical engineer should be retained for site specific recommendations. Foundation drains are not required within this development. Roof runoff is not to route through foundation drains. Foundation embedment depth is to be at least 24 inches below outside adjacent grade. Foundations that are outside crawlspaces are to be sealed / waterproofed with brush or spray on foundation mastic.

## **Slab on Grade Concrete**

Care must be taken so that all excavations below both interior and exterior slab on grade concrete are properly backfilled in accordance with the structural fill recommendations. Trenches and wall backfill areas are to be filled in lifts and benched each lift so that fill is not placed against a vertical soil face greater than three feet tall. Testing is to confirm that compaction has been achieved. Areas of excessive yielding should be excavated and backfilled with structural fill. Any fill used to increase the elevation of slab on grade concrete should meet the requirement for structural fill. Concrete pavements and slab on grade floors should be placed atop a mat of at least four inches of granular structural fill materials. Mat material should all pass a 3/4-inch sieve and should contain less than seven percent passing the # 200 sieve. The mat shall be compacted to the requirement for structural fill.



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### **Underground Utilities**

It is not anticipated that large excavators or small backhoes will experience any difficulties excavating the onsite materials encountered on the property. No bedrock formation was encountered on the subject property.

### **Inspection & Testing**

A qualified engineer or his representative should monitor fill placement to ensure the work is performed in accordance with these recommendations. For mass filling, field nuclear moisture - density testing shall be performed on each lift of compacted fill, one each filled residential lot or building pad. Trench backfill and right of ways are to be tested to ACHD and / or ISWPC requirements. It is noted that structural fill can pass compaction tests and still be unacceptable if pumping, rutting, or deflecting under vehicle or foot traffic.

### **Contractor Inspections**

This report has been prepared with the intent to provide specific design information to the developer and the engineering consultants. It is not intended to act as any contractors "Due Diligence" or subsurface inspection prior to estimating construction costs or actual construction. Contractors may use the onsite monitoring wells to assess the groundwater prior to proposing on or beginning construction. Wells are to be protected during construction and can only be removed with permission from the client and SITE.



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### **General Comments**

After the plans and specifications for construction are completed, it is recommended that this consultant be provided the opportunity to review the final design and specifications. This review will confirm that the earthwork recommendations have been properly interpreted and implemented. At that time, it may be necessary to submit supplementary recommendations. This review is a part of this service and will not result in additional invoicing unless additional research and recommendations are needed. Testing and inspection services are recommended herein. Proper quality control during construction is required to confirm materials and methods and thereby obtain a desirable finished product. Monitoring and testing should also be performed to verify suitability of materials used for structural fills and to confirm proper demolition, subgrade grubbing, subgrade stability, and proper placement and compaction of fills. Any deviations from the herein described subsurface conditions must be brought to the attention of this consultant.

This report has been prepared for the exclusive use of the client and their retained design consultants. Findings and recommendations within this report are for specific application to the proposed construction described herein and apply only to the property identified. Client may duplicate this report as needed or additional copies will be provided upon proper client authorization.

**Appendix Follows**



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**APPENDIX**

**Aerial Photo**

**Test Pit Logs (3)**

**Soil Log Legend**

**Abbreviations and Acronyms**

**Groundwater Levels**

**Adjacent Well Logs (2)**

**AERIAL PHOTO**



**404 East 49<sup>th</sup> Street – Garden City  
from landprodata.com**



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### TEST PIT LOGS

Test Pit:	TP-1		File #:	19206-A								
Client:	Mesa Construction		Date Excavated:	4/23/19								
Project:	404 49 <sup>th</sup> Street		Excavated By:	Wood Brothers								
Location	East End		Logged By:	J. Meusch, PM - SITE								
DEPTH	SOILS DESCRIPTION											
(feet)	1.0"	3/4"	1/2"	3/8"	# 4	# 10	# 40	# 100	#200	%M	LL	PI
0.0-1.0	Brown, Moist, Firm, Sand & Silt With Root Zone / Organic Layer 6-8"											
1.0-3.0	Brown, Moist, Firm, Silty SAND (SM)											
2.0					100	91	55	33	32.8	12.6	NP	NP
3.0-7.0	Brown/Tan, Moist, Firm, Sand, Gravel, Cobble (Pitrun) Scalped on 1" Sieve											
5.0	100	70	46	44	37	32	11	2	1.4	4.7	NP	NP
7.0	Bottom of Excavation @ 7.0 Ground Water Encountered @ 7.0 MW Installed											

Test Pit:	TP-2		File #:	19206-A								
Location	Middle of North Side		Logged By:	J. Meusch, PM - SITE								
DEPTH	SOILS DESCRIPTION											
(feet)	1.0"	3/4"	1/2"	3/8"	# 4	# 10	# 40	# 100	#200	%M	LL	PI
0.0-1.0	Brown, Moist, Firm, Sand & Silt With Root Zone / Organic Layer 6-8"											
1.0-4.0	Brown, Moist, Firm, Silty SAND (SM)											
3.0					100	94	62	42.4	12.2	NP	NP	
4.0-6.0	Brown/Tan, Moist, Firm, Sand, Gravel, Cobble (Pitrun)											
6.0	Bottom of Excavation @ 6.0 Ground Water Encountered @ 6.0 MW Installed											

Test Pit:	TP-3		File #:	19206-A								
Location	West End		Logged By:	J. Meusch, PM - SITE								
DEPTH	SOILS DESCRIPTION											
(feet)	1.0"	3/4"	1/2"	3/8"	# 4	# 10	# 40	# 100	#200	%M	LL	PI
0.0-1.0	Brown, Moist, Firm, Sand & Silt With Root Zone / Organic Layer 6-8"											
1.0-3.0	Brown, Moist, Firm, Silty, Sand											
3.0-5.0	Brown/Tan, Moist, Firm, Sand, Gravel, Cobble (Pitrun)											
5.0	Bottom of Excavation @ 5.0 Ground Water Encountered @ 5.0 MW Installed											

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## SOIL LOG LEGEND UNIFIED SOIL CLASSIFICATION SYSTEM

(ASTM STANDARD TEST METHOD D 2487 FOR CLASSIFICATION OF SOIL FOR ENGINEERING PURPOSES)

MAJOR DIVISIONS			TYPICAL DESCRIPTIONS	
COARSE GRAINED SOILS < 50% - #200	GRAVEL & GRAVELLY SOILS < 50% - #4	< 5% - #200	GW	Well-graded gravel, gravel-sand mixture, little or no fines.
			GP	Poorly graded gravel, gravel sand mixture, little or no fines
		5-12% - #200 > 12% - #200	GM	Silty gravel, gravel-sand-silt mixtures
			GC	Clayey gravel, gravel-sand-clay mixtures
	SAND & SANDY SOILS ≥ 50% - # 4	< 5% - #200	SW	Well-graded sand, gravelly sand, little or no fines.
			SP	Poorly graded sand, gravelly sand, little or no fines
		> 12% - #200	SM	Silty sand, sand-silt mixtures
			SC	Clayey sand, sand-clay mixtures
FINE GRAINED SOILS ≥ 50% - #200	SILTS AND CLAYS LL < 50%	INORGANIC	ML	Inorganic silt and very fine sand, rock flour, silty or clayey fine sand or clayey silt with slight plasticity
			CL	Lean clay-low to medium plasticity, gravelly clay, sandy clay, silty clay
		ORGANIC	OL	Organic silt and organic silty clay of low plasticity
	SILTS AND CLAYS LL ≥ 50%	INORGANIC	MH	Elastic silt, micaceous or diatomaceous fine sand or silty soil.
			CH	Fat clay - high plasticity
		ORGANIC	OH	Organic clay-med. or high plasticity: organic silt
HIGHLY ORGANIC SOILS			PT	Peat, humus, swamp soil with high organic content

## ABBREVIATIONS AND ACRONYMS

ASTM	American Society for Testing and Materials
IBC	International Building Code
ISPWC	Idaho Standard for Public Works Construction
IDWR	Idaho Department of Water Resources
NP	Non-Plastic
PCC	Portland Cement Concrete
TP	Test Pit
USCS	Unified Soil Classification System
pcf	Pounds per Cubic Foot
psf	Pounds per Square Foot
tsf	Tons per Square Foot
psf/ft	Pounds per Square Foot / Foot



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**GROUNDWATER LEVELS**

TP #	#1	#2	#3
Hub Elevation			
Casing Height	2.00	3.67	3.00
Casing Elevation			
Installed 4/23/2019			
GW Depth	7.0	6.0	5.0
May 5, 2019 JM	8.9	9.8	9.4
GW Depth	6.9	7.8	7.4
6/19/2019 JM	8.6	9.5	9.1
GW Depth	6.6	7.5	7.1
July 16, 2019 JM	8.5	9.3	9.0
GW Depth	6.5	7.3	7.0
August 13, 2019 JM	8.5	9.3	9.0
GW Depth	6.5	7.3	7.0



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### ADJACENT WELL LOGS

STATE OF IDAHO  
 DEPARTMENT OF WATER RESOURCES  
**WELL DRILLER'S REPORT**  
 Location Corrected by IDWR To: T64N R92E Sec. 31 SW99WE  
 By: mciscall 2012.12.13

1. WELL OWNER  
 Name: FRANK COOKE  
 Address: 601 N. Boise, Id. 83721  
 Owner's Permit No. \_\_\_\_\_

2. NATURE OF WORK  
 New well  Deepened  Replacement  
 Abandoned (describe method of abandonment)

3. PROPOSED USE  
 Domestic  Irrigation  Test  Municipal  
 Industrial  Stock  Waste Disposal or Injection  
 Other \_\_\_\_\_ (specify type)

4. METHOD DRILLED  
 Rotary  Air  Hydraulic  Reverse rotary  
 Cable  Dig  Other \_\_\_\_\_

5. WELL CONSTRUCTION  
 Casing schedule:  Steel  Concrete  Other \_\_\_\_\_  
 Thickness: 280 inches 6.75 inches 1 feet 22 feet  
 1/2 inch 1 inch 1 inch 1 inch  
 1/4 inch \_\_\_\_\_ inch \_\_\_\_\_ inch \_\_\_\_\_ inch  
 Was casing drive shoe used?  Yes  No  
 Was a packer or seal used?  Yes  No  
 Perforated?  Yes  No  
 How perforated?  Factory  Knife  Torch  
 Size of perforation \_\_\_\_\_ inches by \_\_\_\_\_ inches  
 Number \_\_\_\_\_ perforations \_\_\_\_\_ feet To \_\_\_\_\_ feet  
 \_\_\_\_\_ perforations \_\_\_\_\_ feet  
 \_\_\_\_\_ perforations \_\_\_\_\_ feet  
 Well screen installed?  Yes  No  
 Manufacturer's name \_\_\_\_\_  
 Type \_\_\_\_\_ Diameter \_\_\_\_\_ Slot size \_\_\_\_\_ Slot from \_\_\_\_\_ feet to \_\_\_\_\_ feet  
 Gravel packed?  Yes  No  Size of gravel \_\_\_\_\_  
 Paved from \_\_\_\_\_ feet to \_\_\_\_\_ feet  
 Surface seal depth 2.0 feet  Cement grout  Well casing  
 Puckling clay  Well casing  
 Sealing procedure used  Sherry pit  Temp. surface casing  
 Overlays to seal depth  
 Method of joining casing  Threaded  Welded  Spunware  
 Weld  
 Connected between joints  
 Describe access port Top DR well

6. LOCATION OF WELL  
 North-south location must agree with written location. 63  
 Sub-section Name Randall Sub #5  
 Lot No. 24 Block No. 4  
 County ADA  
 N. 24 x W. 24 Sec. 31 T. 4 N. R. 2 E. W.

7. WATER LEVEL  
 Static water level \_\_\_\_\_ feet below land surface  
 Pumping?  Yes  No G.P.M. flow \_\_\_\_\_  
 Artesian closed-in pressure \_\_\_\_\_ p.s.i.  
 Controlled by  Valve  Cap  Plug  
 Temperature \_\_\_\_\_ °F Quality \_\_\_\_\_

8. WELL TEST DATA  
 Pump  Bailer  Air  Other \_\_\_\_\_  
 Discharge G.P.M. \_\_\_\_\_ Pumping Level \_\_\_\_\_ Hours Pumped \_\_\_\_\_

9. LITHOLOGIC LOG  
106518  

Well Class.	Depth From	To	Material	Other	Yield (gals)
1	0	2	Top Soil		1
2	2	18	Gravelly Sand		1
3	18	24	Clay & Shale		1
4	24	30	Clay & Shale		1
5	30	33	Clay & Shale		1
6	33	35	Clay & Shale		1

RECEIVED  
 APR 9 1979  
 Department of Water Resources  
 RECEIVED  
 APR 9 1979  
 Department of Water Resources

10. Work started 4/1/12 ended 4/4/12

11. DRILLER'S CERTIFICATION  
 I/We certify that all minimum well construction standards were complied with at the time the rig was removed.  
 Firm Name Boise Consulting Drilling No. 28  
 Address 601 N. Boise, Idaho Date 4/16/12  
 Signed by (Firm Official) Larry W. O'Leary  
 and \_\_\_\_\_  
 (Operator)

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT



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WELL LOG FORM 1  
 44 5-63

Location Corrected by IDWR To:  
 T4N R02E Sec. 31 SE1/4NW  
 By: mclacell 2012-12-28  
 Department of RECREATION

WELL LOG AND REPORT OF THE  
 STATE RECLAMATION ENGINEER OF IDAHO

Permit No. \_\_\_\_\_ Well No. \_\_\_\_\_ County Ada  
 Owner J. R. Williams  
 Address 401 E. 51st St. Garden City  
 Office F. J. Blaylock  
 Address 3817 Greenwood  
 Well location T4N R02E Sec. 31, 1-4 NW, R-2, 20th  
 Size of drilled hole 4"  
 Total depth of well 53

034383  
 Locate well in section

NW 1/4	NE 1/4
SW 1/4	SE 1/4

Give depth to standing water from the ground 3ft Water temp. \_\_\_\_\_ °Fahr.  
 On "Pumping Test" delivery was \_\_\_\_\_ g.p.m. or \_\_\_\_\_ c.f.s. Drawdown was \_\_\_\_\_ feet.  
 Size of pump and motor used to make test \_\_\_\_\_  
 Length of time of test \_\_\_\_\_ hours \_\_\_\_\_ minutes.  
 If flowing well, give flow \_\_\_\_\_ c.f.s. or \_\_\_\_\_ g.p.m. and of shut off pressure \_\_\_\_\_  
 If flowing well, describe control works \_\_\_\_\_  
 Water will be used for Domestic (PIPE AND SIZE OF VALVE, ETC.)  
 Thickness of casing 1/4" Casing material steel Weight of casing per lineal foot 11 lbs.  
 Diameter, length and location of casing \_\_\_\_\_ (PIPE CONCRETE, WOOD, ETC.)  
 (CASING IS IN DIAMETER OR LINE, GIVE INSIDE DIAMETER. CASING OVER IS IN DIAMETER, GIVE OUTSIDE DIAMETER.)

CASING RECORD

Diem. Casing	From Foot	To Foot	Length	Remarks—casing, grouting, etc.

Number and size of perforations \_\_\_\_\_ located \_\_\_\_\_ feet to \_\_\_\_\_ feet from ground  
 Date of commencement of well \_\_\_\_\_ Date of completion of well Sept 11-64  
 udd

NOTHING FOLLOWS

PARCEL	PRIMOWNER	ADDCONCAT	STATCONCAT
R5953730010	MATEER AMY	401 E 49TH ST	GARDEN CITY, ID 83714-1427
R5953730020	TANIMOTO GLENN	285 STANDISH LN	GRIDLEY, CA 95948-0000
R5953730030	HORN DEANNA R	407 E 49TH ST	GARDEN CITY, ID 83714-0000
R5953730040	HETTINGER LISA A	4650 N GINZEL ST	BOISE, ID 83703-0000
R5953730050	SHAFFER ROBERT E	4887 MYSTIC COVE WAY	GARDEN CITY, ID 83714-0000
R5953730060	BARKER JAMES H & ELIZABETH B TRUST 11/29/17	307 12TH AVE N	BUHL, ID 83316-0000
R5953730070	GUTIERREZ PABLO R	4883 MYSTIC COVE WAY	GARDEN CITY, ID 83714-0000
R5953730080	GERONO CHRISTOPHER RONALD	4687 W JEWELL ST	BOISE, ID 83706-0000
R5953730090	SHERWIN CANDACE L	4879 W MYSTIC COVE WAY	GARDEN CITY, ID 83714-0000
R5953730100	MEEKS STEPHANIE M	4875 W MYSTIC COVE WAY	GARDEN CITY, ID 83714-0000
R5953730110	GIDDINGS PRISCILLA	13705 TWIN EAGLES LN	WHITE BIRD, ID 83554-0000
R5953730120	WILLIAMSON SHELLINE ELAINE	4869 W MYSTIC COVE WAY	GARDEN CITY, ID 83714-0000
R5953730680	CITY OF GARDEN CITY	6015 N GLENWOOD ST	GARDEN CITY, ID 83714-1347
R7334160007	MCMILLEN SHOP LLC	1401 SHORELINE DR	BOISE, ID 83702-0000
R7334160011	MCMILLEN SHOP LLC	1401 SHORELINE DR	BOISE, ID 83702-0000
R7334160034	CITY OF GARDEN CITY	6015 N GLENWOOD ST	GARDEN CITY, ID 83714-1347
R7334160041	PINEDA GUADALUPE	4866 N ALWORTH ST	GARDEN CITY, ID 83714-1427
R7334160091	BOYD MICHAEL	776 N MCDERMOTT RD	NAMPA, ID 83687-0000
R7334160103	BOYD MICHAEL A	776 N MCDERMOTT RD	NAMPA, ID 83687-0000
R7334160110	BIAIN AITOR	PO BOX 8025	BOISE, ID 83707-0000
R7334160121	OMEE LLC	11926 W CHINDEN RIDGE DR	GARDEN CITY, ID 83714-0000
R7334160141	MCGUIRE FAMILY TRUST	PO BOX 13519	ARLINGTON, TX 76094-0000
R7334160303	JAMES PATRICIA ANN	403 E 50TH ST	GARDEN CITY, ID 83714-0000
R7334160314	ANDERSON KENNETH	405 E 50TH ST	GARDEN CITY, ID 83714-1433
R7334160322	LEGACY AT 50TH STREET LLC	5987 W STATE ST	BOISE, ID 83703-0000
R7334160327	LEGACY AT 50TH STREET LLC	5987 W STATE ST	BOISE, ID 83703-0000
R7334160412	LEGACY AT 50TH STREET LLC	5987 W STATE ST	BOISE, ID 83703-0000
R7334160433	LEGACY AT 50TH STREET LLC	5987 W STATE ST	BOISE, ID 83703-0000
R7334160441	MESA CONSTRUCTION INC	1001 S LEADVILLE AVE	BOISE, ID 83706-0000
R7334160451	PAGE FRANK D	4900 N ALWORTH ST	GARDEN CITY, ID 83714-0000
R7334160612	LEGACY AT 50TH STREET LLC	5987 W STATE ST	BOISE, ID 83703-0000
R7334160618	LEGACY AT 50TH STREET LLC	5987 W STATE ST	BOISE, ID 83703-0000
S0631120776	CITY OF GARDEN CITY	6015 N GLENWOOD ST	GARDEN CITY, ID 83714-1347
MCHAM931452	BROWN MAX ALLEN	403 E 49TH ST	GARDEN CITY, ID 83714-1429
MVAND721450	MOSS RUSSELL WILLIAM	4920 N ALWORTH ST	BOISE, ID 83714-0000
R7334160303	JAMES PATRICIA ANN	403 E 50TH ST	GARDEN CITY, ID 83714-0000
R7334160314	ANDERSON KENNETH	405 E 50TH ST	GARDEN CITY, ID 83714-1433
R7334160121	OMEE LLC	11926 W CHINDEN RIDGE DR	GARDEN CITY, ID 83714-0000
MTAMA731452	BIAIN AITOR	PO BOX 8025	BOISE, ID 83707-0000



neUdesign  
 ARCHITECTURE  
 725 East 2nd Street Meridian, ID 83642

## NEIGHBORHOOD MEETING SIGN IN SHEET

PROJECT NAME: Riverpointe Subdivisions (49th St Multifamily)

TIME: 5:30

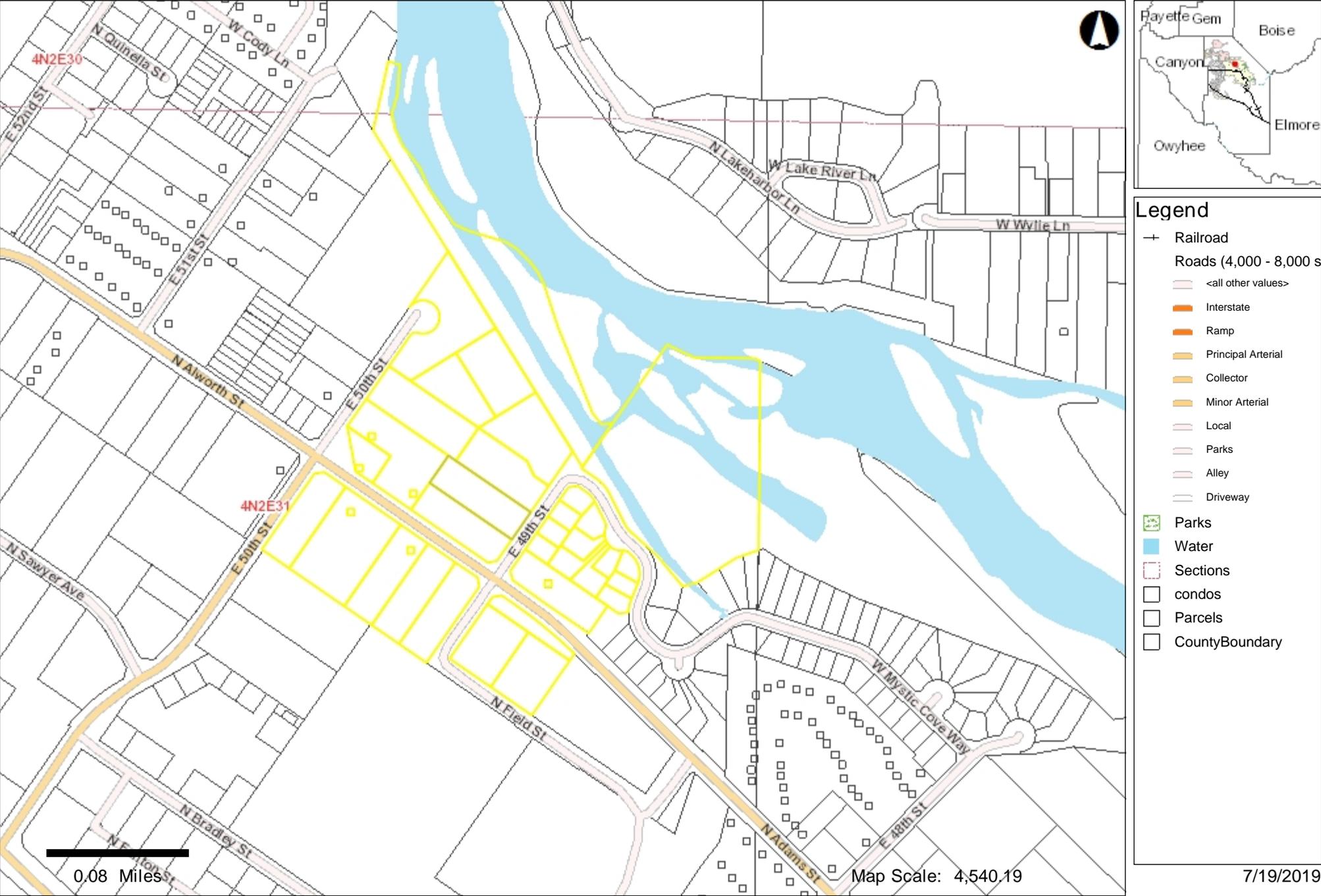
DATE: 01/13/2020

LOCATION: 404 E. 49th St. Garden City, ID 83714

NAME	ADDRESS	PHONE
1. <u>PAM GAINES</u>	<u>725 E. 2ND ST.</u>	<u>208-884-2824</u>
email: <u>pgaines@neudesignarch.com</u>		
2. <u>Pat Corbett</u>	<u>725 E 2nd ST</u>	<u>208-884-2824</u>
email: <u>PCORBETT@NEUDESIGNARCH.COM</u>		
3. _____		
email: _____		
4. _____		
email: _____		
5. _____		
email: _____		
6. _____		
email: _____		
7. _____		
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email: _____		
12. _____		
email: _____		

# Ada County Assessor

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION OR LEGAL PURPOSES.



07.18.19



Attn: Garden City Planning Department  
Garden City City Hall  
6015 N Glenwood St, Garden City, ID 83714

Re: 404 E. 49<sup>th</sup> Street Townhomes  
Garden City, 83714

#### Design Review Letter:

Near the corner of 49<sup>th</sup> St. and Alworth St. is a vacant lot zoned R-3. The lot to the south is a single family residential and the lot to the north is an apartment complex. The intended development for this property is two-story attached single family residential units with the idea of creating diversity as well as aiding in the transition from individual single story single family homes to the three story apartments along the greenbelt.

The buildings themselves will add to the visual interest and connectivity, both from vehicular and pedestrian viewpoints – eliminating an idle overgrown parcel of land that is highly visible from the street and from the buildings abutting it. The two-story 4-plex structures will include 3 bedroom dwelling units with 2 car ground floor garages. The facades will be undulating – composed of materials such as batten board, cultured stone, cementitious siding, etc. – with projections and recesses.

An internal driveway, guest parking, greenscapes, and walking/biking paths will be developed, – connecting the site to 49<sup>th</sup> street and to the Greenbelt. The development will provide diverse housing, minimize sprawl, and bind the community together. We believe the greenscape along the south façade poses an amicable relationship to the single family home and any future developments to the south. The interconnection to the apartments is formed by the additional “living quarters” story, narrowed drive and path connection to the Greenbelt.

It is our intent to vary building features in addition to establishing the site as a destination with its green corridor to ensure the character of the entire community is linked together. We have addressed all four sides of the building to have similar design quality including wall façade modulations, stone accents, various fenestration assemblies, etc. We feel the beauty of the buildings are well within the guidelines criteria of the Garden City's Plan. However, we will address each item below as it might relate to this building:

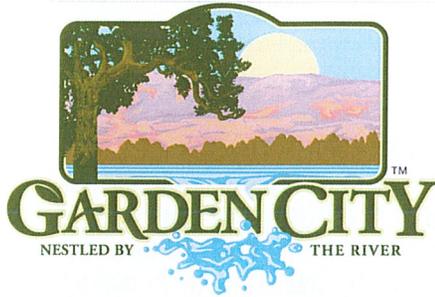
#### 1. Architectural Character:

- a. Facades - there are enhancements such as changes in plane with recessed entries, popouts, etc. We have varied the color and materials as well.
- b. Primary Public Entrances - allowing the pronounced portions of the building to be the main entrances creates visual understanding as soon as one looks at the building as to where the entrances can be found on each side of the building. It enhances importance and creates a building language.

- c. Roof Lines - wall undulations accomplishes, in an aesthetic way, variation that allows the buildings to show different forms as one travels by, particularly at the entrance of the building.
  - d. Pattern Variations - the differences in wall undulations, materials and colors creates a cohesive tapestry of natural elements.
  - e. Fenestration - natural light is important to us, thus we have located numerous windows around the perimeter of the building and on the roof of interior units. They also serve as a connection to the outside.
  - f. Mechanical – the mechanical equipment will be located on the ground, but screened from the street and neighboring building views opaque fencing.
2. Color and Materials – Uses a color palette that has cool neutral colors that come together to compliment the surrounding area. The well composed mixture of cultured stone to batten board, combined with a complimentary colored asphalt shingle creates an attractive building with variations in textures, colors and materials - similar (and even improved) to other attractive buildings in the Garden City area.
  3. Site Plan and Building Layout:
    - a. Building Location – as it pertains to the nearby streets and neighboring homes
    - b. Parking areas - same note as above
    - c. Access – to the east of the property for main site access.
    - d. Street Layout and Internal Circulation – as pertains to the dwelling units and neighboring streets
    - e. Pedestrian Walkways and Facilities – a concrete sidewalk will be added along the south of the building to allow entrances to the units from the street, guest parking, and will continue into a path that connects to the greenbelt through the adjacent property to the north.

#### Cohesive Design –

This building is similar in style to other newer buildings in the neighborhood. Connectivity is present through a unified drive and walkways through the area. Our project relates well to the overall character and intent of Garden City's design objectives and shall have a positive impact on the area by fulfilling needs. It is our goal to make this one of the premier places for people to live, as our great city continues to expand in all directions.



## MINUTES Design Committee

3:00 PM

Monday, September 16, 2019

City Council Chambers – City Hall

6015 Glenwood Street, Garden City, Idaho

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### I. CALL TO ORDER

- A. The meeting was called to order at 3:00 pm.

### II. ROLL CALL

- A. Appointed Members: Derek Hurd, Brett Labrie, Maureen Gresham
- B. Planning Official: Jenah Thornborrow
- C. Planner: Chris Samples
- D. Absent:

### III. ACTION ITEM - CHANGES TO AGENDA

### IV. CONSENT AGENDA- ACTION ITEM

- A. September 3, 2019 Minutes

- I. Committee member Hurd moved to approve the consent agenda.
- II. Committee member Gresham seconded the motion.
- III. The motion carried unanimously.

### V. OLD BUSINESS-ACTION ITEM

- A. **DSRFY2019 - 9**: JOSH BEACH WITH CONGER GROUP IS REQUESTING DESIGN REVIEW APPROVAL FOR A NEW INDUSTRIAL FLEX BUILDING TO BE LOCATED AT 209 W. 36TH ST., ADA COUNTY PARCEL R2734531468. THE PROPERTY IS LOCATED IN THE C-2 GENERAL COMMERCIAL ZONING DISTRICT.
  - I. Josh Beach presented the revisions.
  - II. Staff Chris Samples did not present a staff report.
  - III. Public testimony was received from no one.
  - IV. Public testimony was closed.
  - V. Committee member Gresham moved to approve the proposed design with the following additional site specific conditions:
    - a. Color changes are required between metals.
    - b. Ribbed profile of metal materials must be deeper than depicted.
    - c. A change of material is required for pedestrian pathway instead of striping.
    - d. Bicycle parking must be provided in accordance with Garden City Code.
    - e. Documentation that landscaping will be maintained must be provided.

- VI. Committee member Hurd seconded.
- VII. The motion carried unanimously.

#### VI. NEW BUSINESS-ACTION ITEM

- A. **DSRFY2019 – 20**: BRIAN GARRETT WITH OA+D IS REQUESTING A DESIGN REVIEW APPROVAL OF A STRUCTURE ASSOCIATED WITH A DAY CARE FACILITY. THE PROPERTY IS LOCATED AT 3203 AND 3231 W. CHINDEN BLVD. (ADA COUNTY PARCEL NUMBERS R2734530430 AND R2734530540). THE PROPERTY IS LOCATED IN THE C-1 HIGHWAY COMMERCIAL ZONING DISTRICT.
  - I. Brian Garrett presented the application.
  - II. Chris Samples presented the staff report.
  - III. Public testimony was provided by Charles Leffler and Sybil Leffler in favor.
  - IV. Public testimony was closed.
  - V. Committee member Gresham moved to approve the application with the following additional site specific conditions:
    - a. If allowed by ITD, trees should be placed closed to the property's edge on W. Chinden Blvd.
    - b. Sidewalks and landscaping shall be completed along W. Chinden Blvd. and on W. 32<sup>nd</sup> Street to the end of the property on Stockton Street.
  - VI. Committee member Hurd seconded.
  - VII. The motion carried unanimously.

#### VII. PRE-APPLICATION DISCUSSIONS-ACTION ITEM

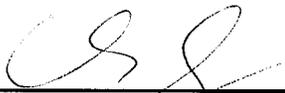
- A. **DSRFY2019-23**: DAVE EADIE WITH KENNEDY WILSON/THE ARCHITECTS OFFICE PLLC IS REQUESTING A PRE-APPLICATION CONFERENCE FOR A DESIGN REVIEW OF A MULTI-FAMILY DWELLING UNIT DEVELOPMENT. THE PROPOSAL IS LOCATED AT 6265 N STRAWBERRY GLENN RD., GARDEN CITY, 83714; ADA COUNTY PARCEL # R8191505455. THE PROPERTY IS WITHIN R-3 ZONING DISTRICT AND THE RESIDENTIAL MEDIUM DENSITY COMPREHENSIVE PLAN LAND USE DESIGNATION.
  - I. Keith Herron, Keith McClosky, and Jason Densmer presented the pre-application request.
  - II. Staff Chris Samples presented the staff report.
  - III. Public comment was heard at the discretion of the Committee from:
    - a. Wendy Carver Herbert:
      - i. The developer has done a good job addressing some community concerns
      - ii. Building 1 view and fencing: no fencing shown in neighborhood meeting
      - iii. There is no way to buffer building 1's view. Requests developer lower building 1 to two stories
      - iv. Building 4 view shed is not address to 6411 N. Strawberry Glenn. No buffering opportunity along this street.
      - v. Traffic issues are a concern.
      - vi. The streetscape along N. Strawberry Glenn may not have enough setback (5') for tre canopy

- vii. How does drainage and impact of raising buildings impact adjacent properties? Will there be gutters on back of detached garages?
- viii. Will Japanese White Pine trees have enough sun?
- ix. What will gate/wall going across tile ditch area look like?
- x. How will ditch be cleaned up?
- b. Charles Kolin:
  - i. Building 4 will not block line of sight to third story balcony
  - ii. Developer good to work with
  - iii. Flood plain fill a concern
  - iv. West side of Strawberry Glenn has roll over curve and slopes into his property
  - v. Concerned with flooding from drainage
  - vi. 18 inches of elevation with sidewalk a concern
- c. Deanna Leaf:
  - i. Concerns with property where ditch goes through her property
  - ii. Wishes to have garage offered by developer
- IV. Applicants provided rebuttal testimony, addressing drainage, view shed, gates, and landscaping concerns.
- V. The Committee provided the following comments and suggestions:
  - a. Consider enclosing community structure to allow full time use.
  - b. Find way for Strawberry Glenn entries to have an awning or to identify where guests are to go.
  - c. Break up façade on pedestrian level
  - d. Provide delineation of existing vs. new wetlands and how they relate to setbacks and location.
  - e. 10' minimum setback between structures is required by code
  - f. Recognized changes made from last proposal.

**VIII. DISCUSSION**

**IX. ADJOURNMENT-ACTION ITEM**

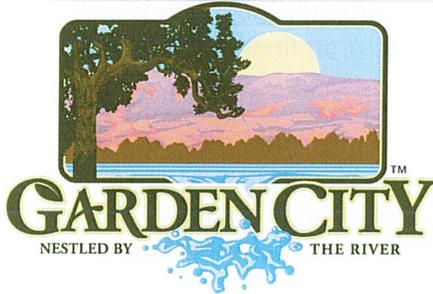
- a. The meeting adjourned at 4:51 pm.



10/24/19

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This signature verifies that this decision document has been reviewed and approved by the Design Review Committee.



## MINUTES Design Committee

3:00 PM

Monday, October 7, 2019  
City Council Chambers – City Hall  
6015 Glenwood Street, Garden City, Idaho

### I. CALL TO ORDER

- A. The meeting was called to order at 3:00 pm.

### II. ROLL CALL

- A. Appointed Members: Derek Hurd, Maureen Gresham
- B. Planning Official: Jenah Thornborrow
- C. Planner: Chris Samples
- D. Absent: Brett Labrie

### III. ACTION ITEM - CHANGES TO AGENDA

- A. DSRFY2019-4 did not have quorum to be heard due to the applicant being a Design Committee member and another Committee member being absent. The item was moved to the consent agenda for a continuance.

### IV. CONSENT AGENDA- ACTION ITEM

- A. September 16, 2019 Minutes
- B. DSRFY2019-9: Decision
- C. DSRFY2019-17/MPUDFY2019-3: Decision
- D. DSRFY2019-20: Decision
- E. DSRFY2019-4: Continuance to a date certain of October 21, 2019 due to a lack of quorum for this item.
  - a. Committee member Hurd moved to approve the consent agenda.
  - b. Committee member Gresham seconded the motion.
  - c. The motion carried unanimously.

### V. OLD BUSINESS-ACTION ITEM

### VI. NEW BUSINESS-ACTION ITEM

- A. SUBFY2019 - 4: Sherry McKibben with McKibben + Cooper Architects and Urban Design are requesting approval of a preliminary plat subdivision located on 34th, 35th, and Carr Streets. The subdivision is proposed within the 34th Street Specific Area Plan.
  - a. Hannah Ball presented the application.
  - b. Staff Chris Samples provided the staff report.
  - c. Public testimony was received from no one.
  - d. Public testimony was closed.

- e. Committee member Gresham moved to recommend approval of the subdivision to the City Council as proposed in the draft findings of fact, conclusions of law, and decision.
  - f. Committee member Hurd seconded.
  - g. The motion carried unanimously.
- B. SUBFY2019 - 5:** Gary Asin is requesting approval of a two lot preliminary plat subdivision located at 3588 N. Propsect Way, Ada County Parcel Number R9242370040. The property is described as Lot 4, Block 1, Waterfront District Subdivision.
- a. Gary Asin presented the application.
  - b. Staff Chris Samples provided the staff report.
  - c. Public testimony was received was received from Tom Baskin, citing concerns with enforcement of the Waterfront HOA's CC&R's, that the proposed property lines would be closer than 3' to an existing structure, and that the Waterfront HOA's CC&R's would dictate the placement of structures and property lines.
  - d. Gary Asin provided rebuttal testimony, indicating that he would work with the Waterfront HOA to comply with their requirements.
  - e. Public testimony was closed.
  - f. Committee member Gresham moved to recommend approval of the subdivision to the City Council as proposed in the draft findings of fact, conclusions of law, and decision.
  - g. Committee member Hurd seconded.
  - h. The motion carried unanimously.
- C. DSRFY2019-4:** Shay Bertola with Maverik Country Store is requesting a combined pre-application conference and design review approval for a new commercial structure located at 8561 W. State Street; Ada County Parcel R8123251860. The property is zoned C-2 General Commercial and located in the Green Boulevard Corridor land use designation of the Comprehensive Plan.
- a. Shay Bertola presented the application.
  - b. Staff Chris Samples provided the staff report.
  - c. Public testimony was received from no one.
  - d. Public testimony was closed.
  - e. The Committee requested the applicant return with the following revisions:
    - i. Show additional windows or other façade variation on the building façade facing W. State Street.
    - ii. Provide detailed renderings showing the view of the pump enclosure and the food store from W. State Street.
    - iii. Move the sidewalk further back from W. State Street to accommodate street trees.

## **VII. PRE-APPLICATION DISCUSSIONS-ACTION ITEM**

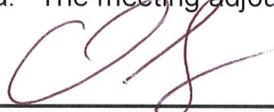
- A. DSRFY2019-25:** Erstad Architects is requesting a pre-application conference to discuss new structures associated with a mixed-use development. The development consists of a proposed hotel, restaurants, and multi-family housing. The properties are zoned C-2 General Commercial and R-3 Medium Density Residential and are located in the Activity Node – Neighborhood/Destination and Mixed Use Residential Land Use designations of the Comprehensive Plan. The project is located at 406 E. 40<sup>th</sup>, 507 E. 41<sup>st</sup>, and 510 E. 41<sup>st</sup> Streets; Ada County Parcels R2734520760 and R2734520765, R2734520787, and R2734520933 (respectively).
- a. Chad Weltzin presented the proposal.

- b. Staff Chris Samples provided a brief summary of the application. Mr. Samples noted that a pre-application staff report had not been prepared.
- c. The Committee provided the following comments and suggestions:
  - i. Consider the effects of the massing of the residential structures along the east side of the development. Consider other mitigation measures to relieve the view of other properties facing toward it.
  - ii. Consider changing the color or material of the railing on the middle building.
  - iii. Roofline variation may be needed to break up middle and rear building.
  - iv. Provide true elevations with more detail and not just conceptual renderings.
  - v. Identify pedestrian connections.
  - vi. Address lighting and vegetation along the Greenbelt.

**VIII. DISCUSSION**

**IX. ADJOURNMENT-ACTION ITEM**

- a. The meeting adjourned at 5:03 pm.



12/3/19

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This signature verifies that this decision document has been reviewed and approved by the Design Review Committee.

BEFORE THE DESIGN REVIEW COMMITTEE  
GARDEN CITY, ADA COUNTY, IDAHO

In the Matter of:	)	DSRFY2019-17/MPUDFY2019-2
	)	
Design Review/MPUD	)	FINDINGS OF FACT,
404 E. 49 <sup>th</sup> Street	)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho	)	AND DECISION
_____	)	

THIS MATTER, came before the Garden City Design Review Committee for consideration on September 16, 2019. The Design Review Committee reviewed the application and materials submitted. Based on the evidence presented, pursuant to Garden City Code Table 8-6A-1, the Design Review Committee makes the following Findings of Fact, Conclusions of Law and Decision:

**FINDINGS OF FACT**

1. The applicant is Pam Gaines, Neudesign Architecture.
2. The property owner is Sunwest Properties
3. The location of the project is 404 E. 49<sup>th</sup> Street Garden City, Id. Assigned Ada County Parcel No.: R7334160441
4. The application is for:
  - a. DSRFY2019 – 17: Design Review for an 8 unit residential development
  - b. MPUDFY2019 – 2: Minor PUD
5. The project is located in the Garden City R-3 Zoning District.
6. The project is not located in the floodplain according to the 2003 FIRM.
7. The project is located in the floodplain according to the 2017 FIS.
8. The applicant met with the Design Review Committee on July 15, 2019 for a pre-application consultation.
9. The application was received July 31, 2019. The application was scheduled for a meeting on August 19, 2019. The application was continued at the applicant's request to the September 3, 2019 hearing.
10. A copy of the application was transmitted to affected public agencies on August 2, 2019 and written comments were received from:
  - a. Idaho Transportation Department
11. The applicant provided verification that the property was posted on August 23, 2019 ten or more days prior to the meeting.
12. The applicant met with the Design Review Committee on September 3, 2019:
  - a. Applicant Pam Gaines and Pat Corbett presented the application.
  - b. Frank D. Page testified in neutral on the application, requesting a fence be constructed by the property owner on the south property line.
  - c. Public testimony was closed.
  - d. Committee member Labrie moved to approve the application with an additional site specific condition requiring class 2 and class 3 trees as required by City Code.

- e. Committee member Hurd seconded the motion.
- f. The motion carried unanimously.

13. The record contains:
- a. Application Materials including all revisions.
  - b. Staff Report;
  - c. Design Review Findings of Fact, Conclusions of Law and Decision;
  - d. Design Review Committee Minutes.
14. The following standards apply to this proposal:
- a. Title 8-Chapter 4, Article A: "General Provisions;"
  - b. Title 8-Chapter 4, Article C: "Design Provisions for Nonresidential Structures;"
  - c. Title 8-Chapter 4, Article D: "Parking and Off Street Loading Provisions;"
  - d. Title 8-Chapter 4 Article E: "Transportation and Connectivity Provisions;"
  - e. Title 8-Chapter 4, Article I: "Landscaping and Tree Protection Provisions."
  - f. Title 8-Chapter 6, Article B, Section 8: "Minor Planned Unit Development"
15. The applicant provided the following application information:

<b>Materials Provided Per GCC Table 8-6A-2 Required Application Information</b>			
Provided			
Yes	No	NA	
X			Compliance Statement
X			Neighborhood Map
X			Site Plan
X			Landscape Plan
X			Schematic Drawings
X			Lighting Plan
	X		Topographic Survey
	X		Grading Plan
X			Will Serve
X			Verification that address is an Ada County Approved Address

16. In order to approve a design review application and based on the standards set forth in chapter 4, article C of this title, the design review committee shall make the following findings:

<b>GCC 8-6B-3 DESIGN REVIEW COMMITTEE: REQUIRED FINDINGS</b>			
Conclusion			
Compliant	Not Compliant	Not Applicable to this Application	Standard

X			<p><b>Standard:</b> The proposed design is in conformance with the purpose of the zoning district and all dimensional regulations of that district.</p> <p><b>Explanation: Not applicable. This finding is superseded by 8-6B-8 (Minor Planned Unit Development).</b></p>
X			<p>The proposed design adheres to standards for the protection of health, safety, and general welfare.</p> <p><b>Explanation: The proposed design adheres to applicable standards for the protection of health, safety, and general welfare.</b></p>
X			<p>The proposed design creates a sense of place and contributes to the uniqueness of the different districts and neighborhoods within the city.</p> <p><b>Explanation: The proposed design creates a unique residential neighborhood feel through residential façade design.</b></p>
X			<p>The proposed design improves the accessibility of development to non-motorized and public modes of transportation.</p> <p><b>Explanation: Not applicable. This finding is superseded by 8-6B-8 (Minor Planned Unit Development).</b></p>
X			<p>The proposed design supports a development pattern in nodes rather than strip commercial along arterial corridors.</p> <p><b>Explanation: Not applicable. The proposed design is not located along an arterial corridor.</b></p>
X			<p>The proposed design supports a compact development pattern that enables intensification of development and changes over time.</p> <p><b>Explanation: Not applicable. This finding is superseded by 8-6B-8 (Minor Planned Unit Development).</b></p>
X			<p>The proposed design provides outdoor spaces and landscaping compatible with the southwest Idaho climatic conditions and encourages pedestrian activity.</p>

			<b>Explanation: Not applicable. This finding is superseded by 8-6B-8 (Minor Planned Unit Development).</b>
--	--	--	--

17. In order to approve a minor planned unit development application and based on the standards set forth in chapter 6, article B, section 8, the design review committee shall make the following findings:

<b>GCC 8-6B-8 MINOR PLANNED UNIT DEVELOPMENT – REQUIRED FINDINGS</b>			
Conclusion			Standard
Compliant	Not Compliant	Not Applicable to this Application	
X			<p><b>Standard:</b> The minor PUD is in general conformance with an adopted site layout template and any deviations are minor as defined in this section.</p> <p><b>Explanation: The minor PUD is in general conformance with requested site template. Deviations from the template are within the threshold allowed by the ordinance.</b></p>
X			<p>The minor PUD meets all findings for a site layout template as set forth in this subsection G.</p> <p><b>Explanation: The minor PUD, as conditioned, meets all required findings of this ordinance.</b></p>
X			<p>The minor PUD complies with requirements of the city and other agencies with jurisdiction.</p> <p><b>Explanation: The minor PUD is required by the conditions of approval to comply with city and agency requirements.</b></p>
X			<p>The minor PUD has been designed to minimize impacts on adjacent properties.</p> <p><b>Explanation: The minor PUD, as conditioned, is specifically designed to minimize impacts on adjacent properties through building footprint placement, landscaping and outdoor spaces.</b></p>

## **CONCLUSIONS OF LAW**

The Design Review Committee reviewed the application with regard to Garden City Code, Title 8, Chapter 4, and based on the conditions required herein, concludes the application meets the standards of approval under GCC 8-4C and the required findings under 8-6B-3D and 8-6B-8.

## **DECISION [For Approval]**

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law contained herein, the Design Review Committee hereby **APPROVES** the applications, subject to the following conditions:

### **Design Review:**

#### **Site Specific Requirements:**

1. Materials submitted shall comply with those that were approved. The approved documents include:
  - a. Schematic Drawings reviewed on September 3, 2019 and subsequently approved.

#### **Minor Planned Unit Development:**

1. Site layout template #8 is the template utilized for this development with deviations noted in the application materials.
  - a. Compliance Statement, Site Plan, and Landscape Plan reviewed on September 3, 2019 and subsequently approved.
2. Class 2 and class 3 trees shall be utilized as required by Garden City Code 8-4I.

#### **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.
10. 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.
11. If trees are staked, the stakes shall be removed within twelve (12) months to prevent damage to the tree.
12. 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.
13. 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.
14. 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.
15. The landscape installation shall stabilize all soil and slopes.
16. All required landscaping shall be provided with an automatically controlled irrigation system in conformance with the best management practices for automatic irrigation systems.
17. Demonstrate compliance with 8-4G-1 prior to certificate of occupancies.
18. 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.
19. Property Maintenance Standards shall be maintained as required by Garden City Code.
20. The property owner is responsible for the maintenance of all landscaping and screening devices required.
21. 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.
22. 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.
23. 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.
  24. 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.
  25. Occupying the site prior to Certificate of Occupancy is a criminal offense.
  26. There is a 10 day right to appeal to City Council. The applicant or any interested parties may appeal the decision or a part of the decision. An appeal shall be made on the form provided by the City and filed with the City Clerk within ten (10) days after the action of the decision.
  27. Final decisions are subject to judicial review pursuant to The Idaho Administrative Procedures Act, Chapter 65 Title 67 Idaho Code.
  28. Pursuant to Idaho Code, a request for reconsideration must be submitted within 14 days of the final decision and prior to judicial review. The written request must identify specific deficiencies in the decision for which reconsideration is sought.
  29. A takings analysis pursuant to Idaho Code may be requested on final decisions.
  30. 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.



12/4/2019

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This signature verifies that this decision document has been reviewed and approved by the Design Review Committee

Date

01.07.2020



Attn: Garden City Planning Department  
Garden City City Hall  
6015 N Glenwood St, Garden City, ID 83714

Re: Waiver

Waiver Request:

The items we're requesting a waiver for are as follows –

- 1) Dedications and Easements
- 2) Covenants and Deed Restrictions
- 3) Ability to Serve Letter
- 4) Irrigation/Ditch Company Information Form
- 5) Property sign posting

Item number one – Council recommended, but did not require, connecting the path from the greenbelt through the legacy apartments and continuing on through our property. We happily complied with the recommendation.

Item number two – Will submit once project is complete

Item number three – Waived for DR. Will finalize

Item number four – Thurman Mill said that the ditch running along the property was a run off from one of their ditches, but exercise no rights of the water. Contact Steve Ball at Vineyard Church if any changes are to be made to the ditch and send a letter to Thurman Mill regarding the changes made.

Item number five- Will post the property when we get confirmation for a planning and zoning hearing.

Please let me know if you have any questions or concerns.

Sincerely,

Pam Gaines