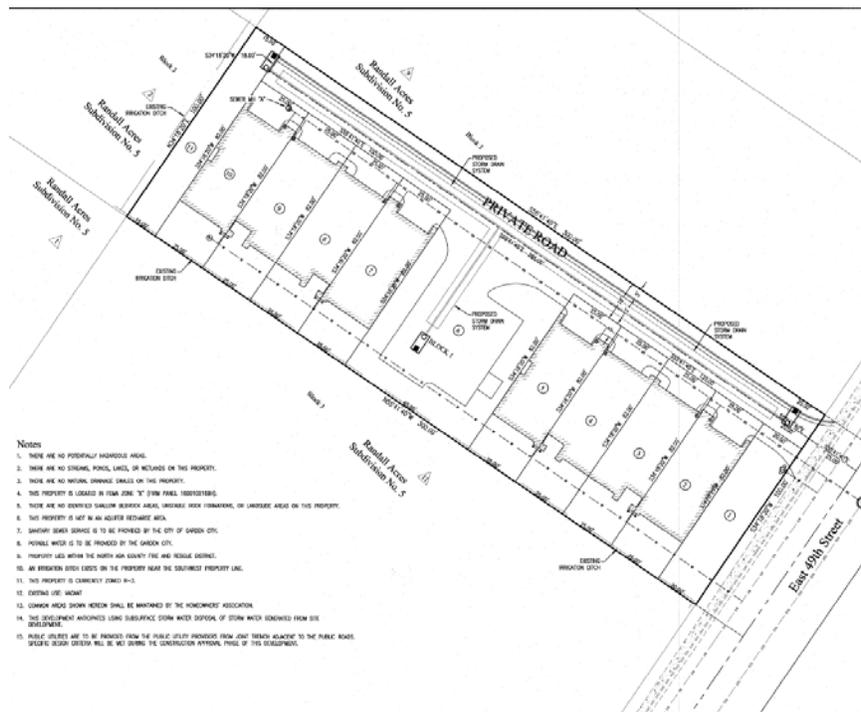


## CITY OF GARDEN CITY

6015 Glenwood Street □ Garden City, Idaho 83714  
 Phone (208)472-2921 □ Fax (208)472-2926

**File Number: SUBFY2020 - 5**  
**For: Combined Preliminary/Final Plat Subdivision**  
**Location: 404 E. 49<sup>th</sup> St.**  
**Applicant: Pam Gaines, neUdesign Architecture**  
**Report Date: 2/18/2020**



- Notes**
1. THERE ARE NO POTENTIALLY HAZARDOUS AREAS.
  2. THERE ARE NO STRONG, POLES, LINES, OR TOWERS ON THIS PROPERTY.
  3. THERE ARE NO MINING, DRIVING, OR OTHER CLAIMS ON THIS PROPERTY.
  4. THIS PROPERTY IS LOCATED IN ZONING DISTRICT 100.
  5. THERE ARE NO IDENTIFIED SHALLOW SEISMIC HAZARD UNSATURATED SOILS (FRANZBLAU), OR LIQUIDITY AREAS ON THIS PROPERTY.
  6. THIS PROPERTY IS NOT IN AN ADJUTIVE RECHARGE AREA.
  7. SANITARY SEWER SERVICE IS TO BE PROVIDED BY THE CITY OF GARDEN CITY.
  8. POTENTIAL WATERSHED IS TO BE PROVIDED BY THE CITY OF GARDEN CITY.
  9. PROPERTY LIES WITHIN THE NORTH AND SOUTHWEST AND NEIGHBORHOOD DISTRICT.
  10. AN BREAKER BOX EXISTS ON THE PROPERTY NEAR THE SUBMITTED PROPERTY LINE.
  11. THIS PROPERTY IS CURRENTLY ZONED R-1.
  12. EXISTING LOT LAYOUT.
  13. COMMON AREAS SHOWN HEREON SHALL BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION.
  14. THIS DEVELOPMENT ANTICIPATES USING SUBSURFACE STORM WATER DRAINAGE OF STORM WATER GENERATED FROM SITE DEVELOPMENT.
  15. PUBLIC UTILITIES ARE TO BE PROVIDED FROM THE PUBLIC UTILITY PROVIDERS FROM JOINT TRENCH ADJACENT TO THE PUBLIC ROAD. SPECIAL DESIGN CRITERIA WILL BE MET DURING THE CONSTRUCTION APPROVAL PHASE OF THIS DEVELOPMENT.

Staff Report  
 Report prepared by Chris Samples

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## A. Report Summary

- 11 lot residential subdivision (9 residential lots, 2 common lots)
- Previous entitlements (DSRFY2019-17 and MPUDFY2019-3) approved the site design and elevations
- Additional connectivity from the property to the Greenbelt proposed

## B. Project Information

### Proposed Scope of Work:

Request	Review Process	Notes
Combined Preliminary and Final Plat Subdivision	8-5B-5 Subdivision Process – Required Findings	None

### Project Details:

- 1) Proposed development: 11 lot subdivision
  - a) 9 residential lots
  - b) 2 common lots
- 2) Site and design entitlement approvals:
  - a) DSRFY2019 –17
  - b) MPUDFY2019 - 3

### Site Conditions:

- 1) Address: 404 E. 49<sup>th</sup> Street, Garden City, ID 83714
- 2) Parcel Number: R7334160441
- 3) Property Size: 0.69 acres
- 4) Zoning District: R-3 Medium Density Residential
- 5) Comprehensive Plan Land Use Map Designation:
- 6) Legal Lot of Record: Yes
- 7) Floodplain Designation:
  - a) 2003 FIRM: X
  - b) 2017 Draft FIRM: AE
- 8) Surrounding Uses:
  - a) Dwelling Unit, Multi-Family
  - b) Dwelling Unit, Single Family, Detached
- 9) Existing Use: None
- 10) Easements on site: There are no records on file with Garden City of existing easements
- 11) Site Access: E. 49<sup>th</sup> Street
- 12) Sidewalks: in good repair on or adjacent to the site.

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## C. Discussion

The application's site design and elevations were approved under DSRFY2019-17 and MPUDFY2019-3. The subdivision does not appear to affect the entitlements granted under the previous applications.

The applicant has requested application waivers pursuant to Garden City Code 8-6A-4. Most of the waivers directly affect the required findings for a subdivision. Conditions of approval have been suggested to enable submission of these documents prior to the final plat signature.

The applicant has proposed connectivity between the existing multi-family development to the north and the property. This connectivity, as required under the previous entitlement applications, enables additional connectivity to the Greenbelt. The property to the south of the proposed subdivision, if redeveloped, could complete an additional pedestrian pathway to the Greenbelt.

**D. Required Decisions; Required Findings; Decision Maker Actions; Appeals**

**Required Decisions:** The following decision processes are required for the project:

Decision	Recommendation Authority	Decision Authority	Hearing Date
Combined Preliminary/Final Plat Subdivision	P&Z Commission, Design Committee	City Council	<ul style="list-style-type: none"> <li>• Design Committee: 3/2/2020</li> <li>• P&amp;Z Commission: 3/18/2020</li> <li>• City Council: 3/23/2020</li> </ul>

**Required Findings:**

To recommend approval of a combined preliminary/final plat subdivision, the Planning and Zoning Commission and the Design Committee must find the application meets the following findings:

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

**Decision Options:**

The Design Committee and Planning and Zoning Commission may take one of the following actions:

1. Recommend approval of the application as presented to the City Council;
2. Recommend approval of the application with conditions to the City Council;

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3. Recommend denial of the application to the City Council.
  4. Request the applicant return with revised materials for additional review;

Appeal of Decision:

At the hearing, the Design Committee and Planning and Zoning Commission will make a motion to make a recommendation to the City Council on the requested application. The recommendation will be signed within a few days after the hearing

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

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## E. Agency Comments

The following agency comments were provided:

Agency	Comment Date	Summary
Central District Health Department	1/31/2020	Standard comments

## F. Public Comment

The following public comments were provided:

None

## G. Code/Policy Checklist

Sections with compliance issues noted will be analyzed in detail in section E: Code/Policy Analysis of this report. Sections without any compliance issues noted will not be further detailed in this report.

<b>Garden City Title 8 Code Sections</b>			
<b>Code Section</b>	<b>Review Authority</b>	<b>Compliance Issues</b>	<b>Staff Comment</b>
Title 8, Chapter 2: Base Zoning District Regulations			
8-2B Base Zoning District Provisions	Planning and Zoning Commission	No compliance issues noted	No comment
8-2C Land Use Provisions	Planning and Zoning Commission	No compliance issues noted	No comment
Title 8, Chapter 4: Design and Development Regulations			
8-4A General Provisions	Design Committee	No compliance issues noted	Site and design approved under DSRFY2019-17 and MPUDFY2019-3.
8-4B Design Provisions for Residential Structures	Design Committee	No compliance issues noted	Site and design approved under DSRFY2019-17 and MPUDFY2019-3.
8-4D Parking and Off Street Loading Provisions	Design Committee	No compliance issues noted	Site and design approved under DSRFY2019-17 and MPUDFY2019-3.
8-4E Transportation and Connectivity Provisions	Planning and Zoning Commission, Design Committee	No compliance issues noted	<ul style="list-style-type: none"> <li>Site and design approved under DSRFY2019-17 and MPUDFY2019-3. Additional connectivity provided to adjoining multi-family dwelling development. Condition of approval to this effect proposed to ensure its development.</li> </ul>
8-4I Landscaping and Tree Protection Provisions	Design Committee	No compliance issues noted	Site and design approved under DSRFY2019-17 and MPUDFY2019-3.
8-4L Open Space Provisions	Design Committee	No compliance issues noted	Site and design approved under DSRFY2019-17 and MPUDFY2019-3.
Title 8, Chapter 5: Land Division Regulations			
8-5A General Provisions and Standards	Planning and Zoning Commission, Design Committee	No compliance issues noted	No compliance issues noted.
Title 8, Chapter 7: References			

8-7A Definitions	Planning and Zoning Commission, Design Committee	N/A	Defined terms referenced: <ul style="list-style-type: none"> <li>• Subdivision</li> </ul>
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<b>Garden City Plans/Policies</b>		
<b>Plan/Policy</b>	<b>Compliance Issues</b>	<b>Staff Comments</b>
<a href="#">Garden City Comprehensive Plan</a>	No compliance issues	Comprehensive Plan Analysis
<a href="#">Garden City Sidewalk Policy</a>	No compliance issues	Sidewalks installed
<a href="#">Garden City Street Light Policy</a>	No compliance issues	Streetlight installed

## E. Code/Policy Analysis

<b>Garden City Title 8 Code Section</b>	
<b>City Code</b>	<b>Analysis</b>
<b><u>8-6A Administration – General Provisions</u></b>	
8-6A-4 Required Application Information	<p>The applicant has requested a waiver to the following application requirements:</p> <p>Dedications and Easements            Covenants and Deed Restrictions            Ability to Serve Letter            Irrigation/Ditch Company Information Form            Property Sign Posting</p> <p>The following items cannot be waived:</p> <ul style="list-style-type: none"> <li>• Property Sign Posting: The applicant has already complied with this requirement. Waiver is not authorized under Garden City Code 8-6A-4.</li> </ul> <p>The following items may be appropriate to waive:</p> <ul style="list-style-type: none"> <li>• Irrigation/Ditch Company Information Form: An irrigation ditch is located on the property. All irrigation companies were notified of this application as required by Garden City Code 8-6A-4 and by Idaho Code. No response was received.</li> </ul> <p>The following items may not be appropriate to waive:</p> <ul style="list-style-type: none"> <li>• Dedications and Easements: The applicant has depicted dedications and easements on the final plat. Waiver of this requirement is moot.</li> <li>• Covenants and Deed Restrictions: Garden City Code 8-5A-5H requires covenants to regulate shared irrigation systems to be approved by the City Attorney. This item could be required as a condition of approval prior to the signature of final plat.</li> </ul>

	<ul style="list-style-type: none"> <li>Ability to Serve Letter: The ability of serve letter is necessary to determine whether adequate water and sewer service is available on the property. While this was waived during the approval of the previous entitlements, the letter is necessary to approve the required findings under 8-5B-5. A condition of approval could be required to withhold final plat signature until the letter is completed.</li> </ul>
<b><u>8-7A References</u></b>	
8-7A-1 Definitions	<p>The following relevant defined terms were referenced in this report:</p> <p>Subdivision: The result of an act of dividing an original lot, tract or parcel of land into two (2) or more parts for the purpose of transfer of ownership or development; which may also include easements and the dedication of a public street or designation of private lanes or rights-of-way, and the addition to, or creation of, a cemetery</p>

<b>Garden City Plan/Policy Analysis</b>	
<b><u>Plan/Policy</u></b>	<b><u>Analysis</u></b>
<b><u>Comprehensive Plan</u></b>	The decision of approval of minor land division application MLDFY2019 – 3 found the application to be in conformance with the Comprehensive Plan. The subdivision application does not appear to affect or augment compliance with the Comprehensive Plan.
<b><u>Garden City Sidewalk Policy</u></b>	An existing sidewalk is installed along E. 49 <sup>th</sup> Street in accordance with the policy.
<b><u>Garden City Street Light Policy</u></b>	A streetlight is installed within 400' of the property in accordance with the policy.