



CITY OF GARDEN CITY

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File Number: SUBFY2022-0001
For: Combined Preliminary and Final Plat processed as a Planned Unit Development
A 24-lot residential subdivision
Location: 511 E Remington Street
Applicant: Marty Pieroni of Treasured Communities, Inc.
Design Review: February 22, 2022
Planning and Zoning: February 16, 2022
City Council: March 14, 2022



Staff Report
Report prepared by Hanna Veal

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A. Record Documents ([link to all file documents](#))

Individual links:

1. Application Materials
 - a) [SUBFY2022-0001 Initial Submittal](#) 11/15/2021
 - b) [SUBFY2022-0001 Construction Plans](#) 11/17/2021
 - c) [SUBFY2022-0001 Resubmittals 01/12/2022](#)
 - d) [SUBFY2022-0001 Resubmittals 02/08/2022](#)
2. Staff Reports
 - a) [Design Review Staff Report Dated 01/18/2022](#)
 - b) Design Review Staff Report Dated 02/22/2022
 - c) [Planning and Zoning Staff Report 01/19/2022](#)
 - d) Planning and Zoning Staff Report 02/16/2022
3. Agency Comments: linked in [Section F](#)
4. Public Comments: linked in [Section G](#)
5. Noticing Documents
 - a) City Noticing
 - b) [Property Posting for Design Review Committee](#)
 - c) [Property Posting for Planning and Zoning](#)
6. Recommendations
 - a) [Design Review Committee – 01/18/2022](#)
 - b) [Design Review Committee – 02/22/2022](#)
 - c) [Planning and Zoning – 01/19/2022](#)
 - d) [Planning and Zoning – 02/16/2022](#)

B. Recommendation Summary:

This summary will be updated to reflect the recommending bodies recommendations.

C. Project Information

Proposed Scope of Work:

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

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

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

Review Process	Notes
8-5B-4 Combined Preliminary and Final Subdivision Process	
8-6B-7 Planned Unit Development	A Planned Unit Development and a Subdivision can be processed concurrently

Special Provisions	Notes
Subdivisions located within a Floodplain 8-5C-4	A floodway development application will be reviewed in conjunction with construction plans provided approval of the requested application.

Site Conditions:

- 1) Street Address: 511 Remington St.
- 2) Parcel Number(s): R7334160981
- 3) Subdivision: LOTS 05-06 BLK 06 RANDALL ACRES SUB NO 05 #8621367 #96100114
- 4) Property Size: 1.950 acres
- 5) Zoning District: Residential R-3 Medium Density
- 6) Zoning Overlay(s): None
- 7) Comprehensive Plan Land Use Map Designation:
 - a) Residential Medium Density
- 8) Legal Parcel of Record: Yes
- 9) Floodplain Designation:
 - a) 2003 FIRM: 100 Year Special Flood Hazard Area
 - b) 2017 Draft FIRM: 100 Special Flood Hazard Area
- 10) Surrounding Uses within 600 feet:
 - a) Larken Precast at 411 E Remington – uses include Building Supply Outlet, Shop for Building Contractor, Concrete Batch Plant, Contractor’s Storage Yard. Certificate of Compliance issued 1/6/2016.
 - b) Ada County Fairgrounds
 - c) Single Family Dwelling Units
 - d) Vacant Land

- 11) Existing Use: According to the Ada County Assessor's site, the parcel changed from land only to land and commercial. It appears to be a Mobile Home Park, however, record of the use has not been identified and may not be legally established.
- 12) Easements on site: There are no records on file with Garden City of existing easements
- 13) Site Access: E. Remington St.
- 14) Sidewalks: No sidewalk
- 15) Wetlands on site: None identified

Project Details:

- 1) Proposed development: Residential Subdivision - Combined Preliminary and Final Plat – Processed as a Planned Unit Development
- 2) Total number of lots: 26
 - a) Common: 3
 - b) Residential: 23
- 3) Density: 11.8 Dwellings per acre
- 4) Site Coverage: 84,942sqft Total
 - a) Building: 30% of the site
 - b) Landscaping: 26,248sqft = 30% of the site
 - c) Paved Areas: **Unknown % of the site**
- 5) Access: Drive from E. Remington St.
- 6) Total number of vehicular parking spaces: #
 - a) Enclosed: 46
 - b) Surface: 13
- 7) Total number of bicycle parking: Unknown
 - a) Surface: Unknown
- 8) Refuse: Republic Services will pick up individual services to the development, along the public right-of-way of E. Remington St.
- 9) Fencing: Existing fencing to remain.
- 10) Sidewalk:
 - a) Detached proposed with 8ft landscape buffer
- 11) Landscaping: 26,248sqft
 - a) 253 shrubs or bushes
 - b) 26 Total number of trees
 - i) 9 Class I, 0 of which are street trees
 - ii) 11 Class II, 4 of which are street trees
- 12) City Utilities
 - a) Water and Sewer connection to lots
 - b) Hydrant
- 13) Pathway: New potential connection to greenbelt
- 14) Proposed Easements:
 - a) 10' utility easement – south property line
 - b) 10' utility easement – north property line
 - c) Perpetual ingress/egress easement on shared drive.
- 15) PUD Waivers requested:
 - a) R-3 zoning setbacks

C. Discussion

Discussion for February 16th, and 22nd, 2022 DSR and P&Z Hearings:

The Design Review Committee made the following comments:

- I. Terminus view needs to be of landscaping. **Addressed.**
- II. The guest parking at the end of the drive can be eliminated, or at least one can be removed, to accommodate more landscaping and provide safer conditions for the public pedestrian and bicycle pathway. **Reduction of three spaces.**
- III. Adopted Transportation Needs List requires the Greenbelt connection.
- IV. Updated renderings of units facing Remington. The façade facing Remington cannot appear as a side elevation. **Addressed.**
- V. ADA accessible units are encouraged.
- VI. Unique design between the two-bedroom and three-bedroom units is required. Units cannot all be of the same architectural design. Architectural variety is required by the Design Review Committee. **Addressed, discussion might be warranted.**
- VII. Six-foot wide pedestrian pathway is not wide enough. Should at least be ten-foot-wide per code. **Conditioned.**
- VIII. Existing water well on site was planned for irrigation. The subdivision is required to have pressurized irrigation per Garden City Code. **Potential waiver.**

The Planning and Zoning Commission moved the application to the date certain of February 16, 2022, so that the applicant could address the Design Review Committee's comments. The Planning and Zoning's hearing date is before the Design Review Committee's hearing date, thus the Planning and Zoning Commission will be required to make a recommendation before the Design Review Committee can approve of the changes made. Based off staff's analysis of the resubmittals, it appears that all the Design Review Committee's comments have been addressed.

Previous Discussions from January 18th, and 19th, 2022 DSR and P&Z Hearings:

This application (SUBFY2022-0001) is a subdivision application that is to be processed as a Planned Unit Development (PUD). As a PUD development, the applicant can submit waivers to code standards. The applicant has requested three waivers to code standards, however, based off the analysis the applicant will need to either change plans to achieve code compliance, or, where there is noncompliance, a waiver shall be submitted. Below are the waiver formally requested:

1. Setbacks, allowing for custom setbacks within the development.
2. More than 4 dwelling units being served through a common drive, allowing for 8 units to be served on a common drive;
3. Waiver to 10ft minimum setback between structures, allowing for a total distance of 6ft, and 3ft side yard setbacks.

Both the Design Review Committee and the Planning and Zoning Commission will need to determine if these waivers are appropriate. Staff has added them as waivers in the drafted decision document. If the Committee/Commission deems any or all waivers inappropriate, conditions will need to be made for the application to reach code compliance or the Committee/Commission will need to recommend denial of the application.

A section of PUD code requires that in any development that which proposes 10 or more dwelling units shall provide a variety of housing types. The proposed variety shall include attached units (townhouses, duplexes), detached units (patio homes), single-family and multi-family units; provided, that the overall density limit of the district is maintained.

This application proposes a mix of 23 two- and three-bedroom dwelling units:

- (4) Unit A: 3-bedroom, 3-bathroom, tandem parking garage with storage space.
- (9) Unit B: 2-bedrrom, 3-bathroom, tandem garage
- (10) Unit C: 3-bedroom, 2.5-bathroom, side-by-side garage.

Code Compliance Issues

Code Compliance issues have been highlighted throughout the staff analysis, please refer to all highlighted portions of the report. Further discussion might be warranted. Staff's major concerns include but are not limited to:

1. The proposed dwelling units do not comply with Garden City Code 8-4C. Staff does not believe that the units most adjacent to E. Remington (Lots 2 & 24) adequately face the street, nor do they create a dynamic relationship between the front facing façade and the public realm. Rather their primary focus is inward, toward the new common drive of the subdivision.
2. The primary entrances to each unit are connected to the sidewalk, however, the connection is made using the driveway. Each garage is code compliant, (providing the required amount of parking), meaning that the residents will not be using their driveway as primary parking, which in turn allows for any visitors to easily use the open driveway as the connection from the entrance to the sidewalk.

Connectivity

The city has identified a mid-block public pedestrian and bicycle access pathway that runs along the eastern property boundary line and is to connect with adjacent properties and eventually lead to the Greenbelt. Pedestrian pathway. ([See Figure 1](#)).

The subdivision proposes this connection; however, staff does not believe what is proposed meets pathway requirements as stated in Garden City Code 8-5A. A condition has been drafted to reach code compliance, it states, "The easement for the pathway shall be a minimum of twelve feet (12') wide, with at least a ten foot (10') wide prepared travel width."

The pathway is not completely linear and does not have an obvious connection or markings to indicate where the pathway travels once it intersects the common drive. If the Committee/Commission feels that a more obvious connection is needed, a condition will need to be drafted. For example a condition can be drafted to require painted white stripes where the pathway traverses the common drive;

As proposed, the pedestrian pathway terminates at the southern property boundary line in a location that which might make it difficult to make future connections to adjacent properties. A better design to maximize potential connections would be to require the pathway to follow a more linear trajectory along the eastern property boundary line and terminate at the southeast corner. An alternative condition staff might recommend would be to relocate or shift the

drainage swale in order to provide a more linear and direct pedestrian pathway along the eastern property boundary line.

Setback Requests

The applicant has stated that they wish to differ from the base zoning district setbacks. They wish to have setbacks of:

- Front: 17'
- Rear: 10'
- Interior Side: 0'

Staff has drafted a condition in the decision document to allow for the base zoning district (R-3) to prevail, except for where their designs break the standards. Lots 3-23 require a rear setback waiver for 10', because the base zoning district requires 15'. Lots 4, 5, 7, 8, 11, 12, 14, 15, 17, 18, 21, & 22 need a side yard setback waiver for 3ft because the base zoning district only allows for 5' if there is not a common wall being shared.

There is no waiver required for the front setback on all lots except lots 2 & 24 because the site design is compliant with the base zoning district's setbacks.

12" Thurman Mill Ditch Pipe

There is an existing 12" Thurman Mill Ditch pipe running through the middle of the property from north to south. Sections of code require that an open canal remain open, however it does not require that an already closed canal, such as this one, be daylighted. The Comprehensive Plan encourages the daylighting of canals and irrigation ditches in Goal 5 Focus on the River. The application is not proposing to daylight the irrigation canal or use it as an amenity for the subdivision.

D. Decision Process

General Provisions

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

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

Decision	Recommendation Authority/ Hearing Date	Decision Authority
Combined Preliminary/Final Subdivision Plat	Planning and Zoning Commission: Hearing January 19, 2022; February 16, 2022	City Council: Hearing February 14, 2022 continued without being heard to a date certain of March 14, 2022
And Planned Development Unit	and Design Review Committee: Hearing January 18, 2022; February 22, 2022	

Required Findings:

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

- A. The subdivision is in conformance with the comprehensive plan;
- B. The subdivision is in conformance with all applicable provisions of this title;
- C. Public services are available or can be made available; and are adequate to accommodate the proposed development;
- D. The subdivision is in conformance with scheduled public improvements in accord with the city's capital improvement program;
- E. There is public financial capability of supporting services for the proposed development;
- F. The development will not be detrimental to the public health, safety or general welfare; and
- G. The development preserves significant natural, scenic or historic features;
- H. There has been no denial of any application on this property within one year.

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

- A. The applicant has demonstrated that the proposed development can be initiated within two (2) years of the date of approval;
- B. Each individual unit of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which would not be achieved under standard district regulations;
- C. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic and increased densities will not generate traffic in such amounts as to overload the street network outside the PUD;
- D. Any proposed commercial development can be justified at the locations proposed;
- E. Any exception from standard district requirements is warranted by the design and other amenities incorporated in the final development plan, in accordance with the PUD and the adopted policy of the council;
- F. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development;
- G. The PUD is in general conformance with the comprehensive plan; and
- H. The existing and proposed utility services are adequate for the population densities and nonresidential uses proposed.
- I. There has been no denial of any application on this property within one year.

Decision:

After hearing the evidence and considering the application, the decision maker shall make their decision. The decision maker shall report the facts upon which it based its conclusion, the ordinance and standards used in evaluating the application, the actions, if any, that the applicant could take to obtain a permit, and whether a permit is granted, granted with conditions, or denied.

The decision maker shall make its findings and decision no later than by the next regular scheduled meeting.

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

Recommendation

The Recommending Authority may take one of the following actions:

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

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

Decision

The City Council may take one of the following actions:

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

If there is a denial, state code requires that the decision maker identify what could be done to obtain approval.

Appeal of Decision:

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

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

E. Agency Comments

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

Agency	Comment Date	Summary
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Boise School District Full Comment Link	12/21/2021	Elementary School: Pierce Park Junior High School: Riverglen High School: Capital
Department of Environmental Quality Full Comment Link	12/10/2021	Standard comments.
North Ada County Fire and Rescue Full Comment Link	12/22/2021	<ul style="list-style-type: none"> • The proposed heights for the townhouses exceed 30 feet. The common drive's width must be a minimum of 26-feet wide (as shown on plat map). • Approved hammerhead is shown on the plans. • Additional standard comments.
Republic Services Full Comment Link	12/03/2021	<ul style="list-style-type: none"> • This private lane does not appear wide enough to accommodate trash trucks and traffic oncoming traffic at the same time. There is also no turn around. Trucks would need to back on to public road after providing service and this is a safety risk. Residents will need to place all carts on a public right away for service if this is the final design.
Full Comment Link	01/10/2022	<ul style="list-style-type: none"> • Supportive of the current design and can service the residential arts curbside – interior to the development.
Garden City Engineer Full Comment Link	12/29/2021	<ul style="list-style-type: none"> • Please provide a completed storm water agreement and a stamped and signed by the design professional O&M manual for the project. • The project must be conditioned upon approval of the North Ada County Fire and Rescue District (NACFRD). • As the site is within the current AE flood zone, will the development seek an LOMR? • Please provide plans for the pressure irrigation source, distribution and services system. • As the site appears to have access to surface irrigation water from Thurman Mill and the proposal is to use groundwater for irrigation, this does not relieve the landowners from assessments for surface irrigation assessments. • Additional comments.
ACHD Full Comment Link	02/29/2021	<ul style="list-style-type: none"> • Install street name and STOP signs for the private road. • A Traffic Impact Fee will be assessed by ACHD and will be due prior to issuance of a building permit. • Construct Remington Street abutting the site as half of a 33-foot wide local street section with pavement widening to total 16.5-feet from centerline, and vertical curb, gutter, and 5-foot wide detached concrete sidewalk, as proposed. • Reconstruct the existing driveway as a 26-foot wide private road located 100-feet south of the site's north property line, as proposed

F. Public Comment

The following is a summary of the public comments that were provided by January 11, 2022 in accordance with [Resolution 1053-18](#). All comments are included in their entirety as a part of the record.

Committer	Comment Date	Summary
Julie Sendra Link to Comment	01/11/2022	In Support; concern regarding the trash cart services on Remington, concern regarding lack of Greenbelt signage and “No Parking” signage along Remington, Fencing should be removed, timing of the fence being removed should be coordinated with the adjacent property owner because they have a horse, street lighting and all outdoor lighting should be dark sky compliant.
Miguel Gaddi Link to Comment	01/15/2022	In Support; Development is in alignment with the Expo Idaho revitalization. The area needs change.
Shawn McFadden Link to Comment	01/14/2022	In Opposition; Remington Street will be over at capacity in terms of

G. Code/Policy Review

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

Garden City Title 8 Code Sections			
Code Section	Review Authority	Compliance Issues	Analysis/ Discussion
Title 8, Chapter 1: General Regulations			
8-1A-4 Applicability			The regulations of Garden City Code, Title 8 Development Code of the City, shall apply and govern development and use of all properties within the corporate limits of the city.
8-1B-1 Nonconforming Properties		No compliance issues noted	
8-1B-2 Nonconforming Structures		No compliance issues noted	
8-1B-3 Nonconforming Uses		No compliance issues noted	
Title 8, Chapter 2: Base Zoning District Regulations			
8-2B-1 Purpose	PZ/CC	No compliance issues noted	The application just over 11 units per acre, under the 35 units per acre maximum within the R-3 Zoning District. The residential subdivision is consistent with the purpose identified for the R-3 Zoning District.

8-2B-2 Allowed Uses	PZ/CC	No compliance issues noted	Single Family Attached Dwellings are a permitted use.
8-2B-3 Form Standards	PZ/CC	Compliant as conditioned	<p>The required setbacks are: Front: 5'/20' Interior Side: 0'/5' Rear: 15' Street side: 5'</p> <p>The requested setbacks are: Front: 17' Interior Side: 0' Rear: 10' Street side: 3'</p> <p>The allowable maximum height is: n/a</p> <p>The minimum lot size is: n/a</p> <p>There are not encroachments (if the PUD setbacks are approved).</p> <p>All improvements are more than 70' from the Boise River.</p>
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	DC/CC	Compliant as conditioned	<p>The plans identify that the existing fence is to change to include privacy slats. The existing fence is a chain link fence of unknown height. Chain link fencing is not a permitted fencing material. The existing chain link fencing shall be removed and replaced with a code compliant fencing material.</p> <p>Any fence or wall will be required to be in compliance with code at the time of development.</p>
8-4A-4 Outdoor Lighting	DC/CC	Compliant as conditioned	The proposal identifies outdoor street pole lighting. The street pole will be required to be in compliance with this section of code. Any future outdoor lighting located within the subdivision will be required to be in compliance with code at the time of development. Outdoor lighting will be reviewed for compliance at the time of building permit review.
8-4A-5 Outdoor Service and Equipment Areas	DC/CC	Compliant as conditioned	The site plan identifies that the A/C units are to be screened with landscaping. Regardless, any future outdoor service equipment area will be required to be in compliance with code at the time of development. This will be reviewed at the time of building permit.
8-4A-7 Stormwater Systems	DC/CC	Compliant as conditioned	A draft condition of approval has been provided requiring that the stormwater systems be built in compliance with provisions of 8-4A-7.
8-4A-8 Utilities	DC/CC	Compliant as conditioned	<p>A draft condition of approval is provided requiring each lot to be connected to City services.</p> <p>Another draft condition of approval is provided requiring that all utilities be underground.</p>

8-4A-9 Waterways	DC/CC	No compliance issues noted	Exiting Thurman Mill Ditch in 12" pipe to remain. There is no proposal to daylight the ditch pipe. See Discussion.						
8-4B Design Provisions for Residential Structures									
8-4B-3 Single Family and Two-Family Attached and Detached Dwelling	DC/CC	May not be complaint – Compliant as conditioned	Walkway from front entry to the sidewalk is using the driveway. There is direct connection from the sidewalk to the front entry. Renderings show attached sidewalk along common drive for the length of the property. There is a condition to require a pathway that connects to the public sidewalk.						
8-4D Parking and Off Street Loading Provisions									
8-4D-3 Parking Design and Improvement Standards	DC/PZ/CC	No compliance issues noted							
8-4D-4 Parking Use Standards	DC/PZ/CC	No compliance issues noted	One on street parking space a minimum of twenty feet (20') in length may qualify as a required parking space.						
8-4D-5 Required Number of Off-Street Parking Spaces	DC/PZ/CC	Compliant as conditioned	<p>Residence Required: 46 (all enclosed) Residence Provided: 46 (all enclosed)</p> <p>Guest Required: 12 Guest Provided: 13</p> <table border="1"> <thead> <tr> <th>Dwelling, Single Family Attached</th> <th>Total Required Parking</th> <th>Required Within An Enclosed Garage</th> </tr> </thead> <tbody> <tr> <td>More than 1 bedroom</td> <td>2* 23 Units= 46</td> <td>2* 2 Units= 46</td> </tr> </tbody> </table> <p>For developments with more than 2 dwelling units there shall be 0.5 additional spaces/unit provided for guest parking.</p> <p>There is one bicycle space required for every 6 dwelling units necessitating 4 bicycle spaces. The subdivision indicates bike parking, however it does not show how many spots are provided.</p>	Dwelling, Single Family Attached	Total Required Parking	Required Within An Enclosed Garage	More than 1 bedroom	2* 23 Units= 46	2* 2 Units= 46
Dwelling, Single Family Attached	Total Required Parking	Required Within An Enclosed Garage							
More than 1 bedroom	2* 23 Units= 46	2* 2 Units= 46							
8-4D-6 Standards for Alternatives to On Site Parking	DC/PZ/CC	No compliance issues noted	None requested. None required.						
8-4E Transportation and Connectivity Provisions									
8-4E-3 Public Street Connections	DC/PZ/CC	No compliance issues noted	<p>Public street connection at E. Remington St. for a common driveway to access all buildable lots.</p> <p>The clear vision triangle is depicted on the plans. There is a general condition of approval requiring that all streets and driveways shall adhere to the standards of a clear vision triangle at all times.</p>						
8-4E-4 Internal Circulation Standards	DC/PZ/CC	No compliance issues noted	The drive is 20' or greater in width. Ada County Fire provided an agency comment regarding the width of the drive.						

8-4E-6 Sidewalk Standards	DC/PZ/CC	No compliance issues noted	Proposed 5ft wide detached sidewalk with an 8ft landscape buffer.
8-4F Sign Provisions			
8-4F-13 Master Sign Program	DC	No compliance issues noted	Not required. The applicant submitted a waiver to this application document, however, as this subdivision is not mixed use or commercial in nature, it is not required.
8-4H Flood Hazard	Planning Official	Compliant as conditioned	The City highly encourages that the applicant build to the best available data identified in the FIS study due to the potential cost of flood insurance and safety concerns for the property. Should the applicant choose not to build above the base flood elevations identified in the FIS, the City will request that the applicant record a Flood Acknowledgement on the property.
8-4G Sustainable Development Provisions			
8-4G Sustainable Development Provisions		Compliant as conditioned	A sustainable checklist has not been provided for review. This subdivision is required to score 6 points total. Each dwelling unit can use the same 6 points.
8-4I Landscaping and Tree Protection Provisions			
8-4I-3 General Landscaping Standards and Irrigation Provisions	DRC/CC	No compliance issues noted	
8-4I-4 Landscaping Provisions for Specific Uses	DRC/PZ/CC	Compliant	<p>A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping. 26,248sqft = 30% of the site.</p> <p>A minimum of one class III or class II tree shall be planted in the frontage and every adjacent streetside. An additional class I tree shall be planted in the corresponding setback for every increment of fifty feet (50') of linear feet of frontage.</p> <p><u>E. Remington Street (200ft)</u> Required: 1 Street + 4 Frontage = 5 Trees Provided: 1 Street = 3 Frontage = 6 Trees</p> <p>A minimum of one tree per one thousand (1,000) square feet of landscaped area and one shrub per one hundred fifty (150) square feet of landscaped area shall be planted. Landscaping Provided = 26,248sqft Trees Required: 26 Shrubs Required: 175 Trees Provided: 26 Shrubs Provided: 253</p>
8-4I-5 Perimeter Landscaping Provisions	DRC/PZ/CC	No compliance issues noted	Not required.
8-4I-6 Parking Lot	DRC/PZ/CC	No compliance issues noted	No applicable.

Landscaping Provisions			
8-4I-7 Tree Preservation Provisions	DRC/PZ/CC	Compliant as conditioned	A certified arborist letter has not been provided as of the drafting of this report. The applicant will be required to present a full tree caliper mitigation plan to staff. It has been conditioned to require this letter prior to the approval of any construction plans.
8-4L Open Space Provisions			
8-4L-3 General Open Space Standards	DRC/PZ/CC	No compliance issues noted	See discussion regarding the public bicycle and pedestrian connection at the eastern side of the property.
8-4L-4 Open Space Standards for Single-family, Townhouse, and Two-Family Duplex Developments	DRC/CC	Compliant as conditioned	17,645sqft of common open space = 20% The open space plans indicate that the guest parking spaces are included in the area count. These spaces cannot count towards the common open space per Garden City Code. It has been conditioned to require a recalculation prior to the approval of construction plans.
<u>Title 8, Chapter 5 Article A: Land Division Regulations – General Provisions and Standards</u>			
8-5A-4 General Standards	PZ/DRC/CC	No compliance issues noted	See discussions on Design Review 8-4 B&C; Driveways 8-4-E; Floodplain 8-3-B 8-4H; Landscaping 8-4-I; Open Space 8-4-L; Parking 8-4-D; Planned Unit Development 8-6B; Private Streets 8-4-E; Sidewalks 8-4-E; Street design and development standards 8-4-G; Sustainable development provisions 8-4-G; Utilities 8-4-A; Zoning Provisions 8-2-B There are general conditions of approval that the application must be in conformance with the requirements of Garden City Code Erosion Control 4-15; Public water and sewer systems Title 6; Storm drainage and discharge control 4-14 prior to the approval of the subdivision.
8-5A-6 Improvement Standards			A subsequent application will be required for staff approval to ensure that the proposed improvements meet code standards and policies for storm drainage, water, sewer, utilities, and monuments and are otherwise in conformance with this approval. A hydrant and a fire turn-around have been proposed. The application is proposing and off-site fire turn-around on an adjacent parcel of land to the north. Street improvements are proposed. The easement for the pathways, walkways or trails shall be a minimum of twelve feet (12') wide, with at least a ten foot (10') wide prepared travel width. Depending on the location and connections with the Boise River greenbelt, additional easement width may be required.
<u>8-5C-4 Subdivisions located within a Floodplain</u>			
8-5C-4 Subdivisions	PZ/DRC/CC	No compliance issues noted,	There are proposed conditions coinciding with provisions found within code section.

located within a Floodplain		provided the draft conditions of approval, or similar are in place.	
Title 8, Chapter 6, Article A: Administration			
8-6A-3 General Application Process	PZ/DRC/CC	No compliance issues noted	The application was reviewed and considered complete within 30 days of submittal, a notice of application acceptance was issued to the applicant, and staff started processing the application.
8-6A-4 Required Application Information	PZ/DRC/CC	No concerns noted	Application waivers requested pursuant to 8-6A-4A: <ol style="list-style-type: none"> 4. Approved Addresses 5. Will Serve – has been requested. 6. Irrigation/Ditch Company Information. 7. Master Sign Program 8. Affidavit of property sign and photos. – To be submitted at a later date.
8-6A-7 Public Hearing Process	PZ/DRC/CC	No compliance issues noted	The applicant provided a neighborhood meeting more than one month and less than three months prior to application submittal. The City provided a radius notice, notifications to agencies with jurisdiction, and ran a legal notice in the Idaho Statesman, at least 15 days prior to the first hearing. The applicant provided an affidavit more than 7 days prior to the hearing that the property was posted more than 10 days prior to the hearing.
8-6B-7 Planned Unit Development	PZ/DC/CC	Compliant if approved	Waivers requested: <ol style="list-style-type: none"> 1. Setback standards 2. Allow more than 4 units to a drive 3. Irrigation 4. Size of pathway easement

Other Items Reviewed

Plan/Policy	Discussion/ Analysis
Idaho Code 67-6513 Local Land Use Planning Subdivision Ordinance	<p>Garden City has, by ordinance, adopted hearing procedures compliant with section 67-6509, Idaho Code, for standards and for the processing of applications for subdivision permits under sections 50-1301 through 50-1329, Idaho Code.</p> <p>This statute enables Garden City regulations to provide for mitigation of the effects of subdivision development on the ability of political subdivisions of the state, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.</p> <p>This section notes that denial of a subdivision permit or approval of a subdivision permit with conditions unacceptable to the landowner may be subject to the regulatory taking analysis provided for by section 67-</p>

	8003 , Idaho Code, consistent with the requirements established thereby.
Idaho Code 67-6515 Local Land Use Planning Planned Unit Developments	This statute enables Garden City to process applications for planned unit developments.
Garden City Comprehensive Plan	<p>This application is in future land use designations of the Comprehensive Plan:</p> <ul style="list-style-type: none"> a) Mixed Use Residential <p>The application may be supported by:</p> <p>Goal 1. Nurture the City</p> <ul style="list-style-type: none"> a.) 1.4 Objective: Create a premier destination place to live, work, and recreate. <p>Goal 2. Improve the City Image</p> <ul style="list-style-type: none"> a.) 2.1 Objective: Encourage new and distinctive neighborhoods. b.) 2.3 Objective: Promote quality design and architecturally interesting buildings. c.) 2.4 Objective: Create a vision for the design of all streets and highways consistent with city's urban setting. <p>Goal 4. Emphasize the "Garden" in Garden City</p> <ul style="list-style-type: none"> a.) 4.1 Objective: Beautify and landscape. b.) 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art. <p>Goal 5. Focus on the River</p> <ul style="list-style-type: none"> a.) 5.5 Objective: Create more accessibility to the Boise River and Greenbelt. b.) 5.5.2 Objective: Develop a city-wide pathway and sidewalk plan with links to the Boise River Greenbelt. Consider linear pathways adjacent to existing waterways such as the Thurman Mill Ditch and waterways to the Settler's Canal that can link to the river and provide alternative locations for parking and river activity staging. <p>Goal 7. Connect the City</p> <ul style="list-style-type: none"> a.) 7.1 Objective: Create pedestrian and bicycle friendly connections. b.) 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters. <p>The application may not be supported by:</p> <p>Goal 5. Focus on the River</p> <ul style="list-style-type: none"> a.) 5.3.1 Action Step: Amend the Land Use Code to create incentives for opening closed water systems. Discourage the covering and/or tiling of any water systems. Allow relocation of canals and drains where appropriate. Require mitigation of the impacts that closing water systems have on the ground water and habitat. <p>Goal 7. Connect the City</p> <ul style="list-style-type: none"> a.) 7.3.1 Objective: Encourage a grid pattern of local streets over cul-de-sacs and dead-end streets without non-motorized connections through maximum block lengths, connecting stub streets, and reducing the number of cul-de-sacs. b.) 7.3.2 Objective: Increase interconnectivity within neighborhoods to reduce the concentration of traffic on a few streets. Consider the creation of new street sections such as lanes that provide access through-blocks but discourage through traffic.
Garden City Sidewalk Policy	Detached sidewalk proposed.

Garden City Street Light Policy	A streetlight is not within 400ft. The subdivision is proposing a streetlight within the development.
Garden City Transportation Needs List	Greenbelt Path bike/pedestrian connection between 52nd Street and Remington. As of 2020, Foundation for Ada/Canyon Trail Systems (FACTS) is endeavoring to complete a crossing of the river to the island. The City has noted support of the application.



Figure 1: Blue Line indicates identified pedestrian pathway system. Red Line indicates existing Greenbelt pathway.