



## CITY OF GARDEN CITY

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### STAFF REPORT

**File Number:** SUBFY2022-0007, Quad Six Subdivision

**For:** Preliminary Plat and Planned Unit Development

A 10-lot residential Subdivision

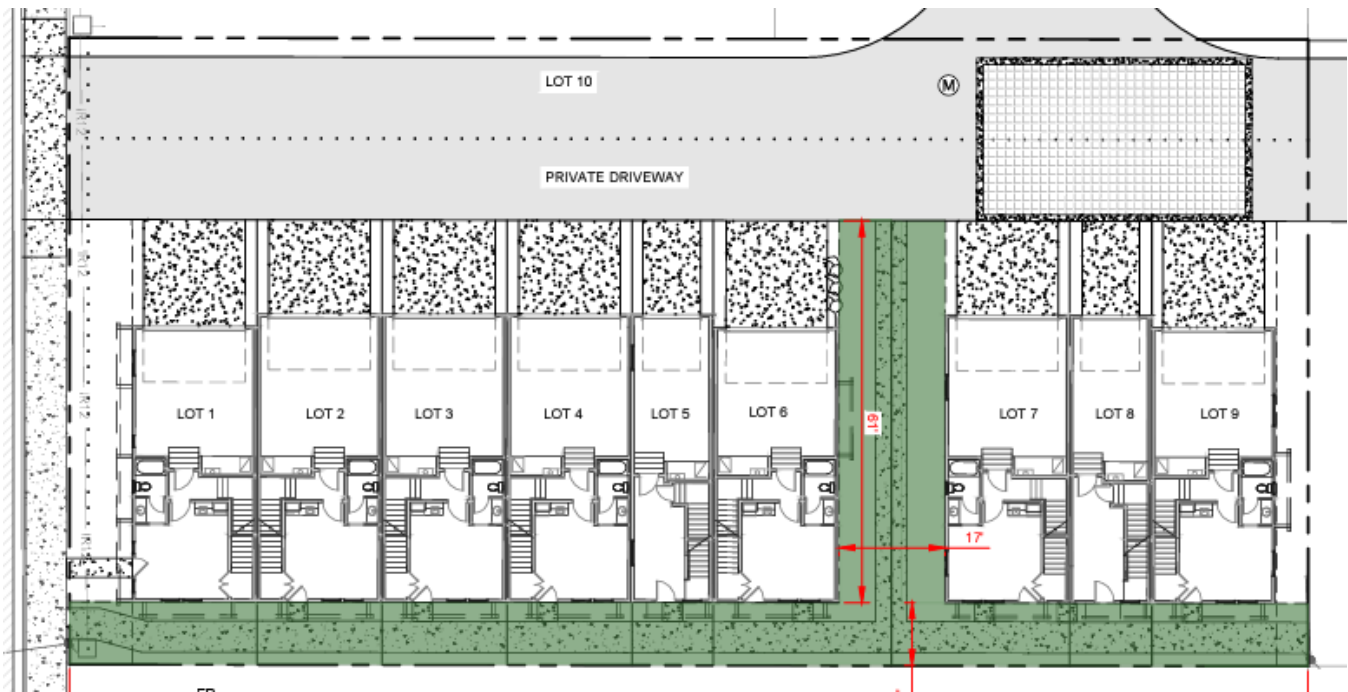
**Location:** 4640 N. Adams Street

**Applicant:** Jadon Schneider

**Design Review Consultation Date:** July 24, 2023

**Planning and Zoning:** August 23, 2023

**City Council:** September 11, 2023



Staff Report  
Report prepared by: Mariia Antonova  
Edited by: Hanna Veal

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

Individual links:

1. Application Materials
  - a) [SUBFY2022-0007 Initial Submittal 08232022](#)
  - b) [Resubmittal 09272022](#)
  - c) [Resubmittals 12052022](#)
  - d) [Resubmittal 12082022](#)
  - e) [Modification 06082023](#)
  - f) [Modification 07072023](#)
  - g) [Modification 07212023](#)
  - h) [Modification 07252023](#)
  - i) [Modification 08082023](#)
2. Staff Reports
  - a) [Design Review Staff Report Dated 11-07-2022](#)
  - b) [Design Review Staff Report Dated 12-19-2022](#)
  - c) [Planning and Zoning Staff Report Dated 11-16-2022](#)
  - d) [Planning and Zoning Staff Report Dated 12-21-2022](#)
  - e) [Design Review Consultation 07-24-2023](#)
  - f) [Planning and Zoning Staff Report Dated 08-23-2023](#)
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](#)
  - d) [Property Posting for City Council](#)
  - e) [City Noticing](#)
  - f) [Property Posting for Design Review Consultation](#)
  - g) [Property Posting for Planning and Zoning](#)
  - h) [Property Posting for City Council](#)
6. Recommendations
  - a) [Design Review Consultation Recommendation](#)
  - b) [Planning and Zoning Recommendation](#)
  - c) [Original Design Review Committee Recommendations](#)
  - d) [Original Planning and Zoning Recommendations](#)
7. City Council Documents:
  - a) Previous Decision: [City Council Approval Decision Document 01-09-2023](#)
  - b) City Council Staff Report
  - c) City Council Drafted Decision Document

## **B. Recommendation Summary:**

This appears to be an application that conforms with most of Garden City Code, the Garden City Comprehensive Plan and other pertinent plans, and there is no public opposition to date. Both the Design Review Consultants and the Planning and Zoning Commission recommended approval of the application.

## **C. Reconciliation**

### **History**

The Design Review Consultants recommended approval on July 24<sup>th</sup>, 2023, with additional conditions regarding definitive hardscaped pedestrian access routes, additional articulation on the eastern façade of Lot 1 (staff can approve) and they allowed for an additional waiver for common open space. These conditions were included in the drafted recommendation document for Planning and Zoning, which was recommended for approval on August 23, 2023.

### **Overview**

The proposed project will be located on a 0.45 acre lot, which is to consist of 9 residential and 1 common lot. The common lot contains the private drive. The proposed density will be approximately 20 dwelling units per acre. The development will consist of three-story townhomes with sizes varying from 2000 to 2600 square feet. The variety of housing has been increased due to the two new single-family residential units.

The parcels immediately adjacent to the site on the Southeast and the Northwest are currently zoned R-3 and are occupied by residential homes. The Parcel to the Northeast is currently utilized as a commercial building and is known as “Glad’s Repair”, an Auto Repair Shop. The current access for Glad’s Repair comes from an ingress-egress easement across the proposed development’s property. The new private lane proposes to widen this easement while providing upgrades to the site.

The reason behind the subdivision resubmittal is to allow for the development to rearrange the fire access hammerhead turnaround location so to connect to a future development that has yet to be entitled. The application was previously approved on February 9, 2023, as 7 residential lots and 1 common lot. The proposed changes impact parking, landscaping, architectural design, common open space, and lot numbers.

### **Requested PUD Waivers:**

1. More than four units on a drive;
2. Reduction of setbacks:
  - a. Allowing for a 5’/10’ front yard setback on Lot 1
3. Guest Parking to be in driveways;
  - a. Guest parking dimensions requested to be 8’ x 15’
4. Common open space minimal dimensional requirements:
  - a. Allowing for smaller dimensions of common open space to count towards the minimum square footage requirement.

### **Parking**

The application was submitted under the “Old” Garden City parking code, as such, the staff report reflects the code compliance analysis based on this code. However, staff has also provided a new analysis below to determine if the application would be compliant with the new parking code (Ord. 1034-22).

The new parking code is:

<b>TABLE 8-4D-2 REQUIRED MOTOR VEHICLE PARKING SPACES FOR DWELLING (RESIDENTIAL) USES</b>		
<b>Dwelling Parking</b>		
<b>Dwelling Type</b>	<b>Required Parking Spaces Per Each Dwelling Unit (including covered and uncovered)</b>	<b>Required Covered Parking Per Each Dwelling Unit</b>
Dwelling, Accessory:	0	0
<b>All Other Dwelling Units</b>		
Studio and 1 bedroom	1	1
More than 1 bedroom	2	1
<b>Guest Parking</b>		
For developments with more than 2 dwelling units there shall be 0.5 additional parking spaces/unit provided for guest parking for the first 10 dwelling units. There shall be 0.1 parking spaces/unit provided for guest parking for every unit after the first 10 units.		

The site proposes 2 one-bedroom units and 7 two-bedroom dwelling units, which would require:

- 16 parking spaces for the residents
  - 9 of which are enclosed
- 5 guest parking spaces
- **Total: 21 (with 9 enclosed)**

The site currently provides 16 enclosed parking spaces with 14 guest parking spaces. The site would meet new parking code standards with a surplus of 11 parking spaces.

Guest Parking

The applicant has continued to request that the guest parking be located within the driveways, which was previously granted with the original approval. The old parking code required spaces to be 10’W x 20’L. The waiver would allow for a 5’ length deficiency, and a 2’ width deficiency.

The waiver has been drafted allowing for compact parking spaces of 8’W x 15’L to allow for two guest parking spaces in each double driveway. The one-bedroom one car garage units are not included in this waiver because the driveway for these units are acting as their one required surface parking space location. If the new parking ordinance were applicable, there

would be no need for this waiver, as the new code allows for compact parking of that size, and the compact space to required space ratio is below 30%. Regardless of which parking code is applied, permission to utilize the driveways as guest parking is needed.

**Setbacks:**

Staff has drafted new setback dimensions for Lot 1 because its front setback faces the street as opposed to the common pathway like the other residential lots. For Clarification, let it be know that:

1. Lot 1:
  - a. Front Setback shall be considered the area between the public right-of-way of Adams Street and the Structure.
  - b. Rear setback shall be considered the area between the structure and lot 10 dedicated to the common drive of the subdivision.
  - c. Interior side setback shall be considered the property line between lot 1 and lot 2.
  - d. Side setback shall be considered the area between the structure and the eastern property boundary line.
2. Lots 2-9:
  - a. Front Setback shall be considered the area between the residential structures and the eastern property boundary line.

The front setback of Lot 1 conflicts with more than one section of code. The waiver is required due to the proximity of the garage in relation to the front property boundary line. Code states that the front setback is “5’/20’\*”, the “20’\*” is interpreted to ensure that garages are setback 20’ from the property line. With the garage being only 10’ from the property boundary line, the application is not in compliance with GCC 8-2B-3. To be compliant, the garage would need to be setback an additional 10’ from the property boundary line.

Approving the waiver will allow Lot 1 to have a 10’ front setback from the property line. However, by allowing for a reduced setback, it is also limiting the amount of landscaped area between the existing sidewalk and the structure. This landscape area is the only location that the 3 required Class II or III street trees can go. The intent of the street trees is to provide high-and-wide branching canopies for environmental and safety benefits. The waiver to request for a lesser front setback effectively limits the ability of providing required street trees that meet code’s intent. The waiver and location of the street trees was previously approved in February by City Council.

**Common Open Space:**

Refer to the [Staff Analysis](#) for discussion items.

**Purpose of a PUD:**

The intent of the PUD is to provide for well planned developments which conform to the objectives of code, but may deviate in certain respects from the zoning map and the district regulations. It is not the intent that the planned unit development process be used solely for the purposes of deviation from the dimensional standards in the district unless the following objectives are also achieved:

- Provide a maximum choice of living environments;
- Create a more useful pattern of open space and recreational areas;

- Establish a development pattern which utilizes the land more efficiently than what is achieved through conventional development;
- Establish a development pattern which preserves and utilizes natural topography and geologic features, vegetation, etc.;
- Develop a land pattern in harmony with transportation and community facilities.

In order for the decision maker to grant the waivers via the PUD process, the maker must find that the development meets all objectives stated above.

## D. Project Information

### Proposed Scope of Work:

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

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

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

Review Process	Notes
<a href="#">8-5B-2</a> Preliminary Subdivision Process	For the subdivision entitlement to be completed a final plat will be required per <a href="#">8-5B-3</a> at a later date
<a href="#">8-6B-7</a> Planned Unit Development	A Planned Unit Development and a Subdivision can be processed concurrently

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

### Purpose of a Planned Unit Development

A. Purpose: The intent of this section is to provide for well planned developments which conform to the objectives of this title but may deviate in certain respects from the zoning map and the district regulations. It is not the intent that the planned unit development process be used solely for the purposes of deviation from the dimensional standards in the district unless the following objectives are also achieved:

1. Provide a maximum choice of living environments by allowing a variety of housing and building types and permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks and area requirements.

2. Create a more useful pattern of open space and recreation areas; and, if permitted as part of the project, more convenience in the location of accessory commercial uses, industrial uses, and services.
3. Establish a development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees, and other vegetation and prevents the disruption of natural drainage patterns.
4. Use land more efficiently than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets.
5. Develop a land pattern in harmony with land use density, transportation, and community facilities objectives of the comprehensive plan.

**Site Conditions:**

- 1) Street Address: 4640 N. Adams Street
- 2) Parcel Number: R2734522861
- 3) Subdivision: E 100' OF LOTS 33 & 34 BLK 21 EXC R/W FAIRVIEW ACRES SUB 03 #2980-B
- 4) Property Size: 0.454 acres
- 5) Zoning District: R-3 Medium Density Residential
- 6) Zoning Overlay: None
- 7) Comprehensive Plan Land Use Map Designations:
  - a) Main Street Corridor
  - b) Mixed Use Residential
- 8) Legal Parcel of Record: Unknown
- 9) Floodplain Designation:
  - a) 2003 FIRM: 100 Year
  - b) 2020 FIS: 100 Year
- 10) Surrounding Uses within 600 feet:
  - a) Residential – Single Family Detached Dwellings
  - b) Manufactured Homes
- 11) Existing Use: Manufactured Home
- 12) Easements on site: There are no records on file with Garden City of existing easements
- 13) Site Access: Adams Street
- 14) Sidewalks: Sidewalks are installed and are in good repair
- 15) Wetlands on site: none identified.

**Project Details:**

- 1) Proposed development: Residential - Preliminary Plat – Processed as a Planned Unit Development
- 2) Total number of lots: 10
  - a) Common: 1
  - b) Residential: 9
- 3) Density: 20 Dwellings per acre
- 4) Site Coverage: 19,602sqft total



- a) Building: 14,068 = 39% of the site<sup>1</sup>
- b) Landscaping: 3,414sqft = 17% of the site
- c) Paved Areas: 5,745sqft = 29.3% of the site
- 5) Access: N. Adams Street
- 6) Total number of vehicular parking spaces: 32
  - a) Enclosed: 16
  - b) Surface: 16
- 7) Total number of bicycle parking: 0
- 8) Refuse: Republic Services will pick up individual services internal to the development
- 9) Fencing: No fence is proposed
- 10) Sidewalk: Existing attached
- 11) Landscaping:
  - a) Street Trees: 3, class III [Tree Selection guide](#)
  - b) Parameter Landscaping: Mix of trees and shrubs
- 12) City Utilities
  - a) Water and Sewer connection to lots
- 13) Pathway: Connection to a new subdivision proposed on 47<sup>th</sup> Street to allow for pedestrian and vehicular movement.
- 14) Proposed Easements:
  - a) All lot lines common to public street ROW and the subdivision boundary contain a 5' wide easement for public and private utilities;
  - b) 3.0' existing ACHD slope easement
  - c) Cross access easement
  - d) Existing ingress-egress easement on common drive
  - e) Open space easement

## E. 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
Preliminary Plat Subdivision	Planning and Zoning Commission: Hearing: October 19, 2022; November 16, 2022; December 21, 2022; August 23, 2023	City Council: November 14, 2022; November 28, 2022; January 9, 2023; September 11, 2023
And Planned Unit Development	and  Design Review Committee: Hearing October 17, 2022; November 7, 2022; December 19, 2022	

<sup>1</sup> Narratives and Subdivision Map information are conflicting. The PUD narrative says 39% of the site is dedicated to building coverage, but the sub map calculations prove to be 71.7%.

**Required Findings:**

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

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

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

- A. The applicant has demonstrated that the proposed development can be initiated within two (2) years of the date of approval;
- B. Each individual unit of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which would not be achieved under standard district regulations;
- C. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic and increased densities will not generate traffic in such amounts as to overload the street network outside the PUD;
- D. Any proposed commercial development can be justified at the locations proposed;
- E. Any exception from standard district requirements is warranted by the design and other amenities incorporated in the final development plan, in accordance with the PUD and the adopted policy of the council;

- F. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development;
- G. The PUD is in general conformance with the comprehensive plan; and
- H. The existing and proposed utility services are adequate for the population densities and nonresidential uses proposed.

Because the application is a Planned Unit Development, the Decision Maker must also find compliance with Conditional Use Permit findings, found in GCC 8-6B-2. D:

1. The use is appropriate to the location, the lot, and the neighborhood, and is compatible with the uses permitted in the applicable zoning district;
2. The use will be supported by adequate public facilities or services to the surrounding area, or conditions can be established to mitigate adverse impacts
3. The use will not unreasonably diminish either the health, safety, or welfare of the community; and
4. The use is not in conflict with the comprehensive plan or other adopted plans, policies, or ordinances of the city.

### **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.

Pursuant to Garden City Code [Table 8-6A-1 Authorities and Processes](#), the Design Consultant and Planning and Zoning Commission are recommending authorities and the City Council is the final decision maker for the requested application.

### **Recommendations**

The Recommending Authority may take one of the following actions:

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

The recommendations of the Design Committee and the Planning and Zoning Commission does not constitute a final decision on the application. Their recommendations cannot be appealed,

as they will be heard by the City Council. The City Council is the final decision maker for this application.

City Council 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;
3. Reject the recommendations; or
4. Remand the application to a recommending body for additional proceedings and findings.

A reconsideration request may be made within 14 days of the formal decision being rendered by the City Council. 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.

F. 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
<a href="#">Ada County Highway District</a>	10/06/2022	<ul style="list-style-type: none"> <li>• A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40- foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs.</li> <li>• Adams Street is classified as collector roadway. Other than the access specifically approved with this application, direct lot access is prohibited to this roadway and should be noted on the final plat.</li> <li>• Reconstruct the existing 17-foot wide driveway onto Adams Street located 233-feet southeast of 47th Street as a 26-foot wide paved curb cut type shared driveway, as proposed.</li> <li>• Replace any damaged or deteriorated portions of curb, gutter, sidewalk, or driveway on Adams Street abutting the site. If the existing sidewalk is damaged, it should all be reconstructed as 7-foot wide attached or 5-foot wide detached concrete sidewalks.</li> <li>• Standard conditions required.</li> <li>•</li> </ul>
Republic Services <a href="#">Link to Comment</a>	09/28/2022	This looks fine as long as the turn around meets the standards for the fire department.
Republic Services <a href="#">Link to Comment</a>	07/10/2023	Hammerhead turn around looks fine so long as there is no street parking and the residents or HOA sign a waiver to be on a private drive.

<p>Garden City Engineer  <a href="#">Link to Comment</a></p>	<p>10/08/2022</p>	<ul style="list-style-type: none"> <li>• The land is portions of Lots 33 and 34 of Block 21 of FAS #3. Please provide evidence the land is an original parcel per city code (prior to 1988).</li> <li>• The review by the Boise Fire District will need to include review of locations of fire hydrants.</li> <li>• The project proposes to utilize permeable pavers for drainage control.</li> <li>• Be sure pavers are located at least 10 feet from structures unless a closer proximity is allowed via letter from the project's structural engineer or geotechnical engineer.</li> <li>• Please address how all roof drainage will be handled. Please note that roof drainage cannot discharge below the surface of pavers. All drainage is expected to remain onsite, unless some area is specifically approved to leave the site by the ACHD (to right-of-way).</li> <li>• Approval of the preliminary plat does not relieve the applicant from meeting the city's storm water requirements. Should the development require changes due to conflicts with the site layout and storm water requirements, said changes would be required.</li> <li>• Please provide a copy of the easement to the party to the north. How will this easement be perpetuated and notice provided to the Quad Six HOA? Who will be responsible for its maintenance through the project?</li> </ul>
<p>Garden City Engineer  <a href="#">Link to Comment</a></p>	<p>07/07/2023</p>	<ul style="list-style-type: none"> <li>• Much of the updated submittal information has not been stamped, signed and dated by the engineer of record. Construction plans, applicable documents and reports that are not signed will not be reviewed. Additionally, a full construction plan review will not be performed until plans have been submitted to Public Works for their review. We note that the plans have been prepared by a firm titled Bronze Bow. If this entity offers professional engineering design services within Idaho, the entity must be an authorized engineering business listed with the Idaho Board of Professional Engineers and Professional Land Surveyors.</li> <li>• The project now includes a tee type turnaround that is depicted off-site. Please provide evidence of authorization to use the land for the turnaround. Will the turnaround be part of the land within the subdivision plat?</li> <li>• Is the internal road a private road? We expect due to the number of units proposed, Ada County will require the road to be named. Please provide county approved names, if necessary.</li> <li>• Should any changes or relocation of surface irrigation facilities be proposed, provide an approval of the project from the irrigation entity. The applicant must review the project and determine if an Army Corps of Engineers 404 permit will be necessary to obtain.</li> <li>• Will the applicant plan on creating a Restricted Build Agreement (RBA) for the project?</li> </ul>

		<ul style="list-style-type: none"> <li>• Approval of the project by the Ada County Highway District will be required.</li> <li>• Approval of the project by the North Ada County Fire and Rescue District will be required.</li> <li>• Water and sewer service must be reviewed and approved by the city's Public Works Department.</li> <li>• Are any fire hydrants required? If so, the minimum mainline running by the fire hydrant connection must be 8-inch pipe.</li> <li>• The project proposes to utilize permeable pavers for drainage control. Please note that the city will not replace/repair storm drainage systems placed over city water/sewer lines. Sewer services under pavers must be private. Final plat notes and information within the project C,C&amp;Rs must state this.</li> <li>• Will the applicant desire the city to perform a QLPE review for sanitary facilities?</li> <li>• Please provide a storm drainage analysis report for the project with the submittal of the construction plans. Be sure to include a drainage basin map in the report for the project.</li> <li>• Please address how all roof drainage will be handled. Please note that roof drainage cannot discharge below the surface of pavers. All drainage is expected to remain on-site, unless some area is specifically approved to leave the site by the ACHD (to right-of-way).</li> <li>• Please provide text within the report discussing both the depth and elevation of expected seasonal high groundwater. The geotech report notes seasonal high water is expected to be 5 feet. The city requires a minimum of 3 feet of vertical separation to seasonal high groundwater.</li> <li>• The geotech report recommends an infiltration rate of 8 inches per hour. Please add information in the report of system drain times.</li> <li>• Please add design sizes of the storm water systems to accommodate at least the 50-year storm design storm event volume (the study includes this volume, but does not fully define the impoundment) and peak Q's created by a 10-minute storm event.</li> <li>• Please add perimeter ground elevations to the plan to review to assure site grading/improvements will not impact adjoining lands.</li> <li>• Please provide a system operation and maintenance manual for review and approval.</li> <li>• The landowner must enter into an agreement with the city that will be recorded addressing mandatory maintenance of the site's storm water system. The agreement must be fully executed, have approved plans attached and be recorded by the city after the final construction plan approval.</li> <li>• Please provide a copy of the easement to the party to the north. How will this easement be perpetuated, and notice provided to the Quad Six HOA? Who will be responsible for its maintenance through the project?</li> </ul>
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		<ul style="list-style-type: none"> <li>The site is currently located in FEMA Zone AE. Compliance with the city's floodplain ordinance will be required. The BFE from the FIRM is approximately 2643. The FIS, not the FIRMs, should be used to assess elevations for Elevation Certificates. The city requires the lowest floor to be elevated at least 2 feet above the current BFE.</li> <li>Will the applicant be seeking an LOMR as part of the development process?</li> <li>Additionally, the applicant should also review the original FEMA work maps (not the current adopted maps) as the city has been placed in seclusion. These are available on the city's website. The current maps (June 2020) do not display the possible future risk of the flooding potential of the Boise River. If the lowest floor building elevation is below the draft map BFE, a Flood Risk Acknowledgement form will be required from the landowner/developer. The work maps show this area with a BFE of approximately 2644.</li> </ul>
<a href="#">North Ada County Fire and Rescue</a>	10/13/2022	<ul style="list-style-type: none"> <li>Fire hydrants, capable of producing the required fire flow, shall be located so that no part of the structure is more than 600-feet from the hydrant.</li> <li>Structures greater than 30-feet in height will require aerial fire access roadways. These roadways shall be a minimum of 26-feet in width and located at least 15-feet but no more than 30-feet from the building. The roadway in this development shall have the sidewalks on each side of the roadway designed for 75,000-pound loading.</li> <li>Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility.</li> <li>The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet.</li> <li>Signage for addressing will be required at the entrance of the project.</li> </ul> <p>Other standard comments.</p>
<a href="#">Idaho Transportation Department</a>	07/07/2023	ITD does not have any objections to the Quad Six Subdivision for a total of 9 residential lots and 2 common lots located at 4640 N Adams St.
<a href="#">Idaho Department of Environmental Quality</a>	07/06/2023	General comments provided
<a href="#">Ada County Highway District</a>	10/06/2022	<ul style="list-style-type: none"> <li>A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs.</li> </ul>

		<ul style="list-style-type: none"> <li>Adams Street is classified as collector roadway. Other than the access specifically approved with this application, direct lot access is prohibited with this roadway and should be noted on the final plat.</li> <li>Reconstruct the existing 17-foot wide driveway onto Adams Street located 233-feet southeast of 47th Street as a 26-foot wide paved curb cut type shared driveway, as proposed.</li> <li>Replace any damaged or deteriorated portions of curb, gutter, sidewalk, or driveway on Adams Street abutting the site. If the existing sidewalk is damaged, it should all be reconstructed as 7-foot wide attached or 5-foot wide detached concrete sidewalks.</li> </ul>
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## G. Public Comment

None provided as of the drafting of this document.

## H. Code/Policy Review

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

<b>Garden City Title 8 Code Sections</b>			
Code Section	Review Authority	Compliance Issues	Analysis/ Discussion
<b>Title 8, Chapter 1: General Regulations</b>			
<a href="#">8-1A-4 Applicability</a>			The regulations of Garden City Code, Title 8 Development Code of the City, shall apply and govern development and use of all properties within the corporate limits of the city.
<a href="#">8-1B-1 Nonconforming Properties</a>		Compliant upon approval and recordation of the subdivision	<p>The land is portions of Lots 33 and 34 of Block 21 of FAS #3. Please provide evidence the land is an original parcel per city code (prior to 1988).</p> <p>Creation of the subdivision will resolve this issue, however, as the property description notes the parcel contains portions of Lots 33 &amp; 34, it is likely that other parcels adjacent to this also contain portions of lot 33 &amp; 34.</p>
<b>Title 8, Chapter 2: Base Zoning District Regulations</b>			
8-2B-1 Purpose	PZ/CC	No compliance issues noted	The application is 20 units per acre, under the 35 units per acre maximum within the R-3 Zoning District. The subdivision specifically requests entitlements for single family attached residential units, which 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 – <b>Waiver requested</b>	<p>The required setbacks are:            Front: 5'/20'            Interior Side: 0'/5'            Rear: 15'            Street side: 5'</p> <p>The allowable maximum height is: n/a            The minimum lot size is: n/a</p>



			<p>There are encroachments. PUD waivers have been requested.</p> <p>The original waiver requesting a 0' front setback has been revoked due to the residential lots expanding in size towards the eastern property boundary line. The 0' front setback waiver is no longer required due to the common lot being eliminated in this area. A 10' cross-access easement has replaced the common lot, which is to overlay the pedestrian pathway in this location.</p> <p>The front setback of Lot 1 has been reduced to 5'/10', to allow for the garage to be within 10' of the front property boundary line along Adams Street.</p> <p>All improvements are more than 70' from the Boise River. The property meets the minimum street frontage.</p>
<b>Title 8, Chapter 4: Design and Development Regulations</b>			
8-4A-3 Fences and Walls	DC/PZ/CC	Compliant as Conditioned	This proposal does not identify any fence or wall. Any future fence or wall will be required to be in compliance with code at the time of development.
8-4A-4 Outdoor Lighting	DC/PZ/CC	Compliant as Conditioned	<p>The application proposes streetlights.</p> <p>This proposal does not identify any outdoor lighting on the structures. Any future outdoor lighting will be required to be in compliance with code at the time of development</p>
8-4A-5 Outdoor Service and Equipment Areas	DC/PZ/CC	Compliant as Conditioned	<p>Individual trash carts are proposed for pick up internal to the development.</p> <p>This proposal does not identify any outdoor service equipment. Any future outdoor service equipment area will be required to be in compliance with code at the time of development.</p> <p>Items will be reviewed at the building permit level.</p>
8-4A-7 Stormwater Systems	DC/PZ/CC	Compliant as Conditioned	<p>See City Engineer comments.</p> <p>A draft condition of approval has been provided requiring that the stormwater systems be built in compliance with provisions of 8-4A-7.</p>
8-4A-8 Utilities	DC/PZ/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/PZ/CC	Compliant as Conditioned	<p>Existing irrigation canal along the western property boundary line to remain open. Code requires that irrigation ditches, laterals, canals, and drains shall be left open and used as a water amenity or linear open space. The application appears compliant with this standard.</p> <p>Irrigation ditches, laterals, canals, and drains do not require fencing. If fencing is installed, open fencing only is allowed, and privacy fencing is prohibited. All fencing shall be approved by the irrigation or drainage district.</p>

			For any irrigation or drainage ditch, piping or alteration of the ditch shall not impede the movement of the amount of water crossing the property prior to development or the amount of water delivered to downstream properties.
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**8-4B Design Provisions for Residential Structures**

8-4B-3 Single Family and Two-Family Attached and Detached Dwelling	DC/CC	No compliance issues noted	<p>The front entry of a residential structure shall be clearly defined and identifiable through the use of:</p> <ol style="list-style-type: none"> <li>1. A permanent pathway that connects to the public sidewalk;</li> <li>2. Shall be clearly visible in the front elevation of the structure;</li> <li>3. A front entry door with a covered porch, dormer, stoop, decorative posts or roof;</li> </ol> <p>All elevations adjacent to public streets must contain:</p> <ol style="list-style-type: none"> <li>1. Windows;</li> <li>2. Shall have a direct and permanent pathway that connects to the sidewalk and an entrance with decorative posts or roof, or covered porch</li> <li>3. Modulation in the building facades.</li> </ol> <p>The application shows an attempt to address the street. The Design Review Committee determined that no additional, if design would be required to better address the street.</p> <p>The Design Review Committee required that additional fenestrations be added to the eastern façade, to which staff can approve. New schematic drawings were submitted on August 8, 2023, in an attempt to address this comment. The schematics appear to show additional architectural features including windowed bump-outs, and front entry stoups with stairs. A condition has been drafted to require staff level approval of the eastern façade prior to building permit issuance.</p>
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**8-4D Parking and Off Street Loading Provisions**

8-4D-3 Parking Design and Improvement Standards	DC/PZ/CC	Compliant as conditioned – <b>Waiver requested</b>	<p>Two car garages appear to be 20’ wide, with an unknown depth. Single car garages appear to be 13’ wide, with an unknown depth. Code requires that the parking spaces shall be at least 10’ x 20’. Garage spaces shall be measured from the exterior dimensions. Clarification required.</p> <p>A waiver has been drafted to allow for 8’ x 15’ guest parking dimensions, to be located on the driveways of each dwelling unit except for the single bedroom units. See discussion.</p>						
8-4D-4 Parking Use Standards	DC/PZ/CC	No compliance issues noted	On-street parking is not permitted along this section of N. Adams Street. The application does not propose on-street parking.						
8-4D-5 Required Number of Off-Street Parking Spaces	DC/PZ/CC	Compliant as conditioned – <b>Waiver Requested</b>	<p>This application was submitted prior to the new parking code ordinance.</p> <table border="1" data-bbox="743 1793 1468 1915"> <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>1 bedroom</td> <td>2 * 2 Units= 4</td> <td>1* 2 Units= 2</td> </tr> </tbody> </table>	Dwelling, Single-Family Attached	Total Required Parking	Required Within an Enclosed Garage	1 bedroom	2 * 2 Units= 4	1* 2 Units= 2
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			<table border="1"> <tr> <td>More than 1 bedroom</td> <td>2* 7 Units= 14</td> <td>2* 7 Units= 14</td> </tr> </table> <p>For developments with more than 2 dwelling units there shall be 0.5 additional spaces/unit provided for guest parking.</p> <p>Residential Units: Required Parking Spaces:18 Provided: 32</p> <p>Required Enclosed Spaces:16 Enclosed Provided: 16</p> <p>Guest Parking Required: <math>9*0.5 = 5</math> (rounded up) Guest parking provided: 14</p> <p>There is one bicycle space required for every 6 dwelling units. 2 bicycle parking spaces are required (rounded up)</p> <p><i>*Waiver requested to allow for driveways to act as guest parking spaces. Waiver has been drafted in the decision document. If the waiver is not permitted, then the site lacks <u>all</u> required guest spaces.</i></p> <p><i>**Additional waiver drafted to allow for compact size guest parking spaces of 8'w x 15'l.</i></p>	More than 1 bedroom	2* 7 Units= 14	2* 7 Units= 14
More than 1 bedroom	2* 7 Units= 14	2* 7 Units= 14				
8-4D-6 Standards for Alternatives to On Site Parking	DC/PZ/CC	No compliance issues noted	None proposed.			
<b>8-4E Transportation and Connectivity Provisions</b>						
8-4E-3 Public Street Connections	DC/PZ/CC	Compliant as Conditioned	<p>Public street connection at N. Adams Street for a common driveway to access all buildable lots.</p> <p>There is a general condition of approval requiring that all streets and driveways shall adhere to the standards of a clear vision triangle at all times.</p>			
8-4E-4 Internal Circulation Standards	DC/PZ/CC	No compliance issues noted	The drive is 20' or greater in width, proposed at 26' wide for fire access.			
8-4E-5 Private Street Standards	DC/PZ/CC	Compliant as conditioned	<p>Staff is unsure if the road proposed is to be a private road. Confirmation is required.</p> <p>Due to the number of units proposed, Ada County will likely require the road to be named.</p> <p>There is an existing cross-access easement along the proposed drive, to the rear of the property, granting the adjacent lot access via the common drive. The existing easement is to be widened.</p>			
8-4E-6 Sidewalk Standards	DC/PZ/CC	No compliance issues noted	<p>There is an existing 7-foot-wide attached sidewalk along N. Adams Street that is to remain.</p> <p>The Design Consultants required a pedestrian crossing internal to the development across the common drive, to allow</p>			

			<p>for clear crossing to the adjacent proposed subdivision. Plans submitted on August 8, 2023 show this connection.</p> <p>The consultants also required that a pedestrian pathway be added along the common drive, which is shown on plans submitted on August 8, 2023.</p>
<b>8-4F Sign Provisions</b>			
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.
<b>8-4G Sustainable Development Provisions</b>			
8-4G Sustainable Development Provisions	Planning Official	Compliant as conditioned	Sustainability Checklist not submitted. The application is required to provide for at least 6 points from the checklist.
<b>8-4I Landscaping and Tree Protection Provisions</b>			
8-4I-3 General Landscaping Standards and Irrigation Provisions	DC/ PZ/CC	Compliant as conditioned	
8-4I-4 Landscaping Provisions for Specific Uses	DC/PZ/CC	Compliant as conditioned	<p>A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping.  Landscape area required: 980sqft  Landscape are proposed: 3,414sqft = 17%  Landscape area minus setback and Perimeter = 1,677sqft = 8%</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.  Trees required: 3.4  Trees provided: <b>4+</b>  Shrubs required: <b>Not enough information to review</b>  Shrubs provided: <b>Not enough information to review</b>  <i>*The landscape plans submitted do not match the new site plan, consisting of a larger common open space. Update plans will need to be submitted with more detail as to tree and shrub count. A condition has been drafted in the approval.</i></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 tree shall be planted in the corresponding setback for every increment of fifty feet (50') of linear feet of frontage.</p> <p>N. Adams Street (100 LF) Trees required: 3 trees  N. Adams Street Trees provided: 3 trees</p>

			The front landscape buffer adjacent to Adams Street is 10' in width.
8-4I-5 Perimeter Landscaping Provisions	DC/PZ/CC	No compliance issues noted	Perimeter landscaping is required along the common property line between an adjacent nonresidential use and a residential use. Thus, perimeter landscaping is required along the northern property boundary line.  5' wide perimeter landscaping has been provided.
8-4I-7 Tree Preservation Provisions	DC/PZ/CC	Compliant as conditioned	Trees were removed from the site prior to the arborist report being conducted and submitted for the record. Based on the Outdoor Solution's tree removal analysis, approximately 43" calipers were removed from the site. It is policy that any trees removed prior to the certified arborist's report being submitted will be considered to have been healthy, and thus, mitigation will be required. Therefore, 43 caliper inches is required to be mitigated for.  The submitted plans do not indicate how many caliper inches are proposed on site.
<b>8-4L Open Space Provisions</b>			
8-4L-3 General Open Space Standards	DC/PZ/CC	No compliance issues noted	The common open space area is located and designed to serve as a passive or recreational function.
8-4L-4 Open Space Standards for Single-family, Townhouse, and Two- Family Duplex Developments	DC/PZ/CC	Compliant as conditioned –  <b>Waiver Requested</b>	At least 10% of the site shall be dedicated to common open space in accordance with code.  The development increased from 7 units to 9 units at the expense of common open space. Plans indicate that 3,015sqft is dedicated to common open space when 1,982sqft is required.  The common open space provided doesn't exactly meet code's required open space descriptions, it might however, meet the intent of what code is requiring. For example, code states that open grassy areas of at least forty feet by ten feet (40' x 10') in area can count towards the requirement. The subdivision has proposed a 10' x 198' landscaped pedestrian path along the eastern property boundary line.  Additionally, code states that any open space, not less than four hundred (400) square feet in area, and with a minimum length and width dimension of twenty feet (20') that is active or passive in its intended use, and accessible by all residents of the development can count towards required open space. The development provides a 17' x 61' open area with pedestrian pathway. While it meets the 400sqft requirement, it does not meet the dimensional requirement of 20' x 20'.  A waiver can be granted, however, none was requested. The Design Review Consultants recommended that the waiver be granted, as the open space is meeting the intent of code.
<b><u>Title 8, Chapter 5 Article A: Land Division Regulations – General Provisions and Standards</u></b>			

8-5A-4 General Standards	PZ/DRC/CC	No compliance issues noted	See discussions on Design Review 8-4 B&C; Driveways 8-4-E; Floodplain 8-4H; 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		No compliance issues Noted	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.  Street improvements are not necessary.  There is a streetlight located at N. Adams Street adjacent to the proposed project.
<b>8-5C-4 Subdivisions located within a Floodplain</b>			
8-5C-4 Subdivisions located within a Floodplain	PZ/DRC/CC	No compliance issues noted, provided the draft conditions of approval, or similar are in place.	There are proposed conditions coinciding with provisions found within code section.
Title 8, Chapter 6, Article A: Administration			
<a href="#">8-6A-3 General Application Process</a>	PZ/DRC/CC	No compliance issues noted	The application was reviewed and considered complete within 30 days of submittal, a notice of application acceptance was issued to the applicant, and staff started processing the application.
<a href="#">8-6A-4 Required Application Information</a>	PZ/DRC/CC	No concerns noted	
<a href="#">8-6A-7 Public Hearing Process</a>	PZ/DRC/CC	No compliance issues noted	The applicant provided a neighborhood meeting more than one month and less than three months prior to application submittal. The City provided a radius notice, notifications to agencies with jurisdiction, and ran a legal notice in the Idaho Statesman, at least 15 days prior to the first hearing. The applicant provided an affidavit more than 7 days prior to the hearing that the property was posted more than 10 days prior to the hearing.
<a href="#">8-6B-7 Planned Unit Development</a>	DC/PZ/CC	Compliant upon approval of waivers	Application waivers requested pursuant to 8-6B-7: 1. More than four units on a drive; 2. Reduction of setbacks: a. Allowing for a 5'/10' front yard setback on lot 1; 3. Guest Parking to be in driveways;

			<p>a. Guest parking dimensions requested to be 8' x 15'</p> <p>4. Common open space minimal dimensional requirements;</p> <p>a. Allowing for smaller dimension of common open space to count towards the minimum square footage requirement.</p> <p>There shall be significant discussion whether the application provides adequate diversity of housing to qualify for the planned unit development, and if the common open space meets the intent of what PUD code requires. PUD code requires that common open space shall abut upon common space or similar areas of adjacent properties.</p>
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<b>Other Items Reviewed</b>	
Plan/Policy	Discussion/ Analysis
<p><a href="#">Idaho Code 67-6513</a> Local Land Use Planning Subdivision Ordinance</p>	<p>Garden City has, by ordinance, adopted hearing procedures compliant with section <a href="#">67-6509</a>, Idaho Code, for standards and for the processing of applications for subdivision permits under sections <a href="#">50-1301</a> through <a href="#">50-1329</a>, Idaho Code.</p> <p>This statute enables Garden City regulations to provide for mitigation of the effects of subdivision development on the ability of political subdivisions of the state, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional costs upon current residents to accommodate the proposed subdivision.</p> <p>This section notes that denial of a subdivision permit or approval of a subdivision permit with conditions unacceptable to the landowner may be subject to the regulatory taking analysis provided for by section <a href="#">67-8003</a>, Idaho Code, consistent with the requirements established thereby.</p>
<p><a href="#">Idaho Code 67-6515</a> Local Land Use Planning Planned Unit Developments</p>	<p>This statute enables Garden City to process applications for planned unit developments.</p>
<p><a href="#">Garden City Comprehensive Plan</a></p>	<p>This application is in future land use designations of the Comprehensive Plan:</p> <ul style="list-style-type: none"> <li>a) Main Street Corridor</li> <li>b) Mixed Use Residential</li> </ul> <p>The application may be supported by:</p> <p>Goal 1. Nurture the City</p> <ul style="list-style-type: none"> <li>a. 1.4 Objective: Create a premier destination place to live, work, and recreate.</li> </ul> <p>Goal 2. Improve the City Image</p> <ul style="list-style-type: none"> <li>a. 2.3 Objective: Promote quality design and architecturally interesting buildings.</li> <li>b. 2.4 Objective: Create a vision for the design of all streets and highways consistent with city's urban setting.</li> </ul> <p>Goal 4. Emphasize the "Garden" in Garden City</p> <ul style="list-style-type: none"> <li>a. 4.1 Objective: Beautify and landscape.</li> <li>b. 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.</li> </ul>



	<ul style="list-style-type: none"> <li>c. 4.3.1 Objective: Continue to require sidewalks and landscaping in all new development, and in major alterations and re-use of existing commercial sites.</li> </ul> <p>Goal 7. Connect the City</p> <ul style="list-style-type: none"> <li>a. 7.1. Objective: Create pedestrian and bicycle friendly connections.</li> <li>b. 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters.</li> </ul> <p>The application may not be supported by:</p> <p>Goal 2. Improve the City Image</p> <ul style="list-style-type: none"> <li>a. 2.1 Objective: Encourage new and distinctive neighborhoods.</li> <li>b. 2.1.2 Objective: Encourage high quality design and landscaping, including the use of water features, in new development.</li> <li>c. Amend the Land Use Code to expand planned unit development (PUD) requirements to all sizes of parcels through a design review process. Amend the PUD standards to encourage a variety of housing, including well-designed smaller units; flexibility in setbacks and parking requirements to meet the needs of specific dwellings; and requirements for pedestrian amenities, including parks, open spaces and pathways.</li> </ul> <p>Goal 6. Diversity in Housing</p> <ul style="list-style-type: none"> <li>a. 6.2 Objective: Continue to be a leader and set an example for the region in creating a diversity of housing.</li> <li>b. 6.3 Objective: Maintain the diversity of housing.</li> <li>c. 6.3.1 Objective: Provide for a variety of housing types in the Land Use Code including smaller cottage and second housing units. Allow for housing that attract niche markets such as senior housing, live-work structures, and cooperative housing.</li> <li>d. 6.3.2. Objective: Continue to explore opportunities that encourage mixed income housing in new developments.</li> </ul>
<a href="#">Garden City Sidewalk Policy</a>	See above analysis.
<a href="#">Garden City Street Light Policy</a>	A streetlight is installed along N. Adams Street in accordance with the policy.