

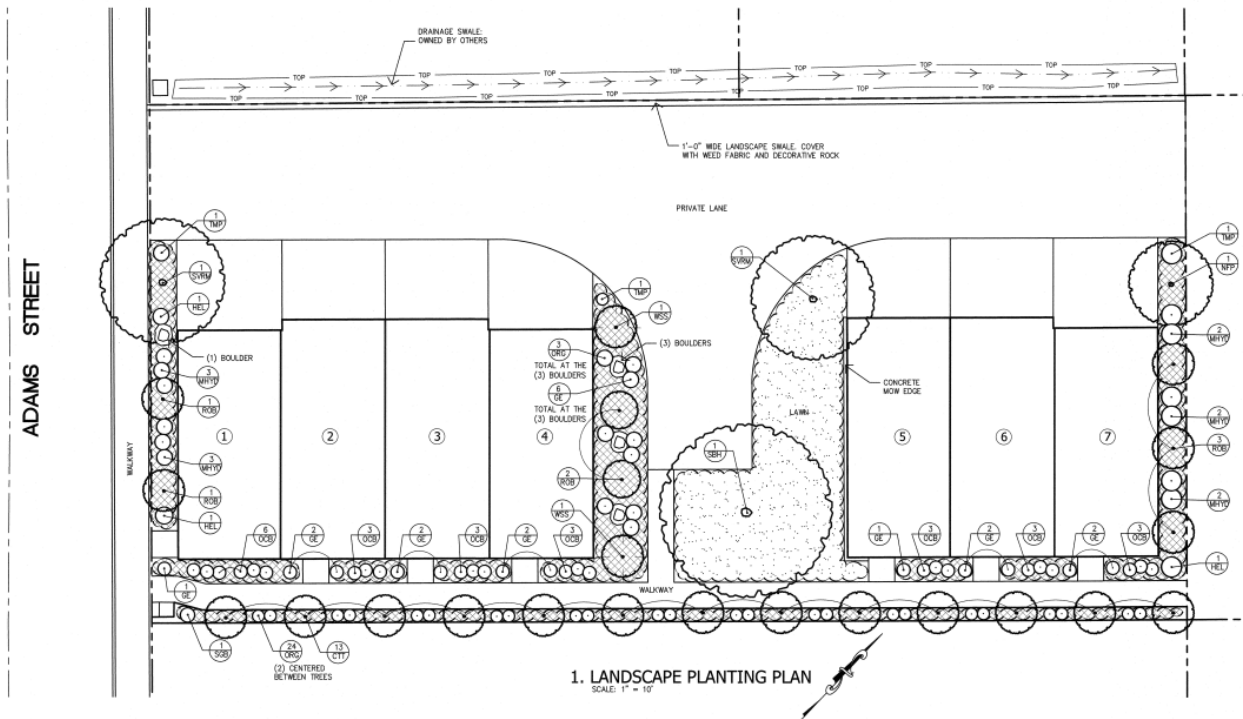


CITY OF GARDEN CITY

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STAFF REPORT

File Number: SUBFY2022-0007, Quad Six Subdivision
For: Preliminary Plat and Planned Unit Development
 A 9- lot residential Subdivision
Location: 4640 N. Adams Street
Applicant: Jadon Schneider
Design Review Date: November 7, 2022
Planning and Zoning: November 16, 2022
City Council: November 28, 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) [SUBFY2022-0007 Initial Submittal 08232022](#)
 - b) [Resubmittal 09272022](#)
2. Staff Reports
 - a) Design Review Staff Report Dated 11072022
 - b) Planning and Zoning Staff Report Dated 11162022
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
6. Recommendations
 - a) Draft Potential Design Review Committee
 - b) Draft Potential Planning and Zoning

B. Recommendation Summary:

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

C. Reconciliation

This portion of the will be completed prior to the City Council Hearing.

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
8-5B-2 Preliminary Subdivision Process	For the subdivision entitlement to be completed a final plat will be required per 8-5B-3 at a later date
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.

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(s): 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(s): 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; 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: 9
 - a) Common: 2
 - b) Residential: 7
- 3) Density: 16 du per acre
- 4) Site Coverage: 19,602sqft total
 - a) Building: 9,557sqft = 31% of the site¹
 - b) Landscaping: Unknown % of the site
 - c) Paved Areas: 6,566sqft = 33% of the site
- 5) Access: N. Adams Street
- 6) Total number of vehicular parking spaces: 28
 - a) Enclosed: 14

¹ Narratives and Subdivision Map information are conflicting. The PUD Narrative says 31% is dedicated to building coverage, but the sub map calculations prove to be 49%.

- b) Surface: 14
- 7) Total number of bicycle parking: Unknown
 - a) Enclosed: Unknown
 - b) Surface: 0
- 8) Refuse: Republic Services will pick up individual services internal to the development
- 9) Fencing: No fence is proposed
- 10) Sidewalk:
 - a) Existing attached
- 11) Landscaping: Not enough information to review
 - a) # Total number of trees
 - i) # Class I, # of which are street trees
 - ii) # Class II, # of which are street trees
 - iii) # Class III, # of which are street trees
 - b) Parameter Landscaping: Describe any perimeter landscaping/None
- 12) City Utilities
 - a) Water and Sewer connection to lots
- 13) 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) Cross access easement
 - c) Existing ingress-egress easement on common drive
- 14) PUD Waivers requested:
 - a) More than four units on a drive;
 - b) Reduction of setbacks:
 - i) Allowing for a 0' front yard setback;
 - ii) Allowing for a 0' side yard setback on lots 4 & 6;
 - c) Guest Parking to be in driveways;
 - i) Guest parking dimensions requested to be 10' x 15'

E. Discussion

Overview

The proposed project will be located on a 0.45 acre lot, which is to consist of 7 residential and 2 common lots. The two common lots consist of the private drive and the pedestrian pathway areas. The proposed density will be approximately 16 dwelling units per acre. The development will consist of three-story townhomes with sizes varying from 2000 to 2600 square feet.

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 continue this easement while still providing upgrades to the site.

PUD Variety of Housing:

Per the application's PUD Narrative, the development intends to meet the PUD's variety of housing requirements by providing a variety of material types and elevation changes throughout the attached product to provide visual diversity for each building. The front elevations of the buildings include portions that are setback horizontally from the elevations adjacent in order to provide depth. In addition, there is

heterogeneity throughout the material types proposed such as stone masonry, rustic woodstone siding, and stucco to allow for a variety of looks.

The proposed housing types within this development include units with three (3) bedrooms and three and a half (3.5) baths as well as units with four (4) bedrooms and three and a half (3.5) baths. These units vary in total square footage and the overall details of the floorplans can be seen within the schematic drawings included in the application. The variation in product and product size allows for the opportunity to provide product at varying levels of price points.

PUD Waivers

Setbacks:

The developer is requesting that a front yard setback variance be granted in order to allow the proposed townhomes to be built with a zero (0) foot setback from the common lot immediately adjacent to the front of the townhomes. By allowing the 0' front setback, the pedestrian pathway common lot is able to be 9' in width, creating a 12' separation from the existing property line to the front of the structures. (See Site Plan).

Furthermore, lots 4 & 6 are adjacent to the open space within this subdivision and the side yard setbacks touching lot 5 are also being requested to be reduced to 0'.

Staff has also 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 9 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 between lot 1 and the common lot 5 dedicated to the pedestrian pathway.
2. Lots 2-4 & 6-8:
 - a. Front Setback shall be considered the area between the residential lots and the common lot 5 dedicated to the pedestrian pathway.
3. Lots 4 & 6:
 - a. Side Yard Setback shall be considered the property line adjacent to common lot 5.

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. This application is proposing a 5' setback from the property line, making the garage location not compliant. To be compliant, it would need to be setback an additional 15' from the property boundary line.

Approving the waiver to allow for Lot 1 to have a 0' front setback would allow for the garage's proximity to the property line. However, by allowing for a smaller setback in this location, it is limiting the amount of landscaped area between the existing sidewalk, the driveway, and the structure. Landscape plans show a 5' wide landscape area, in which is the only location 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 the required street trees that meet the code's intent.

Without a larger setback, larger canopied trees would not be viable in this location. Thus, only tall columnar trees, such as what is proposed, would be planted.

While technically the proposed trees are compliant in that they are Class II trees, they are not meeting the intent of a street tree. Should the deciding bodies determine that larger canopied trees are required along the street frontage, the waiver request for a 0' front setback and more importantly the structural setback of only 5', will need to be discussed and new conditions will need to be drafted to better accommodate the trees.

Guest Parking

The applicant has request that the guest parking be located within the driveways of the residential units. They have also proposed that the guest parking be parallel parking spaces within the driveways. Staff has drafted a waiver request allowing for compact parking spaces of 10'W x 15'L in order to allow for two guest parking spaces in each driveway as opposed to the requested 15'W x 20'L parallel parking space in the driveway.

Code requires parking spaces to be 10'W x 20'L. The waiver would allow for a 5' length deficiency. A parking space of 10'W x 15'L would be in conformance with the average compact vehicle parking space dimensional requirements.

F. 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 Subdivision	Plat	Planning and Zoning Commission: Hearing: October 19, 2022; November 16, 2022	City Council: November 14, 2022; November 28, 2022
And Planned Unit Development		and Design Review Committee: Hearing October 17, 2022; November 7, 2022	

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;
- 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.

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 Committee 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.

G. 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
Ada County Highway District	10/06/2022	<ul style="list-style-type: none"> • 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. • 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. • 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. • 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. • Standard conditions required.
Republic Services	09/28/2022	<ul style="list-style-type: none"> • This looks fine as long as the turn around meets the standards for the fire department.
Garden City Engineer	10/08/2022	<ul style="list-style-type: none"> • 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). • The review by the Boise Fire District will need to include review of locations of fire hydrants. • The project proposes to utilize permeable pavers for drainage control. • 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. • 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).

		<ul style="list-style-type: none"> 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. 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?
North Ada County Fire and Rescue	10/13/2022	<ul style="list-style-type: none"> 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. 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. 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. The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. Signage for addressing will be required at the entrance of the project. Other standard comments.

H. Public Comment

None provided as of the drafting of this document.

Commenter	Comment Date	Summary

I. 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		Compliant upon approval and recordation of the subdivision	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). Creation of the subdivision will resolve this issue, however, as the property description notes the parcel contains portions of Lots 33 & 34, it is likely that other parcels adjacent to this also contain portions of lot 33 & 34.
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/DRC/CC	No compliance issues noted	The application is 16 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/DRC/CC	No compliance issues noted	Single Family Attached Dwellings are a permitted use.
8-2B-3 Form Standards	PZ/DRC/CC	Compliant as conditioned	The required setbacks are: Front: 5'/20' Interior Side: 0'/5' Rear: 15' Street side: 5' The allowable maximum height is: n/a The minimum lot size is: n/a There are encroachments. PUD waivers have been requested. A waiver has been requested to allow for a 0' front setback and 0' side setback for lots 4 & 6. The application requests a 0' setback to the common lots for the front setbacks of all lots and the side setbacks of lots 4 & 6. The intent of code's setbacks will be met as the common lot

			<p>is acting as the setback. The draft condition allows for this waiver, but a draft condition also allows for the common area lot to be reduced in size provided that an easement is provided for the common space. The reason that this condition is suggested is so that the applicant will have more flexibility with regards to fire penetrations that are not allowed at a 0' setback.</p> <p>All improvements are more than 70' from the Boise River. The property meets the minimum street frontage.</p>
Title 8, Chapter 4: Design and Development Regulations			
8-4A-3 Fences and Walls	PZ/DRC/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	PZ/DRC/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	PZ/DRC/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	PZ/DRC/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	PZ/DRC/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	PZ/DRC/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> <p>For any irrigation or drainage ditch, piping or alteration of the ditch shall not impede the movement of the amount of water</p>

			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	PZ/DRC/CC	Not Complaint	<p>Refer to updated elevations submitted on September 29, 2022</p> <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"> 1. A permanent pathway that connects to the public sidewalk; 2. Shall be clearly visible in the front elevation of the structure; 3. A front entry door with a covered porch, dormer, stoop, decorative posts or roof; <p>All elevations adjacent to public streets must contain:</p> <ol style="list-style-type: none"> 1. Windows; 2. Shall have a direct and permanent pathway that connects to the sidewalk and an entrance with decorative posts or roof, or covered porch 3. Modulation in the building facades. <p>The Dwelling unit located on lot one requires additional discussion. The application shows an attempt to address the street. The Design Review Committee shall determine what additional, if any, design shall be required to better address the street. All other facades are also subject to review.</p>
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8-4D Parking and Off Street Loading Provisions

8-4D-3 Parking Design and Improvement Standards	PZ/DRC/CC	Compliant as conditioned	<p>Parking size dimensions not disclosed. The size of the parking space for a residential unit shall be at least ten feet by twenty feet (10' x 20'). Garage spaces shall be measured from the exterior dimensions.</p> <p>Waiver requested for guest parking dimensional standards. See discussion.</p>
8-4D-4 Parking Use Standards	PZ/DRC/CC	No compliance issues noted	<p>On-street parking is not permitted along this section of N. Adams Street. The application does not propose on-street parking.</p>
8-4D-5 Required Number of Off-Street Parking Spaces	PZ/DRC/CC	Compliant so long as waiver is granted	<p>Residential Units: Required enclosed parking spaces: 14 Provided: 14</p> <p>Guest Spaces: Required guest spaces: 4 Provided: 14*</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 all required guest spaces.</i></p> <p><i>**Additional waiver drafted to allow for compact size guest parking spaces.</i></p>

			1 bicycle parking space is required.
8-4D-6 Standards for Alternatives to On Site Parking	PZ/DRC/CC	No compliance issues noted	None proposed.
8-4E Transportation and Connectivity Provisions			
8-4E-3 Public Street Connections	PZ/DRC/CC	Compliant as conditioned	Public street connection at N. Adams Street for a common driveway to access all buildable lots. 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.
8-4E-4 Internal Circulation Standards	PZ/DRC/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	PZ/DRC/CC	May not be complaint	Staff is unsure if the road proposed is to be a private road. Confirmation is required. Due to the number of units proposed, Ada County will likely require the road to be named.
8-4E-6 Sidewalk Standards	PZ/DRC/CC	No compliance issues noted	There is an existing 7-foot-wide attached sidewalk along N. Adams Street that is to remain.
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	PZ/DRC/CC	Compliant as conditioned	Sustainability Checklist not submitted. The application is required to provide for at least 6 points from the checklist.
8-4I Landscaping and Tree Protection Provisions			
8-4I-3 General Landscaping Standards and Irrigation Provisions	PZ/DRC/CC	May not be compliant	Not enough information to review.
8-4I-4 Landscaping Provisions for Specific Uses	PZ/DRC/CC	Not Compliant	Not enough information to review. 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: Not enough information to review 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.

			<p>Trees required: Trees provided: Shrubs required: Shrubs provided: Not enough information provided.</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 <i>*The proposed species provided consist of one Sun Valley Red Maple, and two Red Obelisk Beech trees. The Red Obelisk Beech Trees are columnar in nature, not meeting the intent of the street trees, as they are required to have high-and wide-branching canopies. These trees are intended to get 35' in height and 10' in width.</i></p>
8-4I-5 Perimeter Landscaping Provisions	PZ/DRC/CC	No compliance issues noted	<p>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.</p> <p>5' wide perimeter landscaping has been provided.</p>
8-4I-7 Tree Preservation Provisions	PZ/DRC/CC	No compliance issues noted	<p>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.</p> <p>The application proposes 48 caliper inches to be planted.</p> <p>The site meets the mitigation requirements. It has been conditioned to require 43 caliper inches mitigation.</p>
8-4L Open Space Provisions			
8-4L-3 General Open Space Standards	PZ/DRC/CC	No compliance issues noted	The common open space area is located and designed to serve a passive or recreational function.
8-4L-4 Open Space Standards for Single-family, Townhouse, and Two- Family Duplex Developments	PZ/DRC/CC	No compliance issues noted	<p>A minimum of ten percent (10%) of the gross site area shall be in common open space.</p> <p>The subdivision map identifies that 3,690sqft of common open space is provided. This accounts for about 18% of the overall site. This is code compliant.</p>
<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 8-4H; 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.
<u>8-5C-4 Subdivisions located within a Floodplain</u>			
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			
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	
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	DC/CC	Compliant if waivers are approved	Application waivers requested pursuant to 8-6B-7: <ol style="list-style-type: none"> 1. More than four units on a drive; 2. Reduction of setbacks: <ol style="list-style-type: none"> a. Allowing for a 0' front yard setback; b. Allowing for a 0' side yard setback on lots 4 & 6; 3. Guest Parking to be in driveways; <ol style="list-style-type: none"> a. Guest parking dimensions requested to be 10' x 15'

			There shall be significant discussion whether the application provides adequate diversity of housing to qualify for the planned unit development.
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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 67-8003, Idaho Code, consistent with the requirements established thereby.</p>
Idaho Code 67-6515 Local Land Use Planning Planned Unit Developments	<p>This statute enables Garden City to process applications for planned unit developments.</p>
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) Main Street Corridor b) 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. 2.3 Objective: Promote quality design and architecturally interesting buildings. b. 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. 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. <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 2. Improve the City Image</p> <ul style="list-style-type: none"> a. 2.1 Objective: Encourage new and distinctive neighborhoods. b. 2.1.2 Objective: Encourage high quality design and landscaping, including the use of water features, in new development. 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. <p>Goal 6. Diversity in Housing</p> <ul style="list-style-type: none"> a. 6.2 Objective: Continue to be a leader and set an example for the region in creating a diversity of housing. b. 6.3 Objective: Maintain the diversity of housing. 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. d. 6.3.2. Objective: Continue to explore opportunities that encourage mixed income housing in new developments.
Garden City Sidewalk Policy	No comment.
Garden City Street Light Policy	A streetlight is installed along N. Adams Street in accordance with the policy.