



## CITY OF GARDEN CITY

6015 Glenwood Street □ Garden City, Idaho 83714  
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### STAFF REPORT

**File Number:** SUBFY2024 - 0004, Keeney Estates Subdivision

**For:** Combined Preliminary Plat/ Final plat  
A 4-lot single-family residential subdivision

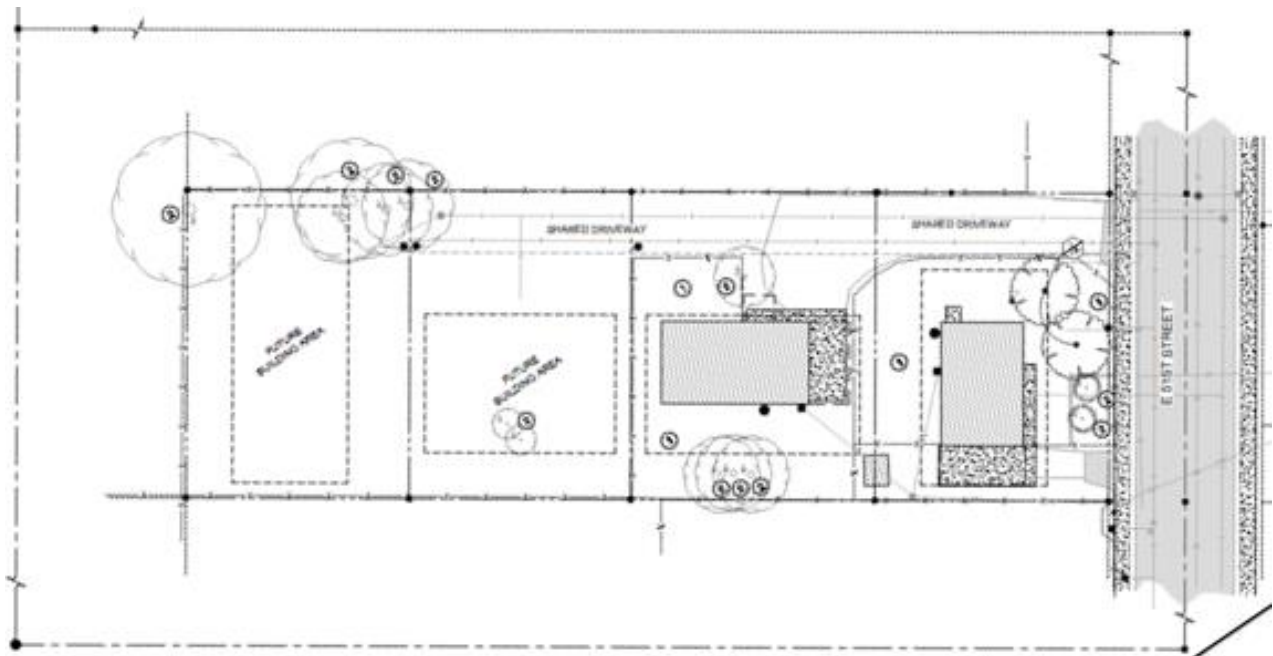
**Location:** 418 E. 51<sup>st</sup> Street

**Applicant:** Antonio Conti

**Report Date:**

**Planning & Zoning:** July 17, 2024

**City Council:** August 12, 2024



Staff Report  
Report prepared by Hanna Veal

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## A. Record Documents

Individual links:

1. Application Materials
  - a) SUBFY2024 - 0004 [Application and Materials](#)
  - b) SUBFY2024 - 0004 [Resubmittals July 3, 2024](#)
2. Staff Reports
  - a) Staff Report Dated [July 17, 2024](#)
  - b) Staff Report Dated August 12, 2024
3. Agency Comments: linked in Section E
4. Public Comments: linked in Section F
5. Noticing Documents
  - a) [City Noticing](#)
  - b) [Property Posting for Planning and Zoning](#)
  - c) [Property Posting for City Council](#)
6. Recommendations
  - a) Design Review Consultant: [Derek Hurd](#)
  - b) [Planning and Zoning Recommendation](#)
7. Drafted Findings of Fact Conclusion of Law and Decision

## B. Recommendation Summary:

The Planning and Zoning Commission recommended approval of this subdivision unanimously. The applicant had requested that not all of the improvements are required. The recommendation does require the improvements that are necessitated by code.

## C. Project Information

### Proposed Scope of Work:

This application is for a subdivision 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

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="#">8-5B-4</a> Combined Preliminary and Final Subdivision Process	

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.

**Site Conditions:**

- 1) Street Address: 418 E. 51st Street
- 2) Parcel Number(s): R7334160815
- 3) Subdivision: LOT 25 BLK 05 RANDALL ACRES SUB NO 05 #0820-B
- 4) Property Size: 0.690 acres
- 5) Zoning District: R-3 Medium density residential
- 6) Comprehensive Plan Land Use Map Designations:
  - a) Activity Node: Neighborhood Destination
  - b) Mixed Use Residential
- 7) Legal Parcel of Record: Yes
- 8) The project is in the:
  - a) 100 Year of the Special Flood Hazard Area according to the 2020 adopted FIRM (the FIRM has adopted seclusion and utilizes the 2003 Flood Insurance Study).
  - b) 100 Year of the Special Flood Hazard Area according to FEMA's most recent model as adopted by resolution 1083-20.
- 9) Surrounding Uses within 600 feet:
  - a) Dwelling unit, single family attached
  - b) Dwelling unit, single family detached
  - c) Manufactured/mobile home park
  - d) Existing Use: Dwelling unit, single family detached
- 10) Easements on site:
  - a) EASEMENTS: QUINELLA SUB PLAT; 200900010; 5' UTILITY, IRRIGATION, AND DRAINAGE EASMENT.
- 11) Site Access: E. 51st Street
- 12) Sidewalks: Sidewalks are installed and are in good repair
- 13) Wetlands on site: None identified

**Project Details:**

- 1) Proposed development: Residential - Combined Preliminary and Final Plat
- 2) Total number of lots: 4
  - a) Residential: 4
- 3) Density: 5.8 Dwellings per acre
- 4) Site Coverage: **Not enough information**
  - a) Building: **Unknown % of the site**
  - b) Landscaping: **Unknown % of the site**
  - c) Paved Areas: **Unknown % of the site**
- 5) Access: Drive from E. 51<sup>st</sup> Street;
- 6) Total number of vehicular parking spaces: Unknown
- 7) Total number of bicycle parking: Unknown
- 8) Refuse: The refuse will be individual services and picked up from the street;
- 9) Fencing: metal chain link fence
- 10) Sidewalk:
  - a) Existing attached will remain
- 11) Landscaping:

- a) Total number of trees:
  - i) 2 trees Class II, 2 of which are street trees
  - ii) 2 Evergreen trees, 2 of which are street trees
  - iii) 11 trees; Class unknown

**12) City Utilities**

- a) Water and Sewer connection to lots
- b) Irrigation, provided by Thurman Mill Ditch Company Ltd.

**13) Pathway: n/a**

**14) Proposed Easements:**

- a) 26' common driveway landscape and public utilities easement

## **D. Discussion**

### **Overview**

The application consists of one parcel totaling 0.69 acres, which is to be subdivided into a residential subdivision consisting of 4 single-family detached dwelling units. The development proposes access to the property through a common drive with an entrance on E. 51<sup>st</sup> Street. The proposed density of the project is 5.8du/acre, and is located within the R-3 High-Density Residential base zoning district as well as the Mixed Use Residential and Neighborhood Destination Activity Node future land use designations of the Comprehensive Plan.

The Land Division application requests splitting the existing parcel, with no proposed construction activity or alterations to the existing structures or site at this time. There will be new development and substantial alterations associated with the new structures on Lots 3 & 4.

The applicant has requested many waivers to required application documents which made reviewing the application difficult. Many conditions have been drafted in the decision document to try and adjust for the lack of submitted material, knowing that the applicant's main desire is to only split the existing lot into four lots. Garden City does not have a simple lot split mechanism, nor would a lot line adjustment be permitted with this parcel. Prior to signature of the final plat, all subdivision improvements shall be installed and inspected for. Once the final plat is recorded new addresses will be issued which then will allow for building permit application submittals/reviews/approvals. There is an option for the applicant to enter into a Restricted Build Agreement with the City to allow for construction and final plat review and approval to occur concurrently. All utilities such as water and sewer, drainage facilities, irrigation, pathways and the common drive will need to be installed prior to final plat signature.

The condition regarding pressurized irrigation is required because it is within Garden City code 8-5A, a section of code related specifically to subdivisions.

The subdivision is required to obtain a conditional use permit due to the proposed density (5.8du/acre) not meeting the minimal density requirements (14du/acre) of the Neighborhood Destination Node.

## 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
Combined Preliminary/Final Subdivision Plat	Planning and Zoning Commission: Hearing July 17, 2024	City Council: Hearing August 12, 2024

### Required Findings:

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

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

### 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.

<b>Agency</b>	<b>Comment Date</b>	<b>Summary</b>
Republic Services <a href="#">Link to Comment</a>	06/20/2024	This submission does not address trash services. If this complex utilizes trash carts, they will need to be staged near 51st street. This is a dead-end driveway and unless there is a hammerhead turn around the trash carts will have to be staged.
Idaho Transportation Department <a href="#">Link to Comment</a>	06/25/2024	After careful review of the transmittal submitted to ITD on June 20, 2024, regarding SUBFY2024-0004, the Department has no comments or concerns to make at this time.
North Ada County Fire and Rescue <a href="#">Link to Comment</a>	06/27/2024	<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. (IFC 507.3, IFC B105.2, IFC C105).</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. (IFC 503.1.1)</li></ul>

		<ul style="list-style-type: none"> <li>• Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (IFC 503.2.1)</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. (BCC 5-12-29, IFC 503.2.4)</li> <li>• Fire apparatus access roads shall have an approved driving surface of asphalt, concrete or other approved driving surface and can support the imposed load of fire apparatus weighing at least 75,000 pounds. Documentation maybe requested at final inspection that the road surface meets this standard. (IFC D102.1) <b>The common drive is to be considered a fire lane as it is required for access to the rear lots of this sub. A compaction report verifying the load rating of the common drive must be submitted to the Boise Fire Marshal for verification.</b></li> <li>• For streets having a width less than 33 feet back of curb to back of curb parking shall be restricted on one side, for streets having a width less than 27 feet back of curb to back of curb parking shall be restricted on both sides, and all portions of the turn-around. A note on the face of the final plat is required noting the parking restriction prior to signing of the final plat by the City Engineer. In addition, No Parking signs shall be installed in accordance with the requirements of the IFC. (IFC 503.8) <b>Parking will be not be allowed on the common drive. Signage indicating this will need to be posted at the entrance to this subdivision.</b></li> </ul>
Ada County Highway District <a href="#">Link to Comment</a>	06/27/2024	<p>The Ada County Highway District has reviewed the submitted application for the preliminary plat SUBFY2024-0004 and has determined that there are no improvements required to the adjacent street(s). The proposed preliminary plat is approved without conditions, as the site is fully improved.</p> <p>The applicant will be required to pay all platting and review fees prior to final plat approval.</p>
Idaho Department of Environmental Quality <a href="#">Link to Comment</a>	07/05/2024	General comments provided
Garden City Engineer <a href="#">Link to Comment</a>	07/03/2024	<p>Waiver Requests</p> <p>For our review purposes, we have no objection to the submitted waiver requests, except for the following:</p> <ul style="list-style-type: none"> <li>• Preliminary Title Report</li> <li>• Ability to Serve Letter</li> <li>• Natural Hazard and Resources Analysis</li> </ul> <p>We believe contents of the above three items could impact the project design and should be provided prior to entitlement approval.</p> <p>Subdivision Name Reservation</p>



		<p>Please provide an approval by the Ada County Surveyor's office for the name of "Keeney Estates Subdivision."</p> <p><b>Preliminary Plat</b> No comment – see other review comments.</p> <p><b>Final Plat – Initial Comments</b> Plat note 1 references the plat of Riverpointe Subdivision. We presume this should be Keeney Estates Subdivision? Plat note 9 may need to be revised. The ownership/maintenance of the sewer services from the main line may be with the city depending on the storm drainage system and comments from Public Works. This would be determined at the time when full construction plans are provided for review.</p> <p>The notes must create a Garden City water and sanitary sewer easement including all mainlines, services, fire hydrants and other appurtenances.</p> <p><b>Street Names</b> 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.</p> <p><b>Irrigation Facilities</b> As the application plans to install pressure irrigation when construction plans are prepared and submitted for review, please provide the following:</p> <ul style="list-style-type: none"> <li>• Provide a review/approval for any changes to existing gravity irrigation systems from the Thurman Mill Ditch Co. LTD.</li> <li>• Provide a review/approval for the inclusion of a pressure irrigation intake.</li> <li>• Provide a pressure irrigation report prepared, sealed, dated, and signed by the qualified Idaho design professional.</li> </ul> <p>Irrigation easements may be required. The applicant must review the project and determine if an Army Corps of Engineers 404 permit will be necessary to obtain.</p> <p>Additional comments were made regarding Ada County Highway District approval, Fire District approval, Water &amp; Sewer Connections, Site Grading and Drainage Plans, Stormwater Operation and Maintenance Manual, Site Geotechnical Report, and Stormwater Operation and Management Agreements.</p>
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## G. Public Comment

The following public comments were provided:

Commenter	Comment Date	Summary
Dolan Keeney	06/24/2024	Supports the Application.

## 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>		No compliance issues noted	Appears to be a legal lot of record.
<a href="#">8-1B-2 Nonconforming Structures</a>		No compliance issues noted	
<a href="#">8-1B-3 Nonconforming Uses</a>		No compliance issues noted	No comment
<a href="#">8-1C-3 Property Maintenance Standards</a>		No compliance issues noted	Per 8-1C-2, this article applies to all existing residential and non-residential buildings, structures, and lands. There is no active code enforcement case on file for this address.
<b>Title 8, Chapter 2: Base Zoning District Regulations</b>			
<a href="#">8-2B-1 Purpose</a>	DRC/PZ/CC	Compliant as Conditioned	<p>The application proposes 5.8 units per acre, under the 35 units per acre maximum within the R-3 Zoning District. However, being located within the Neighborhood Destination Activity Node, the application is required to provide at least 14 dwelling units per acre or obtain a conditional use permit.</p> <p>The subdivision specifically requested entitlements for single family detached residential units, which is consistent with the purpose identified for the R-3 Zoning District.</p> <p>The application will be required to obtain a conditional use permit.</p>
<a href="#">8-2B-2 Allowed Uses</a>	PZ/CC	No compliance issues noted	<p>Single Family Detached Dwellings are a permitted use.</p> <p>The residential components have not been identified on Lot 3 &amp; 4. But will be required to go through additional permitting</p>

			processes at the time of development such as a building permit.
<a href="#">8-2B-3 Form Standards</a>	DRC/PZ/CC	No compliance issues noted	<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  There are no encroachments.  All improvements are more than 70' from the Boise River.  All properties meet the minimum street frontage.</p>
<b><a href="#">Title 8, Chapter 4: Design and Development Regulations</a></b>			
8-4A-3 Fences and Walls	DRC/PZ/CC	Compliant as Conditioned	<p>Existing 6' tall chain link fence with slats. Chain link fencing is not a permitted fencing material.</p> <p>Legal nonconforming fences may remain so as long as there are no significant improvements to the site, a subdivision application is considered an application that would cause a significant improvement. As such, a condition has been drafted to require the removal and/or replacement of the prohibited fencing material prior to final plat signature.</p> <p>Any future fence or wall will be required to be in compliance with code at the time of development.</p>
8-4A-4 Outdoor Lighting	DRC/PZ/CC	Compliant as Conditioned	This proposal does not identify any outdoor lighting. Any future outdoor lighting will be required to be in compliance with code at the time of development.
8-4A-5 Outdoor Service and Equipment Areas	DRC/PZ/CC	Compliant as Conditioned	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.
8-4A-7 Stormwater Systems	DRC/PZ/CC	Compliant as Conditioned	A draft condition of approval has been provided requiring that the stormwater systems be built in compliance with provisions of 8-4A-7.
8-4A-8 Utilities	DRC/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>
<b><a href="#">8-4B Design Provisions for Residential Structures</a></b>			
8-4B-3 Single Family and Two-Family Attached and Detached Dwelling	DRC/PZ/CC	Not Applicable	<p>The provisions in this article apply to all new developments and the substantial alteration of existing development in all base districts.</p> <p>The applicant did not provide building designs to review.</p>

These provisions will be reviewed in conjunction with the subsequent individual building permits.

**8-4D Parking and Off Street Loading Provisions**

8-4D-3 Parking Design and Improvement Standards	CC	Compliant as Conditioned	<p>The existing homes on Lot 1 &amp; 2 appear to have single car covered carports.</p> <p>The size of the parking space for a residential unit shall be at least ten feet by twenty feet (9' x 20'). Garage spaces shall be measured from the exterior dimensions. Dimensions were not provided.</p>
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8-4D-4 Parking Use Standards	CC	No compliance issues noted	No use shall provide less than the minimum spaces required by code. Any future use will be required to meet code standards at the time of development.
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8-4D-5 Required Number of Off-Street Parking Spaces	CC	Compliant as Conditioned	<p style="text-align: center;">TABLE 8-4D-2 REQUIRED MOTOR VEHICLE PARKING SPACES FOR DWELLING (RESIDENTIAL) USES</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="3" style="text-align: center;">Dwelling Parking</th> </tr> <tr> <th style="text-align: center;">Dwelling Type</th> <th style="text-align: center;">Required Parking Spaces Per Each Dwelling Unit (Including Covered And Uncovered)</th> <th style="text-align: center;">Required Covered Parking Per Each Dwelling Unit</th> </tr> </thead> <tbody> <tr> <td>Dwelling, Accessory:</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> </tr> <tr> <td colspan="3">All Other Dwelling Units:</td> </tr> <tr> <td>Studio and 1 bedroom</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> </tr> <tr> <td>More than 1 bedroom</td> <td style="text-align: center;">2</td> <td style="text-align: center;">1</td> </tr> </tbody> </table> <p><b>Guest Parking</b> For developments with more than two (2) dwelling units there shall be one-half (0.5) additional parking space/unit provided for guest parking for the first ten (10) dwelling units. There shall be one-tenth (0.1) parking space/unit provided for guest parking for every unit after the first ten (10) units.</p> <p><u>Existing Homes:</u> Parking Required: 4 (2 covered) Parking Provided: 4 (2 covered)</p> <p><u>Future Homes:</u> Required Parking: The applicant has not provided the future home details at this point in time. It is likely that the homes will have more than one bedroom, thus requiring 2 vehicle parking spaces, with at least 1 covered.</p> <p>Guest parking will be required as the subdivision proposes more than 2 dwelling units.</p> <p>Guest Parking required: <math>0.5 \times 4 = 2</math></p>	Dwelling Parking			Dwelling Type	Required Parking Spaces Per Each Dwelling Unit (Including Covered And Uncovered)	Required Covered Parking Per Each Dwelling Unit	Dwelling, Accessory:	0	0	All Other Dwelling Units:			Studio and 1 bedroom	1	1	More than 1 bedroom	2	1
Dwelling Parking																					
Dwelling Type	Required Parking Spaces Per Each Dwelling Unit (Including Covered And Uncovered)	Required Covered Parking Per Each Dwelling Unit																			
Dwelling, Accessory:	0	0																			
All Other Dwelling Units:																					
Studio and 1 bedroom	1	1																			
More than 1 bedroom	2	1																			

8-4D-6 Standards for Alternatives to On Site Parking	CC	No compliance issues noted	None requested.
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**8-4E Transportation and Connectivity Provisions**

8-4E-3 Public Street Connections	CC	Compliant as Conditioned	Public street connection at E. 51 <sup>st</sup> Street for a common driveway to access all four 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	CC	No compliance issues noted	The drive is 20' or greater in width.
8-4E-6 Sidewalk Standards	CC	No compliance issues noted	There is an existing 5-foot-wide attached sidewalk along 51 <sup>st</sup> Street. As there are existing attached sidewalks connecting to both sides of the property, this is compliant with the sidewalk policy.
8-4E-7 Pedestrian and Bicycle Accessibility Standards	CC	No compliance issues noted	A 4' wide concrete pedestrian pathway connects the public sidewalk to the primary entrances of the existing homes. The pathway shall connect to the primary entrances of the new structures once constructed.
<b>8-4H Flood Hazard</b>			
8-4H Flood Hazard	Planning Official	Compliant as Conditioned	The planning official is the decision maker on items regarding 8-4H.  The City highly encourages that the applicant builds 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		Not Applicable	All new residential developments over four (4) dwelling units are required to submit a sustainability checklist. This application only consists of two existing homes, and two lots for single family homes for a total of four dwelling units.
<b>8-4I Landscaping and Tree Protection Provisions</b>			
8-4I-3 General Landscaping Standards and Irrigation Provisions	CC	Compliant as Conditioned	Not enough information to review.
8-4I-4 Landscaping Provisions for Specific Uses	CC	Compliant as Conditioned	A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping. Site square footage: 30,056.4 Landscape Area proposed: <b>Unknown</b> Landscape Area required: 1,502 square feet <i>*It appears that the site currently provides the required landscaping, however, once Lots 3 &amp; 4 and the common drive are constructed, staff is unsure how the landscaping requirement will be provided.</i>  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: <b>Unknown</b>

			<p>Trees provided: 21          Shrubs required: <b>Unknown</b>          Shrubs provided: 27</p> <p>A minimum of one class II or class III 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.          51<sup>st</sup> Street Trees required: 3 trees          51<sup>st</sup> Street Trees provided: 3 trees</p> <p><b>Conditions have been drafted to ensure the subdivision provides the minimum landscaping required.</b></p>
8-4I-5 Perimeter Landscaping Provisions	CC	No compliance issues noted	Perimeter landscaping is provided along the northern property boundary to separate the common drive from adjacent residential dwellings.
8-4I-7 Tree Preservation Provisions	CC	Compliant as Conditioned	The application does not propose the removal of any existing trees at this point in time. If trees were to be removed as part of a future building permit, a certified arborist report identifying any 4" + caliper tree that is dead, dying, healthy, or diseased within the property. A mitigation plan shall be submitted for any healthy tree that is to be removed.
<b>8-4L Open Space Provisions</b>			
8-4L-3 General Open Space Standards	CC	Compliant as Conditioned	<p>Common open space shall be designed as an integral part of a residential development project by demonstrating adherence to the following standards:</p> <p>A. Areas on the site of mature landscaping, trees, and natural features have been incorporated into the common open space area;</p> <p>B. The common open space area provides connectivity with other open areas, public spaces, trails, or water features within and off the site; and</p> <p>C. The common open space area is located and designed to serve a passive or recreational function.</p> <p><b>Conditions have been drafted to ensure code compliance is met.</b></p>
8-4L-4 Open Space Standards for Single-family, Townhouse, and Two- Family Duplex Developments	CC	Compliant as Conditioned	<p>For any new single-family, townhouse, or two-family subdivision of more than two (2) units in size a minimum of ten percent (10%) of the gross site area shall be in common open space.</p> <p>3,005sqft of common open space is required. <b>Not enough information to review. Does not appear compliant due to the subdivision consisting primarily of individual lots. Conditions have been drafted to ensure code compliance is met.</b></p>
<b>Title 8, Chapter 5 Article A: Land Division Regulations – General Provisions and Standards</b>			
8-5A-4 General Standards	PZ/CC	Compliant as Conditioned	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		Compliant as Conditioned	<p>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.</p> <p>A hydrant may be required along with a fire turn-around per North Ada County Fire and Rescue's comments. There is an existing fire hydrant adjacent to the property along E. 51<sup>st</sup> Street.</p> <p>Street improvements are not required per ACHD's comments.</p> <p>There is a streetlight located at E. 51<sup>st</sup> Street.</p>
<b>8-5C-4 Subdivisions located within a Floodplain</b>			
8-5C-4 Subdivisions located within a Floodplain	PZ/ 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/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 /CC	Not Determined	<p>The contents of the requested waiver documents could impact the project design and should be provided prior to entitlement approval.</p> <p>Application waivers requested pursuant to 8-6A-4A:</p> <ul style="list-style-type: none"> <li>• Preliminary Title Report</li> <li>• Subdivision Map</li> <li>• Schematic Drawings</li> <li>• Lighting Plan</li> <li>• Topographic Survey</li> <li>• Grading Plan</li> <li>• Soils Report</li> <li>• Hydrology Report</li> <li>• Engineering Drawings and Specifications</li> <li>• Natural Hazards and Resources Analysis</li> <li>• Dedications and Easements</li> <li>• Covenants and Deed Restrictions</li> <li>• Ability to Serve Letter</li> <li>• Affidavit of Legal Interest</li> </ul>

			<ul style="list-style-type: none"> <li>• Affidavit of Posting and Photos</li> <li>• Irrigation/Ditch Company Information</li> <li>• Affidavit of Legal Interest</li> <li>• Locations and elevation of signage</li> </ul>
<a href="#">8-6A-7 Public Hearing Process</a>	PZ/ 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.

Other Items Reviewed	
Plan/Policy	Discussion/ Analysis
<a href="#">Idaho Code 67-6513</a> Local Land Use Planning Subdivision Ordinance	<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>
<a href="#">Garden City Comprehensive Plan</a>	<p>This application is in future land use designations of the Comprehensive Plan:</p> <p>The land use map shows generalized designations for future land uses. The map also identifies unique possibilities for land use and areas for future studies. The following is an explanation for the designations shown in the legend on the land use map.</p> <ol style="list-style-type: none"> <li>1. <b>MIXED USE RESIDENTIAL:</b> The mixed-use residential area is north of Adams/ Alworth Street. This designation allows for residential and commercial uses in a form and scale that is residential in character and design. A mix of residential; small scale office and retail; and public and semi-public uses are appropriate in this district. Regulations for this area should focus on form more than use, with a maximum height of two stories.</li> <li>2. <b>ACTIVITY NODE:</b> Activity nodes are identified on the Land Use Map for neighborhood centers, local and regional destinations, and locations in proximity to existing and future transit stations and stops. Activity centers range in size depending on their function and location. Some nodes may be centered around the intersection of major streets</li> </ol>



or extend down a street to connect major community facilities. The common characteristics of the activity nodes are a mix of uses, public spaces, compatible transition to the uses surrounding the nodes and non-motorized connections to within a quarter mile walkable area of the node center. Some nodes, especially around transit stations, would have higher density (at least 14-20 units per acre) and multi-story development (three or more stories). It is not intended that all nodes could be developed within the twenty-year period of the plan. Activity Nodes by type shown on the Land Use Map are as follows: Neighborhood and Destination Centers: The centers should be focused on uses that facilitate making the location a destination. Uses may include small scale retail, art, office, and higher density residential.

Identified centers are:

- Adams and 50th Streets intersection to the Boise River
- Adams and 42nd street intersection to the Boise River.
- East city boundary to 36th street between the Boise River and Chinden Boulevard
- Glenwood and Marigold Streets intersection
- Chinden Boulevard and Garrett Street intersection
- Chinden Boulevard and 50th Street intersection
- State Street and Pierce Park Transit Oriented Development Nodes
- Chinden Boulevard and Glenwood Street intersection
- Chinden Boulevard and Veterans Parkway intersection
- State Street and Horseshoe Bend Road
- State Street and Glenwood Street

The application may be supported by:

**Goal 2. Improve the City Image**

- 2.1 Objective: Encourage new and distinctive neighborhoods.
- 2.4 Objective: Create a vision for the design of all streets and highways consistent with city's urban setting.

**Goal 4. Emphasize the "Garden" in Garden City**

- 4.1 Objective: Beautify and landscape.
- 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.

**Goal 6. Diversity in Housing**

- 6.2 Objective: Continue to be a leader and set an example for the region in creating a diversity of housing.
- 6.3 Objective: Maintain the diversity of housing.

**Goal 7. Connect the City**

- 7.1 Objective: Create pedestrian and bicycle friendly connections.
- 7.4 Objective: Maintain and improve standards for sidewalks, curbs, and gutters.

The application may not be supported by:

**Goal 2. Improve the City Image**

- 2.3 Objective: Promote quality design and architecturally interesting buildings.

**Goal 3. Create a Heart for the City**

	<ul style="list-style-type: none"> <li>3.2 Objective: Create public gathering places at multiple locations throughout the city.</li> </ul> <p><b>Goal 10. Plan for Future</b></p> <ul style="list-style-type: none"> <li>10.4 Objective: Designate locations in proximity to existing and future transit stops throughout the city that serve as activity centers.</li> <li>10.5 Objective: Create a “Main Street” corridor with commercial nodes as designated on the Land Use Map and described in the Land Use Designation.</li> </ul>
<a href="#">Garden City Sidewalk Policy</a>	Attached sidewalks to remain.
<a href="#">Garden City Street Light Policy</a>	A streetlight is installed along E. 51 <sup>st</sup> Street in accordance with the policy.