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

Individual links:

1. Application Materials
  - a) SUBFY2025 - 0003 [Initial Submittal 06/16/2025](#)
  - b) SUBFY2025-0003 [Resubmittal 07/18/2025](#)
2. Staff Reports
  - a) Staff Report Design Review Consultation Dated August 18, 2025
3. Agency Comments: linked in [Section F](#)
4. Public Comments: linked in [Section G](#)
5. Noticing Documents
  - a) [City Noticing](#)

## B. Recommendation Summary:

This section will be updated to reflect the recommendations made by the reviewing bodies once available.

## C. Project Information

### Proposed Scope of Work:

This application is for a preliminary plat 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

**Plat:** The drawing, mapping or planning of a subdivision, cemetery, town site or other tract of land or a replatting of such, including certifications, descriptions and approvals.

**Preliminary Plat:** The first formal presentation by drawings of a proposed subdivision. Sketch Plat: A sketch preparatory to a preliminary plat that indicates all roads, parks, rights-of-way and public sites.

**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: 213 & 215 E. 35<sup>th</sup> Street
- 2) Parcel Number(s): R2734540790 & R2734540770
- 3) Subdivision: LOT 28 BLK 31 FAIRVIEW ACRES SUB NO 5 & LOT 27 BLK 31 FAIRVIEW ACRES SUB NO 5
- 4) Property Size: 0.170 & 0.170 acres (0.34 acres total)
- 5) Zoning District: C-2 General commercial
- 6) Comprehensive Plan Land Use Map Designations:
  - a) Live-Work-Create
  - b) Neighborhood Destination Node
- 7) Legal Parcel of Record: Yes
- 8) The project is in the:
  - a) The project is outside 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) The whole project is within the floodplain according to FEMA's most recent modeling of the Lower Boise River, adopted by resolution 1083-20.
- 9) Surrounding Uses within 600 feet:
  - a) Professional Services
  - b) Eating Establishment; limited services

- c) Residential dwelling units, single family detached and attached
- d) Multi-family dwelling units
- 10) Existing Use: Vacant
- 11) Easements on site: None
- 12) Site Access:
  - a) E. 35<sup>th</sup> Street
  - b) Temporary access to E. 34<sup>th</sup> Street
- 13) Sidewalks: No sidewalk
- 14) Wetlands on site: None identified

**Project Details:**

- 1) Proposed development: Residential Subdivision - Preliminary Plat – Processed as a Planned Unit Development
- 2) Total number of lots: 7
  - 1. Common: 1
  - 2. Residential: 6
- 3) Density: 17.64 dwellings per acre
- 4) Site Coverage: 14,810sqft
  - 1. Building: 7,500sqft = 50.6% of the site
  - 2. Landscaping: 2,295sqft = 15.5% of the site
  - 3. Paved Areas: unknown % of the site
- 5) Access: E. 35<sup>th</sup> Street
- 6) Total number of vehicular parking spaces: 15
  - 1. Enclosed: 12
  - 2. Surface: 3
- 7) Refuse: Republic Services will pick up individual services internal to the development<sup>1</sup>
- 8) Fencing: No fence
- 9) Sidewalk: attached and detached proposed per the 34<sup>th</sup> Streetscape Plan
- 10) City Utilities
  - 1. Water and Sewer connection to lots
- 11) Proposed Easements:
  - 1. 6' ACHD sidewalk Easement along E. 35<sup>th</sup> Street
  - 2. 5' ACHD sidewalk easement along Carr Street
  - 3. 22' cross-access and sewer main easement
- 12) PUD Waivers requested:
  - 1. More than four lots served by a shared driveway
  - 2. Reduced setbacks to accommodate attached units

Additional waivers may be identified during the review process as needed to support the proposed design.

**D. Discussion**

This application (SUBFY2025-0003) is a preliminary plat subdivision application that is to be processed as a Planned Unit Development (PUD). The application involves one parcel totaling 0.34 acres, which is proposed to be subdivided into one common lot, and six townhomes. The proposed development will include access through a shared driveway, with the entrance located on E. 35<sup>th</sup> Street. The project is designed with a density of 17.64 dwelling units per

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<sup>1</sup> See Republic Service’s agency comment regarding the terms and requirements.

acre and is situated in the C-2 General Commercial base zoning district as well as the Live-Work-Crete District and Neighborhood Destination Node future land use designations of the Comprehensive Plan.

**Planned Unit Development – Housing Variety**

Under the PUD code, developments with 10 or more units are required to offer a mix of housing types. Since this project includes only six units, that requirement doesn’t apply. The proposal for six three-bedroom townhomes is therefore consistent with the PUD standards.

**Code Deviations.**

As a PUD, the applicant can submit formal requests for code deviations. Although the applicant has not formally requested code deviations, staff has identified two key areas where deviations are necessary for the proposed design to comply:

1. Allowing more than four dwelling units to be served by a common drive, permitting 6 dwelling units to access the development via a shared driveway.
2. Reducing the internal side setback requirements to 0 feet to accommodate attached dwelling units (townhomes).

The purpose of the PUD process is to encourage well-planned developments that may deviate from district regulations in order to achieve the broader goals set forth by the PUD code. These goals include fostering a diversity of housing types (Objective 1), promoting functional open space (Objective 2), and ensuring compatibility with land use density, transportation systems, and community facilities (Objective 5) as detailed in the Comprehensive Plan. It is not the intent that the planned unit development process be used solely for the purposes of deviation from the dimensional standards.

Although the C-2 zoning district does not have a maximum density, the Comprehensive Plan’s Future Land Use designation for the Neighborhood Destination Node requires a minimum density of 14 dwelling units per acre. This development exceeds that requirement with a density of 17.64 dwelling units per acre. However, this increased density has resulted in a lack of perimeter landscaping and noncompliance with standard setback requirements.

**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 Subdivision	Plat	Design Review Consultation: 8/18/2025	City Council: Hearing 10/13/2025
And Planned Development	Unit	and Planning and Zoning Commission: Hearing 9/17/2025	

**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 shall report whether the application is granted, granted with conditions, or denied. The decision also needs to include the facts upon which it is based, the ordinance and standards used in evaluating the application, reasoned statements that specifically address all required findings and all disputed facts, and a conclusion of law. It is important that the decision maker carefully reviews the reasoned statements to ensure that the disputed facts brought up during the hearing are addressed. Finally, if there is a decision or recommendation to deny the application, the decision needs to include the actions, if any, that the applicant could take to obtain approval.

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

### **Recommendations**

The Planning and Zoning Commission 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.

### **Recommendation Motion**

A motion should include a clear statement of the recommendation, for example:

1. Action: "I move to recommend approval/denial/ or I move to continue the application to the date certain of..."
2. File number
3. Note findings of fact, conclusion of law, and decision: "As drafted by staff in the affirmative", "as drafted by staff for denial," or "as amended to remove, amend, or add conditions..."

The Planning and Zoning Commission may wait to formalize the written recommendation at the next meeting to ensure that written decision correctly reflects the proceedings and Commission's findings of the disputed facts. However, the Planning and Zoning Commission is required to formalize its decision no later than by the next regular scheduled meeting after the conclusion of the hearing.

The recommendation of 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 for a final decision.

#### 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 recommendation; or
4. Remand the application to the recommending body for additional proceedings and findings.

#### Motion

A motion should include a clear statement of the recommendation, for example:

1. Action: "I move to approve/deny/continue the application to the date certain of..."
2. File number
3. Note findings of fact, conclusion of law, and decision: "As recommended by the Planning and Zoning Commission," or "as amended to..... remove, amend, or add conditions".

The City Council may wait to formalize the written decision at the next meeting to ensure that written decision correctly reflects the proceedings and decision maker's findings of the disputed facts. However, the City Council is required to formalize its decision no later than by the next regular scheduled meeting after the conclusion of the hearing.

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
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<p>Republic Services <a href="#">Link to Comment</a></p>	<p>7/15/2025</p>	<p>Republic Services can only provide on-site trash pickup of individual cans if there is a written easement allowing them to travel through the neighboring property for service. Otherwise, trash carts will need to be picked up on Carr St. for services.</p>
<p>Department of Environmental Quality <a href="#">Link to Comment</a></p>	<p>7/21/2025</p>	<p>General comments.</p>
<p>Central District Health <a href="#">Link to Comment</a></p>	<p>7/22/2025</p>	<p>After written approvals from appropriate entities are submitted, they can approve the proposal for central sewage and water.</p> <p>The central sewage and water plans must be submitted to and approved by DEQ.</p> <p>Infiltration beds for storm water disposal are considered shallow injection wells. If they are not in the ACHD ROW, and application and fee per well, vicinity, map and construction plans must be submitted to CDH.</p>
<p>Garden City Engineer <a href="#">Link to Comment</a></p>	<p>7/12/2025</p>	<p>We had provided original review comments for a larger project of the same name under file number SUBFY2021-0006.</p> <p>The subdivision name of “Shavasana Urban Living” was reserved in 2021 by JBI Elemental. As the developer is now changed to SoUL34, LLC, permission form JBI Elemental is needed to use the name. Please provide the written permission. This change of developer also needs to be completed with the Ada County Surveyor’s office.</p> <p><b>Waiver Request for an “Ability to Serve”</b> The submittal notes that a waiver of the required “Ability to Serve” has been requested. The reason provided is that after development approval the applicant will be “better positioned” to provide the information. We advise against this waiver. The project entitlement approval has nothing to do with the “Ability to Serve”. The purpose of the “Ability to Serve” is to discover possible water/sewer supply/collection issues prior to project approval so the applicant may respond to said issues in case it may impact the layout of the project.</p> <p>Fire District Approval of the project by the North Ada County Fire and Rescue District will be required. Should fire flow requirements exceed those available, the land use, improvement of off-site city water lines or other efforts may be necessary to obtain approval of plans. The</p>

		review by the District will need to include review of access and locations of fire hydrants.  General comments regarding Water and sewer easements, erosion and sediment control, site grading and drainage plan, storm water operation and management agreement, and FEMA Flood Maps.
Idaho Transportation Department <a href="#">Link to Comment</a>	7/15/2025	No comments for this application.
North Ada County Fire and Rescue <a href="#">Link to Comment</a>	8/8/2025	North Ada County Fire & Rescue District has reviewed and can approve the application subject to compliance with all the code requirements and conditions of approval of their review.

## 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>		No compliance issues noted	No comment
8-1B-2 Nonconforming Structures		No compliance issues noted	No record of non-conforming structures exist.
<a href="#">8-1B-3 Nonconforming Uses</a>		No compliance issues noted	No record of existing non-conforming uses.
<a href="#">8-1C-3 Property Maintenance Standards</a>		No compliance issues noted	No comment
<b>Title 8, Chapter 2: Base Zoning District Regulations</b>			
<a href="#">8-2B-1 Purpose</a>	DRC/PZ/CC	No compliance issues noted	The purpose of the commercial districts is to provide a full range of commercial uses and services for both the residents of Garden City and the region. Location determines the type and form of commercial uses. Activities which are more compatible with mixed use or residential uses and minimally

			<p>disruptive to the neighborhood are to be located in the general commercial (C-2) district.</p> <p>The application proposes three-story single family detached dwelling units (townhomes) which is consistent with the purpose identified in this chapter</p>
<a href="#">8-2B-2 Allowed Uses</a>	DRC/PZ/CC	No compliance issues noted	Single Family Attached Dwellings are a permitted use.
<a href="#">8-2B-3 Form Standards</a>	DRC/PZ/CC	Not Compliant - Compliant upon approval of PUD adjustments being granted	<p>The required setbacks are:  Front: 5'  Interior Side: 5'  Rear: 5'  Street side: 5'</p> <p>The allowable maximum height is: n/a  The minimum lot size is: n/a</p> <p>While the overall subdivision complies with the required 5-foot setbacks, the individual lots within the subdivision do not meet this standard due to the proposed building footprints. Specifically, the townhome units encroach into the 5-foot setback areas of their respective lots. Although the applicant did not formally request a code adjustment, staff has prepared a draft request on their behalf. This request proposes a 0-foot setback along all interior lot lines to accommodate the shared common walls between townhome units and facilitate the intended zero-lot-line configuration.</p> <p>All properties meet the minimum street frontage.</p>
<b>Title 8, Chapter 4: Design and Development Regulations</b>			
<a href="#">8-4A-3 Fences and Walls</a>	DRC/PZ/CC	Compliant as Conditioned	<p>This proposal does not identify any fence or wall.</p> <p>All new fences shall be required to be in conformance with this section. Legal nonconforming fences may remain as long as there are no significant improvements to the site or are specifically conditioned in a conditional use permit.</p>
<a href="#">8-4A-4 Outdoor Lighting</a>	DRC/PZ/CC	Compliant as Conditioned	This proposal identifies locations of future subdivision lighting, more specifically the street lighting. However, other than the proposed location, details were not disclosed. Any future outdoor lighting will be required to be in compliance with code at the time of development.
<a href="#">8-4A-5 Outdoor Service and Equipment Areas</a>	DRC/PZ/CC	Compliant as Conditioned	<p>All on-site service areas for waste, recycling, or trash, and equipment areas for transformer and utility vaults shall be located in an area not visible from a public or private street or adjoining uses or shall be screened from view from a public or private street and adjoining uses with a privacy fence.</p> <p>HVAC equipment, trash dumpsters, recycling, trash compaction, and other service functions shall be incorporated into the overall design of buildings and landscape so that the</p>

			<p>visual and acoustic impacts of these functions are fully contained and out of view from adjacent uses and streets.</p> <p>The preliminary plat and landscape plan submitted show different mechanical equipment throughout the site, including what staff assumes is HVAC/AC units and power transformers, etc. Equipment placed within the common areas are shown on landscape plans, and are screened via landscaping. It is unclear where the individual unit's mechanical equipment will be placed.</p> <p>Screening of all equipment will be required and will continue to be reviewed throughout the permitting process. Compliance will be required prior to occupancy of each residential unit.</p> <p>In coordination with the City and Bill Pastoor of Republic Services, the development team has developed a trash disposal plan utilizing the adjacent lots and future phase of this development. Trash service is being proposed through a service vehicle easement which follows a proposed connecting drive through the second phase of this development. The drive is being proposed as a gravel section capable of sustaining weekly use by Republic Services. <b>See Agency Comment.</b></p>
<a href="#">8-4A-7 Stormwater Systems</a>	DRC/PZ/CC	Compliant as Conditioned	<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> <p>As a preliminary plat, the application was not required to submit construction drawings.</p>
<a href="#">8-4A-8 Utilities</a>	DRC/PZ/CC	No compliance issues noted	<p>A note on Sheet SP1.0 states that the existing overhead power lines are to be relocated underground through the site. This is compliant with code.</p> <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>
<a href="#">8-4A-9 Waterways</a>	DRC/PZ/CC	May not be compliant	<p>There appears to be an existing gravity irrigation manhole on the northeast corner of the property which will conflict with the proposed pedestrian pathway connecting N. Carr to the common open space of the subdivision. Clarification is needed regarding plans for this irrigation line. It is not clear if the existing irrigation line is already tiled, or if it is daylighted. If the irrigation line is not already tiled, then permission must be granted by the Design Review Consultants per code. They may only grant permission if:</p> <ol style="list-style-type: none"> <li>1. The maintenance of the irrigation ditch, lateral, canal, or drain with any associated easement encumbers more than fifty percent (50%) of the property; or</li> <li>2. The irrigation ditch, lateral, canal, or drain is located on the property in such a manner that a use of the property is infeasible; or</li> </ol>

			3. The irrigation ditch, lateral, canal, or drain is enclosed on both ends adjacent to the property, and the adjacent properties are fully developed in a manner that future opening of the enclosed irrigation ditch, lateral, canal, or drain is infeasible.
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**8-4B Design Provisions for Residential Structures**

<a href="#">8-4B-3 Single Family and Two-Family Attached and Detached Dwelling</a>	DRC/PZ/CC	May not be compliant – Subject to Design Review Consultation comments	<p>The front entry of each unit is connected to the sidewalk via a permanent pathway.</p> <p><b>Not all the front entries appear to have a covered porch, dormer, stoop, decorative posts or roof.</b></p> <p><b>All elevations facing the street(s) contain some level modulation and windows. The “front” elevation of the unit on lot 1 appears more as a side elevation. Discussion required.</b></p> <p>These provisions will continue to be reviewed in conjunction with the subsequent individual building permits.</p>
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**8-4C Design Provisions for Nonresidential Structures**

<a href="#">8-4C Design Provisions for Nonresidential Structures</a>	DRC/PZ/CC	Not Compliant	<p>Parking lots shall be designed in compliance with the requirements as set forth in 8-4C, Design Provisions for Nonresidential Structures.</p> <p>All portions of a site should be accessible by a direct, convenient, attractive, safe and comfortable system of pedestrian pathways.</p> <p><b>The proposed 22-foot-wide common driveway meets the parking design standards in Section 8-4D-3. However, it exceeds the maximum width allowed under Section 8-4C. To comply with Section 8-4C, the driveway must be narrowed to 20 feet at the point where it crosses the public sidewalk on E. 35th Street.</b></p> <p>Terminal views within the site should be provided via landscaping, landmarks or significant site features. Typically, this would not be required for a residential subdivision except when specifically required as part of a PUD conditions of approval. This proposal does not include a terminal view in accordance with code due to the temporary drive connection the adjacent vacant lot for trash services.</p>
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**8-4D Parking and Off Street Loading Provisions**

<a href="#">8-4D-3 Parking Design and Improvement Standards</a>	DRC/PZ/CC	No compliance issues noted	<table border="1"> <thead> <tr> <th colspan="5">Table 8-4D-1: MINIMAL DIMENSIONAL STANDARDS FOR MOTOR VEHICLE STALLS</th> </tr> <tr> <th>Parking Angle</th> <th>Stall Width</th> <th>Stall Depth</th> <th>Length Per Car</th> <th>Driveway Width* Must also meet fire requirements</th> </tr> </thead> <tbody> <tr> <td colspan="5" style="text-align: center;">Standard</td> </tr> <tr> <td style="text-align: center;">90°</td> <td style="text-align: center;">9'0"</td> <td style="text-align: center;">20'0"</td> <td style="text-align: center;">9'0"</td> <td style="text-align: center;">22'0"</td> </tr> </tbody> </table>	Table 8-4D-1: MINIMAL DIMENSIONAL STANDARDS FOR MOTOR VEHICLE STALLS					Parking Angle	Stall Width	Stall Depth	Length Per Car	Driveway Width* Must also meet fire requirements	Standard					90°	9'0"	20'0"	9'0"	22'0"
Table 8-4D-1: MINIMAL DIMENSIONAL STANDARDS FOR MOTOR VEHICLE STALLS																							
Parking Angle	Stall Width	Stall Depth	Length Per Car	Driveway Width* Must also meet fire requirements																			
Standard																							
90°	9'0"	20'0"	9'0"	22'0"																			

			<p>Vehicle Parking Provided: 15</p> <p>Garage stall dimensions: Stall Width: 10' Stall Length: 20'</p> <p>Parking lot stall dimensions: Stall Width: 9' Stall Length: 20' Driveway Width: 22'</p> <p>Parking lots shall be designed in compliance with the requirements as set forth in 8-4C, Design Provisions for Nonresidential Structures; and 8-4I, Landscaping And Tree Protection Provisions.</p>									
<a href="#">8-4D-4 Parking Use Standards</a>	DRC/PZ/CC	No compliance issues noted										
<a href="#">8-4D-5 Required Number of Off-Street Parking Spaces</a>	DRC/PZ/CC	No compliance issues noted	<table border="1"> <thead> <tr> <th colspan="3">Dwelling Parking</th> </tr> <tr> <th>Dwelling Type</th> <th>Required Parking Spaces Per Each Dwelling Unit (Including Covered And Uncovered)</th> <th>Required Covered Parking Per Each Dwelling Unit</th> </tr> </thead> <tbody> <tr> <td>More than 1 bedroom</td> <td>2</td> <td>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>Required Residential Parking: 12 Provided: 12</p> <p>Required Covered Parking: 6 Provided: 12</p> <p>Guest Parking Required: 3 Provided: 3</p> <p>No bicycle parking spaces are required for single family attached dwelling units.</p>	Dwelling Parking			Dwelling Type	Required Parking Spaces Per Each Dwelling Unit (Including Covered And Uncovered)	Required Covered Parking Per Each Dwelling Unit	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										
More than 1 bedroom	2	1										
<a href="#">8-4D-6 Standards For Equivalent Parking Adjustments</a>	DRC/PZ/CC	No compliance issues noted	None requested									
<a href="#">8-4E Transportation and Connectivity Provisions</a>												

<a href="#">8-4E-3 Public Street Connections</a>	DRC/PZ/CC	No compliance issues noted	Proposal for a public street connection at E. 35 <sup>th</sup> 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.
<a href="#">8-4E-4 Internal Circulation Standards</a>	DRC/PZ/CC	No compliance issues noted	
<a href="#">8-4E-5 Private Street Standards</a>	DRC/PZ/CC	No compliance issues noted	No public or private street was proposed. The subdivision has a common drive. A binding contract that establishes the party or parties responsible for the repair and maintenance of the common drive, including regulations for the funding, shall be recorded with a final plat (CC&Rs). No building permit shall be issued until the contract has been recorded.
<a href="#">8-4E-6 Sidewalk Standards</a>	DRC/PZ/CC	Not Determined	<a href="#">The 34<sup>th</sup> Streetscape Plan</a> previously adopted by Resolution No. 1063-19 on April 12 <sup>th</sup> , 2019, requires that attached sidewalks be installed along Carr Street, while detached sidewalks be installed along E. 35 <sup>th</sup> Street.  While the streetscapes are showing compliance in that an attached sidewalk with street trees in tree wells/furnishing zone is provided along N. Carr St. and a detached sidewalk with street trees is along E. 35 <sup>th</sup> , the dimensions of the sidewalk and buffer zones are not depicted in the drawings.  Clarification required.
<a href="#">8-4E-7 Pedestrian and Bicycle Accessibility Standards</a>	DRC/PZ/CC	No compliance issues noted	
<b>8-4H Flood Hazard</b>			
<a href="#">8-4H Flood Hazard</a>	Planning Official	Compliant as Conditioned	The applicant should review the original FEMA work maps (not the current adopted maps) as the city has been placed in seclusion. 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 are 19 SUBFY2024-0005 STAFF REPORT available on the city's website. They are attached to a city council resolution 1083-20 dated 22 June 2020.
<b>8-4G Sustainable Development Provisions</b>			
<a href="#">8-4G Sustainable Development Provisions</a>	PO	May not be compliant	A sustainability checklist was not provided.
<b>8-4I Landscaping and Tree Protection Provisions</b>			
<a href="#">8-4I-3 General Landscaping Standards and</a>	DRC/PZ/CC	Compliant as Conditioned	Trees required: 22 Tree Species required: 3 Tree species provided: 3

<a href="#">Irrigation Provisions</a>			<p>Required landscape areas shall be at least seventy percent (70%) covered with vegetation at maturity, with mulch used under and around the plants. Use of mulch, organic or rock, as the only ground cover in required planting areas is prohibited.</p> <p>Trees shall be planted at least three feet (3') from curbs, sidewalks, driveways and other hard surfaces to buffer from stress caused by vehicle overhang and compacted soils, or planted with sufficient space to provide for the full maturity of the particular tree species.</p>
<a href="#">8-41-4 Landscaping Provisions for Specific Uses</a>	DRC/PZ/CC	No compliance issues noted	<p>A minimum of five percent (5%) of the gross site area shall be landscaped areas, excluding areas for setback or perimeter landscaping.</p> <p>Landscape area required: 740sqft Landscape area proposed: 2,295 = 15% of the site.</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: 2 <b>Provided</b> Shrubs required: 15 <b>Provided</b></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>35<sup>th</sup> Street (~100ft): 1 Frontage + 2 Setback = 3 <b>Provided</b> Carr Street (~145ft): 1 Frontage + 3 Setback = 4 <b>Provided</b> *The third frontage tree along 35<sup>th</sup> Street cannot be placed within 10' of ACHD stormwater drainage systems or within the clear vision triangle. Therefore it has been relocated back of sidewalk.</p>
<a href="#">8-41-5 Perimeter Landscaping Provisions</a>	DRC/PZ/CC	Not Compliant	<p>Perimeter landscaping is required along the common property line between an adjacent nonresidential use and a residential use. Perimeter landscaping is required:</p> <ul style="list-style-type: none"> <li>- Along the eastern property boundary line between the residence's and Push &amp; Pour/Rosa (~50').</li> <li>- Along the southern property boundary line (~145').</li> </ul> <p>Southern Property Boundary Landscaping: A 5-foot-wide landscape strip is proposed along the southern property boundary line, which meets the code requirements. However, the trees appear to be spaced about 30 feet apart instead of the standard 15 feet. Based on the length of the boundary, roughly 10 trees, or a number appropriate for the selected species, should be provided to meet code.</p> <p>Eastern Property Boundary Landscaping: There is no perimeter landscaping proposed along the eastern property line, which doesn't meet code requirements. The applicant has not submitted a formal waiver for this. It's worth noting that adding landscaping here would likely interfere with the planned pedestrian pathways and shared open space.</p>

			<p>Based on the length of the boundary, roughly 3 trees, or a number appropriate for the selected species, should be provided to meet code.</p> <p>As a note, the applicant did not formally submit a code adjustment regarding the perimeter landscaping.</p>
<a href="#">8-4I-6 Parking Lot Landscaping Provisions</a>	DRC/PZ/CC	Not Applicable	The provisions of this section shall apply to all new or substantially altered parking lots of five (5) spaces or more.
<a href="#">8-4I-7 Tree Preservation Provisions</a>	DRC/PZ/CC	May not be compliant	<p>Arborist report not submitted for review. Trees are proposed to be removed. Arborist report required</p> <p>If trees are removed prior to health status being determined. All trees will be considered healthy and thus 1:1 caliper mitigation will be required.</p>
<b><a href="#">8-4L Open Space Provisions Required 8-5A-4</a></b>			
<a href="#">8-4L-3 General Open Space Standards</a>	DRC/PZ/CC	No compliance issues noted	
<a href="#">8-4L-4 Open Space Standards for Single-family, Townhouse, and Two-Family Duplex Developments</a>	DRC/PZ/CC	No compliance issues noted	<p>The site plan includes 2,398 square feet of common open space, which makes up about 16% of the total site area, exceeding the minimum requirement of 10%. Features within this space include a pet park, fire pit, and trellis, providing a mix of recreational and social amenities for residents.</p> <p>The common open space dimensions appear to meet the minimum dimensional standards.</p>
<b><a href="#">Title 8, Chapter 5 Article A: Land Division Regulations – General Provisions and Standards</a></b>			
8-5A-4 General Standards	DRC/PZ/CC	Compliant as Conditioned	<p>See discussions on Design Review 8-4 B&amp;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</p> <p>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.</p>
8-5A-6 Improvement Standards	DRC/PZ/CC	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>Adequate fire protection shall be required in accordance with the fire authority of Garden City.</p>
<b><a href="#">8-5C-4 Subdivisions located within a Floodplain</a></b>			
8-5C-4 Subdivisions	DRC/PZ/CC	No compliance issues noted, provided the	There are proposed conditions coinciding with provisions found within code section.

located within a Floodplain		draft conditions of approval, or similar are in place.	
Title 8, Chapter 6, Article A: Administration			
<a href="#">8-6A-3 General Application Process</a>	DRC/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>	DRC/PZ/CC	Compliant as Conditioned	Application waivers requested pursuant to 8-6A-4A: <ul style="list-style-type: none"> <li>- Lighting Plan</li> <li>- Ability to Serve</li> <li>- CC&amp;Rs</li> <li>- Ada County Approved Addresses</li> <li>- Affidavit of Site Posting and Photos</li> <li>- Master Sign Plan</li> </ul>
<a href="#">8-6A-7 Public Hearing Process</a>	DRC/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 Press, 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>	DRC/PZ/CC	Not Determined	Application waivers requested pursuant to 8-6B-7: <ol style="list-style-type: none"> <li>1. More than four lots served by a shared driveway</li> <li>2. Reduced setbacks to accommodate attached units</li> <li>3.</li> </ol> Additional waivers may be identified during the review process as needed to support the proposed design.

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-</a></p>

	8003, Idaho Code, consistent with the requirements established thereby.
<a href="#">Idaho Code 67-6515</a> Local Land Use Planning Planned Unit Developments	This statute enables Garden City to process applications for planned unit developments.
<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>LIVE-WORK-CREATE:</b> The live-work-create district is in the Old Town Site generally between 32nd to 37th Streets with a possible expansion, based on further study. This designation reflects an opportunity to create an Arts District within the city where artists, crafts persons, or others can live, work, exhibit and operate a business. A mix of uses, including residential, retail, office and small scale industrial are appropriate for this area. Regulation should be primarily through form not uses, including maintaining the existing subdivision pattern of small lots, and limiting the maximum building footprint or square footage of a building in relation to lot size. Large scale development that consolidates lots and allows for larger scale industrial or commercial uses should be restricted.</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 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.  <u>Identified centers are:</u> <ul style="list-style-type: none"> <li>• Adams and 50th Streets intersection to the Boise River</li> <li>• Adams and 42nd street intersection to the Boise River.</li> <li>• East city boundary to 36th street between the Boise River and Chinden Boulevard</li> <li>• Glenwood and Marigold Streets intersection</li> <li>• Chinden Boulevard and Garrett Street intersection</li> <li>• Chinden Boulevard and 50th Street intersection</li> <li>• State Street and Pierce Park Transit Oriented Development Nodes</li> <li>• Chinden Boulevard and Glenwood Street intersection</li> <li>• Chinden Boulevard and Veterans Parkway intersection</li> <li>• State Street and Horseshoe Bend Road</li> <li>• State Street and Glenwood Street</li> </ul> </li> </ol>

	<p>The application may be supported by:</p> <p><b>Goal 2. Improve the City Image</b></p> <ul style="list-style-type: none"> <li>• 2.1 Objective: Encourage new and distinctive neighborhoods.</li> <li>• 2.3 Objective: Promote quality design and architecturally interesting buildings.</li> <li>• 2.4 Objective: Create a vision for the design of all streets and highways consistent with city’s urban setting.</li> </ul> <p><b>Goal 4. Emphasize the “Garden” in Garden City</b></p> <ul style="list-style-type: none"> <li>• 4.1 Objective: Beautify and landscape.</li> <li>• 4.3 Objective: Beautify streets, sidewalks and gateways with landscaping, trees, and public art.</li> </ul> <p><b>Goal 7. Connect the City</b></p> <ul style="list-style-type: none"> <li>• 7.1 Objective: Create pedestrian and bicycle friendly connections.</li> <li>• 7.4 Objective: Maintain and improve standards for sidewalks, curbs and gutters.</li> </ul> <p><b>Goal 12. Evolve as a Destination</b></p> <ul style="list-style-type: none"> <li>• 12.3 Objective: Create a premier destination for work, recreation, entertainment, culture and commerce.</li> </ul> <p>The application may not be supported by:</p> <p><b>Goal 6. Diversity in Housing</b></p> <ul style="list-style-type: none"> <li>• 6.2 Objective: Continue to be a leader and set an example for the region in creating a diversity of housing.</li> </ul> <p><b>Goal 12. Evolve as a Destination</b></p> <ul style="list-style-type: none"> <li>• 12.3.3 Support the evolving east end of the city as a gateway destination for resort accommodations; recreation-oriented businesses; arts, entertainment and cultural venues; and craft beverage hub. Encourage non-residential uses that are compatible with the surrounding residential neighborhood.</li> </ul>
<a href="#">Garden City Sidewalk Policy</a>	Sidewalks are proposed
<a href="#">Garden City Street Light Policy</a>	A streetlight is installed along N. Carr Street and E. 34 <sup>th</sup> Street in accordance with the policy.
<a href="#">Old Town Circulation Network Plan</a>	No connection is required. The network plan identifies Carr and 34th Street as local and micro streets.
<a href="#">Garden City Transportation Needs List</a>	<p><b>35th Street - Greenbelt to Bench:</b></p> <p>The Transportation Needs List identifies 35<sup>th</sup> Street as a right-of-way that can provide a road section that matches the improvements which were installed on 36th Street, such as landscape bulb outs with street trees and on street parking with pavers to handle stormwater drainage. There has been considerable interest in property on 35<sup>th</sup> street due to the white water park access. As seen on 36th Street, street improvements act as a public private partnership making infill viable.</p>