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From: **Joe Canning, PE/PLS**
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Date: 2 February 2024

Subject: **No Park Units LLC
5260 North Sawyer Avenue
Tax Parcel R1055420091
MLDFY2023-0002
Submittal Review #2**

Pages: 4

Status: **Comments 2, 6, 8 and 8A Pending**

The following is to be directed to the application's land surveyor.

On behalf of Garden City, as the city engineer, we have completed our second review of the submittal of the subject survey. The pertinent submittal information we received was:

1. Comment response letter from Catherine M. Sewell dated 20 December 2023
2. Plan sheets A1.0 and A1.1 stamped by Catherine Sewell, AR, but not signed or dated and noted as "Not for Construction" with a drawing date of 17 July 2023
3. Record of Survey – Minor Land Division stamped by James R. Prince and dated 21 December 2023
4. Construction plans sheets C0.0, C1.0, C2.0, C3.0, C4.0, C5.0 and C6.0 stamped by Antonio M. Conti, PE and dated 20 December 2023

Our office does not necessarily perform a detailed review of the survey as it is the responsibility of the project's land surveyor to be sure the survey conforms to state of Idaho requirements for a land survey. We do review the survey to see if it contains the information necessary for the city, however other city staff may also have review comments.

Since we consider a Record of Survey for a Minor Land Division is a multiple division of land, comments recommending information beyond a typical Record of Survey may occur.

This application intends to create two parcels of land.

Engineering construction plans were provided with the Minor Land Division application. This review is specifically for the Minor Land Division. Construction plans will be reviewed under a building permit application.

Bold text within the comments below is specific to this review.

General Comments

1. The only submitted plan sheet that contains a seal, signature and date is the topo survey. Our office will not review submittals that area not signed by the professional of record. Please submit fully signed sheets. In the interim, we will make some general comments. Please be advised that new/additional comments may occur after properly signed documents are provided. **The response references city application forms, however the Board of Professional Engineers and Professional Land Surveyors requires any reports, drawings, specifications be sealed, signed and dated when presented for review. This was recently confirmed by the licensing board. The ROS has been now signed.**
2. Alworth Street is a collector. Please provide an approval from the ACHD for a new approach to the street for Parcel B. **The response letter indicates an application for a driveway must be applied for. Please advise when the driveway is approved. As this approval is critical for the MLD, please provide the approval.**
3. Please modify the Certificate of Owner block to read as follows:
The undersigned, as owner(s) of the real property shown hereon, agree(s) to the new property lines within the original parcel shown hereon, and to create the new parcels shown hereon. Additionally, the owner(s) hereby declare and affirm that the boundary of the original parcel has been altered in accordance with Garden City Code to form new buildable parcels as shown hereon. The owner(s) further declare and affirm that the original parcel is no longer eligible for building permits from the city of Garden City. And the owner(s) agree(s) that they shall only seek building permits from the city of Garden City for projects located within the new buildable parcels using only the legal descriptions for the new buildable parcels.

Resolved

4. Please revise the wording of the city engineer's signature block to match the city requirements. See the city Lot Line Adjustment application. **Resolved**
5. Please dimension the location of the existing building to the existing and proposed new property line. **Resolved**

6. There is an Idaho Power easement shown along the west property line. Please fully define its location on the survey. **The width is identified, but the terminus end has not been. How far does it extend into Parcel A?**
7. Are all easements shown with their metes and bounds tags? We note the following easements in the title report:
 - #886339 – shown along north boundary – identify with Instrument Number
 - #9364503 – shown along west boundary - identify with Instrument Number
 - #103022040 – not shown?

Resolved other than comment 6.

8. Garden City doubts that Boise City will allow the connection of the parcel adjoining Alworth to be connected to the Boise sanitary sewer line. Said line is an interceptor. Any direct connection would be a connection intrusion to the interceptor and would be unmonitored. Garden City would prefer/require to have all new connections to the Garden City collection system. This may require an upgrade to the existing sewer connection that runs across Sawyer. The sewer connection will need to be discussed with Garden City Public Works staff. **As noted, we will not perform a full review of construction plans with a MLD application; however, we do have a comment on the proposed sewer connection. As the service line is almost 400 feet long, the fall needed is approximately 8 feet. Is adequate grade available? We do not see any elevations on sheet C4.0. Another project in the area had to install main lines to be sure marginal but adequate grade was available. We want to be sure what method of sewer service is necessary. The city would probably not be open to accepting a mainline for service to a single new building. A private pump system may be the best option if grade does not work. This does not notably impact the MLD review, but please be advised that appropriate corridors/easements to benefit Parcel B via the servient Parcel A must be created. Please advise.**
- 8A. **New Comment: Please advise how the cross-access easement referred to in Note 6 on the ROS will be created. The Idaho Supreme Court has ruled that an easement may not be created from a landowner to the same landowner. The case involved a driveway on an owner's land. It would seem the easement would need to be recorded upon the sale of a parcel. This would also apply to the sanitary sewer and water service?**

Floodplain Comment

9. The property is not located in the current 100-year floodplain. The city has been held in seclusion. The current adopted flood maps do not depict the possible flood risk. FEMA has issued work sheets depicting results of a revised flood study for the Boise River. Significant changes are shown for much of Garden City. We suggest the applicant review the proposed changes and consider the impacts on the project. These are available on the Garden City website – floodplain link. No action on this item is required for the Minor Land Division process; however, it will come up when development is proposed. **This comment has been acknowledged.**

For Final City Approval

10. The survey must be recorded. Please provide a copy of the recorded survey to city staff.
11. The owner must execute deeds that define the parcels per the survey and return a recorded copy of the deeds to city staff.
12. Obtain tax parcel numbers for the new parcels and submit evidence of such to city staff.

Please provide a written response to address the remaining comments. Final approval of the survey will not occur until all the above comments have been addressed and the noted steps completed.