

BEFORE THE GARDEN CITY COUNCIL  
GARDEN CITY, ADA COUNTY, IDAHO

THIS IS NOT A PREDETERMINED DECISION. ALL EVIDENCE WILL BE CONSIDERED. A DIFFERENT DECISION MAY RESULT IN AN UPDATE OF THE FINDINGS OF FACT, CONCLUSIONS OF LAW, OR CONDITIONS

In the Matter of:	)	SUBFY2024-0006
	)	
	)	
Combined Preliminary & Final Plat Subdivision	)	FINDINGS OF FACT
219 E. 44 <sup>th</sup> Street	)	CONCLUSIONS OF LAW,
Garden City, Ada County, Idaho	)	AND DECISION
_____	)	

THIS MATTER, came before the Garden City Council for consideration on February 23, 2026. The Garden City Council reviewed the application and materials submitted and considered public testimony. Based on the evidence presented, the Garden City Council makes the following Findings of Fact, Conclusions of Law and Decision:

**FINDINGS OF FACT**

1. The name of the proposed subdivision has been reserved as Edgemere Townhomes.
2. The application is for a Combined Preliminary and Final Plat processed as a Planned Unit Development subdivision.
3. The applicant is Jadon Schnider.
4. The property owner of record is BT DEVELOPMENT LLC.
5. The location of the project is 219 E. 44<sup>th</sup> Street; Taxing Parcel Number: R2734500928; Property is described as LOT 23 EXC NW 100' OF SW 75' BLK 03 FAIRVIEW ACRES SUB NO 01 VIN # S1305C17ZS3281 TITLE # B184065.
6. The subject property is 0.520 acres.
7. The project is located in the Mixed Use Commercial and Neighborhood Destination Activity Node designations of the Comprehensive Plan Future Land Use Map.
8. The project is in the R-3 Zoning District.
9. The project is within the 500 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).

10. The project is within the 100 Year of the Special Flood Hazard Area according to FEMA’s most recent model as adopted by resolution 1083-20.
11. There has been no denial of any application in the same form for the same use on this property within one year.
12. The following section of the Garden City Development Code apply to this proposal:
  - a. Garden City Code 8-1: General Regulations
  - b. Garden City Code 8-5: Land Division Regulations
  - c. Garden City Code 8-2B: Base Zoning District Regulations
  - d. Garden City Code 8-4A: Design and Development Regulations – General Provisions
  - e. Garden City Code 8-4B: Design and Development Regulations – Design Provisions for Residential Structures
  - f. Garden City Code 8-4D: Parking and Off-Street Loading Provisions
  - g. Garden City Code 8-4E: Transportation and Connectivity Provisions
  - h. Garden City Code 8-4H: Flood Hazard
  - i. Garden City Code 8-4G: Sustainable Development Provisions
  - j. Garden City Code 8-4I: Landscaping and Tree Protection Provisions
  - k. Garden City Code 8-4L: Open Space Provisions
  - l. Garden City Code 8-6A: Administration – General Provisions
  - m. Garden City Code 8-6B-7 Planned Unit Development
  - n. Garden City Code 4-14: Storm Drainage and Erosion Control
  - o. Garden City Code Title 6: Public Water and Sewer Systems
13. The applicant provided the following application information:

Materials Provided Per GCC Table 8-6A-2 Required Application Information			
Provided			
Yes	No	Waived	
X			Compliance Statement
X			Preliminary Title Report
	X		Neighborhood Map
X			Subdivision Map
	X		Master Plan
X			Site Plan
X			Landscape Plan
X			Schematic Drawings
X			Lighting Plan
X			Topographic Survey
X			Grading Plan
X			Soils Report
X			Hydrology

X			Engineering drawing and Specifications
X			Natural Hazards and Resource Analysis
	X		Dedications and Easements
X			Covenants and Deed Restrictions
X			Will Serve
X			Subdivision Name Reservation
	X		Verification that address is an Ada County Approved Address*
<b>Other Materials Provided</b>			
			Open Space Exhibit Neighborhood Meeting Verification Private Drive Plan Site Photos

\*Items that may be required for reviews later.

14. The following noticing was completed in accordance with GCC 8-6A-7:

Noticing Requirement	Required Date <sup>1</sup>	Completion Date
Receipt of application		09/04/2024
Letter of Acceptance		10/08/2024
Radius Notice	12/03/2024	10/19/2024
Interested Parties	n/a	n/a
Legal Notice	11/29/2024	10/09/2024
Agency Notice	12/03/2024	10/09/2024
Property Posting Sign	12/08/2024 07/06/2025 <sup>2</sup>	08/29/2025
Affidavit of Property Posting and Photos	12/11/2024 07/09/2025 <sup>3</sup>	09/09/2025

15. Agency Comments were received from:

- a. Ada County Highway District, November 13, 2024
- b. North Ada County Fire and Rescue District, October 21, 2024
- c. Central District Health, October 24, 2024
- d. City Engineer, October 30, 2024
- e. Department of Environmental Quality, October 23, 2024
- f. Republic Services, October 10, 2024

16. No public comments were received.

17. The scheduled Planning and Zoning hearing on December 18, 2024, was cancelled. All hearing action items were continued to the date certain of January 15, 2025.

<sup>1</sup> This date is based on the date of the first of any public hearing scheduled.

<sup>2</sup> This date is based on the date of the first public hearing being held.

<sup>3</sup> This date is based on the date of the first public hearing being held.

18. At the January 15, 2025, Planning and Zoning hearing, the application was continued to the date certain of February 19, 2025.
19. At the February 19, 2025, Planning and Zoning hearing, the application was continued to the date certain of March 19, 2025.
20. The scheduled Planning and Zoning hearing on March 19, 2025, was cancelled. All hearing action items were continued to the date certain of April 16, 2025.
21. At the April 16, 2025, Planning and Zoning hearing, the application was continued to the date certain of June 18, 2025, due to lack of submittals.
22. At the June 18, 2025, Planning and Zoning hearing, the application was continued to the date certain of July 16, 2025, due to lack of submittals.
23. At the July 16, 2025, Planning and Zoning hearing, the application was continued to the date certain of August 20, 2025, due to lack of submittals.
24. At the August 20, 2025, Planning and Zoning hearing, the application was continued to the date certain of September 17, 2025, due to lack of submittals.
25. The application was heard at the September 17, 2025, Planning and Zoning Commission hearing. A summary of the hearing is as follows:
  - a. Jadon Schneider presented the application.
  - b. Staff Hanna Veal presented the staff report.
  - c. There was no public testimony.
  - d. Jadon Schneider provided rebuttal:
    - i. Outlined subdivision layout and design. Emphasizing design limitations of the property, proposed mitigations, and willingness to comply with conditions as feasible.
  - e. Public testimony was closed.
  - f. Discussion included:
    - i. Concerns were raised about long-term circulation of the site and neighboring parcels and whether granting requested code adjustments were warranted based on the design.
    - ii. Parking spaces, common open space, and landscaping are inadequate and are not justified to be waived through the PUD mechanism.
    - iii. Commission agreed that redesigning is necessary, suggesting but not requiring removal of a dwelling unit to accommodate required code amenities.
  - g. Commissioner Wilde moved to continue to a date certain of November 19<sup>th</sup>, 2025, for the applicant to have time to bring back revisions.
  - h. Commissioner Brown seconded the motion.
  - i. The motion carried 5/5.

26. The application was heard at the November 19, 2025, Planning and Zoning Commission hearing. A summary of the hearing is as follows:
- a. Jadon Schneider presented the application.
    - i. Provided clarification that the site is about 900 square feet short of common open space, the garages are two-feet short of the required stall dimensions, and the trash carts will be pick-up internal to the development, along the common drive.
    - ii. The development will have a homeowners association.
  - b. Staff, Hanna Veal, presented the staff report.
  - c. There was no public testimony.
  - d. Jadon Schneider provided rebuttal.
  - e. Discussion included:
    - i. The Commission acknowledged that the applicant provided revisions; however, core issues identified in staff's analysis remain unresolved.
    - ii. Commissioners express general support for certain code adjustments such as tiling of the irrigation ditch, deviation from sidewalk standards, and the common drive servicing more than four dwellings. Despite these allowances, the Commission found the project continued to exceed the functional and physical capacity of the site, leading to multiple areas of noncompliance.
    - iii. Parking and circulation were identified as major issues, specifically the tandem garages that are unlikely to be able to accommodate common vehicle sizes without obstructing the drive aisle, limited guest parking, trash bin services, and anticipated operational conflicts between everyday users, guests, and emergency and service vehicles.
    - iv. The Commissioners noted that the number of code adjustments requested appeared to use the PUD mechanism to circumvent code rather than achieve innovative or high-quality design.
    - v. Discussion included where a continuance could be productive; however, concerns were noted that the application has been under review for over a year, and meaningful resolution would likely require removing or reconfiguring unit and redesigning the project. The applicant had stated that a density reduction would not be economically feasible.
    - vi. Overall consensus reflected that the proposal remains too dense for the parcel and does not meet the intent or purpose of the PUD or basic development standards.
  - f. Commissioner Brown moved to recommend denial of the SUBFY2024-0006 Edgemere Subdivision.
  - g. For the record, the Commission stated that approval would require a modification to the proposal, including:
    - i. A significant reduction in the number of lots;
    - ii. Reconfiguration of the site to allow adequate perimeter and interior landscaping;

- iii. Sufficient area to accommodate compliant parking and circulation;
  - iv. Provision of functional and usable common open space.
  - h. Commissioners reaffirmed that the applicant had previously been given additional time to submit revisions addressing identified deficiencies and to bring the plan into alignment with Garden City Code.
  - i. The Commission determined that the revised submittal did not resolve the deficiencies identified in earlier reviews.
  - j. Commissioner Smith seconded the motion.
  - k. The motion passed on a 3/1 vote with Commissioner Wilde dissenting.
27. At the January 12, 2026, City Council hearing, the application was continued to the date certain of February 23, 2026, per the applicant's request.
28. On February 23, 2026, a public hearing before the Garden City Council was held:
- a. This section will be completed after the hearing.
29. The record contains:
- a. Application
  - b. Noticing Documents
  - c. Agency Comments
  - d. Public Comments
  - e. Design Review Consultation Minutes and Audio: November 18, 2024
  - f. Design Review Consultation Minutes and Audio: May 19, 2025
  - g. Planning and Zoning Minutes and Hearing Audio: December 18, 2024
  - h. Planning and Zoning Minutes and Hearing Audio: January 15, 2025
  - i. Planning and Zoning Minutes and Hearing Audio: February 19, 2025
  - j. Planning and Zoning Minutes and Hearing Audio: March 19, 2025
  - k. Planning and Zoning Minutes and Hearing Audio: April 16, 2025
  - l. Planning and Zoning Minutes and Hearing Audio: June 18, 2025
  - m. Planning and Zoning Minutes and Hearing Audio: July 16, 2025
  - n. Planning and Zoning Minutes and Hearing Audio: August 20, 2025
  - o. Planning and Zoning Minutes and Hearing Audio: September 17, 2025
  - p. Planning and Zoning Minutes and Hearing Audio: November 19, 2025
  - q. Planning and Zoning Commission Recommendation
  - r. City Council Minutes and Hearing Audio: January 12, 2026
  - s. City Council Minutes and Hearing Audio: February 23, 2026
  - t. City Council Decision
30. The record was reviewed in its entirety by the Garden City Council to render the decision.

### **CONCLUSIONS OF LAW**

The Garden City Council reviewed the application with regard to Garden City Code, Title 8, and based on the conditions required herein, concludes the application

does not satisfy the required findings under GCC 8-5B-5, 8-6B-2, and 8-6B-7. The reasoned statements for this conclusion are below.

<p><b>The draft findings are written based on the recommendations from the Planning and Zoning Commission. The City Council will review all evidence, and the draft findings may be updated based on their review and consideration.</b></p>			
<p><b>GCC 8-5B-5: SUBDIVISION PROCESS: REQUIRED FINDINGS</b></p>			
<p>Conclusion</p>			
<p>Compliant</p>	<p>Not Applicable to this Application</p>	<p>Not Compliant</p>	<p>Standard</p>
		<p>X</p>	<p><b>Finding 1.</b> The subdivision is in conformance with the Comprehensive Plan.</p> <p><b>Reasoned Statement</b></p> <p>The proposed Edgemere Subdivision does not fully conform to the Garden City Comprehensive Plan. While the property is located within a designated Neighborhood Destination Activity Node and Mixed-Use Commercial area, the project lacks the mix of uses and pedestrian-oriented design envisioned for these designations.</p> <p>Although the proposed density of 15 dwelling units per acre meets the minimum threshold for Activity Nodes, the project falls short of supporting several key Comprehensive Plan goals and objectives, including:</p> <ul style="list-style-type: none"> <li>• Goal 2.3: Promoting quality design and architecturally interesting buildings;</li> <li>• Goal 4.3: Beautifying streets, sidewalks, and gateways with landscaping, trees, and public art;</li> <li>• Goal 5.3: Restoring and naturalizing water systems, including canals and ditches;</li> </ul>

			<ul style="list-style-type: none"> <li>• Goal 6.3: Maintaining the diversity of housing;</li> <li>• Goal 7.4: Maintaining and improving standards for sidewalks, curbs, and gutters.</li> </ul> <p>Specific deficiencies include the proposed tiling of the Fairview Acres Irrigation Ditch, the absence of a detached sidewalk along E. 44th Street, and inadequate perimeter landscaping. These elements conflict with the Plan’s emphasis on connectivity, natural systems, and enhanced streetscapes.</p> <p>Furthermore, the project’s reliance on the Planned Unit Development mechanism to resolve multiple areas of code noncompliance suggests that the subdivision does not advance the innovative design solutions envisioned by the Comprehensive Plan, but rather seeks relief from established standards.</p> <p>Taken together, these factors prevent from finding that the project is consistent with the Comprehensive Plan’s broader goals for neighborhood quality, design excellence, and livable residential environments.</p>
		X	<p><b>Finding 2.</b> The subdivision is in conformance with all applicable provisions of this title.</p> <p><b>Reasoned Statement</b></p> <p>As discussed in the policy review section H, pages 17-29 of the staff report, February 23, 2026, the application is not compliant with Garden City Code Sections:</p> <ul style="list-style-type: none"> <li>• GCC 8-4D: Parking Design and Dimensions. Proposed tandem garages are undersized, and guest parking located in driveways does</li> </ul>

			<p>not meet minimum stall dimensions. 16 of the 28 parking spaces provided do not meet the 10' x 20' standard required for 90° parking.</p> <ul style="list-style-type: none"> <li>• GCC 8-4I: Landscaping and Tree Protection. Landscaping requirements are not met due to insufficient perimeter buffers and the absence of an arborist report for tree removal.</li> <li>• GCC 8-4L: Open Space Standards. While the total open space provided exceeds the 10% minimum, the areas do not meet dimensional thresholds for qualifying open space. Several spaces function primarily as pedestrian circulation corridors and lack the design elements required by code.</li> <li>• Mechanical equipment placement and screening (GCC 8-4A-5): HVAC and mechanical units are placed directly adjacent to primary pedestrian pathways and unit entries without adequate screening or integration into the architectural or landscape design.</li> </ul> <p>The Council found that either insufficient information was submitted to verify compliance, or that the requested code adjustments were not adequately justified.</p>
X			<p><b>Finding 3.</b> Public services are available or can be made available; and are adequate to accommodate the proposed development.</p> <p><b>Reasoned Statement</b></p> <p>There are public services available that can accommodate the proposed development.</p>

			The City has notified the appropriate agencies and has not received any comments indicating an inability to serve the proposed development.
X			<p><b>Finding 4.</b> The subdivision is in conformance with scheduled public improvements in accord with the city's capital improvement program.</p> <p><b>Reasoned Statement</b></p> <p>The proposed development does not conflict with any scheduled public improvements identified in the city's capital improvements program.</p>
X			<p><b>Finding 5.</b> There is public financial capability of supporting services for the proposed development.</p> <p><b>Reasoned Statement</b></p> <p>The city has the financial capacity to support the services required by the proposed development. Public services, including water, sewer, stormwater, and emergency access, are available or can be made available.</p>
		X	<p><b>Finding 6.</b> The development will not be detrimental to the public health, safety, or general welfare.</p> <p><b>Reasoned Statement</b></p> <p>Matters of concern discussed within the staff report and during deliberation demonstrate that the proposed subdivision would be detrimental to the public health, safety, and welfare of the community</p> <p><b>Parking and Circulation:</b> The proposed parking layout does not provide adequate maneuvering space for typical vehicle sizes. Tandem garages, limited guest parking, and constrained drive aisles create a high likelihood of vehicles extending into the shared drive,</p>

			<p>obstructing circulation and restricting access for emergency and service vehicles.</p> <p><b>Common Drive and Emergency Access:</b> The subdivision relies on a single common drive to serve all units, which also functions as required fire access. The width, configuration, and proximity to adjacent development do not provide sufficient space to accommodate residential traffic, visitors, deliveries, and emergency vehicles without creating safety and operational conflicts.</p> <p><b>Usable Open Space:</b> The common open space areas are not configured to function as meaningful or usable recreation space. The limited size and placement of these areas do not meet the intent of Garden City Code to provide accessible, functional open space that supports resident welfare.</p> <p><b>Overall Site Capacity:</b> The intensity of the development exceeds the functional capacity of the site. The combination of limited circulation space, insufficient parking, substandard open space, and inadequate landscaping results in compounded impacts that negatively affect access, safety, and livability.</p>
		X	<p><b>Finding 7.</b> The development preserves significant natural, scenic, or historic resources.</p> <p><b>Reasoned Statement</b></p> <p>The subdivision proposes to tile the Fairview Acres Irrigation Ditch, which constitutes a significant natural and historic feature on the site. This action conflicts with Garden City Code 8-4A-9 (Waterways), which requires that existing</p>

			<p>irrigation and drainage systems be preserved, protected, and incorporated into site design wherever feasible. The proposed enclosure eliminates the ditch as a visible and functioning natural amenity, rather than integrating it into the subdivision layout.</p> <p>Further, the project does not provide compensating features that would mitigate the loss of this waterway. This approach is inconsistent with Comprehensive Plan Goal 5.3, which calls for restoring and naturalizing waterways, and fails to enhance the subdivision's scenic or environmental qualities.</p> <p>The development does not demonstrate meaningful preservation of existing trees or natural vegetation, and insufficient documentation has been provided regarding tree retention or replacement.</p>
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**The draft findings are written based on the recommendations from the Planning and Zoning Commission. The City Council will review all evidence, and the draft findings may be updated based on their review and consideration.**

<b>GCC 8-6B-7: PLANNED UNIT DEVELOPMENT: REQUIRED FINDINGS</b>			
Conclusion			
Compliant	Not Applicable to this Application	Not Compliant	Standard
X			<p><b>Finding 1.</b> The applicant has demonstrated that the proposed development can be initiated within two (2) years of the date of approval.</p> <p><b>Reasoned Statement</b> Approval of this application can be conditioned so that the development shall be initiated within two years of the date of approval.</p>

X			<p><b>Finding 2.</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.</p> <p><b>Reasoned Statement</b> The proposed development and each structure can successfully exist independently of the surrounding area and will not be detrimental to the surrounding neighborhood.</p>
X			<p><b>Finding 3.</b> 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.</p> <p><b>Reasoned Statement</b> The proposed development has a common drive that is capable of handling anticipated traffic which will provide ingress/egress onto 44th Street. The PUD is not large enough to trigger a traffic impact analysis.</p>
X			<p><b>Finding 4.</b> Any proposed commercial development can be justified at the locations proposed.</p> <p><b>Reasoned Statement</b> The application does not propose any commercial uses, nor is it requesting the approval of any commercial use.</p>
		X	<p><b>Finding 5.</b> Any exception from standard district requirements is warranted by the design and other amenities incorporated in the final development plan, in</p>

			<p>accordance with the PUD and the adopted policy of the council.</p> <p><b>Reasoned Statement</b></p> <p>As discussed in the staff report policy review, the applicant has requested multiple code adjustments under the Planned Unit Development process, including reductions to perimeter landscaping, modified parking stall dimensions, and an increase in compact parking beyond the allowable maximum, and adjustments to open space standards to compensate for insufficient qualified open space. Under GCC 8-6B-7, such deviations are only permissible when they are offset by exceptional design quality, amenities, or community benefits that would not otherwise be achievable under standard code compliance.</p> <p>The Council finds that these exceptions are not warranted for the following reasons:</p> <p><b>Open Space Configuration:</b> Although the total open space percentage may meet minimum thresholds when including landscape pockets and pedestrian pathways, much of this area is configured as narrow corridors or circulation space that does not meet the dimensional, functional, or recreational standards of GCC 8-4L-3. As a result, the open space provided is largely nominal rather than usable and does not constitute an enhanced amenity that would justify deviations.</p> <p><b>Landscaping and Screening:</b> The perimeter landscaping does not meet minimum width or screening requirements, and interior landscaping is insufficient to meet the 5% requirement under GCC 8-4I-4. The lack of a tree preservation or arborist report, combined</p>
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			<p>with limited integration of shade trees or pedestrian-oriented landscaping, further prevents a finding of enhanced site design or meaningful buffering.</p> <p><b>Reliance on Adjustments Rather than Amenities:</b> The subdivision relies heavily on code adjustments to achieve its proposed layout but does not incorporate design features, public amenities, or enhanced open space treatments that would justify those deviations. The absence of meaningful enhancements diminishes the argument that the exceptions are necessary to achieve innovative design or efficient land use.</p> <p>Without significant revisions, the Council finds that the requested adjustments are not justified and that the subdivision does not meet the intent of the PUD mechanism.</p>
X			<p><b>Finding 6.</b> The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.</p> <p><b>Reasoned Statement</b> The proposal is compatible with the surrounding uses and the neighborhood vision.</p> <p>The proposal is a component of the overall neighborhood. The types of housing and uses will provide for more comprehensive variety of residential options in the neighborhood.</p>
X			<p><b>Finding 7.</b> The PUD is in general conformance with the comprehensive plan;</p> <p><b>Reasoned Statement</b> The application can be found in conformance with the comprehensive plan. See 8-5B-5 Finding 1.</p>

X			<p><b>Finding 8.</b> The existing and proposed utility services are adequate for the population densities and nonresidential uses proposed.</p> <p><b>Reasoned Statement</b> Approval of this application can be conditioned so that the ability to serve shall be provided prior to signature of the plat or approval of construction plans.</p>
<b>GCC 8-6B-2 CONDITIONAL USE: REQUIRED FINDINGS</b>			
Conclusion			
Compliant	Not Applicable to this Application	Not Compliant	Standard
X			<p><b>Finding 1.</b> The use is appropriate to the location, the lot, and the neighborhood, and is compatible with the uses permitted in the applicable zoning district.</p> <p><b>Reasoned Statement</b> The application is compatible with the surrounding uses and single family attached dwelling units are a permitted use within the R-3 zoning district.</p>
X			<p><b>Finding 2.</b> The use will be supported by adequate public facilities or services to the surrounding area, or conditions can be established to mitigate adverse impacts.</p> <p><b>Reasoned Statement</b> Approval of this application can be conditioned so that the ability to serve shall be provided prior to signature of the plat or approval of construction plans.</p>
		X	<p><b>Finding 3.</b> The use will not unreasonably diminish either the health, safety, or welfare of the community.</p> <p><b>Reasoned Statement</b> The lack of adherence to city codes is detrimental to and will unreasonably</p>

			<p>diminish the health, safety, and welfare of the community.</p> <p>The internal pedestrian pathway serving as the primary entry route for all units lacks shade, landscaping, and separation from parking and driveways. Combined with full southern exposure, the corridor creates a harsh and uncomfortable pedestrian environment that does not support safe or pleasant access for residents.</p> <p>Insufficient and fragmented common open space, combined with minimal interior landscaping and lack of canopy trees, reduces opportunities for outdoor recreation, shade, and relief from heat. These deficiencies impact resident welfare and do not meet the intent of Garden City’s open space and landscaping standards, which support the health and livability of residential neighborhoods.</p> <p>The overreliance on compact parking and undersized tandem garages constrained by limited maneuvering space may lead to congestion, obstruction of pedestrian paths, and unsafe vehicle circulation within the common drive. These conditions present avoidable safety concerns for residents, guests, and service vehicles.</p>
		X	<p><b>Finding 4.</b> The use is not in conflict with the comprehensive plan or other adopted plans, policies, or ordinances of the city.</p> <p><b>Reasoned Statement</b> Refer to 8-5B-5 Finding 1 and Finding 2.</p>

**RECOMMENDATION**

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law, the Garden City Council hereby does **SUSTAIN/ REJECT/ REMAND** the Planning and Zoning Commission's recommendations as modified and does **DENY** Edgemere Subdivision, application SUBFY2024-0006 for a Preliminary and Final Plat Subdivision processed as a Planned Unit Development, subject to the following conditions:

### STANDARD CONDITIONS FOR DENIAL DECISION

1. In order for approval by Garden City, the proposal must comply with GCC 8-5B-5, 8-6B-2, and 8-6B-7. The project, as proposed, is not in compliance with these standards because it conflicts with Comprehensive Plan Goals 2.3, 4.3, 5.3, 6.3, and 7.4, and fails to meet Garden City Code Sections 8-4D (Parking), 8-4I (Landscaping and Tree Preservation), and 8-4L (Open Space). The project, as proposed, is not in compliance with these standards because the site attempts to accommodate more units than the parcel can support, resulting in inadequate parking, insufficient landscaping, and non-functional common open space. The parking layout does not provide adequate room for typical vehicles and would obstruct the common drive used for circulation and emergency access. Landscaping is deficient both along the perimeter and within the site, and the open space provided is not usable. An approval of the application could only be achieved through a substantial reduction in units and a redesign of the site layout to provide adequate parking and circulation, interior and perimeter landscaping, and usable common areas.
2. Action is the date the decision body formalizes their decision. The decision body may formalize their decision by approving a draft decision or a draft decision with noted changes at the hearing.
3. The date of action may be a different date than the applicant is provided with a signed copy of the decision.
4. Final decisions are subject to judicial review pursuant to The Local Land Use Planning Act, Chapter 65 Title 67 Idaho Code.
5. Pursuant to Idaho Code, a request for reconsideration must be submitted within 14 days of the action and prior to judicial review. The written request must identify specific deficiencies in the decision for which reconsideration is sought.
6. A takings analysis pursuant to Idaho Code may be requested on final decisions.
7. If any term or provision of this decision, to any extent, is held invalid or unenforceable, the remaining terms and provisions hereof shall not be affected thereby, but each such remaining term and provision shall be valid and enforced to the fullest extent permitted by law.

February 23, 2026

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Mayor, Bill Jacobs

Date