



Mary May, President
Alexis Pickering, Vice-President
Jim D. Hansen, 2nd Vice President
Kent Goldthorpe, Commissioner
Dave McKinney, Commissioner

September 26, 2022

To: Platform Architecture Design
Catherine Sewell
210 E. 35th Street
Boise, Idaho 83705

Subject: GC22-0011/ DSRFY2022-0014
210 E. 35th Street
The Sonder Design Review

The applicant is requesting design review approval for the construction of a 5-story, 31,483 square foot mixed use building on 0.29 acres.

A. Findings of Fact

1. 35th Street

a. **Existing Conditions:** 35th Street is improved with 2-travel lanes, 38-feet of pavement and no curb, gutter or sidewalk abutting the site. There is 48 to 50-feet of right-of-way for 35th Street (22 to 23-feet from centerline).

b. **Policy:**

Commercial Roadway Policy: District Policy 7208.2.1 states that the developer is responsible for improving all commercial street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7208.5 states that right-of-way widths for new commercial streets shall typically be 50 and 70-feet wide and that the standard street section will vary depending on the need for a center turn lane, bike lanes, volumes, percentage of truck traffic, and/or on-street parking.

- A 36-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and on-street parking.
- A 40-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and a center turn lane.
- A 46-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and a center turn lane and bike lanes.

Sidewalk Policy: District Policy 7208.5.6 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all commercial streets. If a separated sidewalk is proposed, a parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

- c. **Applicant's Proposal:** The applicant is proposing to improve 35th Street as half of a 36-foot local commercial street section with pavement widening, curb, gutter, a paved 6-foot wide planter strip, and 5-foot wide detached concrete sidewalk abutting the site.

The applicant is proposing to dedicate right-of-way to total 25-feet from the centerline of 35th Street abutting the site.

- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved as proposed.

The applicant's proposal to dedicate right-of-way to total 25-feet from the centerline of 35th Street abutting the site exceeds District policy and should be approved as proposed.

If Street trees are desired, then an 8-foot wide planter strip should be provided. A permanent right-of-way easement should be provided for detached sidewalks located outside of the dedicated right-of-way.

2. Driveways- 35th Street

- a. **Existing Conditions:** There is an existing 18-foot wide unimproved driveway from the site onto 35th Street located 195-feet south of Carr Street.

- b. **Policy:**

Driveway Location Policy: District policy 7208.4.1 requires driveways near intersections to be located a minimum of 75-feet (measured centerline-to-centerline) from the nearest local street intersection, and 150-feet from the nearest collector/arterial or arterial street intersection.

Successive Driveways: District Policy 7208.4.1 states that successive driveways away from an intersection shall have no minimum spacing requirements for access points along a local street, but the District does encourage shared access points where appropriate.

Driveway Width Policy: District policy 7208.4.3 restricts commercial driveways to a maximum width of 40-feet. Most commercial driveways will be constructed as curb-cut type facilities.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7208.4.3, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway.

Driveway Design Requirements: District policy 7208.4.3 states if an access point is to be gated, the gate or keypad (whichever is closer) shall be located a minimum of 50-feet from the near edge of the intersection and a turnaround shall be provided.

- c. **Applicant's Proposal:** The applicant is proposing to reconstruct and narrow the existing 18-foot wide driveway onto 35th Street to an 8-foot wide curb-cut type service access to provide access for garbage pick-up services.

To provide access to the parking garage and building (non-service) the applicant is proposing to construct a 22-foot wide curb cut type driveway from the site onto 35th Street located approximately 172-feet south of Carr Street (measured centerline to centerline).

- d. **Staff Comments/Recommendations:** Staff is not supportive of the applicant's proposal to reconstruct the existing driveway as a service access ramp for garbage pick-up area. Staff has concerns regarding the location/function of the garbage ramp and how it would impact pedestrian facilities, meet ADA compliance, how parking would be restricted in the vicinity of the proposed ramp, and possible confusion from drivers who may try to enter the site using this driveway.

To address these concerns staff recommends from the site onto 35th Street does not meet the District's Successive Driveway policy, which requires shared access points where appropriate and should not be approved as proposed. Staff recommends the applicant be required to close the existing 18-foot wide driveway onto 35th Street with curb, gutter, a paved 6-foot wide planter strip, and 5-foot wide detached concrete sidewalk abutting the site. Also, to provide access to the parking garage, building, and service access to provide access for garbage pickup services staff recommends the applicant should construct a 24-foot wide curb cut type driveway from the site onto 35th Street located approximately 173-feet south of Carr Street (measured centerline to centerline).

The applicant's proposal to construct a 22-foot wide curb cut type driveway from the site onto 35th Street meets District Policy and should be approved as proposed.

3. **Tree Planters**

Tree Planter Policy: Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

4. **Landscaping**

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

B. Site Specific Conditions of Approval

1. Widen 35th Street to half of a 36-foot local commercial street section with pavement widening, curb, gutter, a 6-foot wide planter strip and either a 5-foot wide attached or detached concrete sidewalk abutting the site, as proposed.

2. Dedicate right-of-way to total 25-feet from the centerline of 35th Street abutting the site. If street trees are desired, then an 8-foot wide planter strip should be provided. Provide a permanent right-of-way easement for detached sidewalks located outside of the dedicated right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Close the existing 18-foot wide driveway onto 35th Street with curb, gutter, a paved 6-foot wide planter strip, and 5-foot wide detached concrete sidewalk abutting the site. or
5. Construct a 24-foot wide curb cut type driveway from the site onto 35th Street located approximately 173-feet south of Carr Street or construct a 22-foot wide curb cut type driveway from the site onto 35th Street located approximately 172-feet south of Carr Street as proposed.
6. A Traffic Impact Fee will be assessed by ACHD and will be due prior to issuance of a building permit. Please contact the ACHD Planner (see below) for information regarding impact fees.
7. Submit civil plans to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD.
8. Comply with the Standard Conditions of Approval as noted below.

C. Traffic Information

Trip Generation

Below is a list of land uses and estimated trip generation rates for uses that may be included within the site. Trip generation rates are based on the Institute of Transportation Engineers Trip Generation Manual, 11th edition.

| Use (1,000 sf) | Average Daily Trips (ADT) | PM Peak Hour |
|--|---------------------------|--------------|
| Walk-in Bank (1,000 sf) | ----- | 12.13 |
| Coffee/Donut Shop w/o Drive Thru | ----- | 32.29 |
| General Office Building | 10.84 | 1.44 |
| Multi-Family Housing (Low-Rise 4 to 10 Floors) | 4.54 | 0.39 |

Condition of Area Roadways: Traffic Count is based on Vehicles per hour (VPH)

| Roadway | Frontage | Functional Classification | PM Peak Hour Traffic Count |
|-------------------------|----------|---------------------------|----------------------------|
| 35 th Street | 101-feet | Local | N/A |

** ACHD does not set level of service thresholds for local roadways.

Average Daily Traffic Count (VDT): Average daily traffic counts are based on ACHD's most current traffic counts

- There are no current average daily traffic counts for 35th Street south of Carr Street.

D. Attachments

1. Vicinity Map
2. Site Plan
3. Standard Conditions of Approval
4. Appeal Guidelines

If you have any questions, please feel free to contact me at (208) 387-6171.

Sincerely,

A handwritten signature in cursive script that reads "Renata Ball-Hamilton".

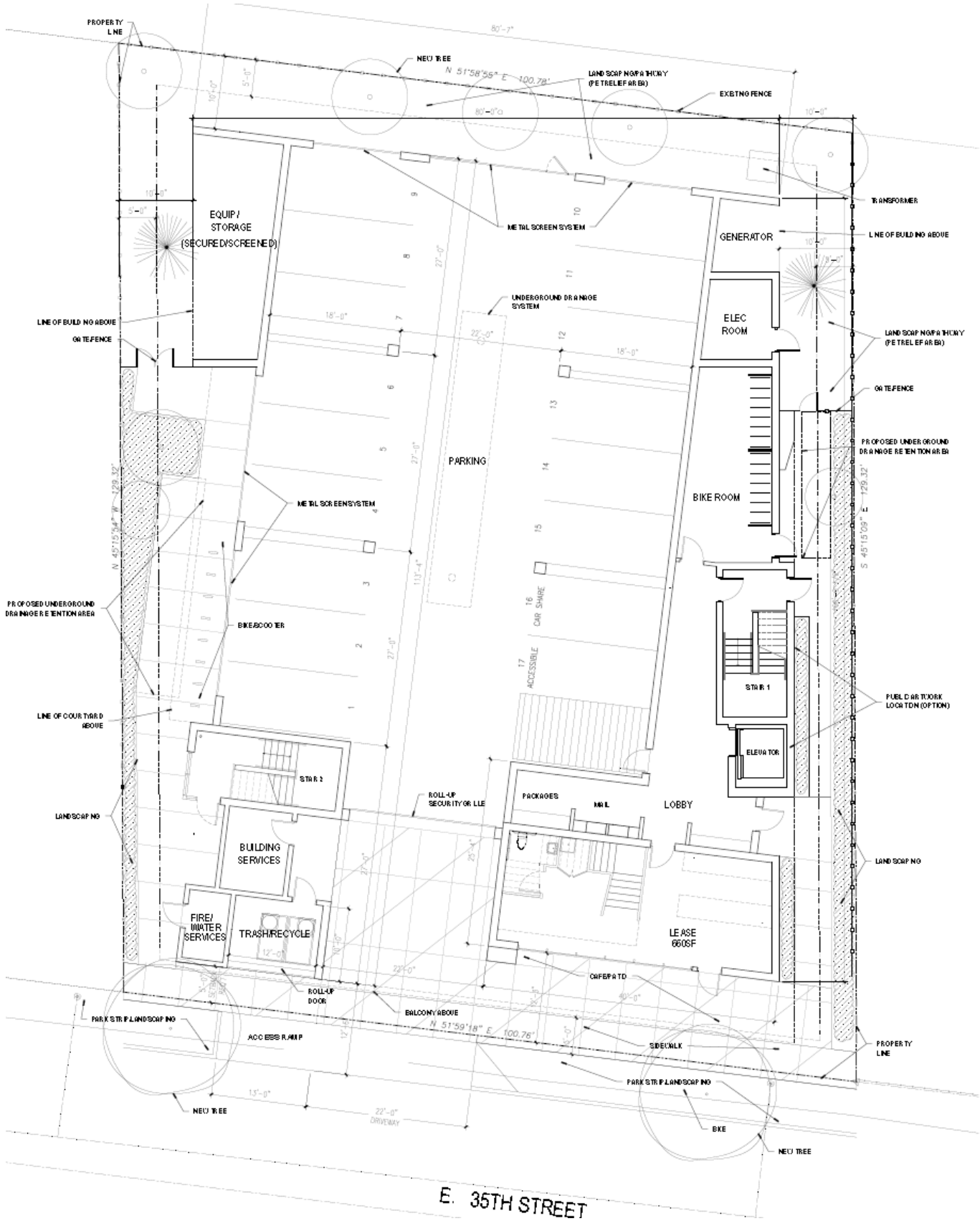
Renata Ball-Hamilton
Planner
Development Services

cc: City of Garden City (Garden City Planning), Via Email
Landscaping Rep (Ben Semple), Via Email

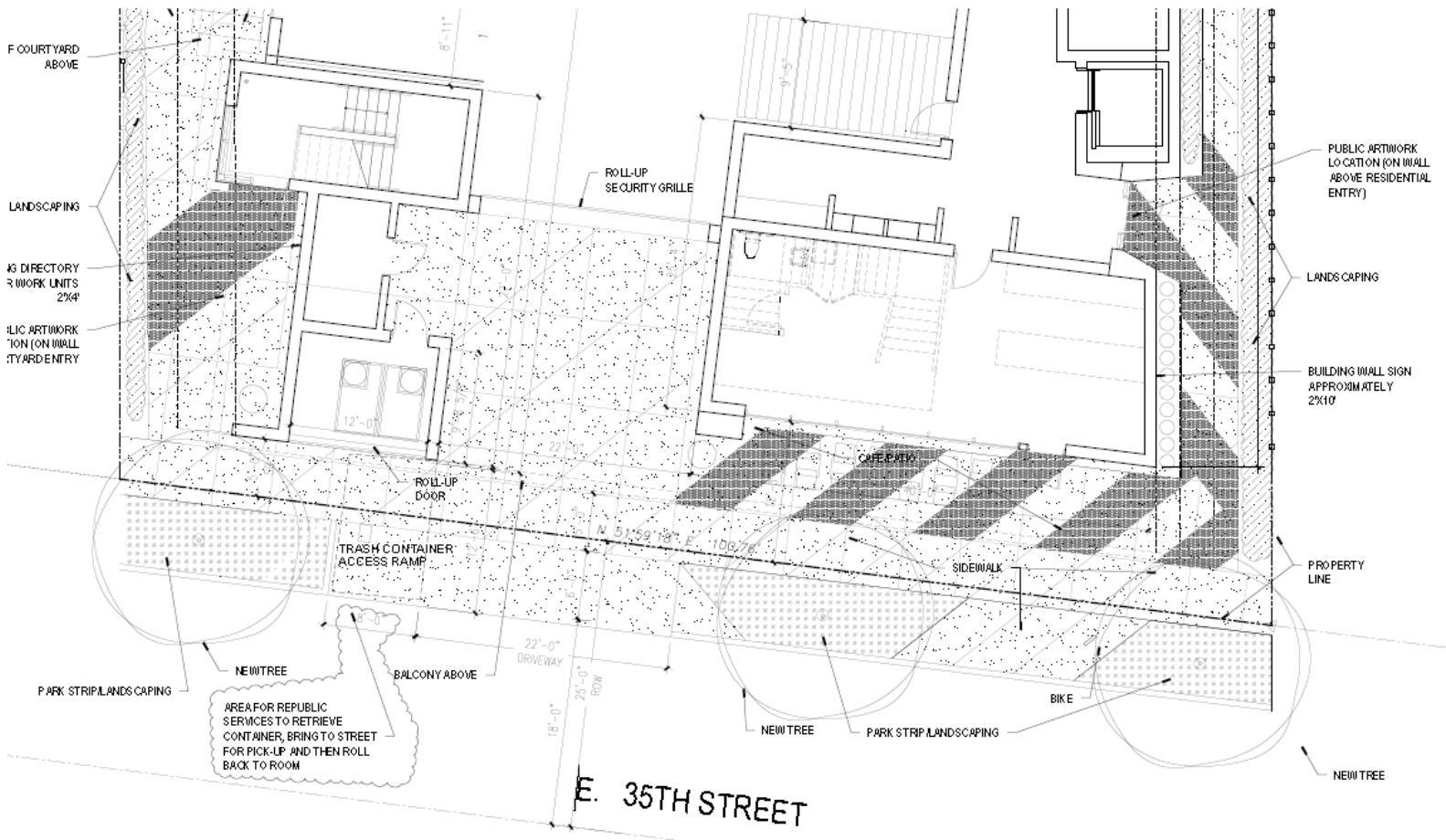
VICINITY MAP



SITE PLAN



SITE PLAN



Site/Ground Level Plan

scale: 1/8" = 1'-0"

PARCEL SIZE 12,926 SF



Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.6, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter, and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
 - a. **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
 - b. **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
 - c. **Time to Reply:** The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal and may during such time meet with the appellant to discuss the matter and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
 - d. **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
 - e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.