



Alexis Pickering, President  
 Miranda Gold, Vice-President  
 Jim Hansen, Commissioner  
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 Dave McKinney, Commissioner

Date: April 18, 2024

To: Darcy Blazek, via email

Staff Contact: KaraLeigh Troyer, Planner

Project Description: The applicant is requesting approval of a conditional use permit application for a 9,000 square-foot vehicle service business on 0.69-acres.

Trip Generation: This development is estimated to generate 28 vehicle trips per hour in the PM peak hour according to the Institute of Transportation Engineers Trip Generation Manual, 11<sup>th</sup> edition.

| Proposed Development Meets               |   |
|------------------------------------------|---|
| All ACHD Policies                        |   |
| Requires Revisions to meet ACHD Policies | X |

| Traffic Impact Study           |   |
|--------------------------------|---|
| Yes                            |   |
| No                             | X |
| If yes, is mitigation required |   |

| Area Roadway Level of Service                                                                |   |
|----------------------------------------------------------------------------------------------|---|
| Do area roadways meet ACHD's LOS Planning Thresholds?                                        |   |
| Yes                                                                                          | X |
| No                                                                                           |   |
| Area roads will meet ACHD's LOS Planning Thresholds in the future with planned improvements? |   |
| Yes                                                                                          |   |
| No                                                                                           |   |

| ACHD Planned Improvements |   |
|---------------------------|---|
| IFYWP                     | X |
| CIP                       | X |

| Livable Street Performance Measures |       |
|-------------------------------------|-------|
| Pedestrian                          | LTS 1 |
| Cyclist                             | LTS 2 |

| Is Transit Available? |   |
|-----------------------|---|
| Yes                   | X |
| No                    |   |

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**Project/File:** **Blazek Diagnostic & Automotive / GC24-0007 / CUPFY2024-0006**  
This is a conditional use permit application for a 9,000 square-foot vehicle service business on 0.69-acres.

**Lead Agency:** Garden City

**Site address:** 3660 W Chinden Boulevard

**Staff Approval:** April 18, 2024

**Applicant:** Darcy Blazek, via email  
Blazek Diagnostic & Automotive Repair  
10870 W Fairview Avenue  
Boise, ID 83713

**Staff Contact:** KaraLeigh Troyer  
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**Report Summary:**

- ACHD Planned Improvements – pg.2
  - A. Conditions of Area Roadways – pg.2
  - B. Site Specific Conditions of Approval – pg.3
    - o Vicinity Map – pg.4
    - o Site Plan – pg.5
  - C. Findings – pg.6
  - D. Policies – pg.7
  - E. Standard Conditions of Approval – pg.9
  - F. Appeal Guidelines – pg.11

## ACHD Planned Improvements

### 1. Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):

- Osage Street is scheduled in the IFYWP to receive a concept study to determine improvements for all users of the alley from 32<sup>nd</sup> Street to 46<sup>th</sup> Street with a construction year yet to be determined.
- Clay Street is scheduled in the IFYWP to receive a community improvement project including the construction of enhanced pedestrian facilities, bulb-outs, and streetlights from 37<sup>th</sup> Street to 34<sup>th</sup> Street in 2028.
- The intersection of Chinden Road (US 20/26) and Orchard Road is listed in the CIP to be widened to 3-lanes on the north leg, 5-lanes on the south, 6-lanes east, and 6-lanes on the west leg, and signalized between 2036 and 2040.

### 2. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

| Roadway                      | Frontage | Functional Classification     | PM Peak Hour Traffic Count | PM Peak Hour Level of Service |
|------------------------------|----------|-------------------------------|----------------------------|-------------------------------|
| Chinden Boulevard (US-20/26) | 200-feet | Principal Arterial/Expressway | 1798                       | N/A                           |
| 37 <sup>th</sup> Street      | 142-feet | Local                         | 124                        | N/A                           |

\*\* ACHD does not set level of service thresholds for State Highways or local roadways.

### 3. Average Daily Traffic Count (VDT)

*Average daily traffic counts are based on ACHD's most current traffic counts.*

- The average daily traffic count for Chinden Boulevard (US-20/26) west of Orchard Street was 36,654 on April 9, 2019.
- The average daily traffic count for 37<sup>th</sup> Street north Chinden Boulevard was 1,611 on May 3, 2023.

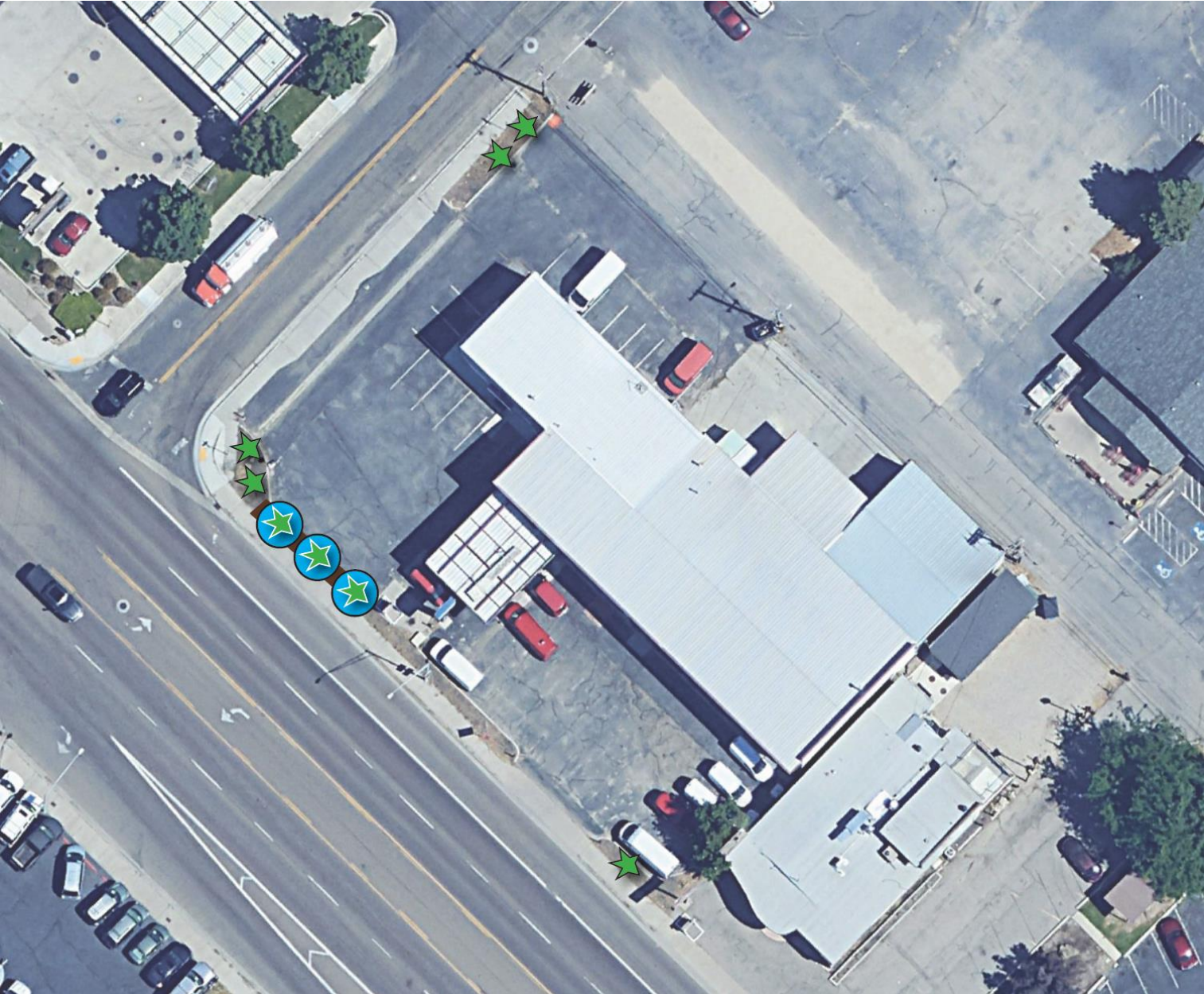
## **A. Site Specific Conditions of Approval**

1. Repair or replace any damaged or deficient transportation facilities abutting the site on 37<sup>th</sup> Street in accordance with the current version of PROWAG.
2. Dedicate right-of-way to total 10-feet from centerline of the alley.
3. Install “No Parking” signs at the 37<sup>th</sup> Street/Osage Street intersection.
4. Provide 20-feet of back-up space from any parking structure to the back of the alley.
5. Close the existing 24-foot wide driveway on 37<sup>th</sup> Street located 100-feet east of Chinden Boulevard with vertical curb, gutter, and 5-foot wide attached concrete sidewalk to match the improvements on either side.
6. Reconstruct the existing 24-foot wide driveway on 37<sup>th</sup> Street located 137-feet east of Chinden Boulevard in accordance with PROWAG.
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. There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time. The impact fee assessment will not be released until the civil plans are approved by ACHD.
9. Comply with all Standard Conditions of Approval.

# Vicinity Map



Site Plan



## **B. Findings for Consideration**

### **1. Chinden Boulevard**

This portion of Chinden Boulevard is under the jurisdiction of the Idaho Transportation Department (ITD). The applicant, Garden City, and ITD should work together to determine if additional right-of-way or improvements are necessary on Chinden Boulevard.

### **2. 37<sup>th</sup> Street**

- a. **Existing Conditions:** 37<sup>th</sup> Street is improved with 2-travel lanes, vertical curb, gutter, and 5-foot wide sidewalk abutting the site. There is 50-feet of right-of-way for 37<sup>th</sup> Street (25-feet from centerline).
- b. **Applicant's Proposal:** The applicant is not proposing any improvements to 37<sup>th</sup> Street abutting the site.
- c. **Staff Comments/Recommendations:** The applicant's proposal meets District policy, as 37<sup>th</sup> Street is already fully improved and should be approved, as proposed. Consistent with District Minor Improvements Policy, the applicant should be required to repair or replace any damaged or deficient transportation facilities abutting the site on 37<sup>th</sup> Street in accordance with the current version of PROWAG.

### **3. Alley/Osage Street**

- a. **Existing Conditions:** There is an existing 15-foot wide paved alley, Osage Street, abutting the site's east property line running north/south between 37<sup>th</sup> Street and 36<sup>th</sup> Street.
- b. **Applicant Proposal:** The applicant is not proposing any improvements on Osage Street abutting the site.
- c. **Staff Comments/Recommendations:** The applicant's proposal does not meet District policy and should not be approved, as proposed. The applicant should be required to dedicate right-of-way to total 10-feet from centerline of the alley.

The applicant should be required to install "No Parking" signs at the 37<sup>th</sup> Street/Osage Street intersection.

The applicant should be required to provide 20-feet of back-up space from any parking structure to the back of the alley.

### **4. Driveways**

#### **4.1 37<sup>th</sup> Street**

- a. **Existing Conditions:** There are two existing 24-foot wide curb-cut type driveways on 37<sup>th</sup> Street located 100-feet and 137-feet east of Chinden Boulevard (measured centerline to centerline).
- b. **Applicant's Proposal:** The applicant is proposing to maintain both driveways.
- c. **Staff Comments/Recommendations:** The applicant's proposal does not meet District Driveway Location policy which requires driveway to be located 150-feet from arterial roadways and should not be approved, as proposed. The applicant should be required to close the existing 24-foot wide driveway located 100-feet east of Chinden Boulevard with vertical curb, gutter, and 5-foot wide attached concrete sidewalk to match the improvements on either side. Typically, the applicant should also be required to close the 24-foot wide driveway located 137-feet east of Chinden Boulevard as it does not meet District Driveway Location Policy. However, staff recommends the driveway remain located where it currently is, but be reconstructed in accordance with PROWAG to accommodate concerns regarding site circulation.

## C. Policy

### 1. Federal Accessibility Design Guidelines and Standards

District policy 7203.1.1 states that developers shall follow the current version of the U.S. Access Board's Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), 36 CFR Part 1190, September 7, 2023; (Also see, <https://www.access-board.gov/prowag> and <https://www.access-board.gov/files/prowag/planning-and-design-for-alternatives.pdf> for additional information).

### 2. Minor Improvements

**Minor Improvements Policy:** District Policy 7203.3 states that minor improvements to existing Highways adjacent to a proposed development may be required. These needed transportation facilities are to correct deficiencies or replace deteriorated facilities. Included are sidewalk and/or bike lane construction or replacement (with physical buffers if missing and needed); construction of transitional sidewalk segments; crosswalk construction or replacement; curb and gutter construction or replacement; repair, replacement or expansion of curb extensions; replacement of unused driveways with curb, gutter, sidewalk, repair or addition of traffic calming or speed mitigation features; installation or reconstruction of pedestrian ramps; pavement repairs; signs, motor vehicle, pedestrian and bicycle traffic control devices; and other similar items. The current version of PROWAG will determine the applicable accessibility requirements for alterations and elements added to existing streets. ACHD staff is responsible for identifying the minor improvements that would be proportionate to the size and complexity of the development.

### 3. Livable Street Performance Measures

District policy 7203.8 states that ACHD has adopted performance measures (level of stress) for evaluating the experience of bicyclists and pedestrians. ACHD seeks to create a transportation network that serves all ages and abilities. Bike and pedestrian facilities built through development should achieve a bike and pedestrian level of traffic stress 1 or 2, with no new bike lane below a minimum of 5-feet.

### 4. 37<sup>th</sup> Street

**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-foot 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.

**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.



## 5. Alleys

**Existing Alley Policy:** District Policy 7210.2 states that if a proposed development abuts an existing alley, the dedication of additional right-of-way to obtain a minimum width from the centerline of the alley of 8-feet for residential uses and 10-feet for non-residential or commercial uses may be required. Each development will be reviewed by the District on a case-by-case basis. If the proposed development takes access from an alley, the developer will be required to pave the entire width of the right-of-way from the nearest public street to and abutting the development.

**Alley Parking & Setbacks Policy:** District Policy 7210.3.3 states that parking within the alley right-of-way is prohibited. "No Parking" signs are required to be installed by the developer. The signs should be located at the alley/street intersections. Parking which is entered from the alley shall be designed so the minimum clear distance from the back of the parking stall to the opposite side of the alley is 20-feet for all perpendicular parking.

Setbacks for structures taking access from the alley should be closely coordinated with the lead land use agency. The setbacks shall either discourage parking within the alley (where it may partially block or occur within the right-of-way) or allow adequate area for one perpendicular parking pad. In order to discourage parking, building setbacks shall be minimal from the alley right-of-way line, while still achieving the required 20-feet of back-up space from a garage or other parking structure to the opposite side of the alley (i.e. 4-foot setback + 16-foot alley= 20-feet for back-up space).

**Alley/Local Street Intersections Policy:** District Policy 7210.3.7.2 states that alleys may intersect all types of local streets including minor local streets. Alleys shall generally be designed with a curb cut type approach when intersecting a local street. Alleys shall generally intersect streets in the middle of the block equally offsetting the intersecting streets. Alleys shall either align with alley/street intersections or provide a minimum 100-foot offset (measured centerline to centerline) from other local street intersections. For alley intersections with local streets, the District may consider a reduced offset if the lead land use agency's required lot size allows for shorter buildable lots.

**Vacations of Alleys Policy:** District Policy 7210.3.6 states that vacations of alley right-of-way are discouraged and shall not result in dead-end alleys.

## 6. Driveways

### 6.1 37<sup>th</sup> Street

**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.

## 7. 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.

## 8. 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.

## 9. Pathway Crossings: United States Access Board R304.5.1.2 Shared Use Paths. In shared use paths, the width of curb ramps runs and blended transitions shall be equal to the width of the shared use path.

AASHTO's Guidelines for the Development of Bicycle Facilities 5.3.5 Other Intersection Treatments: The opening of a shared use path at the roadway should be at least the same width as the shared use path itself. If a curb ramp is provided, the ramp should be the full width of the path, not including any flared sides if utilized. . . . Detectable warnings should be placed across the full width of the ramp.

FHWA's "Designing Sidewalks and Trails for Access" (1999) reflected common ADA-related concepts: Chapter 6, Page 16-6: The width of the ramp should be at least as wide as the average width of the trail to improve safety for users who will be traveling at various speeds. In addition, the overall width of the trail should be increased, so the curb ramp can be slightly offset to the side. The increased width reduces conflict at the intersection by providing more space for users at the bottom of the ramp.

## D. 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, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA), Public Right-of-Way Accessibility Guidelines (PROWAG), ISWPC, or ACHD requirements . The applicant's engineer should provide documentation of 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.

## **E. Conclusions of Law**

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

## **Request for Appeal of Staff Decision**

To request an appeal of a staff level decision, see District policy 7101.6.7 at <https://www.achdidaho.org/home/showpublisheddocument/452/638243231708370000>

## **Request for Reconsideration of Commission Action**

To request reconsideration of a Commission Action, see District policy 1006.11 at <https://www.achdidaho.org/home/showpublisheddocument/452/638243231708370000>