



Project/File: **Perch Meadows/ GCPP20-0004/ AnnexFY2020-1/ SUBFY2020-07**
This is an annexation with rezone from RUT to R-2 and preliminary plat application consisting of 29 lots on 6.4-acres.

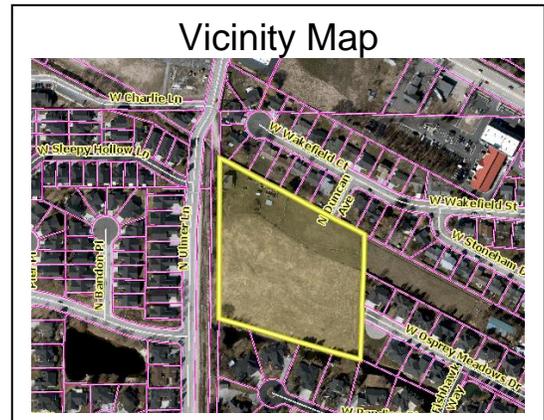
Lead Agency: City of Garden City

Site address: 6300 N Ulmer Lane

Staff Approval: **XXXX, 2020**

Applicant:
Representative: Sawtooth Land Surveying, LLC
 Josh Beach
 2030 S Washington Avenue
 Emmett, ID 83617

Staff Contact: Stacey Yarrington, Planner III
 Phone: 387-6171
 E-mail: syarrington@achdidaho.org



A. Findings of Fact

1. **Description of Application:** The applicant is requesting approval of an annexation with rezone from RUT (Rural Urban Transition) to R-2 (Low density Residential) and a preliminary plat application consisting of 24 single-family lots and 5 common lots on 6.4-acres.

2. **Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Low density Residential	R-2
South	Low density Residential	R-2
East	Low density Residential	R-2
West	Medium density Residential	R-3

3. **Site History:** ACHD has not previously reviewed this site for a development application.

4. **Adjacent Development:** The following developments are pending or underway in the vicinity of the site:

- Foothills Church, 5,133 sf addition located west of the site was approved by ACHD in January 2018.

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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.

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7. **New Center Lane Miles:** The proposed development includes 0.19 centerline miles of new public road.
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The BMP identifies Ulmer Road as a Level 1 facility. The BMP also identifies a pathway abutting the site's north property line.

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 217 additional vehicle trips per day (9 existing); 23 additional vehicle trips per hour in the PM peak hour (1 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 10th edition.
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
**State Highway 44/ State Street	0-feet	Principal Arterial	1,852	N/A
Arney Lane	0-feet	Collector	55	Better than "D"
Ulmer Lane	575-feet	Local	54	N/A

* Acceptable level of service for a two-lane collector is "D" (425 VPH).

** ACHD does not set level of service thresholds for State Highways.

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- The average daily traffic count for SH-44/ State Street west of Bogart Lane was 38,951 on 10/02/2019.
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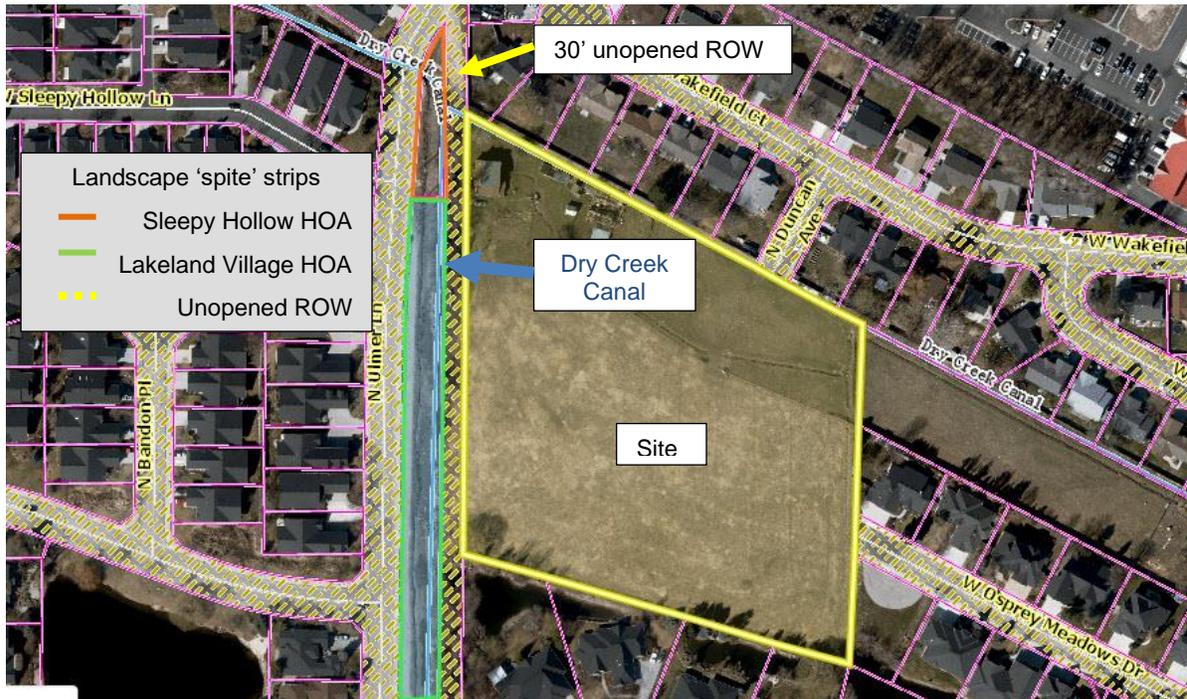
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Ulmer Lane is adjacent to the site; however, the Dry Creek Canal and a landscape (spite) strip is located between the site and Ulmer Lane. Therefore, no right-of-way dedication or street improvements to Ulmer Lane are required as part of this application.

There is a 30-foot wide strip of unopened right-of-way between the site and Dry Creek Canal that was dedicated as part of Steins Subdivision platted in 1962 and was never improved. The unopened right-of-way intersects Ulmer Lane north of the site, however, there is insufficient right-of-way for the construction of a full street to provide access from the site onto Ulmer Street. Vacation of the right-of-way is not being proposed because the right-of-way would be divided between the adjoining properties, which include the HOAs and the applicant. The additional property is of no interest to the HOAs due to its location. Therefore, staff is not recommending vacation of the unopened right-of-way.

The City of Garden City has indicated the desire for a future pedestrian/bike pathway to be located within the unopened right-of-way. If the City requires a pathway, the City, the applicant, or Homeowner's Association will be required to enter into a license agreement for the maintenance of the pathway within the unopened right-of-way.



2. Internal Streets

a. **Existing Conditions:** Duncan Avenue is stubbed at the site's north property line and Osprey Meadows is stubbed at the site's east property line.

b. **Policy:**

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local 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 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

Continuation of Streets Policy: District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

- Reduces vehicle miles traveled.
- Increases pedestrian and bicycle connectivity.
- Increases access for emergency services.
- Reduces need for additional access points to the arterial street system.
- Promotes the efficient delivery of services including trash, mail and deliveries.
- Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
- Promotes orderly development.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

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 Proposal:** The applicant is proposing to extend Duncan Avenue and Osprey Meadows Drive into the site and construct the internal streets as 33-foot street sections with curb, gutter, and 5-foot wide attached concrete sidewalk within 47-feet of right-of-way.

The applicant is proposing to construct one knuckle at the Sleepy Hollow/Doglin Avenue intersection.

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

3. Roadway Offsets

- a. **Existing Conditions:** There are 2 stub streets to the site.

- b. **Policy:**

Local Offset Policy: District policy 7207.4.2, requires local roadways to align or provide a minimum offset of 125-feet from any other street (measured centerline to centerline).

- c. **Applicant's Proposal:** The applicant is proposing to offset the local streets with a minimum 125-feet.

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

4. 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.

5. 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.

D. Site Specific Conditions of Approval

1. Extend Duncan Avenue and Osprey Meadows Drive into the site and construct the internal streets as 33-foot street sections with curb, gutter, and 5-foot wide attached concrete sidewalk within 47-feet of right-of-way.
2. Construct 1 knuckle at the Sleepy Hollow/Doglin Avenue intersection.
3. Construct the local streets with a minimum 125-foot offset.
4. If the City requires a pathway within the unopened right-of-way, the City, the applicant, or Homeowner's Association will be required to enter into a license agreement for the maintenance of the pathway.
5. 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.
6. Payment of impact fees is due prior to issuance of a building permit.
7. Comply with all Standard Conditions of Approval.

E. 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) 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.

F. 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.

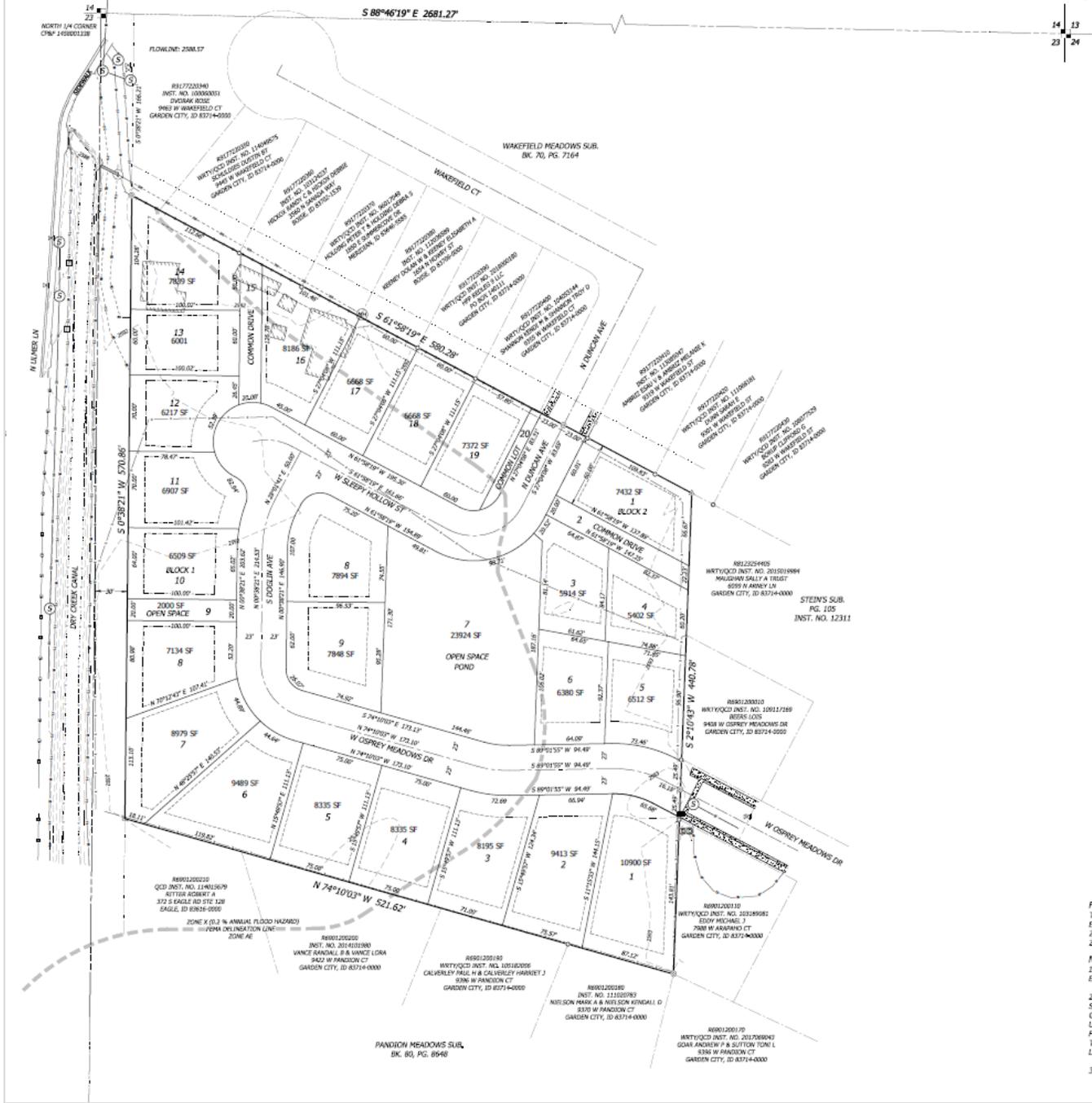
G. Attachments

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Appeal Guidelines

SITE PLAN

PRELIMINARY PLAT FOR PERCH MEADOWS SUBDIVISION
 ALL OF LOT 28 OF STEIN'S SUBDIVISION
 LOCATED IN GOVERNMENT LOT 2 OF SECTION 23, T. 4 N., R. 1 E., B. M.,
 GARDEN CITY, ADA COUNTY, IDAHO
 2020

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Ada County Utility Coordinating Council

Developer/Local Improvement District Right of Way Improvements Guideline Request

Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.

- 1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.
- 2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.
- 3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.
- 4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

Notification to the Ada County UCC can be sent to: 50 S. Cole Rd. Boise 83707, or Visit iducc.com for e-mail notification information.

Development Process Checklist

Items Completed to Date:

- Submit a development application to a City or to Ada County
- The City or the County will transmit the development application to ACHD
- The ACHD **Planning Review Section** will receive the development application to review
- The **Planning Review Section** will do one of the following:
 - Send a “**No Review**” letter to the applicant stating that there are no site specific conditions of approval at this time.
 - Write a **Staff Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.
 - Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

Items to be completed by Applicant:

- For **ALL** development applications, including those receiving a “**No Review**” letter:
 - The applicant should submit one set of engineered plans directly to ACHD for review by the **Development Review Section** for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
 - The applicant is required to get a permit from Construction Services (ACHD) for **ANY** work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.
- Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

DID YOU REMEMBER:

Construction (Non-Subdivisions)

Driveway or Property Approach(s)

- Submit a “Driveway Approach Request” form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.

Working in the ACHD Right-of-Way

- Four business days prior to starting work have a bonded contractor submit a “Temporary Highway Use Permit Application” to ACHD Construction – Permits along with:
 - a) Traffic Control Plan
 - b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50’ or you are placing >600 sf of concrete or asphalt.

Construction (Subdivisions)

Sediment & Erosion Submittal

- At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.

Idaho Power Company

- Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.

- Final Approval from Development Services is required** prior to scheduling a Pre-Con.

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.

Request for Reconsideration of Commission Action

1. **Request for Reconsideration of Commission Action:** A Commissioner, a member of ACHD staff or any other person objecting to any final action taken by the Commission may request reconsideration of that action, provided the request is not for a reconsideration of an action previously requested to be reconsidered, an action whose provisions have been partly and materially carried out, or an action that has created a contractual relationship with third parties.

- a. Only a Commission member who voted with the prevailing side can move for reconsideration, but the motion may be seconded by any Commissioner and is voted on by all Commissioners present.

If a motion to reconsider is made and seconded it is subject to a motion to postpone to a certain time.

- b. The request must be in writing and delivered to the Secretary of the Highway District no later than 11:00 a.m. 2 days prior to the Commission's next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.
- c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.
- d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.
- e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.
- f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.



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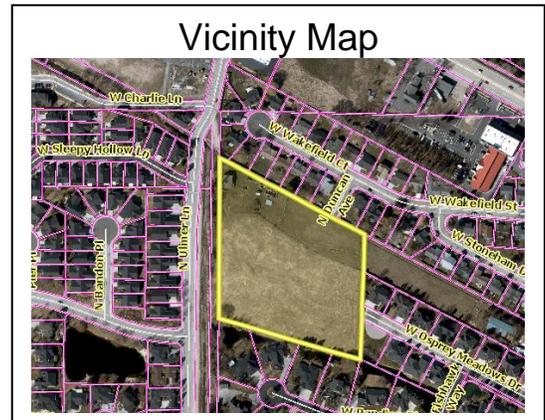
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Staff Contact: Stacey Yarrington, Planner III
 Phone: 387-6171
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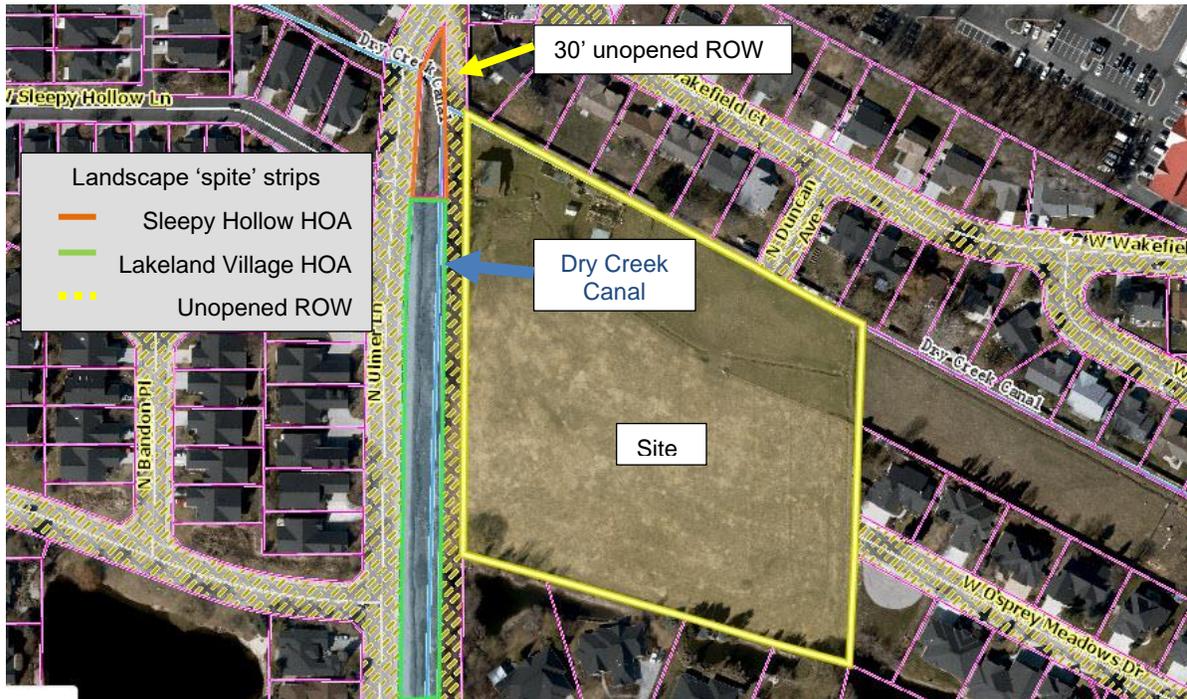
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Ulmer Lane is adjacent to the site; however, the Dry Creek Canal and a landscape (spite) strip is located between the site and Ulmer Lane. Therefore, no right-of-way dedication or street improvements to Ulmer Lane are required as part of this application.

There is a 30-foot wide strip of unopened right-of-way between the site and Dry Creek Canal that was dedicated as part of Steins Subdivision platted in 1962 and was never improved. The unopened right-of-way intersects Ulmer Lane north of the site, however, there is insufficient right-of-way for the construction of a full street to provide access from the site onto Ulmer Street. Vacation of the right-of-way is not being proposed because the right-of-way would be divided between the adjoining properties, which include the HOAs and the applicant. The additional property is of no interest to the HOAs due to its location. Therefore, staff is not recommending vacation of the unopened right-of-way.

The City of Garden City has indicated the desire for a future pedestrian/bike pathway to be located within the unopened right-of-way. If the City requires a pathway, the City, the applicant, or Homeowner's Association will be required to enter into a license agreement for the maintenance of the pathway within the unopened right-of-way.



2. Internal Streets

a. **Existing Conditions:** Duncan Avenue is stubbed at the site's north property line and Osprey Meadows is stubbed at the site's east property line.

b. **Policy:**

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local 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 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

Continuation of Streets Policy: District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

- Reduces vehicle miles traveled.
- Increases pedestrian and bicycle connectivity.
- Increases access for emergency services.
- Reduces need for additional access points to the arterial street system.
- Promotes the efficient delivery of services including trash, mail and deliveries.
- Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
- Promotes orderly development.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

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 Proposal:** The applicant is proposing to extend Duncan Avenue and Osprey Meadows Drive into the site and construct the internal streets as 33-foot street sections with curb, gutter, and 5-foot wide attached concrete sidewalk within 47-feet of right-of-way.

The applicant is proposing to construct one knuckle at the Sleepy Hollow/Doglin Avenue intersection.

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

3. Roadway Offsets

- a. **Existing Conditions:** There are 2 stub streets to the site.

- b. **Policy:**

Local Offset Policy: District policy 7207.4.2, requires local roadways to align or provide a minimum offset of 125-feet from any other street (measured centerline to centerline).

- c. **Applicant's Proposal:** The applicant is proposing to offset the local streets with a minimum 125-feet.

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

4. 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.

5. 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.

D. Site Specific Conditions of Approval

1. Extend Duncan Avenue and Osprey Meadows Drive into the site and construct the internal streets as 33-foot street sections with curb, gutter, and 5-foot wide attached concrete sidewalk within 47-feet of right-of-way.
2. Construct 1 knuckle at the Sleepy Hollow/Doglin Avenue intersection.
3. Construct the local streets with a minimum 125-foot offset.
4. If the City requires a pathway within the unopened right-of-way, the City, the applicant, or Homeowner's Association will be required to enter into a license agreement for the maintenance of the pathway.
5. 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.
6. Payment of impact fees is due prior to issuance of a building permit.
7. Comply with all Standard Conditions of Approval.

E. 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) 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.

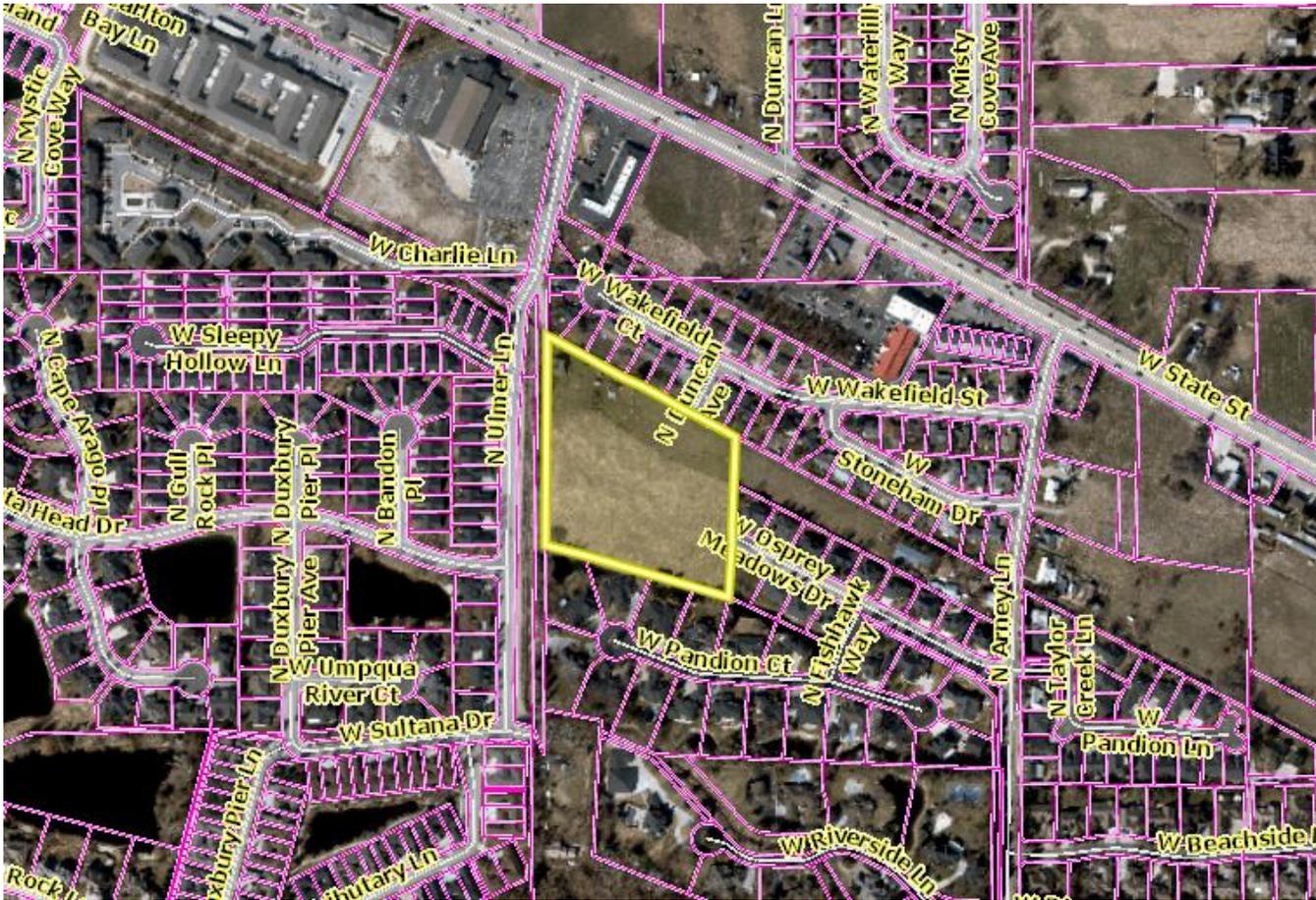
F. Conclusions of Law

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.

G. Attachments

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Appeal Guidelines

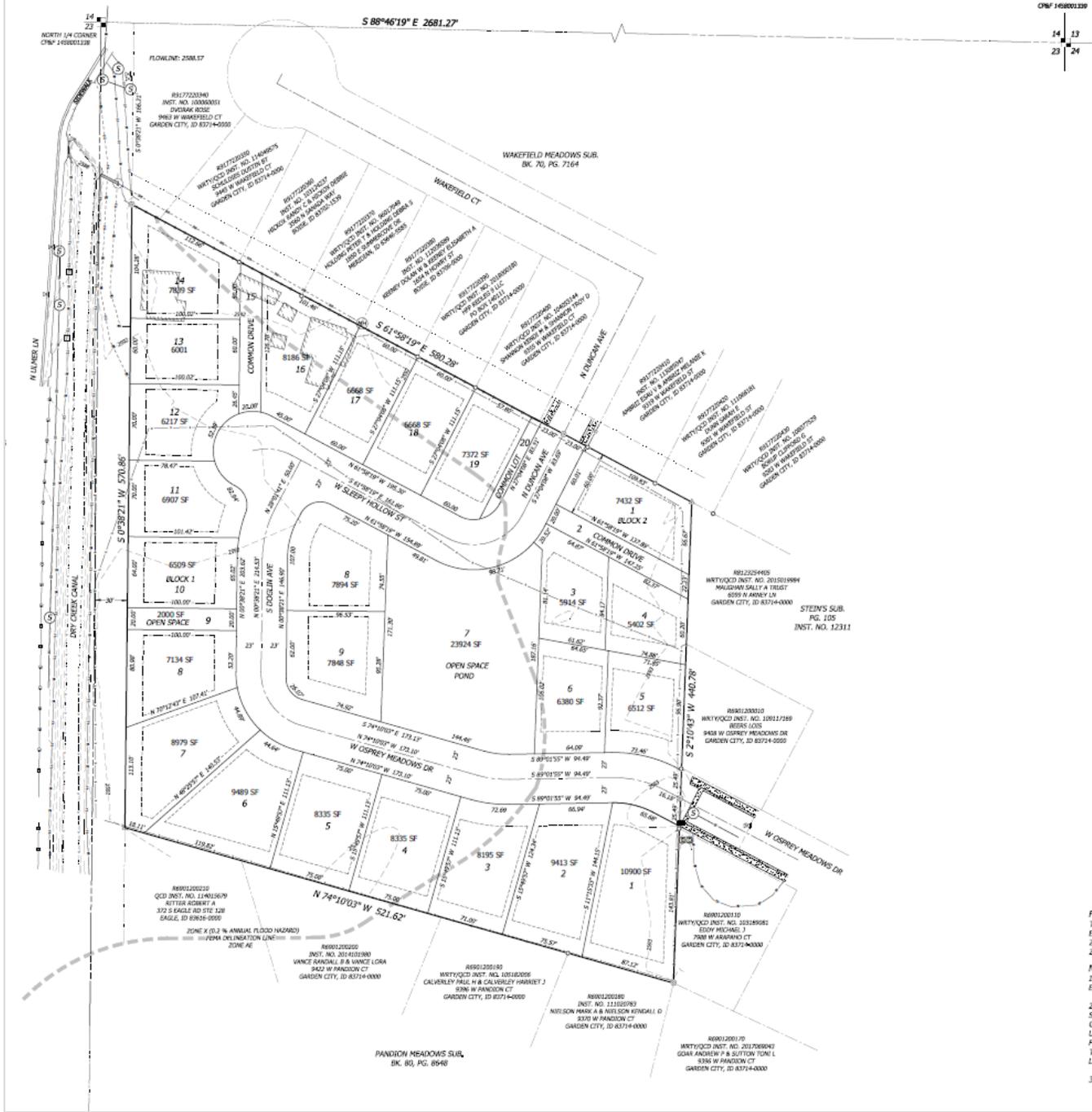
VICINITY MAP



SITE PLAN

PRELIMINARY PLAT FOR PERCH MEADOWS SUBDIVISION
 ALL OF LOT 28 OF STEIN'S SUBDIVISION
 LOCATED IN GOVERNMENT LOT 2 OF SECTION 23, T. 4 N., R. 1 E., B. M.,
 GARDEN CITY, ADA COUNTY, IDAHO
 2020

CNF 168801239



PLANNING
 14
 13
 23
 24

Ada County Utility Coordinating Council

Developer/Local Improvement District Right of Way Improvements Guideline Request

Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.

- 1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.
- 2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.
- 3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.
- 4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

Notification to the Ada County UCC can be sent to: 50 S. Cole Rd. Boise 83707, or Visit iducc.com for e-mail notification information.

Development Process Checklist

Items Completed to Date:

- Submit a development application to a City or to Ada County
- The City or the County will transmit the development application to ACHD
- The ACHD **Planning Review Section** will receive the development application to review
- The **Planning Review Section** will do one of the following:
 - Send a “**No Review**” letter to the applicant stating that there are no site specific conditions of approval at this time.
 - Write a **Staff Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.
 - Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

Items to be completed by Applicant:

- For **ALL** development applications, including those receiving a “**No Review**” letter:
 - The applicant should submit one set of engineered plans directly to ACHD for review by the **Development Review Section** for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
 - The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.
- Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

DID YOU REMEMBER:

Construction (Non-Subdivisions)

Driveway or Property Approach(s)

- Submit a “Driveway Approach Request” form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.

Working in the ACHD Right-of-Way

- Four business days prior to starting work have a bonded contractor submit a “Temporary Highway Use Permit Application” to ACHD Construction – Permits along with:
 - a) Traffic Control Plan
 - b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50’ or you are placing >600 sf of concrete or asphalt.

Construction (Subdivisions)

Sediment & Erosion Submittal

- At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.

Idaho Power Company

- Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.

- Final Approval from Development Services is required** prior to scheduling a Pre-Con.

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.

Request for Reconsideration of Commission Action

1. **Request for Reconsideration of Commission Action:** A Commissioner, a member of ACHD staff or any other person objecting to any final action taken by the Commission may request reconsideration of that action, provided the request is not for a reconsideration of an action previously requested to be reconsidered, an action whose provisions have been partly and materially carried out, or an action that has created a contractual relationship with third parties.
 - a. Only a Commission member who voted with the prevailing side can move for reconsideration, but the motion may be seconded by any Commissioner and is voted on by all Commissioners present.

If a motion to reconsider is made and seconded it is subject to a motion to postpone to a certain time.
 - b. The request must be in writing and delivered to the Secretary of the Highway District no later than 11:00 a.m. 2 days prior to the Commission's next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.
 - c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.
 - d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.
 - e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.
 - f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.



ADA COUNTY Development Services Department

August 27, 2020

City of Garden City
Development Services
6015 N Glenwood Street
Garden City, ID 83714

RE: Perch Meadows Subdivision / SUBFY2020-07 & ANNEXFY2020-01

Garden City has requested feedback regarding the proposed annexation and preliminary plat for the Perch Meadows Subdivision, which will include 24 detached single-family homes on 6.4 acres of land located at 6300 N. Ulmer Lane.

Ada County supports the proposed subdivision due to its compatibility with the Garden City Comprehensive Plan, as adopted by Ada County, which designates the site as *Residential Low Density* which is intended primarily for detached single-family housing. The subdivision is also in conformance with the Ada County Comprehensive Plan as *Goal 2.2* calls for urban development to be directed to Areas of City Impact where investments in urban services have already been made. The County is also in support of the proposed annexation, as the property is entirely surrounded by other properties which have already been annexed into Garden City, and as such, will be more easily serviced by the City.

The layout of the subdivision is compatible with several objectives of the Garden City Comprehensive Plan, as adopted by Ada County. The proposed common lot within the center of the development which will include landscaping and a pond is compatible with *Objective 2.1.2* as it encourages high quality design and landscaping, including the use of water features, in new development. The proposed street connection between Osprey Meadows Drive and Duncan Avenue is supported by *Objective 7.3.2*, which calls for increasing connectivity within neighborhoods to reduce the concentration of traffic on a few streets, and the proposed pedestrian accesses to the multi-use pathway to the north of the property are supported by *Objective 7.1* which encourages the creation of pedestrian and bicycle friendly connections. While the location of private property and a canal to the west of the site may make a connection challenging, the County would recommend a direct street or pedestrian access to Ulmer Lane be considered in order to provide even greater neighborhood connectivity.

Thank you for this opportunity to provide feedback.

Sincerely,

A handwritten signature in black ink that reads "Brent Moore".

Brent Moore, MCMP, AICP
Community & Regional Planner
Ada County Development Services

Richard Beck
Interim Director

Ada County Courthouse
200 West Front Street
Boise ID 83702
208.287.7900
Fax 208.287.7909
www.adacounty.id.gov

Department Divisions
Building
Community Planning
Engineering & Surveying
Permitting

Ada County Commissioners
Diana Lachiondo, First District
Patrick Malloy, Second District
Kendra Kenyon, Third District



Ada County Transmittal
Division of Community and Environmental Health

Return to:

- ACZ
- Boise
- Eagle
- Garden City
- Meridian
- Kuna
- Star

Rezone # Sub FY2020-07

Conditional Use # _____

Preliminary / Final / Short Plat _____

Pearch Meadows

- 1. We have No Objections to this Proposal.
- 2. We recommend Denial of this Proposal.
- 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
 - high seasonal ground water
 - bedrock from original grade
 - waste flow characteristics
 - other _____
- 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
 - central sewage
 - interim sewage
 - individual sewage
 - community sewage system
 - central water
 - individual water
 - community water well
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - central sewage
 - sewage dry lines
 - community sewage system
 - central water
 - community water
- 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 12. We will require plans be submitted for a plan review for any:
 - food establishment
 - beverage establishment
 - swimming pools or spas
 - grocery store
 - child care center
- 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDH.
- 14. _____

Reviewed By: *[Signature]*
 Date: 8 / 26 / 2020

From: [planning](#)
To: [Hanna Veal](#)
Subject: FW: SUBFY2020-07
Date: Tuesday, September 8, 2020 8:41:34 AM

From: lou landry <loulandry@cableone.net>
Sent: Monday, September 7, 2020 9:46 PM
To: planning <planning@GARDENCITYIDAHO.ORG>
Cc: Fairview Acres Lateral Water <Fairviewacreslateralwua@yahoo.com>
Subject: SUBFY2020-07

Responding as President, Fairview Acres Lateral Water Users Association (FALWUA) Board of Directors

SUBFY2020-07 is outside our designated services area. It does not effect FALWUA. We have no comment.

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To: planning@gardencityidaho.org [Remove](#) this sender from my allow list

From: loulandry@cableone.net

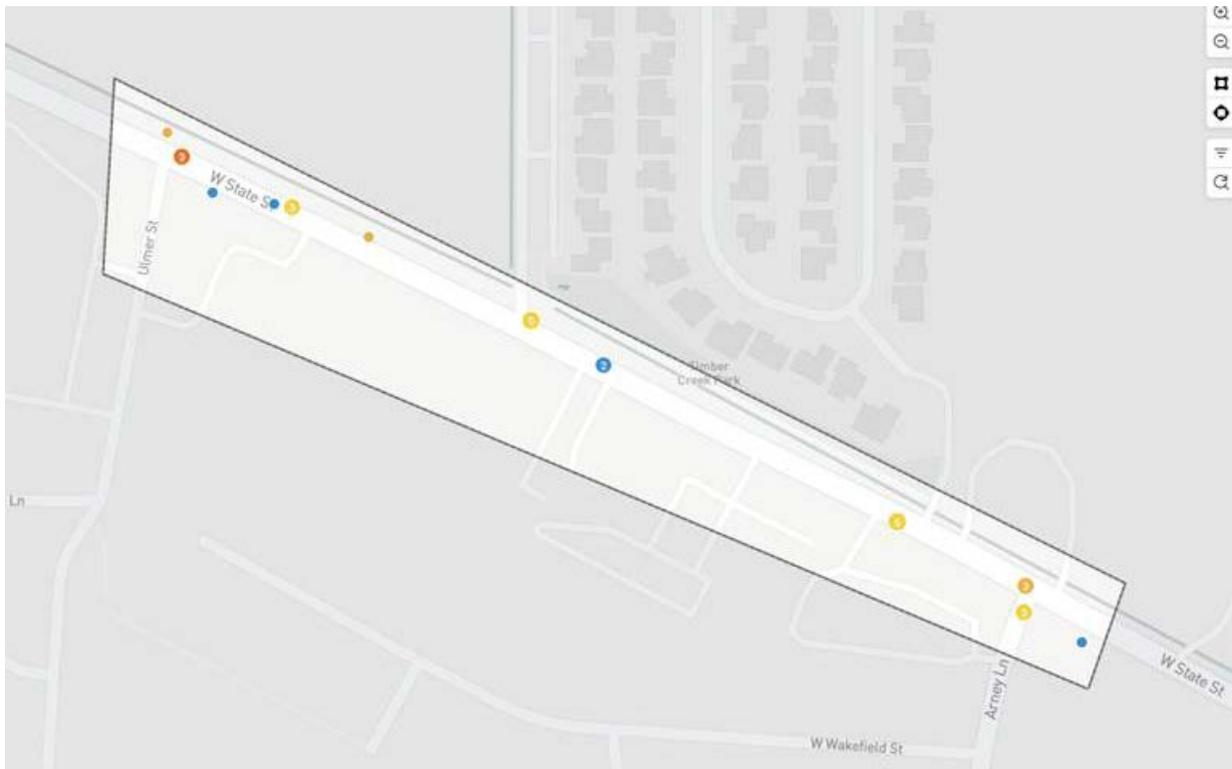
You received this message because the sender is on your allow list.

From: [Erika Bowen](#)
To: [Jenah Thornborrow](#); [Sarah Arjona](#)
Cc: [Hanna Veal](#)
Subject: RE: [EXTERNAL] Perch Meadows SUBFY2020-07 Questions
Date: Wednesday, September 2, 2020 6:55:43 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hi Jenah-

ITD's preference would be for the subdivision to connect at Ulmer Lane. From a safety standpoint neither intersection is more or less safe than the other today. But as Sarah mentioned, Ulmer is planned for signalization once Duncan is realigned. At that point Ulmer Lane will provide the safest turning movements for vehicles. It is also probable that at some point in the future, turning movements at Arney Lane will begin to fail and turning restrictions will occur.

I pulled crash data at the intersections. In the last 5 years there's been 4 crashes at Ulmer and 6 at Arney. It's all turning and rear end crashes for both intersections.



Thanks,

Erika R. Bowen, P.E.

ITD District 3 Traffic Technical Engineer

From: Jenah Thornborrow <jthorn@GARDENCITYIDAHO.ORG>
Sent: Friday, August 28, 2020 10:47 AM
To: Sarah Arjona <Sarah.Arjona@itd.idaho.gov>
Cc: Hanna Veal <hveal@GARDENCITYIDAHO.ORG>; Erika Bowen <Erika.Bowen@itd.idaho.gov>
Subject: RE: [EXTERNAL] Perch Meadows SUBFY2020-07 Questions

Sarah,

Thank you so much!

Jenah

From: Sarah Arjona <Sarah.Arjona@itd.idaho.gov>
Sent: Friday, August 28, 2020 11:44 AM
To: Jenah Thornborrow <jthorn@GARDENCITYIDAHO.ORG>
Cc: Hanna Veal <hveal@GARDENCITYIDAHO.ORG>; Erika Bowen <Erika.Bowen@itd.idaho.gov>
Subject: RE: [EXTERNAL] Perch Meadows SUBFY2020-07 Questions

Jenah,

You are correct ACHD has Ulmer Lane planned to be signalized in the future when Duncan Lane is realigned. This fits the required signal spacing as set forth in the Idaho Administrative Procedure Act. I will ask the Technical Engineer to look at both the Ulmer / SH-44 and Arney/SH-44 intersections for safety data to see if ITD has a preference. Hopefully we can have comments to you early next week.

Thank you for reaching out to us,

Sarah Arjona
Development Services Coordinator
ITD District 3
(208) 334-8338

From: Jenah Thornborrow <jthorn@GARDENCITYIDAHO.ORG>
Sent: Friday, August 28, 2020 11:27 AM
To: Sarah Arjona <Sarah.Arjona@itd.idaho.gov>
Cc: Hanna Veal <hveal@GARDENCITYIDAHO.ORG>
Subject: [EXTERNAL] Perch Meadows SUBFY2020-07 Questions

--- This email is from an external sender. Be cautious and DO NOT open links or attachments if the sender is unknown. ---

Sarah,

I have a question on the attached subdivision. All of the traffic is directed to Arney Lane rather than creating a connection to Ulmer as well. Would ITD have specific comments related to this? For example, is one of the intersections worse than the other from a safety stand point? Is there one that is more likely to be signalized?

Have a nice weekend; and thank you for your help.

Regards,



Jenah E. Thornborrow

Director

Development Services Department, **City of Garden City**

p: 208-472-2921

a: 6015 Glenwood Street, Garden City, ID 83714

w: www.gardencityidaho.org



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To: jthorn@gardencityidaho.org [Remove](#) this sender from my allow list

From: erika.bowen@itd.idaho.gov

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