



May 26, 2019

Jenah Thornborrow
Development Services Director
6015 Glenwood St.
Garden City, Idaho 83714

via email: jthorn@gardencityidaho.org

**RE: DSRFY2019-12 | Glass Creek, LLC | 6515 W. State Street
Response to City Engineer comments dated May 18, 2019**

Dear Ms. Thornborrow:

Please accept this letter responding to the City Engineer's review comments regarding the above-referenced application. The plans as submitted for Design Review are preliminary designs and most of the provided comments will be addressed at final roadway design. At this time, we can provide some additional information in response to these comments, which for clarity are listed under the same bolded category headings as were used in Mr. Canning's letter.

Private / Public Road

As noted in the application materials, the classification of the realigned road as private or public has not been determined and will be determined largely by ACHD. The City Engineer's comments are noted.

Erosion & Sediment Control

Comments are noted and understood.

Ada County Highway District Approval

The new entry road will increase safety for Plantation Country Club members, guests and residents that currently access their properties from Plantation Dr. As discussed in the application narrative, a primary reason the application has been submitted is to elicit ACHD approval and integration of the intersection for the realigned roadway to ACHD's project to improve State Street and Pierce Park.

Fire District Approval

Comment is noted and understood. We understand that North Ada County Fire District is a commenting agency for the application and has had the application transmitted for their review.

Water and Sewer Connections

Comments are noted and understood.

FEMA Preliminary Maps

Noted. The applicant intends to remain apprised of FEMA's flood studies for the Boise River and effects to their properties.

Private Road Grading and Drainage Plan

Should the road be designated a private road (see comment above re: public vs. private), required final design materials including storm water design report and drainage system operation and maintenance manuals will be submitted together with detailed construction documents. Designs will incorporate site conditions identified in a geotechnical report and control drainage per applicable storm water ordinance and policy.

Storm Water Operation and Management Agreement

Comments are noted and understood, provided the realigned roadway is designated to be private.

Irrigation Facilities

Noted and understood.

Subdivision Required

We respectfully disagree that the project falls within the definition of a Subdivision per GCC 8-7A-2. JoAnn Butler of Spink Butler will provide additional response.

Proposed State Street Intersection Geometry – Vision Corridors

Configuration of the intersection geometry will be subject to ACHD review and approval, as noted by the City Engineer's comment above and our response. Some adjustment may be necessary as the intersection geometry is adjusted by ACHD to accommodate the proposed leg to the south. The presented design does anticipate ACHD requirements, however, and addresses the City Engineer's comments including:

- The large-radius curve approaching the intersection exactly matches ACHD's proposed design for the Pierce Park Road approach although neither side are 90-deg.
- Sight distances to the signal and opposing traffic lanes will be evaluated and reviewed with ACHD, including evaluation of landscaping in the median.
- Left turn signalization and operation (protected vs. protected/permitted) will be determined in conjunction with ACHD Traffic.

Affidavit of Legal Interest

A revised Affidavit of Legal interest reflecting Glass Creek, LLC's authorization to submit and represent the application will be supplied.

Thank you for the opportunity to provide comment and additional information supporting this application.

Sincerely,


Jason Densmer, PE, Principal
The Land Group, Inc.



SPINK BUTLER

ATTORNEYS AT LAW

JOANN C. BUTLER
(208) 388-3868
JBUTLER@SPINKBUTLER.COM

Sent by Email: jthorn@gardencityidaho.org

May 29, 2019

Jenah Thornborrow
Development Services Director
6015 Glenwood Street
Garden City, Idaho 83714

**RE: DSRFY201912/Glass Creek, LLC/6515 W. State Street/Response to City Engineer
Comments dated May 18, 2019
SB Matter No.: 23576.1**

Dear Jenah:

You recently received a letter from Jason Densmer, The Land Group, who represents the applicant (Glass Creek, LLC) in connection with the City file referenced above. Mr. Densmer's letter responds to most of the City Engineer's May 18, 2019 comments on the application, and he has asked me, who also represents the applicant, to address the City Engineer's comment regarding the possible requirement for a subdivision. No subdivision is required.

The City Engineer appears to be referencing the "Subdivision" definition in Garden City Code Section 8-7A-2 in stating that "City Code appears to define the creation of this private road as a subdivision." It is not the intent of Glass Creek to "subdivide" its property into two or more parts for the purpose of transfer of ownership or development. Garden City Code Section 8-5A-5C.1 provides that any right-of-way that is not an arterial nor a collector street (this right-of-way in neither) may be either public or private, and constructed within either a platted lot or a perpetual ingress/egress easement (see Garden City Code Section 8-4E-5).

The proposed private right-of-way would be constructed in a perpetual easement, the form of which would be as approved by Garden City's attorney at a future time when a final design is completed. If Ada County Highway District should determine that the proposed right-of-way should be public and accepted for maintenance, it would be constructed in a perpetual easement, the form of which easement would be determined by ACHD.

MICHAEL T. SPINK JOANN C. BUTLER T. HETHE CLARK GEOFFREY M. WARDLE TARA MARTENS MILLER

Jenah Thornborrow
Garden City – Development Services
May 29, 2019
Page 2

The new right-of-way accommodates ACHD's design along State Street at the reconfigured Pierce Park Lane intersection and will function as does the existing Plantation Drive: a safe right-of-way leading to and from Plantation Country Club, subject to a recorded ingress/egress easement in favor of the Savannah Lane property owners and the two townhouse owners.

Sincerely,



JoAnn C. Butler

JCB:lc

cc: Will Gustafson (will@willgus.com)
Bob Taunton (bobtaunton@tauntongroup.com)
Jason Densmer (jason@thelandgroupinc.com)