



Project/File: **The Boardwalk / GC19-0030 / DSRFY2019-25**
 The applicant is requesting design review approval of a mixed-use development.

Lead Agency: Garden City

Site address: 406 E. 40th Street, 507 E. 41st Street, 510 E. 41st Street

Staff Approval: April 6, 2020

Applicant: Vida Properties
 3527 S. Federal Way Ste. 103-443
 Boise, ID 83705

Representative: Chad Weltzin
 Erstad Architects
 310 N. 5th Street
 Boise, ID 83702

Staff Contact: Austin Miller
 Phone: (208) 387-6335
 E-mail: amiller@achdidaho.org



A. Findings of Fact

- Description of Application:** The applicant is requesting design review approval of a mixed-use development, in Garden City. The proposed development is on 7.1 acres generally located between Adams Street and the Boise River, and between 40th Street and Veterans Memorial Parkway. The proposal consists of 3 buildings as follows:
 - Boardwalk Apartment Building, consisting of 237 apartments, 8 retail spaces and 1 restaurant.
 - Boutique Hotel, consisting of 148 rooms, 2 retail spaces, 1 restaurant and 1 bar.
 - 406 Place Building, consisting of 38 apartments.

The proposed development is consistent with Garden City’s comprehensive plan designation of Mixed Use Residential.

2. Description of Adjacent Surrounding Area:

Direction	Land Use	Zoning
North	Boise River	A-1
South	Area Business District & Medium Density Residential District	C-2 & R-3
East	Medium Density Residential District	R-3
West	Area Business District	C-2

- Site History:** ACHD has not previously reviewed this site for a development application.
- Transit:** Transit services are available to serve this site, via route 8x, 9 and 11.

5. **New Center Lane Miles:** The proposed development includes 0 centerline miles of new public road.
6. **Impact Fees:** 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.
7. **Capital Improvements Plan (CIP) / Integrated Five Year Work Plan (IFYWP):**
 - The intersection of Chinden Boulevard and Veterans Memorial Parkway is scheduled in the IFYWP to add a dedicated southbound through/right-turn lane in 2022.
 - The intersection of Chinden Boulevard and Orchard Street/36th Street is scheduled in the CIP to be widened to 4-lanes on the north leg, 5-lanes on the south, 7-lanes on the east and 8-lanes on the west leg between 2031 and 2035.

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 4,748 vehicle trips per day; 368 vehicle trips per hour in the PM peak hour, based on the traffic impact study.
2. **Traffic Impact Study**
CR Engineering, Inc. prepared a traffic impact study for the proposed Development. An executive summary of the findings **as presented by CR Engineering** can be found as attachment 3. ACHD has reviewed the submitted traffic impact study for consistency with ACHD policies and practices, and may have additional requirements beyond what is noted in the summary.

Staff Comments/Recommendations: All studied ACHD roadway segments were found to operate at an acceptable level of service planning threshold under existing, 2024 background and 2024 total traffic conditions.

All study intersections were found to operate within acceptable level of service planning thresholds under existing, 2024 background and 2024 total traffic conditions with the following exceptions:

- The eastbound through/right-turn lane group at the intersection of Adams Street and Veterans Memorial Parkway is operating at a volume to capacity (v/c) ratio of 1.01 during the AM peak hour, exceeding the lane group v/c ratio of 1.00 established by policy. With minor signal timing adjustments all turning movements are anticipated to operate within acceptable level of service planning thresholds under existing, 2024 background and 2024 total traffic conditions.
- The intersection of Chinden Boulevard (SH 20/26) and Orchard Street/36th Street is expected to operate with an overall v/c ratio of 0.94 under 2024 background traffic conditions, exceeding the overall v/c ratio of 0.90 established by policy. The TIS recommends restriping the intersection. Staff does not agree with the recommended restriping plan as restriping the northbound approach would result in a significant through-lane shift across the intersection. Under the existing striping configuration all ACHD lane groups are anticipated to operate within acceptable v/c thresholds under existing, 2024 background and 2024 total traffic conditions.

Chinden Boulevard (SH 20/26) 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 (SH 20/26).

3. **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
Veterans Memorial Parkway	255-feet	Minor Arterial	1,095	Better than "E"

Adams Street	None	Collector	365	Better than "D"
41 st Street	495-feet	Local	33	N/A
40 th Street	265-feet	Local	N/A	N/A

* Acceptable level of service for a four-lane minor arterial is "E" (1,540 VPH).

* Acceptable level of service for a three-lane collector is "D" (530 VPH).

4. Average Daily Traffic Count (VDT)

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

- The average daily traffic count for Adams Street east of 41st Street was 4,046 on November 12, 2019.
- The average daily traffic count for 41st Street south of Adams Street was 861 on November 12, 2019.

C. Findings for Consideration

1. Veterans Memorial Parkway

a. Existing Conditions: Veterans Memorial Parkway is improved with 4-travel lanes, a jersey barrier and 7-foot wide sidewalk. The right-of-way for Veterans Memorial Parkway tapers from 100-feet wide to 120-feet wide (50 to 60-feet from centerline) to accommodate the bridge crossing the Boise River.

b. Policy:

Arterial Roadway Policy: District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Veterans Memorial Parkway is designated in the MSM as a Mobility Arterial with 4-lanes and on-street bike lanes, a 62-foot street section within 86-feet of right-of-way.

c. Applicant Proposal: The applicant has not proposed any improvements to Veterans Memorial Parkway.

d. Staff Comments/Recommendations: Veterans Memorial Parkway is improved with 4-travel lanes, a jersey barrier and 7-foot wide attached concrete sidewalk abutting the site. Therefore, no additional improvements or right-of-way dedication should be required as part of this application.

Consistent with ACHD's Minor Improvement Policy, the applicant should be required to repair or replace any damaged or deficient improvements along Veterans Memorial Parkway abutting the site.

2. 40th Street

a. **Existing Conditions:** 40th Street is improved with 29-feet of pavement and no curb, gutter or sidewalk abutting the site. There is 53-feet of right-of-way for 40th Street (26.5-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.)

Half Street Policy: District Policy 7208.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

c. **Applicant's Proposal:** The applicant is proposing to construct 40th Street as ½ of a 30-foot street section at the southern property line, tapering to ½ of a 33-foot street section at the northern property line.

d. **Staff Comments/Recommendations:** The applicant should be required to construct 40th Street as ½ of a 36-foot street section abutting the site, with vertical curb, gutter and a minimum of 5-foot wide concrete sidewalk. A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way.

3. 41st Street

a. **Existing Conditions:** 41st Street is improved with 33-feet of pavement and no curb, gutter or sidewalk abutting the site. There is 50-feet of right-of-way for 41st Street (20-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-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.
- 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.)

Half Street Policy: District Policy 7208.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

Cul-de-sac Streets Policy: District policy 7208.5.7 states that the minimum radius permitted for a turnaround is 55-feet to back-of-curb.

Landscape Medians Policy: District policy 7208.5.15 states that landscape medians are permissible where adequate pavement width is provided on each side of the median to accommodate the travel lanes and where the following is provided:

- The median is platted as right-of-way owned by ACHD.
- The width of an island near an intersection is 12-feet maximum for a minimum distance of 150-feet. Beyond the 150-feet, the island may increase to a maximum width of 30-feet.
- At an intersection that is signalized or is to be signalized in the future, the median width shall be reduced to accommodate the necessary turn lane storage and tapers.
- The Developer or Homeowners Association shall apply for a license agreement if landscaping is to be placed within these medians.
- The license agreement shall contain the District's requirements of the developer including, but not limited to, a "hold harmless" clause; requirements for maintenance by the developer; liability insurance requirements; and restrictions.
- Vertical curbs are required around the perimeter of any raised median. Gutters shall slope away from the curb to prevent ponding.

- c. **Applicant's Proposal:** The applicant is proposing to construct 41st Street as ½ of a 33-foot street section with vertical curb, gutter and 5-foot wide attached concrete sidewalk abutting the site, south of the proposed cul-de-sac. The applicant is proposing to construct a cul-de-sac (48-foot radius) with a center landscape island (12-foot radius) at the terminus of 41st Street abutting the site.

The applicant is proposing to construct 4 bulb-outs on the east side of 41st Street abutting the site as follows:

- A 55-foot long bulb-out located at the southern property line.
- A 44-foot long bulb out starting 116-feet north of the southern property line.
- A 50-foot long bulb out starting 185-feet north of the southern property line.
- A 50-foot long bulb out located immediately south of the cul-de-sac.

A designated loading zone is proposed in lieu of on-street parking on the east side of 41st Street between the northern driveway and the cul-de-sac.

- d. **Staff Comments/Recommendations:** The applicant's proposal to construct 41st Street as ½ of a 33-foot street section does not meet District policy which requires a 36-foot street section with vertical curb, gutter and 5-foot wide attached concrete sidewalk. A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way.

The applicant's proposal to terminate 41st Street in a cul-de-sac meets District policy. However, the applicant's proposed 48-foot radius does not meet District policy. Staff recommends a modification of policy as the proposed design accommodates all ACHD maintenance vehicles. The applicant should be required to provide written fire department approval for the reduced width cul-de-sac or construct a cul-de-sac with a 55-foot radius, consistent with District policy. Right-of-way should be dedicated extending 7-feet past the back edge of curb to ensure a minimum 5-foot wide concrete sidewalk around the cul-de-sac. The center landscape island should be dedicated as right-of-way owned by ACHD. A license agreement is required for landscaping within the proposed center landscape island.

The proposed 41st Street cul-de-sac terminates 40-feet south of the existing right-of-way line. District policy requires the right-of-way to be vacated or improved. Staff recommends the applicant vacate the right-of-way north of 41st Street. The vacation of right-of-way is a separate process with its own application and approval process. The vacation should be completed prior to plan approval.

The applicant should be required to provide a minimum of 12-feet from centerline to back-of-curb at the proposed bulb-out/driveway locations. Detached sidewalk should be constructed at bulb-out locations to avoid meandering sidewalks.

If the City of Garden City requires the proposed loading zone, it should be signed accordingly; however painted pavement markings are prohibited.

4. Driveways

4.1 Veterans Memorial Parkway

- a. **Existing Conditions:** There are no driveways onto Veterans Memorial Parkway from the site.

b. **Policy**

Access Points Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

Access Policy: District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

- c. **Applicant's Proposal:** The applicant is not proposing a driveway onto Veterans Memorial Parkway.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved as proposed. Direct lot access is prohibited onto Veterans Memorial Parkway as part of this application.

4.2 40th Street

- a. **Existing Conditions:** There are 2 existing driveways on the west side of 40th Street from the site, located 30-feet and 125-feet north of the southern property line.

- 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.

- c. **Applicant's Proposal:** The applicant is proposing to close the two existing driveways on 40th Street and to construct one 26-foot wide curb return type driveway on 40th Street located 20-feet south of the northern property line.
- d. **Staff Comments/Recommendations:** The applicant should be required to close the two existing driveways on 40th Street with vertical curb, gutter and a minimum 5-foot wide concrete sidewalk.

The applicant's proposed driveway location meets District policy and should be approved as proposed.

4.3 41st Street

- a. **Existing Conditions:** There are 3 existing driveways from the site onto the east side of 41st Street, located 130-feet, 220-feet and 330-feet north of the southern property line.

There are 3 existing driveways on the west side of 41st Street from the site, located at the southern property line, 70-feet north of the southern property line and 135-feet north of the southern property line.

- 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.

- c. **Applicant's Proposal:** The applicant is proposing to close all unused driveways on 41st Street with vertical curb, gutter and sidewalk.

The applicant is proposing to construct 2 driveways on the east side of 41st Street to be located as follows:

- A 26-foot wide curb cut type driveway located 23-feet north of the southern property line (measured to centerline). This driveway is proposed to be designated as emergency access only.
- A 25-foot wide curb return type driveway located 172-feet north of the southern property line (measured to centerline).

The applicant is proposing to construct 2 driveways on the west side of 41st Street to be located as follows:

- A 24-foot wide curb return type driveway located 17-feet north of the southern property line (measured to centerline).
- A 20-foot wide curb return type driveway located 54-feet north of the southern property line (Measured to centerline).

The applicant is proposing a 20-foot wide emergency access only driveway on the north side of 41st Street to provide access to the greenbelt.

- d. **Staff Comments/Recommendations:** The applicant's proposal to close all unused driveways with vertical curb, gutter and sidewalk meets District policy and should be approved as proposed.

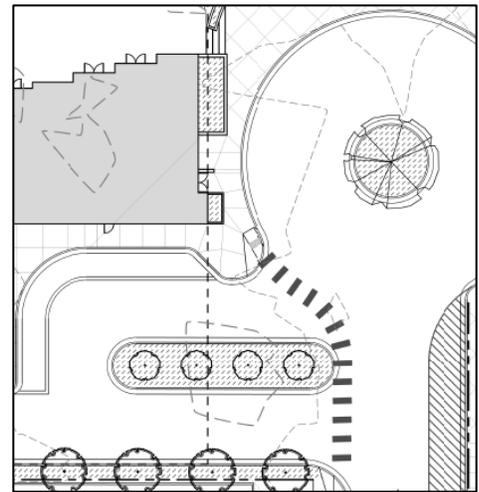
The applicant's proposed driveway locations meet District policy and should be approved as proposed.

The applicant's proposal to construct a 54-foot wide driveway on 41st Street does not meet District Driveway width policy, which restricts driveways on commercial roadways to a maximum width of 40-feet. However, staff recommends a modification of policy to approve the driveway as proposed. This is due to the grade change entering/exiting the site, and the added pedestrian visibility.

A 4-foot wide detached sidewalk is proposed to be constructed across the 54-foot wide driveway on the east side of 41st Street. District policy discourages meandering sidewalk and requires 5-foot wide concrete sidewalk. The applicant should be required to redesign the driveway to eliminate the meandering sidewalk.

The applicant's proposed driveways on the west side of 41st Street will be separated by a 15.5-foot wide landscape median, located outside the right-of-way, creating a 60-foot wide crosswalk. The proposed crosswalk curves to match the design of the cul-de-sac at the terminus of 41st Street (illustrated to the right). The proposed 60-foot wide curved cross walk does not meet ADA specifications and should be redesigned to be ADA compliant.

The proposed emergency access only driveways should be restricted with gates or bollards located outside of the right-of-way as determined by the appropriate fire department.



5. Parking

The applicant has proposed to provide 469 on-site parking stalls to accommodate the residents and guests of the proposed development. The City should verify that there is adequate guest and tenant parking for this site. The parking needs generated by this development should be provided on-site, on-street parking should not count toward City parking requirements, as on-street parking can be restricted at any time. Based on the Institute of Transportation Engineers Parking Manual, 4th Edition this site requires 530 parking stalls to be adequately parked.

On-street parking is prohibited within 75-feet of the intersection.

On-street parking may be removed in the future at the discretion of the ACHD as conditions warrant.

6. 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.

7. 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.

8. Other Access

Veterans Memorial Parkway is classified as a minor arterial roadway. Other than the access specifically approved by ACHD, direct lot access is prohibited.

D. Site Specific Conditions of Approval

1. Repair or replace any damaged or deficient improvements along Veterans Memorial Parkway abutting the site.
2. Construct 40th Street as ½ of a 36-foot wide commercial street section abutting the site, with vertical curb, gutter and a minimum of 5-foot wide concrete sidewalk. Provide a permanent right-of-way easement if public sidewalks are placed outside of the dedicated right-of-way.

3. Construct 41st Street as ½ of a 36-foot wide commercial street section with vertical curb, gutter and 5-foot wide concrete sidewalk. Provide a permanent right-of-way easement if public sidewalks are placed outside of the dedicated right-of-way.
4. Terminate 41st Street in a cul-de-sac with a center landscape island, as proposed. Provide written fire department approval for the reduced width cul-de-sac or construct a cul-de-sac with a 55-foot radius. Dedicate right-of-way extending 7-feet past the back edge of curb, providing for a minimum 5-foot wide attached concrete sidewalk. A license agreement is required for landscaping within the proposed island.
5. Vacate or improve the existing right-of-way for 41st Street north of the proposed cul-de-sac. The vacation is a separate process with its own application and approval. Complete the vacation prior to plan approval.
6. Construct 4 bulb-outs on the east side of 41st Street abutting the site as follows:
 - A 55-foot long bulb-out located at the southern property line.
 - A 44-foot long bulb out starting 116-feet north of the southern property line.
 - A 50-foot long bulb out starting 185-feet north of the southern property line.
 - A 50-foot long bulb out located immediately south of the cul-de-sac.
7. Provide a minimum of 12-feet from centerline to back-of-curb at the proposed bulb-out/driveway locations.
8. Construct detached sidewalk at bulb-out locations to avoid meandering sidewalks.
9. If required by Garden City sign the east side of 41st Street between the northern driveway and the cul-de-sac as a loading zone. Painted pavement markings are prohibited.
10. Close the existing driveways on 40th Street with vertical curb, gutter and a minimum 5-foot wide concrete sidewalk.
11. Construct one 26-foot wide curb return type driveway on 40th Street located 20-feet south of the northern property line
12. Construct 2 driveways on the east side of 41st Street located as follows:
 - A 26-foot wide curb cut type driveway located 23-feet north of the southern property line, designated as emergency access only.
 - A 25-foot wide curb return type driveway located 172-feet north of the southern property line, as proposed.
13. Construct 2 driveways on the west side of 41st Street located as follows:
 - A 24-foot wide curb return type driveway located 17-feet north of the southern property line.
 - A 20-foot wide curb return type driveway located 54-feet north of the southern property line.
14. Redesign the proposed 60-foot wide curved crosswalk for the driveways on the west side of 41st Street to be ADA compliant.
15. Construct a 20-foot wide emergency access only driveway on the north side of the 41st Street cul-de-sac to provide access to the greenbelt.

16. Install gates/bollards located outside of the right-of-way to restrict emergency access driveway to emergency access only, as required by the fire department with jurisdiction over the site.
17. Payment of impact fees is due prior to issuance of a building permit.
18. 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.

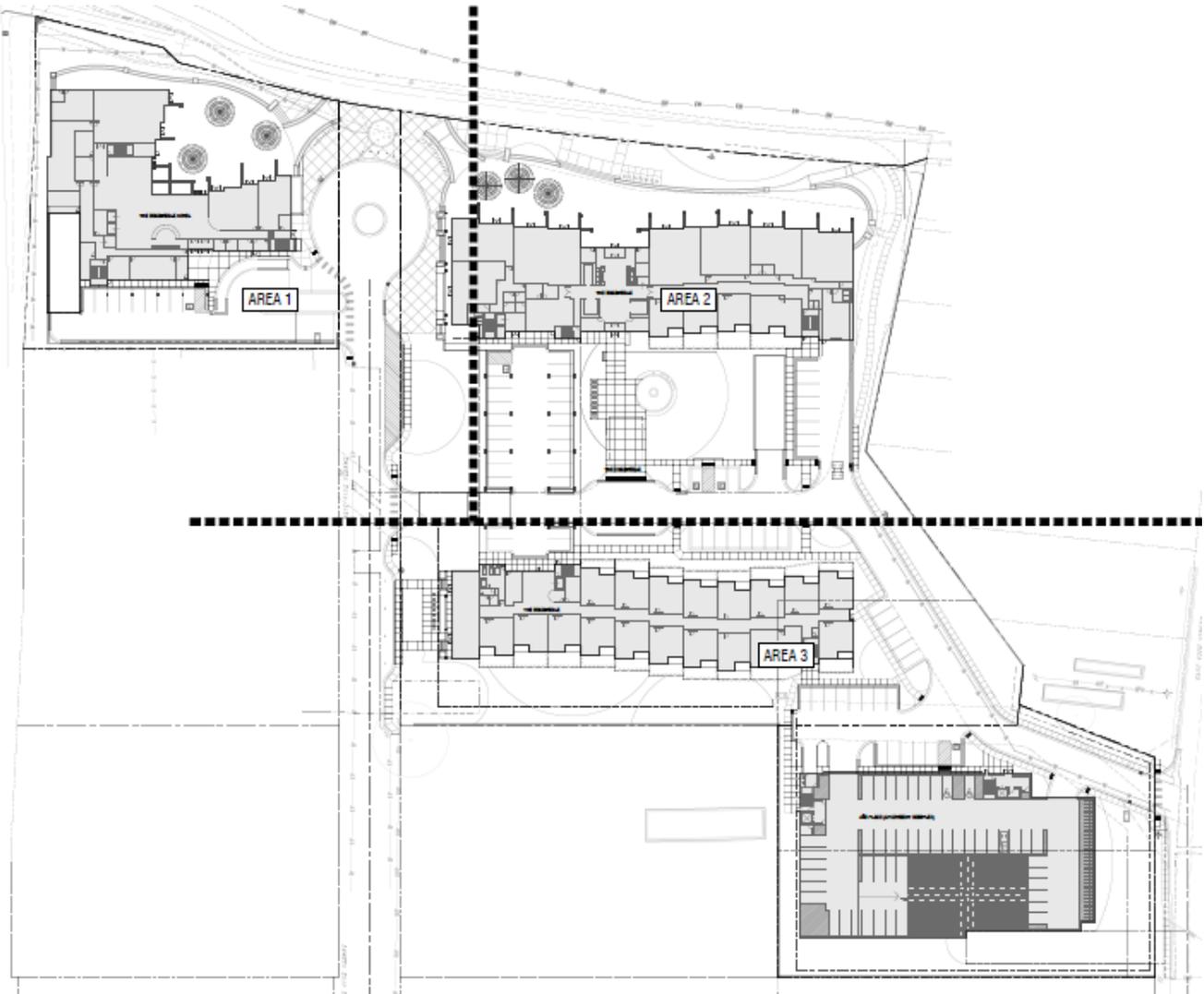
G. Attachments

1. Vicinity Map
2. Site Plan
3. Traffic Impact Study Executive Summary
4. Utility Coordinating Council
5. Development Process Checklist
6. Request for Reconsideration Guidelines

VICINITY MAP



SITE PLAN



EXECUTIVE SUMMARY

CR Engineering, Inc. has been retained to prepare a traffic impact study (TIS) for the proposed The Boardwalk development located north of Adams Street between Veterans Memorial Parkway and 40th Street in Garden City, Idaho, as shown in **Figure 1.1**. The scope of this TIS was determined through coordination with the Ada County Highway District (ACHD) and Idaho Transportation Department, (ITD) with inputs from the Community Planning Association of Southwest Idaho (COMPASS).

The TIS evaluates the potential traffic impacts resulting from background traffic growth and the proposed development, and identifies improvements to mitigate the impacts if needed. Traffic impacts were evaluated based on the proposed land uses and access as shown in the preliminary site plan under weekday AM and PM peak hours traffic conditions. **Table 1** summarizes the improvements needed to mitigate the traffic impacts for the following analysis years traffic conditions:

- 2019 Existing traffic
- 2024 Build-out year background traffic
- 2024 Build-out year total traffic

Table 1 – Proposed Intersection Improvements Summary

Intersection	2019 Existing	2024 Build-Out Year	
		Background	Total
① Adams Street and Veterans Memorial Pkwy	Signal timing adjustments	None	None
② Adams Street and 41 st Street	None	None	None
③ Chinden Boulevard and Orchard Street	None	Restripe EB, NB, and SB approaches, widen Chinden Blvd to 3 EB lanes from Orchard to 30 th ¹	None beyond prior improvements ¹
④ Boardwalk Hotel Access and 41 st Street	na	na	Unsignalized T-intersection
⑤ Boardwalk W Access and 41 st Street	na	na	Unsignalized T-intersection
⑥ 406 Place Access and 40 th Street	na	na	Unsignalized T-intersection

¹ One or more lane group volume/capacity (v/c) ratios exceed 0.90 but less than 1.00

1.0 Proposed Development

- 1.1 The Boardwalk is a proposed mixed-use development estimated to include 275 multifamily dwelling units, 13,493 square feet of general retail land use, a 5,574-square foot quality restaurant, and a 148-room hotel. The expected build-out year is 2024 but may change depending on market conditions.
- 1.2 Based on the procedures outlined in the *Trip Generation Handbook, 3rd Edition* and the *Trip Generation Manual, 10th Edition*, both published by the Institute of Transportation Engineers (ITE), the proposed development is estimated to generate approximately 4,748 trips per weekday with 324 trips during the AM peak hour and 368 trips during the PM peak hour.
 - Based on the proposed land use and ITE methodologies, the development is expected to capture approximately 4% of the AM peak hour and 28% of the PM peak hour trips within the site. The daily capture rate was assumed to be the same as the AM peak hour rate at 4%.
 - Based on ITE pass-by rates, the proposed retail and restaurant land uses within the development are expected to generate a total of 44 pass-by trips in the PM peak hour. No ITE pass-by trip rates are available for the proposed land uses in the AM peak hour and were not included in the analysis.
 - All trips generated by the development were assumed to be made by personal or commercial vehicles.
- 1.3 The estimated site traffic distribution patterns are:
 - 10% with origins/destinations west of the site
 - 30% with origins/destinations east of the site
 - 20% with origins/destinations north of the site
 - 40% with origins/destinations south of the site
- 1.4 The Boardwalk is proposing two accesses on 41st Street and one access on 40th Street for site access:
 - North access on 41st Street (The Boardwalk Hotel Access)
 - Proposed as a full access located 155 feet north of the south access (The Boardwalk Access)
 - Meets ACHD access spacing on a local roadway
 - Is not expected to require turn lanes based on ACHD's turn-lane guidelines
 - Expected to meet ACHD's minimum operational thresholds with 2024 total traffic
 - South access on 41st Street (The Boardwalk Access)
 - Proposed as a full access located approximately 580 feet north of Adams Street
 - Meets ACHD access spacing on a local roadway
 - Is not expected to require turn lanes based on ACHD's turn-lane guidelines
 - Expected to meet minimum operational thresholds with 2024 total traffic
 - East access on 40th Street (406 Place Access)
 - Proposed as a full access located approximately 360 feet north of Adams Street
 - Meets ACHD access spacing on a local roadway
 - Is not expected to require turn lanes based on ACHD's turn lane guidelines
 - Expected to meet minimum operational thresholds with 2024 total traffic

2.0 Improvements Needed to Mitigate 2019 Existing Traffic

- 2.1 With 2019 existing traffic, all study area intersections meet minimum operational thresholds analyzed with the existing intersection control and lane configurations, with the exception of one intersection. The intersection, operational deficiencies, and mitigation improvements are:
- Adams Street and Veterans Memorial Parkway intersection
 - The intersection meets minimum operational thresholds, with the exception of one lane group. The eastbound through/right-turn lane group operates with a volume to capacity (v/c) ratio of 1.01 during the AM peak hour, which slightly exceed ACHD's 1.00 threshold.
 - Minor signal timing adjustments would reduce the eastbound through/right-turn lane group v/c ratio to below 1.00, which the intersection and all other lane groups continue to meet minimum operational thresholds.
 - Besides signal timing adjustments, no other intersection improvements are proposed to mitigate 2019 existing traffic.
- 2.2 With 2019 existing traffic, the Adams Street and 41st Street intersection does not require a right-turn lane based on ACHD's turn-lane guidelines.
- 2.2 With 2019 existing traffic, the Adams Street and 41st Street intersection does not require a right-turn lane based on ACHD's turn-lane guidelines.
- 2.3 With 2019 existing traffic, the study area roadway segments meet ACHD's level of service planning thresholds with the existing lane configuration. No roadway capacity improvements are needed to mitigate 2019 existing traffic conditions.

3.0 Improvements Needed to Mitigate 2024 Background Traffic

- 3.1. With 2024 background traffic, all study area intersections are expected to meet minimum operational thresholds analyzed with the existing intersection control, adjusted signal timings, and lane configurations, with the exception of one intersection. The intersection, operational deficiencies, and mitigation improvements are:
- Chinden Boulevard and Orchard Street intersection
 - The intersection is expected to operate with an overall v/c ratio of 0.94 during the AM peak hour, which exceeds 0.90 thresholds. The eastbound through and northbound through/left-turn lane groups are expected to operate with a v/c ratio exceeding 0.90 but below 1.00 during the peak hours.
 - The following improvements are proposed to mitigate 2024 background traffic:
 - Restripe the northbound approach with dual left-turn lanes and one shared through/right-turn lane
 - Restripe the southbound approach with one left-turn lane and one shared through/right-turn lane
 - Restripe the eastbound approach to add one additional through lane
- 3.2. With 2024 background traffic, the Adams Street and 41st Street intersection is not expected to require a right-turn lane based on ACHD's turn-lane guidelines.
- 3.3. With 2024 background traffic, the study area roadway segments are expected to meet ACHD's level of service planning thresholds with the existing lane configuration. Based on the intersection discussed above, Chinden Boulevard will need the following improvements:
- Widen Chinden Boulevard to accommodate the additional eastbound receiving lane from Orchard Street to 30th Street

4.0 Improvements Needed to Mitigate 2024 Build-Out Year Total Traffic

- 4.1 With 2024 total traffic, all study area intersections are expected to meet minimum operational thresholds analyzed with the existing intersection control and lane configurations or with the preceding mitigation improvements for 2024 background traffic. Therefore, no additional improvements beyond the improvements needed to mitigate 2024 background traffic are proposed to mitigate 2024 total traffic.
- 4.2 The estimate site traffic as a percentage of the 2024 total traffic at the study area intersections are:
 - Adams Street and Memorial Parkway intersection – AM peak = 6.6%, PM peak = 4.1%
 - Adams Street and 41th Street intersection – AM Peak = 33.6%, PM peak = 19.3%
 - Chinden Boulevard and Orchard Street intersection – AM peak = 3.6%, PM peak = 2.4%
- 4.3 With 2024 total traffic, the Adams Street and 41st Street intersection is not expected to require a right-turn lane based on ACHD’s turn-lane guidelines.
- 4.4 With 2024 total traffic, the study area roadway segments are expected to meet ACHD’s level of service planning thresholds with the existing lane configuration. No roadway capacity improvements are needed to mitigate 2024 total traffic conditions.

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.



B & A Engineers, Inc.

Consulting Engineers & Land Surveyors
5505 West Franklin Rd. Boise, ID 83705
Telephone 208.343.3381 Facsimile 208.342.5792

To: **Garden City Planning**

Copy: **Jenah Thornborrow
Chris Samples
Betty Gumm
Colin Schmidt
Kevin Wallis
Troy Vaughn
Chad Vaughn
Olesya Durfey**

From: **Joe Canning, PE/PLS**
Telephone: 208.343.3381
E-Mail: jdcanning@baengineers.com

Date: 9 May 2020

Subject: **The Boardwalk
Vida Properties, LP
510 East 41st Street
CUPFY2020-12**

Pages: 3

Media: Transmitted via E-mail

On behalf of Garden City, as the city engineer, we have completed our review of the application for the subject project. This application is requesting to develop a hotel. We had previously reviewed this site under DSRFY2019-25.

Any approval of the project should be conditioned upon successfully addressing items presented in this review.

Erosion and Sediment Control

Prior to performing any grading on the site the applicant must prepare and have approved by the city an erosion and sediment control plan.

Ada County Highway District Approval

Approval of the project by the Ada County Highway District will be required.

Fire District Approval

Approval of the project by the North Ada County Fire and Rescue District will be required. Should fire flow requirements exceed those available, any modifications to the building, its use, off-site city water lines or other efforts may be necessary to obtain approval of plans.

We suggest the applicant meet and discuss public and emergency access to and for the project as soon as possible.

Water and Sewer Connections

Water and sewer services will have to be reviewed and approved by the city's Public Works Department.

FEMA Preliminary Maps

FEMA has recently issued preliminary maps for Garden City. These maps do not reflect the latest flood study for the Boise River. Significant changes are in the future for much of Garden City based upon available work maps. Please note that the FEMA preliminary maps do not reflect the probable final disposition of the floodplain area as the city is expected to be placed in an interim seclusion overlay. A completed flood risk acknowledgement form may be required.

The project proposes below grade parking garages. The impact of these garages should be addressed in relation to the above mentioned FEMA work maps.

Site Grading and Drainage Plan

A site grading and drainage plan will be required to be reviewed and approved by the city. The plan will be reviewed when a building permit is requested.

A storm water design report and a drainage system operation and maintenance manual for handling of storm water prepared by an Idaho licensed design professional will be required. Compliance with the storm water ordinance and policies of the city will be required. Drainage must be maintained on-site.

A site geotechnical report will be required for the design of the on-site storm water system. Said report would identify the depth to seasonal high groundwater, provide a profile of encountered soils and their infiltration rates. The report would also provide a design infiltration rate recommendation for the storm water system. The storm water design must provide for at least three feet of vertical separation between the bottom of the storm water facility and the seasonal high groundwater.

Storm Water Operation and Management Agreement

The landowner must enter into an agreement with the city that will be recorded addressing mandatory maintenance of the site's storm water system. The agreement must be fully executed, have conditionally approved plans attached and be recorded by the city with final plan approval.

Irrigation Facilities

Relocation or changes of any existing irrigation facilities, if any, will require the approval of the entity in control of the facility.

Land Parcel Status

The site appears to be comprised of multiple parcels of land. A parcel consolidation survey or other mechanism may be required.

We have no other comments regarding this request at this time.



May 21, 2020

Garden City Development Services
6015 N. Glenwood
Garden City, Idaho 83714

RE: erstad Architects, CUPFY2020-12

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: deq.idaho.gov/assistance-resources/environmental-guide-for-local-govts.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. Air Quality

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

All property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.

DEQ recommends the city/county require the development and submittal of a dust prevention and control plan prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.

Citizen complaints received by DEQ regarding fugitive dust from development and construction activities will be referred to the city or county to address under their ordinances.

Information on fugitive dust control plans can be found at:
http://www.deq.idaho.gov/media/61833-dust_control_plan.pdf

- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.

For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

2. Wastewater and Recycled Water

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.

All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.

- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. Drinking Water

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.

All projects for construction or modification of public drinking water systems require preconstruction approval.

- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: deq.idaho.gov/water-quality/drinking-water.aspx). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for

protection of ground water resources.

- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. Surface Water

- A DEQ short-term activity exemption (STAE) from this office is required if the project will involve de-watering of ground water during excavation and discharge back into surface water, including a description of the water treatment from this process to prevent excessive sediment and turbidity from entering surface water.
- Please contact DEQ to determine whether this project will require a National Pollution Discharge Elimination System (NPDES) Permit. A Construction General Permit from EPA may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at:
<http://www.idwr.idaho.gov/WaterManagement/StreamsDams/Streams/AlterationPermit/AlterationPermit.htm>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. Hazardous Waste And Ground Water Contamination

- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste

Management Regulations and Standards, Rules and Regulations for Hazardous Waste, and Rules and Regulations for the Prevention of Air Pollution.

- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852).

Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Albert Crawshaw, Waste & Remediation Manager, at (208) 373-0550.

6. Additional Notes

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,



Aaron Scheff
Regional Administrator
Boise Regional Office

ec: CM#2020AEK124