



**Project/File:** **Mountain View Townhomes/ GCPP19-0004/ SUBFY2020-1/ DSRFY2020-03**  
 This is a design review, planned unit development, and preliminary plat application to allow for the development of a 76-lot subdivision on 7.8 acres. The site located on the east side of Glenwood Street and north of Mountain View Drive.

**Lead Agency:** Garden City

**Site address:** N. Glenwood Street

**Staff Approval:** XXXX, 2019

**Applicant:** David Hale  
 Hale Development, Inc.  
 1603 W. Idaho Street  
 Boise, ID 83702

**Owner:** CS2, LLC  
 3363 E. Presidential Dr,  
 Ste 200  
 Meridian, ID 83642



**Staff Contact:** Dawn Battles  
 Phone: 387-6218  
 E-mail: [dbattles@achdidaho.org](mailto:dbattles@achdidaho.org)

## A. Findings of Fact

- Description of Application:** The applicant is requesting approval of a design review, planned unit development, and a preliminary plat application to allow for the development of a 76-lot subdivision consisting of 72 residential lots and 4 common lots on 7.8 acres.

The applicant's proposal is consistent with Garden City's comprehensive plan which designates this site mixed use commercial and transit-oriented development.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	General Commercial	C-2
South	Single Family Residential, Urban	R-1C
East	General Commercial	C-2
West	Mixed Use/ Commercial	M/ C-1D

- Site History:** See finding for consideration 1 below.

4. **Adjacent Development:** The following developments are pending or underway in the vicinity of the site:
  - Ridgeline Townhomes, a 16-townhome development located west of the site and was approved by ACHD in June 2018.
5. **Transit:** Transit services are available to serve this site via route 8x.
6. **New Center Lane Miles:** The proposed development includes 0 centerline miles of new public road.
7. **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. The impact fee assessment will not be released until the civil plans are approved by ACHD.
8. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
  - The Glenwood Couplet is listed in the CIP to include the construction of a new 3-lane roadway from Cole Road to Goddard Road between 2031 and 2035.
  - The intersection of Goddard Road/Mountain View Drive and Glenwood Street is listed in the CIP to be widened to 6-lanes on the north leg, 4-lanes on the south, 5-lanes east, and 4-lanes on the west leg, and signalized between 2021 and 2025.

## **B. Traffic Findings for Consideration**

1. **Trip Generation:** This development is estimated to generate 392 vehicle trips per day; 32 vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 10<sup>th</sup> 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 20/26 Chinden Boulevard	0-feet	Principal Arterial	1,975	N/A
Glenwood Street	0-feet	Principal Arterial	1,317	Better than "E"
53 <sup>rd</sup> Street	55-feet	Local	N/A	N/A

\* Acceptable level of service for a four-lane principal arterial is "E" (1,780 VPH).

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

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

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

- The average daily traffic count for Chinden Boulevard (SH 20/26) east of Glenwood Street was 39,190 on April 11, 2018.
- The average daily traffic count for Glenwood Street north of Goddard Street was 27,161 on May 30, 2018.
- There are no current traffic counts for 53<sup>rd</sup> Street.

## C. Findings for Consideration

### 1. Site History

In 2014 ACHD reviewed this site as part of an application for the Glenwood Apartments (GC14-0014). The Glenwood Apartments project had frontage on Glenwood Street and the Commission approved a right-in/right-out only driveway onto Glenwood Street with all other access to the site coming off of 53<sup>rd</sup> Street and off-site pedestrian improvements. Since 2014, the parcel has been split and the current site no longer has frontage on Glenwood Street. Sole access to the site is proposed off of 53<sup>rd</sup> Street with an emergency only access through the Fred Meyer parking lot.



### 2. 53<sup>rd</sup> Street

a. **Existing Conditions:** 53<sup>rd</sup> Street is improved with 2-travel lanes, 30 to 38-feet of pavement, valley gutter on a portion of the east side and vertical curb, gutter, and 5-foot wide sidewalk on the west side of 53<sup>rd</sup> Street. There is 50-feet of right-of-way for 53<sup>rd</sup> Street (25-feet from centerline). 53<sup>rd</sup> Street terminates at the site's northeast property line.

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.

**Continuation of Streets Policy:** District Policy 7208.2.4 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 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, water and sewer.

- Promotes orderly development.

**Cul-de-sac Streets Policy:** District policy 7207.5.8 requires cul-de-sacs to be constructed to provide a minimum turning radius of 45-feet; in rural areas or for temporary cul-de-sacs the emergency service providers may require a greater radius. Landscape and parking islands may be constructed in turnarounds if a minimum 29-foot street section is constructed around the island. The pavement width shall be sufficient to allow the turning around of a standard AASHTO SU design vehicle without backing. The developer shall provide written approval from the appropriate fire department for this design element.

The District will consider alternatives to the standard cul-de-sac turnaround on a case-by-case basis. This will be based on turning area, drainage, maintenance considerations and the written approval of the agency providing emergency fire service for the area where the development is located.

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

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

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

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

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

c. **Applicant's Proposal:** The applicant is proposing to construct a private drive aisle off the end of 53<sup>rd</sup> Street to provide access to the site.

d. **Staff Comments/Recommendations:** The applicant's proposal does not meet District policy and should not be approved, as proposed. ACHD's Continuation of Streets policy requires that roadways be extended into a site or terminated with the construction of cul-de-sac turnaround.

Due to the topography of the site staff does not recommend the extension of 53<sup>rd</sup> Street into the proposed development. Consistent with ACHD's prior action on the site, staff recommends that 53<sup>rd</sup> be terminate with the construction of a cul-de-sac turnaround.

Typically, the applicant would be required to construct a cul-de-sac turnaround with a minimum radius of 45-feet. However, the Commission previously approved the construction of a cul-de-sac turnaround with a reduced radius in this location. The reduced radius is necessary to due to the location of the bank of the Settlers Canal.

Therefore, consistent with ACHD's prior action on the site staff recommends that 53<sup>rd</sup> Street be terminated with the construction of cul-de-sac turnaround with vertical curb and a 26-foot radius from curb to curb. A permanent right-of-way easement should be provided for any portion of the turnaround located outside of the right-of-way.

### 3. Private Roads

- a. **Private Road Policy:** District policy 7212.1 states that the lead land use agencies in Ada County establish the requirements for private streets. The District retains authority and will review the proposed intersection of a private and public street for compliance with District intersection policies and standards. The private road should have the following requirements:
- Designed to discourage through traffic between two public streets,
  - Graded to drain away from the public street intersection, and
  - If a private road is gated, the gate or keypad (if applicable) shall be located a minimum of 50-feet from the near edge of the intersection and a turnaround shall be provided.

**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 36-feet. Most commercial driveways will be constructed as curb-cut type facilities.

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

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

- b. **Applicant Proposal:** The applicant is proposing to construct a private road/drive aisle off the terminus of 53<sup>rd</sup> Street to provide access to the site, as well as series of private roads/drive aisles to serve the site.
- c. **Staff Comments/Recommendations:** The applicant's proposal to construct a private road/drive aisle off the terminus of 53<sup>rd</sup> Street meets District policy and should be approved, as proposed. If the City of Boise approves the private road, the applicant shall be required to pave the private roadway a minimum of 20 to 24-feet wide and at least 30-feet into the site beyond the edge of pavement of all public streets and install pavement tapers with 15-foot curb radii abutting the existing roadway edge. If private roads are not approved by the City of Boise, the applicant will be required to revise and resubmit the preliminary plat to provide public standard local streets in these locations.

Street name and stop signs are required for the private road. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.

ACHD does not make any assurances that the private road, which is a part of this application, will be accepted as a public road if such a request is made in the future. Substantial redesign and reconstruction costs may be necessary in order to qualify this road for public ownership and maintenance.

The following requirements must be met if the applicant wishes to dedicate the roadway to ACHD:

- Dedicate a minimum of 50-feet of right-of-way for the road.
- Construct the roadway to the minimum ACHD requirements.
- Construct a stub street to the surrounding parcels.

#### 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. Construct a turnaround with a 26-foot radius at the terminus of 53<sup>rd</sup> Street. Provide a permanent right-of-way easement for the turnaround.
2. Construct one private road/drive aisle off the cul-de-sac at the terminus of 53<sup>rd</sup> Street. The private road/drive aisle is restricted to a maximum width of 36-feet.
3. Street name and stop signs are required for the private road/drive aisle. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.
4. If the private road/drive aisle off of 53<sup>rd</sup> Street is gated, then the gate shall be located a minimum of 50-feet from the right-of-way for 53<sup>rd</sup> Street and a turnaround shall be provided.
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.

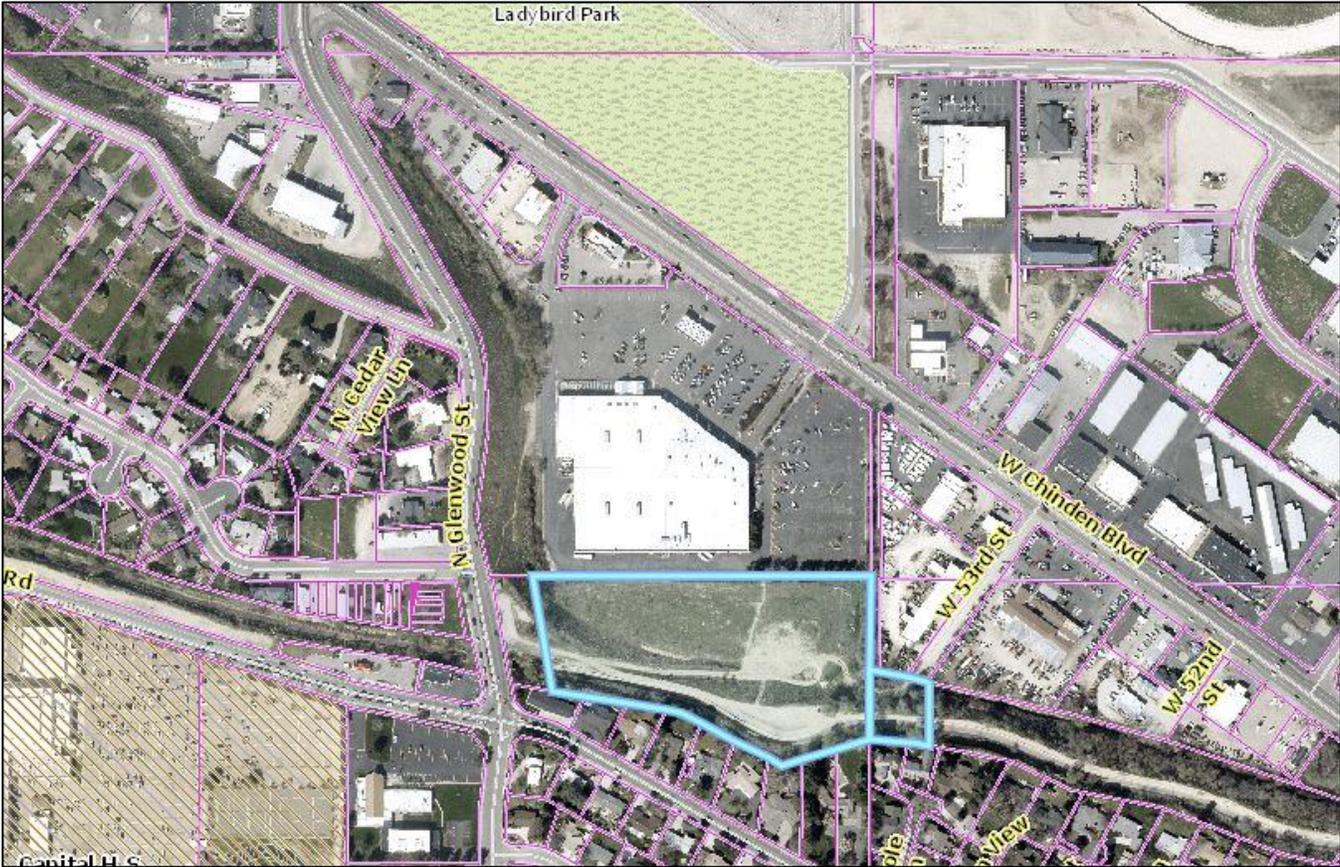
## **F. Conclusions of Law**

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





# 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](http://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.