April 3, 2013

To: ACHD Commission
From: Development Review Section
Kaci Bader
Subject: Final Plat: Arch Rock Terrace Subdivision
Meeting Date: April 10, 2013

FACTS & FINDINGS:
1. Arch Rock Terrace Subdivision is a 26 buildable and 4 common lot residential subdivision on 4.75 acres. This site is located on N. Linder Road, just south of W. McMillan Road.

2. The applicant is Marcum Homes, LLC and Kevin A. Howell Construction, LLC. The principals for the applicants are Dirk Marcum and Kevin A. Howell.

3. The preliminary plat was approved on December 28, 2006. All conditions of the preliminary plat have been satisfied. (See attached)

RECOMMENDATION:
1. Approve the final plat of Arch Rock Terrace Subdivision and authorize the President to endorse.

ATTACHMENTS:
1. Final Plat
2. Vicinity Map
CERTIFICATE OF OWNERS

Mc. Marcum Homes, LLC (formerly, MHS Homes, LLC) and Kevin A. Howell Construction, LLC. requiring first and second deed transfers and say that we are the owners of ARCH ROCK TERRACE
SUBDIVISION more particularly described in the legal description below, stating that it is our intention to include said property in the subdivision plat, and that we do for ourselves, our
heirs, transferees, successors and assigns, do hereby dedicate, dedicate and convey to the
public forever the public streets shown on this plat. The easements as shown on this plat are
dedicated to the public, however, the right to use said easements is hereby
permanently reserved for public utilities and such other uses as is designated within this plat and
shall be subject to all other easements and restrictions as shown on the plat. The
residents of this subdivision shall receive domestic water from an existing water system, and the City of
Butte has agreed in writing to serve all the lots within this subdivision.

A parcel of land being a portion of the NE 4 of Section 36, Township 4 North, Range 1 West, Butte County, Idaho, more particularly described as follows;

Commencing at the northeast corner of said NE 4, corner common to sections 25, 26, 35, & 36, monumented with a brass disk;

Thence S. 00° 14' 45" W., a distance of 688.88 feet (formerly 686.88 feet) along the west boundary of said NE 4 to a point;

Thence S. 00° 24' 18" E., a distance of 39.00 feet to the POINT OF BEGINNING;

Thence S. 00° 24' 18" E., a distance of 749.47 feet to a point on the westly boundary of Cobblefield Crossing Subdivision;

Thence S. 29° 00' 15" W., a distance of 338.93 feet (formerly 338.32 feet) along said westly boundary to an angle point;

Thence N. 88° 26' 42" W., a distance of 625.08 feet along the northly boundary of Cobblefield Crossing Subdivision to a point on the west boundary of said NE 4;

Thence N. 00° 44' 15" W., a distance of 305.78 feet parallel with the west boundary of said NE 4 to the POINT OF BEGINNING.

This parcel contains 4,765 square acres more or less.

SUBJECT TO: All existing rights of way and easements of record or implied appearing on the
above described parcel of land.

[Signature]

Marcum Homes, LLC

[Signature]

Kevin A. Howell - Member
Kevin A. Howell Construction - LLC

ACKNOWLEDGMENT

STATE OF IDAHO
COUNTY OF

Be it remembered that on this: 12 day of: December, 2012 before me, the
undersigned, a Notary Public in and for said state, personally appeared DBL L. Marcum, who
is known or identified to me to be the member of Marcum Homes, LLC that executed the
instrument or the person who executed the instrument on behalf of said Corporation, and
acknowledged to me that such Corporation executed the same.

In witness whereof, I have hereunto set my hand and caused to be sealed the day last above written.

[Notary Public]

[Stamp]

ACKNOWLEDGMENT

STATE OF IDAHO
COUNTY OF

Be it remembered that on this: 12 day of: December, 2012 before me, the
undersigned, a Notary Public in and for said state, personally appeared Kevin A. Howell, who
is known or identified to me to be the member of Kevin A. Howell Construction, LLC that
executed the instrument or the person who executed the instrument on behalf of said
Corporation, and acknowledged to me that such Corporation executed the same.

In witness whereof, I have hereunto set my hand and caused to be sealed the day last above written.

[Notary Public]

[Stamp]

CERTIFICATE OF SURVEYOR

I, [Name], do hereby certify that I am a Professional Land Surveyor licensed by the
State of Idaho, and that this plat as described in the Owners Certificate and the attached
plot, was drawn from an actual survey made on the ground under my direct supervision and
complied with the rules and regulations thereto set forth in the Idaho Uniform Survey Code, and also by
compliance with the rules of land surveying as set forth in the Uniform Survey Code of the State of Idaho.

[Signature]

[Name]

[License Number]

[Date]
ARCH ROCK TERRACE SUBDIVISION

CERTIFICATE OF COUNTY SURVEYOR
I, the undersigned, professional land surveyor for Ada County, Idaho, hereby certify that I have checked this plat and find that it complies with the State of Idaho code relating to Plats and Vacations.

Ada County Surveyor Date

APPROVAL OF ADA COUNTY HIGHWAY DISTRICT
The foregoing Plat was accepted and approved by the Board of Ada County Highway District Commissioners on the day of , 20.

Commissioner Ada County Highway District

APPROVAL OF CITY COUNCIL
I, the undersigned, City Clerk in and for the City of Meridian, Ada County, Idaho, hereby certify that at a regular meeting of the City Council held on the day of , 20 this plat was duly accepted and approved.

City Clerk, City of Meridian, Idaho

APPROVAL OF CITY ENGINEER
I, the undersigned, City Engineer, in and for the City of Meridian, Ada County, Idaho, hereby approve this plat.

City Engineer Date

CERTIFICATE OF COUNTY TREASURER
I, the undersigned, County Treasurer in and for the County of Ada, State of Idaho, per the requirements of I.C.50-1308, do hereby certify that any and all current and/or delinquent County Property Taxes for the property included in this proposed subdivision have been paid in full.

This certificate is valid for the next thirty (30) days only.

County Treasurer Date

HEALTH CERTIFICATE
Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied based on a review by a qualified licensed professional engineer (QLPE) representing the City of Meridian and the QLPE approval of the design plans and specifications and the conditions imposed on the developer for continued satisfaction of the sanitary restrictions. Buyer is cautioned that at the time of this approval, no drinking water extensions or sewer extensions were constructed. Building construction can be allowed with appropriate building permits if drinking water extensions or sewer extensions have since been constructed, or if the developer is simultaneously constructing those facilities. If the developer fails to construct facilities, then sanitary restrictions may be re-imposed, in accordance with Section 50-1328, Idaho Code, by the issuance of a certificate of disapproval, and no construction of any building or shelter requiring drinking water or sewer/septic facilities shall be allowed.

Central District Health Department, REHS Date
A. Findings of Fact

Existing Conditions
1. Site Information: The site is currently vacant.

2. Description of Adjacent Surrounding Area:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Land Use</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Rural Residential</td>
<td>RUT</td>
</tr>
</tbody>
</table>
3. **Existing Roadway Improvements & Right-of-Way**
   Linder Road is currently improved with 2 travel lanes, paved shoulders, and no curb, gutter or sidewalk abutting the site. Linder Road currently has 72-feet of right-of-way (as shown on the ACHD GIS program). 38-feet (from centerline) of right-of-way exists for Linder Road abutting the site, with a 15-foot sidewalk easement acquired for the FYWP intersection project (see below).

4. **Existing Access:**
   There are currently two rural approaches accessing the site from Linder Road located approximately 90-feet and 200-feet south of the north property line (measured near edge to near edge).

5. **Site History:**
   This site has not been previously reviewed for a development application.

**Development Impacts**

1. **Trip Generation:**
   This development is estimated to generate approximately 260 additional vehicle trips per day based on the Institute of Transportation Engineers Trip Generation Manual, single family dwelling land use designation.

2. **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.

3. **Traffic Impact Study:**
   A traffic impact study was not required with this application.

4. **Impacted Roadways:**

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Frontage</th>
<th>Functional Classification</th>
<th>Traffic Count</th>
<th>Level of Service*</th>
<th>Speed Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Linder Road</td>
<td>315'</td>
<td>Minor Arterial</td>
<td>10,589 north of Ustick on 04/07/2005</td>
<td>Better than “C”</td>
<td>35 MPH</td>
</tr>
</tbody>
</table>

*Acceptable level of service for a 2 lane minor arterial is “D” (14,000 VTD).

5. **Capital Improvements Plan/Five Year Work Program**
   The intersection of Linder and McMillan is slated for signalization and widening to 6-lanes (abutting the site; tapering) in the District’s Five Year Work Program (2010). Additionally, Linder Road is slated for widening to 5-lanes in the District’s Capital Improvements Plan.

**B. Findings for Consideration**

1. **Tree Planter Policy**
   **Tree Planter Policy:** The applicant should also comply with the District’s Tree Planter Width Interim Policy which prohibits all trees in planters less than 6-feet in width. In addition to prohibiting trees in planters less than 6-feet in width, the policy requires a minimum planter width of 6-feet for class II tress with the installation of root barriers on both sides of the planter strip or a minimum planter...
width of 8-feet without the installation of a root barrier. The policy also requires Class I and Class III trees to provide a minimum planter width of 10-feet.

2. **Linder Road**

   **Right-of-Way Policy**: District policy requires 96-feet of right-of-way on arterial roadways (Figure 72-F1B). This right-of-way allows for the construction of a 5-lane roadway with curb, gutter, 5-foot concrete detached sidewalks and bike lanes.

   **Sidewalk Policy**: District policy requires 7-foot wide attached (or 5-foot detached) concrete sidewalk on all collector roadways and arterial roadways (7204.7.2).

   **Applicant Proposal**: The applicant is proposing to construct a meandering 5-foot concrete sidewalk for the site's frontage on Linder Road.

   **Staff Recommendation**: The applicant should be required to provide ACHD with a road trust for the construction of sidewalk along Linder Road (approximately 315-feet of frontage X $20/lineal foot= approximately $6300). Additionally, the applicant should coordinate the design of access to Linder Road, W. Ann Taylor Way, with the ACHD project manager for the noted intersection improvements in the FYWP (Gary Inselman: (208)387-6170). Except for the access specifically approved with this application, no access should be allowed to Linder Road; and a notation of this restriction should be made on the final plat.

3. **Stub Streets**

   **Stub Street Policy**: District policy 7203.5.1 states that the street design in a proposed development shall cause no undue hardship to adjoining property. An adequate and convenient access to adjoining property for use in future development may be required. If a street ends at the development boundary, it shall meet the requirements of sub section 7205, “non-continuous streets.” District policy 7205.5 states that stub streets will be required to provide intra-neighborhood circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7204.5, 7204.6 and 7204.7, except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

   **Applicant Proposal**: The applicant is proposing to construct two stub streets to the parcel to the north with this application. The first stub, located approximately 120-feet west of the east property line, is greater than 150-feet in length, with a temporary turnaround easement on Lot 8. The second stub street, located approximately 180-feet west of Linder Road, is a curb return to the property line which will be extended north with the development of the adjacent parcel, thereby creating a "T" intersection in this location.

   **Staff Recommendation**: The applicant's proposed stub street locations should be approved. Both stub streets should be constructed with signage at the terminus stating: "THIS ROAD WILL BE EXTENDED IN THE FUTURE." The easternmost proposed stub street, W. Ann Taylor Way, should be constructed with a temporary turnaround due to the fact that it is greater than 150-feet in length. Should this turnaround be located across Lot 8 (proposed), it should encompass the entire lot until such time that a connection is made to the north.

4. **Internal Street**

   **Right-of-Way Policy**: District policy 7204.4.1 and Figure 72-F1A requires 50-feet of right-of-way on local streets. This right-of-way allows for the construction of a 2-lane roadway with curb, gutter and 5-foot wide concrete sidewalks.
36-foot Street Section Policy: District policy 7204.4.2 states, “developments with any buildable lot that is less that 1-acre in size will typically provide streets having a minimum pavement width of 32-feet with curb, gutter and sidewalks. The total street width shall be 36-feet from back-of-curb to back-of-curb. Concrete sidewalks shall be a minimum of 5-feet in width unless they are separated from the curb 5-feet or more in which case the sidewalk shall be a minimum of 4-feet in width.

Half Street Section Policy: District policy 7203.4.2 states “if a proposed development abuts an unpaved street or streets the developer shall construct one-half of the full street improvements, including curb, gutter and concrete sidewalk plus additional pavement widening beyond the centerline established for the street to provide a minimum 24-feet wide paved surface. A 3-foot wide gravel shoulder and a drainage swale sized to accommodate the roadway storm runoff shall be constructed on the unimproved side. This street section shall be constructed within a minimum 40-foot right-of-way.”

Turnaround Policy: District policy 7205.2.1 requires turnarounds to be constructed to provide a minimum turning radius of 45-feet. The applicant should also be required to provide a minimum of a 29-foot street section on either side of any proposed center islands within the turnarounds. The medians should be constructed a minimum of 4-feet wide to total a minimum of a 100-square foot area.

Applicant Proposal: The applicant is proposing to construct the internal street, W. Ann Taylor Way, as a 36-foot street section with rolled curb, gutter, and 5-foot attached concrete sidewalk; within 50-feet of right-of-way, as proposed. This street is proposed to intersect Linder Road at the north property line, approximately 655-feet south of the intersection of Linder and McMillan; offsetting Loretta Street by approximately 430-feet. This street meanders through the site with two proposed knuckles with islands. The first approximately 200-feet of the entry road will be a half street section with curb, gutter, and sidewalk constructed on the south side; and gravel shoulder and barrow ditch on the north side.

Staff Recommendation: The applicant should be required to construct the internal street, W. Ann Taylor Way, as a 36-foot street section with rolled curb, gutter, and 5-foot attached concrete sidewalk; within 50-feet of right-of-way for the section internal of the westernmost stub street. The first 200-feet of W. Ann Taylor Way (proposed as a half street section; entry road) should be constructed with a minimum 24-feet of pavement, curb, gutter, and 5-foot concrete sidewalk on the south side, and 3-foot gravel shoulder and barrow ditch on the north side; within a minimum 40-feet of right-of-way. Additionally, the applicant should coordinate the design and radii of the meandering internal street section with District Development Review Staff and the Fire Department prior to submittal of construction drawings. The right-of-way for W. Ann Taylor Way should be brought all the way to the north property line along the entry section (approximately the first 200-feet) to allow for future connectivity to the adjacent parcel and completion of the street section. W. Ann Taylor Way should align with the existing entry road to the Bridgetower Subdivision to the west.

C. Site Specific Conditions of Approval

1. Construct the internal street, W. Ann Taylor Way, as a 36-foot street section with rolled curb, gutter, and 5-foot attached concrete sidewalk; within 50-feet of right-of-way for the section internal of the westernmost stub street. The first 200-feet of W. Ann Taylor Way (proposed as a half street section; entry road) should be constructed with a minimum 24-feet of pavement, curb, gutter, and 5-foot concrete sidewalk on the south side, and 3-foot gravel shoulder and barrow ditch on the north side; within a minimum 40-feet of right-of-way. The right-of-way for W. Ann Taylor Way should be brought all the way to the north property line along the entry section (approximately the first 200-feet) to allow for future connectivity to the adjacent parcel and completion of the street section. W. Ann Taylor Way should align with the existing entry road to the Bridgetower Subdivision to the west.
2. Construct a stub street to the north of the site located approximately 180-feet east of the intersection with Linder Road, with signage at the terminus stating: "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

3. Construct a stub street to the north of the site located approximately 120-feet west of the east property line (W. Ann Taylor Way) with a temporary turnaround at the terminus; AND signage stating: "THIS ROAD WILL BE EXTENDED IN THE FUTURE." Should the turnaround be located across Lot 8 (proposed), it should encompass the entire lot until such time that a connection is made to the north.

4. Provide ACHD with a road trust for the construction of sidewalk along Linder Road (approximately 315-feet of frontage X $20/lineal foot = approximately $6300).

5. Coordinate the design of access to Linder Road (W. Ann Taylor Way) with the ACHD project manager for the noted McMillan & Linder intersection project in the FYWP (Gary Inselman: (208)387-6170).

6. Coordinate the design and radii of the meandering internal street section with District Development Review Staff and the Fire Department prior to submittal of construction drawings.


8. Except to the access specifically approved with this application, no access is allowed to Linder Road; and a notation of this restriction should be made on the final plat.


**D. Standard Conditions of Approval**

1. Any existing irrigation facilities shall be relocated outside of the right-of-way.

2. Private sewer or water systems are prohibited from being located within any ACHD roadway or right-of-way.

3. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.

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. Comply with the District’s Tree Planter Width Interim Policy.

6. 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.

7. All design and construction shall be in accordance with the Ada County Highway District Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Ordinances unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
8. The applicant shall submit revised plans for staff approval, prior to issuance of building permit (or other required permits), which incorporates any required design changes.

9. Construction, use and property development shall be in conformance with all applicable requirements of the Ada County Highway District prior to District approval for occupancy.

10. Payment of applicable road impact fees are required prior to building construction in accordance with Ordinance #200, also known as Ada County Highway District Road Impact Fee Ordinance.

11. 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 (1-800-342-1585) 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.

12. 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 the Ada County Highway District. The burden shall be upon the applicant to obtain written confirmation of any change from the Ada County Highway District.

13. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant or its successors in interest advises the Highway District of its intent to change the planned use of the subject property unless a waiver/variance of said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.

E. Conclusions of Law

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.

2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

Attachments
1. Vicinity Map
2. Site Plan
3. Appeal Guidelines
4. Development Process Checklist
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 ROWDS Manager when it is alleged that the ROWDS 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 of Highway Systems, 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 ROWDS 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 ROWDS 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.
Development Process Checklist

☑ Submit a development application to a City or to the County
☑ The City or the County will transmit the development application to ACHD
☑ The ACHD Planning Review Division will receive the development application to review
☑ The Planning Review Division will do one of the following:

☐ Send a “No Review” letter to the applicant stating that there are no site specific requirements at this time.

☐ Send a “Comply With” letter to the applicant stating that if the development is within a platted subdivision or part of a previous development application and that the site specific requirements from the previous development also apply to this development application.

☑ 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.

☐ The Planning Review Division will hold a Technical Review meeting for all Staff and Commission Level reports.

☐ For ALL development applications, including those receiving a “No Review” or “Comply With” letter:
  • The applicant should submit one (1) set of engineered plans directly to ACHD for review by the Development Review Division 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 calculation.)
  • 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 (Zone)
☐ Driveway or Property Approach(s)
  • Submit a “Driveway Approach Request” form to Ada County Highway District (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-Con an Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, must be turned into ACHD Construction – Subdivision to be reviewed and approved by the ACHD Drainage Division.

☐ 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
ACHD Construction – Subdivision must have received approval from Development Services prior to scheduling a Pre-Con.