May 14, 2013

TO: ACHD Board of Commissioners

FROM: Mindy Wallace
Planning Review Supervisor

SUBJECT: DRH13-00089/Owyhee Plaza

Executive Summary:
The applicant is requesting design review approval application for the demolition of an existing motel and swimming pool, to allow for parking and the renovation and conversion of the Owyhee Plaza Hotel into apartment with some restaurant and offices uses within the building. This item is on the consent agenda due to the scope of the project and the applicant’s proposal to maintain 2 underground storage vaults located under the sidewalk within the right-of-way on Main Street.

Underground Storage Vaults:
The applicant has proposed to abandon most of the existing underground storage vault, located within the right-of-way under the sidewalk on Main Street; maintaining 2 of the existing vaults to house water service and fire riser room facilities.

As part of the proposal the applicant has requested an alternative to the street loading standards required by the International Building Code (IBC) for the vault covers, and is requesting that the vault covers to be designed to carry a load of 250 pounds per square foot for pedestrian use, meeting IBC standards.

Staff recommends approval of the applicant’s proposal. Staff recommends the applicant be required to meet the IBC requirement that the vault covers be to designed to carry a load of 250 pounds per square foot for pedestrian use, and that the underground vaults to be abandon are filled with flowable concrete approved by ACHD.

Additionally, Staff recommends that the applicant enter into a license agreement with the District for the Underground vaults. The License Agreement will require applicant to indemnify ACHD from any claims, injury, damage or loss resulting from the applicant’s construction activities and the underground vaults.

Staff Recommendation
Staff recommends approval of the staff report as written.
A. Findings of Fact

1. Description of Application: This is a design review application for the demolition of an existing motel and swimming pool, to allow for parking and the renovation and conversion of the Owyhee Plaza Hotel into apartment with some restaurant and offices uses within the building.

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></td>
<td>C-5DD</td>
</tr>
<tr>
<td>South</td>
<td></td>
<td>C-5DD</td>
</tr>
<tr>
<td>East</td>
<td></td>
<td>C-5DD</td>
</tr>
<tr>
<td>West</td>
<td></td>
<td>C-5DD</td>
</tr>
</tbody>
</table>

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

4. 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.
5. Capital Improvements Plan (CIP)/Five Year Work Plan (FYWP):

There are currently no roadways, bridges or intersections in the general vicinity of the project that are currently in the Five Year Work Program or the District’s Capital Improvement Plan (CIP).

B. Traffic Findings for Consideration

1. Trip Generation: The conversion of the hotel to apartment will lead to a reduction in vehicle trips, and will not generate any additional traffic.

2. Condition of Area Roadways

   Traffic Count is based on Vehicles per hour (VPH)

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Frontage</th>
<th>Functional Classification</th>
<th>PM Peak Hour Traffic Count</th>
<th>PM Peak Hour Level of Service</th>
<th>Existing Plus Project</th>
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<tr>
<td>Main Street (One-Way)</td>
<td>300-feet</td>
<td>Minor Arterial</td>
<td>765</td>
<td>Better than “D”</td>
<td>Better than “D”</td>
</tr>
<tr>
<td>11th Street</td>
<td>260-feet</td>
<td>Collector</td>
<td>312</td>
<td>Better than “D”</td>
<td>Better than “D”</td>
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<tr>
<td>12th Street (One-Way)</td>
<td>260-feet</td>
<td>Collector</td>
<td>151</td>
<td>Better than “D”</td>
<td>Better than “D”</td>
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<tr>
<td>Grove Street</td>
<td>300-feet</td>
<td>Local</td>
<td>151</td>
<td>Better than “D”</td>
<td>Better than “D”</td>
</tr>
</tbody>
</table>

   * Acceptable level of service for a three-lane principal arterial is “E” (880 VPH) Per Lane.
   * Acceptable level of service for a two-lane collector is “D” (425 VPH) Per Lane.
   * Acceptable level of service for a three-lane collector is “D” (530 VPH).

3. Average Daily Traffic Count (VDT)

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

   Update traffic counts were not required due to construction projects downtown.

   - The average daily traffic count for Main Street west of 11th Street was 10,003 on 11/17/2010.
   - The average daily traffic count for 11th Street north of Front Street was 4,646 on 8/15/2012.
   - The average daily traffic count for 12th Street north of Front Street was 1,624 on 8/3/2011.
   - The average daily traffic count for Grove Street east of 12th Street was 3,048 on 8/25/10.

C. Findings for Consideration

1. Underground Vaults

   The application material note a proposal to abandon most of the existing storage vault, approximately 90%, located within the right-of-way under the sidewalk on Main Street; maintaining 2 of the existing vaults to house water service and fire riser room facilities. The vaults proposed to be abandoned will be backfilled using ACHD approved fill, and the sidewalks will be reconstructed as noted in Finding for Consideration 2 below.

   As part of this application, the applicant is requesting an alternative to the street loading standards required by the International Building Code (IBC) for the vault covers. The street loading standards require vault covers to carry a load of HS-25 or HS-20 per square foot. In
this type of situation (vaults below an existing sidewalk) IBC requires vault covers to be designed to carry a load of 250 pounds per square foot for pedestrian use.

The applicant has indicated that the 2 vaults proposed to remain will be brought up to current code meeting pedestrian loading standards required by the International Building Code (IBC) for the vault covers.

**Staff Comments/Recommendations:** Staff recommends approval of the applicant’s proposal to abandon most of the existing underground storage vaults located under the sidewalk on Main Street, while maintaining 2 of the vaults to house water service and fire riser room facilities.

The applicant should be required to meet the IBC requirement that the vault covers be designed to carry a load of 250 pounds per square foot for pedestrian use. The applicant should be required to backfill the underground vaults to be abandon with flowable concrete fill approved by ACHD. ACHD prefers the use of the flowable concrete fill as it does not require compaction, and does not allow for water infiltration or moisture seepage.

Additionally, Staff recommends that the applicant enter into a license agreement with the District for the underground vaults. The License Agreement will require applicant to identify the location of each of these underground vaults prior to beginning construction activities. The License Agreement will require applicant to indemnify ACHD from any claims, injury, damage or loss resulting from the applicant’s construction activities and the underground vaults.

2. **Main Street**
   a. **Existing Conditions:** Main Street is improved with 3-travel lanes, 50-feet of pavement, parallel on-street parking vertical curb, gutter, and 15-foot wide sidewalk/pedestrian area abutting the site. There is 80-feet of right-of-way for Main Street (40-feet from centerline).

   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

      - **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 Main Street is designated in the MSM as a Town Center Arterial with 3-lanes and on-street bike lanes, a 60-foot street section within 90-feet of right-of-way.

   c. **Applicant Proposal:** The applicant is proposing to replace the curb and gutter, add historic street lighting, plant 7 street trees, and replace the existing 15-foot wide sidewalk with a 4-foot wide area of brick pavers and a 10-foot wide concrete pedestrian area. The proposed improvements conform to CCDC Downtown Boise Streetscape standards.

   d. **Staff Comments/Recommendations:** Main Street in its current configuration with 50-feet of pavement curb-to-curb contains all the elements of a Town Center Arterial; as such staff does not recommend any improvements or right-of-way dedication as part of this application.
If the city of Boise desires additional amenities within the pedestrian zone the city should coordinate those requests with the applicant.

The applicant’s proposal to replace the curb and gutter, add historic street lighting, plant 7 street trees, and replace the existing 15-foot wide sidewalk with a 4-foot wide area of brick pavers and a 10-foot wide concrete pedestrian District Policy and should be approved as proposed.

This site is located within the Boise City’s Westside Downtown District. As such the applicant should enter into a license agreement with the City of Boise regarding the sidewalk, tree wells and other streetscaping/landscaping proposed to be located within the right-of-way.

3. **11th Street**

   a. **Existing Conditions:** 11th Street is improved with 3-travel lanes, 52-feet of pavement, parallel on-street parking vertical curb, gutter, and a 6 to 13-foot wide sidewalk abutting the site. There is 80-feet of right-of-way for 11th Street (40-feet from centerline).

   b. **Policy:**

      **Collector Street Policy:** District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.

      **Master Street Map and Typologies Policy:** District policy 7206.5 states that if the collector street is designated with a typology on the Master Street Map, that typology shall be considered for the required street improvements. If there is no typology listed in the Master Street Map, then standard street sections shall serve as the default.

      **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, collector street requirements, and specific roadway features required through development. This segment of 11th Street is designated in the MSM as a Town Center Collector with 3-lanes and on-street bike lanes, a 60-foot street section within 88-feet of right-of-way.

   c. **Applicant Proposal:** The applicant is proposing to remove 3 on street parking stalls and to expand the sidewalk on 11th Street from Main Street south approximately 125-feet to total 21-feet wide with curb and gutter, historic street lighting, 4 street trees, brick pavers and a concrete pedestrian area.

      The remainder of the site’s frontage on 11th Street approximately 80-feet is proposed to remain, as is with 6-foot wide sidewalks and parallel on-street parking.

   d. **Staff Comments/Recommendations:** 11th Street in its current configuration with 52-feet of pavement curb-to-curb contains all the elements of a Town Center Collector; as such staff does not recommend any improvements or right-of-way dedication as part of this application.

      If the city of Boise desires additional amenities within the pedestrian zone the city should coordinate those requests with the applicant.

      The applicant’s proposal to remove 3 on street parking stalls and to expand the sidewalk on 11th Street from Main Street south approximately 125-feet to total 21-feet wide with curb and gutter, historic street lighting, 4 street trees, brick pavers and a concrete pedestrian area meets District Policy and should be approved, as proposed. The applicant should be required
to provide written approval from the City of Boise to remove the on-street parking prior to plan approval.

The applicant’s proposal to maintain the remaining site frontage on 11th Street with 6-foot wide sidewalks and parallel on-street parking, meet’s District Policy and should be approved, as proposed.

This site is located within the Boise City’s Westside Downtown District. As such the applicant should enter into a license agreement with the City of Boise regarding the sidewalk, tree wells and other streetscaping/landscaping proposed to be located within the right-of-way.

Consistent with ACHD’s Minor Improvement Policy, the applicant should be required to replace any broken or deteriorated curb, gutter, or sidewalk on 11th Street abutting the site.

4. 12th Street
   a. Existing Conditions: 12th Street is improved with 2-travel lanes, 45-feet of pavement, parallel on-street parking vertical curb, gutter, and 8-foot wide sidewalk abutting the site. There is 80-feet of right-of-way for 12th Street (45-feet from centerline).

   b. Policy:
      Collector Street Policy: District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.
      Master Street Map and Typologies Policy: District policy 7206.5 states that if the collector street is designated with a typology on the Master Street Map, that typology shall be considered for the required street improvements. If there is no typology listed in the Master Street Map, then standard street sections shall serve as the default.
      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, collector street requirements, and specific roadway features required through development. This segment of 12th Street is designated in the MSM as a Town Center Collector with 3-lanes and on-street bike lanes, a 60-foot street section within 88-feet of right-of-way.

   c. Applicant Proposal: The applicant is not proposing any improvements to 12th Street abutting the site.

   d. Staff Comments/Recommendations: 12th Street in its current configuration with 45-feet of pavement curb-to-curb contains all the elements of a Town Center Collector; as such staff does not recommend any improvements or right-of-way dedication as part of this application.

   If the city of Boise desires additional amenities within the pedestrian zone the city should coordinate those requests with the applicant.

   This site is located within the Boise City’s Westside Downtown District. As such the applicant should enter into a license agreement with the City of Boise regarding the sidewalk, tree wells and other streetscaping/landscaping proposed to be located within the right-of-way.

   Consistent with ACHD’s Minor Improvement Policy, the applicant should be required to replace any broken or deteriorated curb, gutter, or sidewalk on 12th Street abutting the site.
5. Grove Street
   a. Existing Conditions: Grove Street is improved with 2-travel lanes, 55-feet of pavement, parallel on-street parking, bike lanes, vertical curb, gutter, and 6-foot wide sidewalk abutting the site. There is 80-feet of right-of-way for Grove Street (40-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.
      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.

   c. Applicant’s Proposal: The applicant isn’t proposing any improvements to Grove Street abutting the site.

   d. Staff Comments/Recommendations: Grove Street is already improved with 55-feet of pavement, vertical curb, gutter, and 6-foot wide sidewalk abutting the site. Therefore, staff does not recommend any additional street improvements or right-of-way dedication, as part of this application.

      This site is located within the Boise City’s Westside Downtown District. As such the applicant should enter into a license agreement with the City of Boise regarding the sidewalk, tree wells and other streetscaping/landscaping proposed to be located within the right-of-way. The applicant should be required to provide a permanent right-of-way easement for any segment of the sidewalk located outside of the right-of-way.

      Consistent with ACHD’s Minor Improvement Policy, the applicant should be required to replace any broken or deteriorated curb, gutter, or sidewalk on Grove Street abutting the site.

6. Driveways
   6.1 Main Street
      a. Existing Conditions: There is one existing 25-foot wide driveway from the site onto Main Street, located mid block approximately 120-feet east of 12th Street.

      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.
         Driveway Location Policy: District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a single left turn lane shall be located a
minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 660-feet from the intersection for a full-movement driveway.

District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a dual left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 710-feet from the intersection for a full-movement driveway.

**Successive Driveways:** District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 25 MPH to align or offset a minimum of 330-feet from any existing or proposed driveway.

**Driveway Width Policy:** District policy 7205.4.8 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, 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 and install pavement tapers in accordance with Table 2 under District Policy 7205.4.8.

c. **Applicant’s Proposal:** The applicant is proposing to close the existing driveway onto Main Street with vertical curb, gutter, and sidewalk and the proposed CCDC Downtown Boise Streetscape improvements.

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

### 6.2 11th Street

a. **Existing Conditions:** There are two driveways onto 11th Street from the site. One 21-foot wide driveway, located approximately 52-feet south of Main Street, this driveway is used for service vehicles and one 19-foot wide driveway located approximately, 78-feet north of Grove Street, this driveway is used to enter/exit a parking lot. The driveways offset approximately 15-feet, and are generally mid block.

b. **Policy:**

**Access 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.

District Policy 7206.1 states that the primary function of a collector is to intercept traffic from the local street system and carry that traffic to the nearest arterial. A secondary function is to service adjacent property. Access will be limited or controlled. Collectors may also be designated at bicycle and bus routes.

**Driveway Location Policy (Signalized Intersection):** District policy 7206.4.3 requires driveways located on collector roadways near a signalized intersection to be located outside the area of influence; OR a minimum of 440-feet from the signalized intersection for a full-access driveway and a minimum of 220-feet from the signalized intersection for a right-in/right-out only driveway. Dimensions shall be measured from the centerline of the intersection to the centerline of the driveway.

**Driveway Location Policy (Stop Controlled Intersection):** District policy 7206.4.4 requires driveways located on collector roadways near a STOP controlled intersection to be located...
outside of the area of influence; OR a minimum of 150-feet from the intersection, whichever is greater. Dimensions shall be measured from the centerline of the intersection to the centerline of the driveway.

**Successive Driveways:** District policy 7206.4.5 Table 1, requires driveways located on collector roadways with a speed limit of 20 MPH and daily traffic volumes greater than 200 VTD to align or offset a minimum of 245-feet from any existing or proposed driveway.

**Driveway Width Policy:** District policy 7206.4.6 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7206.4.6, 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 and install pavement tapers in accordance with Table 2 under District Policy 7206.4.6.

**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.

c. **Applicant’s Proposal:** The applicant is not proposing any changes to the existing driveways.

d. **Staff Comments/Recommendations:** The applicant’s proposal does not meet District Access Management, Successive Driveway, or Driveway Location policies however, staff recommends a modification of policy to allow the driveways to be located as proposed due to the fact that the 21-foot wide driveway, located approximately 52-feet south of Main Street is used for service deliveries and garbage collection having limited use, and the 19-foot wide driveway located approximately, 78-feet north of Grove Street, this driveway is used to enter/exit a parking lot. Additionally, both of the driveways are located mid-block, and mid-block driveway are allowed downtown.

### 6.3 12th Street

a. **Existing Conditions:** There is one 16-foot wide driveway onto 12th Street from the site, located approximately 80-feet south of Main Street. This driveway is used to enter/exit a parking lot, and is generally located mid-block.

b. **Policy:**

   **Access 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.

   District Policy 7206.1 states that the primary function of a collector is to intercept traffic from the local street system and carry that traffic to the nearest arterial. A secondary function is to service adjacent property. Access will be limited or controlled. Collectors may also be designated at bicycle and bus routes.

   **Driveway Location Policy (Signalized Intersection):** District policy 7206.4.3 requires driveways located on collector roadways near a signalized intersection to be located outside the area of influence; OR a minimum of 440-feet from the signalized intersection for a full-
access driveway and a minimum of 220-feet from the signalized intersection for a right-
in/right-out only driveway. Dimensions shall be measured from the centerline of the
intersection to the centerline of the driveway.

**Driveway Location Policy (Stop Controlled Intersection):** District policy 7206.4.4 requires
driveways located on collector roadways near a STOP controlled intersection to be located
outside of the area of influence; OR a minimum of 150-feet from the intersection, whichever is
greater. Dimensions shall be measured from the centerline of the intersection to the centerline
of the driveway.

**Successive Driveways:** District policy 7206.4.5 Table 1, requires driveways located on
collector roadways with a speed limit of 20 MPH and daily traffic volumes greater than 200
VTD to align or offset a minimum of 245-feet from any existing or proposed driveway.

**Driveway Width Policy:** District policy 7206.4.6 restricts high-volume driveways (100 VTD or
more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a
maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for
high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii
will be required for low-volume driveways with less than 100 VTD.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance
problems due to gravel being tracked onto the roadway. In accordance with District policy,
7206.4.6, 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 and install pavement tapers in
accordance with Table 2 under District Policy 7206.4.6.

**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.

c. **Applicant’s Proposal:** The applicant is not proposing any changes to the existing driveways.

d. **Staff Comments/Recommendations:** The applicant’s proposal does not meet District
Access Management, Successive Driveway, or Driveway Location policies however, staff
recommends a modification of policy to allow the driveway to be located as proposed due to
the fact that the driveway currently provides and is proposed to provide access to a parking lot
and the driveway is generally located mid-block, and mid-block driveway are allowed
downtown.

**6.4 Grove Street**

a. **Existing Conditions:** There is one 31-foot wide driveway onto Grove Street from the site,
located approximately 170-feet west of 11th Street. The driveway is located mid-block.

b. **Policy:**

   **Driveway Location Policy:** District policy 7208.4.1 requires driveways located near
intersections to be located a minimum of 75-feet (measured centerline-to-centerline) from the
nearest 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 not proposing any changes to the 31-foot wide existing driveway onto Grove Street from the site.

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

7. **Tree Planters**

   **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.

8. **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.

9. **Other Access**

   Main Street classified as a minor arterials roadway, 11th and 12th Streets are classified as collector roadways. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways.

D. **Site Specific Conditions of Approval**

1. Enter into a license agreement with the District for the Underground vaults. The license agreement will identify the location of each of these underground vaults and indemnify ACHD from any claims, injury, damage or loss resulting from the applicant’s construction activities and the underground vaults. The license agreement shall be executed prior to beginning construction activities.

2. Design the 2 vaults proposed to remain to meet pedestrian loading standards required by the International Building Code (IBC) for the vault covers; 250 pounds per square foot.

3. Backfill the underground vaults to be abandon with flowable concrete fill approved by ACHD.

4. Replace the curb and gutter, add historic street lighting, plant 7 street trees, and replace the existing 15-foot wide sidewalk with a 4-foot wide area of brick pavers and a 10-foot wide concrete pedestrian on Main Street, as proposed.

5. Provide written approval from the City of Boise to remove 3 on-street parking stalls on 11th Street, prior to plan approval. If the City of Boise does not approve of the removal on on-street parking on 11th Street, the applicant shall submit a revised site plan for review.

6. Expand the sidewalk on 11th Street from Main Street south approximately 125-feet by 7.7-feet to total 21-feet wide with curb and gutter, historic street lighting, 4 street trees, 4-foot wide area of brick pavers and a 16-foot wide concrete pedestrian, as proposed.
7. Consistent with ACHD’s Minor Improvement Policy, the applicant should be required to replace any broken or deteriorated curb, gutter, or sidewalk on the remaining portion of 11th Street (approximately 120-feet north of Grove Street) abutting the site.

8. Consistent with ACHD’s Minor Improvement Policy, the applicant should be required to replace any broken or deteriorated curb, gutter, or sidewalk on 12th Street and Grove Street abutting the site.

9. Main Street, 11th Street, 12th Street, and Grove Street are located within the Boise City’s Westside Downtown District. As such the applicant should enter into a license agreement with the City of Boise regarding the sidewalk, tree wells and other streetscaping/landscaping proposed to be located within the right-of-way.

10. Close one 25-foot wide driveway on Main Street, located approximately 120-feet east of 12th Street, with curb, gutter, and sidewalk to match the improvements on either side.

11. Payment of impacts fees are due prior to issuance of a building permit.


E. Standard Conditions of Approval

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

2. Private 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. Request for Reconsideration 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 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 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.
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 3:00 p.m. on the day 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.