June 6, 2013

To: ACHD Commission
From: Development Review Section
Kaci Bader
Subject: Final Plat: Rushmore Subdivision No. 1
Meeting Date: June 12, 2013

FACTS & FINDINGS:
1. Rushmore Subdivision No. 1 is a 3 buildable and 2 common lot residential subdivision on 2.17 acres. This site is located at the west terminus of W. Broadway Avenue; west of NW 8th Street in Meridian.

2. The applicant is Rushmore Investments, LLC and the principal for the applicant is Larry D. Stevens, Manager.

3. The preliminary plat was approved on May 1, 2006.

4. All conditions of the preliminary plat have been satisfied, except for the completion of the roadway improvements. The applicant has provided a financial surety of $31,700 in the form of a cash surety in accordance with ACHD Policy Section 7103.2. The applicant is responsible to complete all street improvements and conditions of approval required with the preliminary plat to ACHD standards prior to final acceptance of the street by ACHD and release of the financial surety.

RECOMMENDATION:
1. Approve the final plat of Rushmore Subdivision No. 1 and authorize the President to endorse.

ATTACHMENTS:
1. Final Plat
2. Vicinity Map
RUSHMORE SUBDIVISION NO. 1

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS: THAT, the undersigned, are the acreage owners of the real property as described below and it is their intention to include said real property in this plat.

A PARCEL OF LAND BEING A PORTION OF LOT 2 OF WEST LAKE SUBDIVISION, FILED FOR RECORD IN THE OFFICE OF THE ADA COUNTY RECORDER, BUREAU, shown in Book # of PLATS AT PAGE in the map or plat book, and described as follows:

THE PUBLIC STREETS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC. THE EASEMENTS INDICATED ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS FOR THEIR INTENDED PURPOSES ARE RESERVED TO THE OWNERS OF THE ADJACENT PROPERTY.

THE PUBLIC STREETS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC. THE EASEMENTS INDICATED ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS FOR THEIR INTENDED PURPOSES ARE RESERVED TO THE OWNERS OF THE ADJACENT PROPERTY.

THE PUBLIC STREETS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC. THE EASEMENTS INDICATED ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS FOR THEIR INTENDED PURPOSES ARE RESERVED TO THE OWNERS OF THE ADJACENT PROPERTY.

THE PUBLIC STREETS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC. THE EASEMENTS INDICATED ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS FOR THEIR INTENDED PURPOSES ARE RESERVED TO THE OWNERS OF THE ADJACENT PROPERTY.

THE PUBLIC STREETS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC. THE EASEMENTS INDICATED ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS FOR THEIR INTENDED PURPOSES ARE RESERVED TO THE OWNERS OF THE ADJACENT PROPERTY.
May 1, 2006

To: SLC Investments, LLC
3210 East Chinden Boulevard, Suite 115-327
Eagle, ID 83616

Subject: MPP-06-021 / MCUP-06-014 / MRZ-06-004
Rushmore
1021 West Pine Street

On May 2, 2006, the Ada County Highway District acted on your application for the above referenced project. The attached report lists site-specific requirements, conditions of approval and street improvements, which are required.

If you have any questions, please feel free to contact me at 208-387-6174.

Sincerely,

[Signature]

Ryan McDaniel
Planner I
Right-of-way & Development Services

CC: Project file, Utilities
City of Meridian

Michael M. Vance
4585 East Victory Road
Meridian, ID 83642
Project/File: Rushmore Subdivision/ MRZ 06-004 / MPP 06-004 / CUP 06-014

Lead Agency: City of Meridian

Site address: 1021 West Pine Street

Staff Level Approval: May 4, 2006

Owner: Meridian Friends Church
1021 West Pine Street
Meridian, ID 83642

Applicant: SLC Investments, LLC.
3210 East Chinden Boulevard, Suite 115-327
Eagle, ID 83616

Representative: Michael M. Vance
4585 East Victory Road
Meridian, ID 83642

Staff Contact: Ryan McDaniel
Phone: 387-6174
E-mail: rmcdaniel@achd.ada.id.us

Tech Review: April 28, 2006

Application Information:
Acreage: 5.49 acres
Current Zoning: R-4
Proposed Zoning: R-15 & L-O
Multi-Family: 24-unit
Common Lots: 2

A. Findings of Fact

Existing Conditions
1. Site Information: The site has several buildings existing with large open spaces.
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>Clarinda Fair Subdivision</td>
<td>R-4</td>
</tr>
<tr>
<td>South</td>
<td>Rail Road</td>
<td>I-L</td>
</tr>
<tr>
<td>East</td>
<td>Tremont Place Subdivision</td>
<td>R-8</td>
</tr>
<tr>
<td>West</td>
<td>Meridian West Lawn Subdivision</td>
<td>R-15</td>
</tr>
</tbody>
</table>

3. **Existing Roadway Improvements and Right-of-Way Adjacent To and Near the Site:**
   West Pine Street is currently improved with 2-traffic lanes, 2-bike lanes, 44-feet of pavement, with curb gutter and sidewalk abutting the site. There is 62-feet of right-of-way existing for West Pine Street (31-feet from centerline).

   West Broadway Avenue is currently improved with 2-traffic lanes, 36-feet of pavement, with curb gutter and sidewalk abutting the site. There is 50-feet of right-of-way existing for West Broadway Avenue (25-feet from centerline).

   West Idaho Avenue is currently improved with 2-traffic lanes, 36-feet of pavement, with curb gutter and sidewalk abutting the site. There is 50-feet of right-of-way existing for West Idaho Avenue (25-feet from centerline).

4. **Existing Access:** There are three defined access points to West Pine Street, West Broadway Avenue and West Idaho Avenue from this property.

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

**Development Impacts**

6. **Trip Generation:** This development is estimated to generate 161 additional vehicle trips per day (0 existing) based on the Institute of Transportation Engineers Trip Generation Multi-Family Detached Dwelling land use designation.

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.

8. **Traffic Study:** A traffic impact study was not required with this application.
9. **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>West Pine Street</td>
<td>240-Feet</td>
<td>Minor Arterial</td>
<td>5,715 East of Linder Road on 12/14/04, 7,850 West of Meridian Road on 12/14/04</td>
<td>Better than &quot;C&quot;</td>
<td>50 MPH</td>
</tr>
<tr>
<td>West Idaho Avenue</td>
<td>50-Feet</td>
<td>Local Residential</td>
<td>N / A</td>
<td>Acceptable planning threshold for this Road is 2000 ADT</td>
<td>15 MPH</td>
</tr>
<tr>
<td>West Broadway Avenue</td>
<td>50-Feet</td>
<td>Local Residential</td>
<td>N / A</td>
<td>Acceptable planning threshold for this Road is 2000 ADT</td>
<td>15 MPH</td>
</tr>
</tbody>
</table>

*Acceptable level of service for a two-lane minor arterial roadway is “D” (14,000 ADT).

10. **Capital Improvements Plan/Five Year Work Program**

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 Capital Improvements Plan.

**B. Findings for Consideration**

1. **West Pine Street**
   **Street Section and Right-of-Way Policy:**
   District policy 72-F3 requires minor arterial roadways to be constructed as a 50-foot street section with curb, gutter, planters and 5-foot attached or 7-foot detached sidewalk with parking prohibited on both sides of the roadway.

   **Applicant Proposal:**
   The applicant does not propose additional improvements to West Pine Street.

   **Staff Comment/Recommendation:**
   West Pine Street is currently improved with curb, gutter and sidewalk. The applicant will not be required to engage in pavement widening or construct improvements along West Pine.

2. **West Idaho Avenue**
   **Applicant Proposal:**
   The applicant does not propose to extend West Idaho Avenue into the site with this application.

   **Staff Comment/Recommendation:**
   In the future, the applicant will be required to comply with the policy in effect at that time for the extension of West Idaho Avenue.

3. **West Broadway Avenue**
Street Sections and Right-of-Way 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.

District 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 proposes an immediate cul-de-sac of West Broadway Avenue abutting the eastern property line. The turn radii is proposed to measure 48-feet, which meets district policy. The applicant does not propose to construct curb, gutter or sidewalk along the cul-de-sac diameter.

Staff Comment/Recommendation:
The applicant will be required to construct improvements along the cul-de-sac diameter: curb, gutter and a 5-foot attached concrete sidewalk.

4. Driveways
District Driveway Policy:
Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.9.1, 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 with 15-foot radii abutting the existing roadway edge.

District Policy 7207.9.3 restricts residential driveways to a maximum width of 20-feet.

Applicant Proposal:
The applicant proposes to construct three driveway access points on the cul-de-sac.

Staff Comment/Recommendation:
Staff is supportive of the applicant's proposal, which is approved with this application.

C. Site Specific Conditions of Approval

1. Locate the cul-de-sac of West Broadway Avenue abutting the eastern property line, as proposed, with the 48-foot turn radii. Construct curb, gutter and a 5-foot attached concrete sidewalk along the entire cul-de-sac.

2. Comply with all Standard Conditions of Approval.

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 by the applicant 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
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 two (2) sets 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:
    - Traffic Control Plan
    - 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.
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.