May 29, 2013

TO: ACHD Board of Commissioners
FROM: Stacey Yarrington, Planner II
SUBJECT: Aberdeen Place/PUD13-00001/SUB13-00015
1433 N Raymond Street and 6652 W Irving Street, Boise, Idaho

Executive Summary:
The applicant is requesting approval of a planned unit development and preliminary plat (includes a re-plat of 108 units) for a 168 multi-family unit development on 6.9 acres.

This application is on the consent agenda due to the size of the development. The applicant and staff are in agreement on all findings for consideration and site specific conditions of approval.

Staff Recommendation:
Staff recommends approval of the staff report, as written.
Project/File: Aberdeen Place/PUD13-00001/SUB13-00015
This is a planned unit development and preliminary plat application for 168 multi-family units on 6.9 acres. The site is located at 1433 N Raymond Street and 6652 W Irving Street, Boise, Idaho.

Lead Agency: City of Boise
Site address: 1433 N Raymond Street and 6652 W Irving Street
Commission Hearing: June 12, 2013
Consent Agenda
Commission Approval:
Applicant: Biltmore Company – Kevin Amar
3681 N Locust Grove, Ste. 100
Meridian, ID 83642
Representative: Kent Brown Planning Services
3161 Springwood Drive
Meridian, ID 83642
Staff Contact: Stacey Yarrington
Phone: 387-6171
E-mail: syarrington@achdidaho.org

A. Findings of Fact

1. Description of Application: The applicant is requesting approval of a planned unit development and preliminary plat (includes a re-plat of 108 units) for a 168 multi-family unit development on 6.9 acres. The site is located at 1433 N Raymond Street and 6652 W Irving Street, Boise, Idaho.

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>General Commercial</td>
<td>C-2D</td>
</tr>
<tr>
<td>South</td>
<td>Medium Density Residential</td>
<td>R-2D</td>
</tr>
<tr>
<td>East</td>
<td>Medium Density Residential</td>
<td>R-3D</td>
</tr>
<tr>
<td>West</td>
<td>Medium Density Residential/General Commercial</td>
<td>R-2D/C-2D</td>
</tr>
</tbody>
</table>

3. Site History: ACHD previously reviewed this site as CUP05-00113/SUB05-00049 in September 2005 and CUP13-00017 in April 2013. The requirements of this staff report are consistent with those of the prior action.
The prior applications that were approved for this site included an 8 building 4-plex development containing 32 units and a 27 building 4-plex development containing 108 units; for a total of 140 units.

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):**
   - Fairview Avenue is scheduled in the Five Year Work Plan for the installation of medians for access management between Linder Road and Orchard Street in 2016.
   - Fairview Avenue is listed in the Capital Improvements Plan to be widened to 7-lanes from Cole Road to Curtis Road between 2027 and 2031.

B. **Traffic Findings for Consideration**

1. **Trip Generation:** This application will add 28 additional units to the previously approved 140 units from the prior applications. This amounts to 186 additional vehicle trips per day (931 prior approval); 17 additional vehicle trips per hour in the PM peak hour (87 prior approval), to total 1,117 per day 104 in the PM peak hour based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition.

   Since this site was previously reviewed and approved for the 140 units and as this development is only adding 28 additional units, a new traffic study was not required, as the addition of 17 trips in the PM peak hour will add a minimum amount of traffic to the area roadways.

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>
</tr>
</thead>
<tbody>
<tr>
<td>Fairview Avenue</td>
<td>0-feet</td>
<td>Principal Arterial</td>
<td>1,234</td>
<td>Better than “E”</td>
<td>Better than “E”</td>
</tr>
<tr>
<td>Allumbaugh Street</td>
<td>310-feet</td>
<td>Collector</td>
<td>90</td>
<td>Better than “D”</td>
<td>Better than “D”</td>
</tr>
<tr>
<td>Liberty Street</td>
<td>0-feet</td>
<td>Local</td>
<td>150</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Raymond Street</td>
<td>710-feet</td>
<td>Local</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Colehaven Drive</td>
<td>627-feet</td>
<td>Local</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Irving Street</td>
<td>604-feet</td>
<td>Local</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

   * Acceptable level of service for a five-lane principal arterial is “E” (1,770 VPH).
   * Acceptable level of service for a two-lane collector is “D” (425 VPH).

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

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

   - The average daily traffic count for Fairview Avenue east of Cole Road was 30,325 on 05/20/2013.
   - The average daily traffic count for Allumbaugh Street south of Fairview Avenue was 2,180 on 05/20/2013.
   - The average daily traffic count for Liberty Street south of Fairview Avenue was 3,085 on 05/20/2013.
C. Findings for Consideration

1. Allumbaugh Street
   a. Existing Conditions: Allumbaugh Street is improved as a 36-foot street section with vertical curb, gutter, and 5-foot wide attached sidewalk abutting the site. There is 50-feet of right-of-way for Allumbaugh Street (25-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 Allumbaugh Street is designated in the MSM as a Traditional Neighborhood Collector with 2-lanes and on-street parking, a 40-foot street section within 57 to 61-feet of right-of-way.

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

   d. Staff Comments/Recommendations: Allumbaugh Street is fully improved meeting the intent of the MSM; therefore staff recommends no additional requirements or right-of-way dedication with this application.

      The applicant should be required to replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along Allumbaugh Street abutting the site, consistent with ACHD’s Minor Improvement Policy 7203.3.

2. Raymond Street
   a. Existing Conditions: Raymond Street is improved with 24-feet of pavement and no curb, gutter or sidewalk for 299-feet from the site’s north property line south to Colehaven Drive. From Colehaven Drive south of Raymond Street is improved with a 36-foot street section with curb, gutter and 5-foot wide attached sidewalk abutting the site. There is 50-feet of right-of-way for Raymond Street (25-feet from centerline).

   b. Policy:
      Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.
Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 50-feet wide and that the standard street section shall be 36-feet (back-of-curb to back-of-curb). The District will consider the utilization of a street width less than 36-feet with written fire department approval.

Standard Urban Local Street—36-foot to 33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 50-feet of right-of-way.

The District will also consider the utilization of a street width less than 36-feet with written fire department approval. Most often this width is a 33-foot street section (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size.

Continuation of Streets Policy: District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

- Reduces vehicle miles traveled.
- Increases pedestrian and bicycle connectivity.
- Increases access for emergency services.
- Reduces need for additional access points to the arterial street system
- Promotes the efficient delivery of services including trash, mail and deliveries.
- Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
- Promotes orderly development.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District’s Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

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 proposing to complete Raymond Street from Colehaven Drive north approximately 299-feet to the north property line as a 36-foot street section with curb, gutter and 5-foot wide attached concrete sidewalk.

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

The applicant should be required to replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along Raymond Street abutting the site, consistent with ACHD’s Minor Improvement Policy 7203.3

3. **Colehaven Drive**

a. **Existing Conditions:** Colehaven Drive is improved with 24-feet of pavement and no curb, gutter or sidewalk from Raymond Street south 151-feet; after which Colehaven Drive is improved with a 36-foot street section with curb, gutter and 5-foot wide attached sidewalk abutting the remaining portion of the site. There is 50-feet of right-of-way for Colehaven Drive (25-feet from centerline).

b. **Policy:**

- **Local Roadway Policy:** District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

- **Street Section and Right-of-Way Policy:** District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 50-feet wide and that the standard street section shall be 36-feet (back-of-curb to back-of-curb). The District will consider the utilization of a street width less than 36-feet with written fire department approval.

- **Standard Urban Local Street—36-foot to 33-foot Street Section and Right-of-way Policy:** District Policy 7207.5.2 states that the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 50-feet of right-of-way.

The District will also consider the utilization of a street width less than 36-feet with written fire department approval. Most often this width is a 33-foot street section (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size.

- **Continuation of Streets Policy:** District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

  - Reduces vehicle miles traveled.
  - Increases pedestrian and bicycle connectivity.
  - Increases access for emergency services.
  - Reduces need for additional access points to the arterial street system
  - Promotes the efficient delivery of services including trash, mail and deliveries.
  - Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
  - Promotes orderly development.

- **Sidewalk Policy:** District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot
frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District’s Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.  

**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 proposing to complete Colehaven Drive approximately 151-feet south of Raymond Street as a 36-foot street section with curb, gutter and 5-foot wide attached concrete sidewalk.

d. **Staff Comments/Recommendations:** The applicant’s proposal meets District policy and should be approved, as proposed. The applicant should be required to replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along Colehaven Drive abutting the site, consistent with ACHD’s Minor Improvement Policy 7203.3.

4. **Irving Street**

a. **Existing Conditions:** Irving Street is improved with a 36-foot street section with curb, gutter and 5-foot wide attached sidewalk abutting the site. There is 50-feet of right-of-way for Irving Street (25-feet from centerline).

b. **Policy:**

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local 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 is not proposing any improvements to Irving Street abutting the site.

d. **Staff Comments/Recommendations:** Irving Street is fully improved as a 36-foot street section; therefore staff recommends no additional requirements or right-of-way dedication with this application.
The applicant should be required to replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along Irving Street abutting the site, consistent with ACHD’s Minor Improvement Policy 7203.3.

5. Driveways

5.1 Colehaven Drive

a. **Existing Conditions:** There are 3 existing 25-foot wide driveways onto Colehaven Drive from the site. The driveways are located at approximately 150-feet, 335-feet, and 502-feet east of Allumbaugh Street on Colehaven Drive.

b. **Policy:**

**Driveway Location Policy:** District policy 7207.4.1 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 7207.4.1 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 7207.4.3 states that where vertical curbs are required, residential driveways shall be restricted to a maximum width of 20-feet and may be constructed as curb-cut type driveways.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.4.3, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway.

c. **Applicant’s Proposal:** The applicant is proposing to widen 2 existing driveways located approximately 150-feet and 335-feet east of Allumbaugh Street on Colehaven Drive to 30-feet; and the existing driveway located approximately 502-feet east of Allumbaugh Street on Colehave is to remain as a 25-foot wide driveway.

The applicant is proposing to construct a new 30-foot wide driveway located approximately 125-feet west of Raymond Street onto Colehaven Drive from the site.

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

The applicant should be required to pave the driveways their full width and at least 30-feet into the site beyond the edge of pavement of the roadway.

5.2 Irving Street

a. **Existing Conditions:** There are 3 existing 25-foot wide driveways, located at approximately 150-feet, 335-feet, and 535-feet east of Allumbaugh Street on Irving Street from the site.

b. **Policy:**

**Driveway Location Policy:** District policy 7207.4.1 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 7207.4.1 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 7207.4.3 states that where vertical curbs are required, residential driveways shall be restricted to a maximum width of 20-feet and may be constructed as curb-cut type driveways.
**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.4.3, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway.

c. **Applicant’s Proposal:** The applicant is proposing to widen the 3 existing driveways, located at approximately 150-feet, 335-feet, and 535-feet east of Allumbaugh Street, on Irving Street to 30-feet in width.

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

The applicant should be required to pave the driveways their full width and at least 30-feet into the site beyond the edge of pavement of the roadway.

6. **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.

7. **Landscaping**

**Landscaping Policy:** A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

8. **Other Access**

Allumbaugh is classified as a collector roadway. Other than the access specifically approved with this application, direct lot access is prohibited to this roadway and should be noted on the final plat.

D. **Site Specific Conditions of Approval**

1. Replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along Allumbaugh Street abutting the site, consistent with ACHD’s Minor Improvement Policy 7203.3.

2. Construct Raymond Street from north property line 299-feet south to Colehaven as a 36-foot street section with curb, gutter and 5-foot wide attached concrete sidewalk within 50-feet of right-of-way, as proposed.

3. Construct Colehaven Drive 151-feet south of Raymond Street as a 36-foot street section with curb, gutter and 5-foot wide attached concrete sidewalk within 50-feet of right-of-way, as proposed.

4. Replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along Irving Street abutting the site, consistent with ACHD’s Minor Improvement Policy 7203.3.

5. Widen the 2 existing driveways onto Colehaven Drive located 150-feet and 335-feet east of Allumbaugh Street to 30-feet, as proposed. Pave all 3 driveways onto Colehaven Drive their full width and at least 30-feet into the site beyond the edge of pavement of the roadway.
6. Construct a new 30-foot wide driveway located approximately 125-feet west of Raymond Street onto Colehaven Drive abutting the site; and pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway.

7. Widen the 3 existing driveways, located approximately 150-feet, 335-feet, and 535-feet east of Allumbaugh Street, to 30-feet in width on Irving Street abutting the site; and pave all 3 driveways their full width and at least 30-feet into the site beyond the edge of pavement of the roadway.

8. 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
SITE PLAN
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 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.