August 14, 2013

TO: ACHD Board of Commissioners

FROM: Stacey Yarrington, Planner II


Northwest corner of Kuna Road and State Highway 69, Kuna, Idaho

Executive Summary:
The applicant is requesting approval of an annexation, rezone, preliminary plat and development agreement application for a mixed use development containing 20 commercial lots, 56 townhomes, and 8 common area lots, which include a park and pedestrian pathways on 52.92 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.
This is an annexation, rezone, preliminary plat and development agreement application for a mixed use development containing 20 commercial lots, 56 townhome residential lots and 1 common lot on 52.92 acres. The site is located on the northwest corner of Kuna Road and State Highway 69, in Kuna, Idaho.

Lead Agency: City of Kuna

Site address: Northwest corner of Kuna Road and SH-69/Meridian Road

Commission Hearing: August 14, 2013

Commission Approval:

Applicant: TFI, LP - Linda Boots
                         PO Box 690
                         Meridian, ID 83680

Representative: A-Team – Steve Arnold
                       1785 S Whisper Cove Avenue
                       Boise, ID 83709

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 an annexation, rezone, preliminary plat and development agreement application for a mixed use development containing 20 commercial lots, 56 townhomes, and 8 common area lots, which include a park and pedestrian pathways on 52.92 acres. The proposed site is consistent with the City of Kuna’s Comprehensive Plan as it is designated as being in the City Center, which calls for mixed uses. The site is located on the northwest corner of Kuna Road and State Highway 69, in Kuna, 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>Single-family dwellings (Ada County)</td>
<td>RUT</td>
</tr>
<tr>
<td>South</td>
<td>Medium-Residential/Commercial (Kuna)/ Single-family Residential/Rural Urban Transition (Ada County)</td>
<td>R-6/C-2/R-1/RUT</td>
</tr>
<tr>
<td>East</td>
<td>Single-family dwellings/Agricultural (Ada County)</td>
<td>RUT/A</td>
</tr>
</tbody>
</table>
3. **Site History:** ACHD has not previously reviewed this site for a development application.

4. **Adjacent Development:** The following developments are pending or underway in the vicinity of the site:
   - Ridley’s Market within the Profile Ridge Subdivision is currently under construction. The Ridley’s Market is located north of this site on the southwest corner of Deer Flat and SH-69.

5. **Transit:** Transit services are not available to serve this site.

6. **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.

7. **Capital Improvements Plan (CIP)/Five Year Work Plan (FYWP):**
   - The intersection of Linder Road and 3rd Street is listed in the Five Year Work Plan to be widened to a single lane roundabout between 2016 and 2017.
   - Avalon Street is listed in the Capital Improvements Plan to be widened to 3-lanes from Linder Road to Orchard Street between 2022 and 2026.

**B. Traffic Findings for Consideration**

1. **Trip Generation:** This development is estimated to generate 11,109 additional vehicle trips per day (0 existing); 918 additional vehicle trips per hour in the PM peak hour (0 existing), based on the traffic impact study.

2. **Traffic Impact Study**
   Thompson Engineers, Inc. prepared a traffic impact study for the proposed Merlin Pointe Development. Below is an executive summary of the findings as presented by Thompson Engineers. The following executive summary is not the opinion of ACHD staff. ACHD has reviewed the submitted traffic impact study for consistency with ACHD policies and practices, and may have additional requirements beyond what is noted in the summary. ACHD Staff comments on the submitted traffic impact study can be found below under staff comments.

**Executive Summary**

**Proposed Development:**

The project is a multi-use development including approximately 60 townhouses, 232 multi-family dwelling units, a warehouse store, 38,000 SF of office space, and 95,000 SF of specialty retail including a bank, a quality restaurant, and a gas station.

The site is expected to access the transportation system via SH 69 (Meridian Rd.) via four deeded approaches. The main access is proposed to align with Kuna Road in the southeast corner of the site. The other three access points have not been determined at this time.

**Study Area:**

The area of influence is anticipated to be southwest Ada County, Idaho, including the City of Kuna. The primary impacts will be along SH 69, with secondary impacts along Linder Road. The study area will include the intersections of SH 69 and Columbia Rd., SH 69 and Hubbard Rd., SH 69 and Deer Flat Rd., SH 69 and Kuna Rd., Linder/Avalon Rd. and Swan Falls Rd., and Linder and 3rd/Main St.

**Conclusions:**
Below are the findings of this report:

- Based on the trip generation methods recommended in the Trip Generation Manual, the site will generate 11,109 trips per day of which 453 trips will occur during the AM peak hour and 918 trips will occur during the PM peak hour.

- The site will access the transportation system via SH 69 via four deeded approaches. One approach is a right-in-right-out located at the west end of the project. Site traffic will primarily access the site through three approaches shown. For this report, all traffic is assumed to be distributed to three approaches.

- The main entrance of the site will operate at an acceptable level of service as design if the intersection is signalized. The main entrance is designed to align with Kuna Road on the southeast side of SH 69. The intersection is anticipated to satisfy MUTCD Warrants 1 and 3.

- The site would be best served if the signal were located at the center entrance. This location in undesirable because it is located on a curve. However, it is also located at the intersection of two section line roads, aligns with an existing road that has significant traffic, and has a lower speed limit than further north. The two mile spacing meets existing spacing on SH 69. Moving the signal north would place it in a 55 mph speed zone and create an uneven signal spacing. Moving it west would create a signal spacing problem with future signals in Kuna.

- The intersection of Deer Flat Road and Linder Road will operate at acceptable levels of service under background and total traffic conditions in build out year. The critical peak hour is in the AM peak hour due to the proximity of the high school.

- The intersection of Deer Flat Road and SH 69 will operate at acceptable levels of service under background and total traffic conditions in the build out year. The critical peak hour is in the PM peak hour.

- The intersection of Columbia Road and SH 69 will operate at acceptable levels of service under background and total traffic conditions in the build out year. The critical peak hour is in the PM peak hour.

- The intersection of Hubbard Road and SH 69 will operate at acceptable levels of service under background and total traffic conditions in the build out year. The critical peak hour is in the PM peak hour.

- The intersection of Avalon Road and Swan Falls Road will operate at acceptable levels of service under background and total traffic conditions in the build out year. The critical peak hour is in the PM peak hour.

- The intersection of Linder Road and Main Street operates as three separate stop controlled intersections. All of these intersections will operate at acceptable levels of service under background and total traffic conditions in the build out year. The critical peak hour is in the PM peak hour.

- The site access points are anticipated to operate at acceptable levels of service if a signal is provided at the main entrance.

- The proposed site plan provides good internal circulation via an internal commercial roadway.

**Staff Comments/Recommendations:** ACHD Traffic Services and Planning Review staff has completed a review of the required traffic impact study and has found it to be in compliance with ACHD Policy and standards.

The applicant has indicated that they are no longer requesting the installation of a signal for the proposed driveway on the inside of the curve on SH-69/Meridian Road. ACHD is supportive of
this; however, ACHD has significant concerns with the proposed location of a driveway on the inside of the curve on SH-69/Meridian Road, see Finding #1 below.

3. **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><strong>State Hwy-69/Meridian Road</strong></td>
<td>2,978-feet</td>
<td>Principal Arterial</td>
<td>560</td>
<td>Better than “D”</td>
<td>Better than “D”</td>
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<tr>
<td>Kuna Road</td>
<td>0-feet</td>
<td>Minor Arterial</td>
<td>154</td>
<td>Better than “D”</td>
<td>Better than “D”</td>
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<tr>
<td>Avalon Street</td>
<td>0-feet</td>
<td>Principal Arterial</td>
<td>438</td>
<td>Better than “D”</td>
<td>Better than “D”</td>
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<tr>
<td>Linder Road</td>
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<td>Minor Arterial</td>
<td>260</td>
<td>Better than “D”</td>
<td>Better than “D”</td>
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<tr>
<td>Ontem Street</td>
<td>50-feet</td>
<td>Local</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Folgado Court</td>
<td>50-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 minor arterial is “D” (550 VPH).
* Acceptable level of service for a three-lane minor arterial is “D” (720 VPH).
** ACHD does not set level of service thresholds for State Highways.

4. **Average Daily Traffic Count (VDT)**  
   *Average daily traffic counts are based on ACHD’s most current traffic counts.*

- The average daily traffic count for SH-69/Meridian Road was 13,100 on ITD permanent counter on 7/13/2012.
- The average daily traffic count for Kuna Road east of SH-69/Meridian Road was 3,570 on 5/24/2012.
- The average daily traffic count for Deer Flat west of SH-69/Meridian Road was 7,871 on 1/19/2012.
- The average daily traffic count for Avalon Street was 8,480 on ITD permanent counter on 7/13/2012.
- The average daily traffic count for Linder Road south of Deer Flat Road was 5,112 on 1/19/2012.

C. **Findings for Consideration**

1. **Driveway on inside of Curve of State Highway 69**  
The applicant has proposed to construct a driveway onto SH-69/Meridian located on the inside of the curve as the main entrance to the site. ACHD has significant concerns regarding the proposed location of the driveway, as it isn’t needed to serve the site, it will need to be removed in the future to accommodate the future reconstruction of the SH-69/Meridian Road/Kuna Road intersection as identified on Ada County 2035 Planning Functional Classification Map by COMPASS, and there are sight and stopping distance concerns.

As part of the traffic impact study analysis ACHD requested that the study include an analysis of the site without the proposed driveway on the inside of the curve, the site as proposed is to be
served by 3 additional access points; 2 full access public street connections and one right in/right-out driveway onto SH-69, as well as two local street connections, and a stub street to the north (6 additional access points). The applicant’s engineer did not assign any traffic to the right-in/right-out driveway. The study showed that the site would be adequately served by the two full access public street connections to SH-69, which will function at an acceptable level of service “D”, making the driveway on the inside of the curve not necessary to serve the site.

The COMPASS 2035 Planning Functional Classification Map identified the future extension of SH-69/Meridian Road south of Kuna Road creating the need to reconfigure the SH-69/Kuna Road intersection to a standard 4 legged intersection. If allowed by ITD, the driveway on the inside of the curve would need to be eliminated at that time.

The proposed driveway presents other unique difficulties with stopping and intersection sight distance, as AASHTO recommends an intersection sight distance of 500 feet for 45 mph and 610 feet for 55 mph. Additionally, the horizontal curve is super-elevated which would also present difficulties for drivers negotiating the curve while at the same time trying to slow down in order to turn into the proposed driveway. AASHTO states that an intersection should not be situated on a sharp horizontal curve and should be placed at tangent locations.

**Staff Recommendation:** Staff recommends that the City of Kuna and ITD deny the applicant’s proposal for the driveway onto SH-69 on the inside of the curve, as it is not needed to serve the site; the site is served by 6 other access points. If approved by the City of Kuna and ITD, the driveway would be temporary and would need to be eliminated in the future when Meridian Road is extended south of Kuna Road. The intersection cannot function in the future as 5 leg intersection with the proposed driveway as the 5th leg.

If ITD and the City of Kuna approve the driveway, then sight triangle easements should be required to maintain the intersection sight distance from the proposed access point. The easements should note that nothing shall be built within the easement area that could cause an issue including parking lots, landscaping, buildings, etc. The sight easements should be based on AASHTO guidelines and the design speed of SH-69.

2. **State Highway 69**

SH-69 is under the jurisdiction of the Idaho Transportation Department (ITD). The applicant, City of Kuna, and ITD should work together to determine if additional right-of-way or improvements are necessary on SH-69.

**Applicant’s Proposal:** The applicant is proposing to construct 2 new commercial roadways, Sailer Avenue, Ensolorado Street, 1 right-in/right-out driveway located at the site’s west property line, and 1 full access driveway on the inside of the curve on SH-69.

**Staff Comments/Recommendations:** Comply with requirements of ITD and City of Kuna for the SH-69 road frontage. Submit to the District a letter from ITD regarding said requirements prior to District approval of the final plat or issuance of a building permit (or other required permits), whichever occurs first.

Staff recommends that ITD and the City of Kuna deny the applicant’s proposal for the driveway located on the inside of the curve on SH-69 as noted in Finding #1 above. Staff also recommends that ITD and the City of Kuna deny the applicant’s proposal for the right-in/right-out only driveway on the site’s west property line.

The applicant’s engineer did not assign any traffic to the right-in/right-out driveway as part of the submitted traffic impact study or the subsequent driveway/access analysis. The proposed driveway only offsets Sunbird Avenue by 145-feet (measured centerline to centerline). Although this driveway is proposed to be right-in/right-out only the short offset has the potential to lead to accidents as there is the potential for conflicts with vehicles accelerating as they exit the site and those turning left onto SH-69 from Sunbird or those vehicles slowing down to turn right onto SH-69.
Sunbird. The lot proposed to be served by the right-in/right-out driveway will have frontage on two other public streets, making the driveway unnecessary to serve the site.

3. **Internal Local Streets**
   
a. **Existing Conditions:** Folgado Court and Ontem Street are stubbed at the site’s west property line.
   
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.

c. Applicant’s Proposal: The applicant is proposing to extend Folgado Court and Ontem Street into the site as 36-foot street sections, with curb, gutter and 5-foot wide attached sidewalk within 50-feet of right-of-way.

The applicant is proposing to construct the other internal residential local streets, Olivine Avenue and Jackpot Street as 36-foot street sections, with curb, gutter and 5-foot wide attached sidewalk within 50-feet of right-of-way.

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

4. Internal Commercial Streets
a. Existing Conditions: There are no existing commercial roadways within this site.

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.

Street Section and Right-of-Way Policy: District Policy 7208.5 states that right-of-way widths for new commercial streets shall typically be 50 and 70-feet wide and that the standard street section will vary depending on the need for a center turn lane, bike lanes, volumes, percentage of truck traffic, and/or on-street parking.

- A 36-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and on-street parking.
- A 40-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and a center turn lane.
- A 46-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and a center turn lane and bike lanes.

Continuation of Streets Policy: District Policy 7208.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

- Reduces vehicle miles traveled.
- Increases access for emergency services.
- Reduces need for additional access points to the arterial street system.
- Promotes the efficient delivery of services including trash, mail and deliveries, water and sewer.
- Promotes orderly development.

Sidewalk Policy: District Policy 7208.5.6 requires a concrete sidewalks at least 5-feet wide to be constructed on both sides of all commercial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District’s planter width policy if trees are to be placed within the parkway strip.

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.

c. **Applicant’s Proposal:** The applicant is proposing to construct Sailer Avenue, Ensolorado Street, and Merlin Avenue as 41-foot street sections with curb, gutter and 5-foot wide attached concrete sidewalk within 60-feet of right-of-way.

d. **Staff Comments/Recommendations:** The applicant’s proposal does not meet District policy. The applicant should be required to construct Sailer Avenue, Ensolorado Street, and Merlin Avenue as 40-foot street sections within 54-feet of right-of-way.

The applicant should provide a permanent right-of-way easement for any sidewalk located outside of the dedicated right-of-way.

5. **Stub Streets**

a. **Existing Conditions:** There are 2 existing stub streets to the site, Folgado Court and Ontem Street.

b. **Policy:**

**Stub Street Policy:** District policy 7208.2.4 states that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7206.2.5.4 (collector), except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the stub street stating that, “THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE EXTENDED AND WIDENED IN THE FUTURE.”

In addition, stub streets must meet the following conditions:

- A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.

- The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.

**Temporary Dead End Streets Policy:** District policy 7206.2.4 requires that the design and construction for cul-de-sac streets shall apply to temporary dead end streets. The temporary cul-de-sac shall be paved and shall be the dimensional requirements of a standard cul-de-sac. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

c. **Applicant Proposal:** The applicant is proposing to extend Folgado Court and Ontem Street as 36-foot street sections into the site and construct 1 stub street, Merlin Avenue, to the north as a 41-foot street section, located 364-feet west of SH-69/Meridian Road (centerline-to-centerline).

d. **Staff Comments/Recommendations:** The applicant’s proposal meets District policy. However, the applicant should be required to construct Merlin Avenue as a 40-foot street section; and because Merlin Avenue extends greater than 150-feet, a temporary cul-de-sac turnaround should be constructed at the terminus of the roadway. The temporary cul-de-sac should be paved and meet the dimensional requirements of a standard cul-de-sac. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.
The applicant should be required to install a sign at the terminus of the stub street stating that, “THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE EXTENDED AND WIDENED IN THE FUTURE.”

6. Driveways
6.1 Sailer Avenue
   a. Existing Conditions: There are no existing driveways internal to the site.

   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 proposing to construct a 36-foot driveway onto Sailer Avenue, located approximately 360-feet north of SH-69/Meridian Road and 210-feet south of Jackpot Street, to connect a private drive aisle onto Ensolorado Street within the site.

   The applicant is proposing a 32-foot wide driveway onto Sailer Avenue approximately 565 feet south of Jackpot Street.

   d. Staff Comments/Recommendations: The applicant’s proposal meets District policy and should be approved, as proposed. The applicant should be required to pave all of the driveways their full width as least 30-feet into the site beyond the edge of pavement.

6.2 Ensolorado Street
   a. Existing Conditions: There are no existing driveways internal to the site.

   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 proposing to construct a 36-foot wide driveway onto Ensolorado Street, approximately 365-feet west of SH-69/ and 969-feet east of Sailer Avenue, to connect a private driveway aisle onto Sailer Avenue within the site.
The applicant is proposing four 32-foot wide driveways on the north and south side of Ensolorado Street at approximately 250-feet east of Sailer Avenue and at approximately 700-feet east of Sailer Avenue onto Ensolorado Street. Driveways are proposed to align centerline to centerline.

d. **Staff Comments/Recommendations:** The applicant’s proposal meets District policy and should be approved, as proposed. The applicant should be required to pave all of the driveways their full width as least 30-feet into the site beyond the edge of pavement.

### 6.3 Jackpot Street

**a. Existing Conditions:** There are no existing driveways internal to 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 construct a 60-foot wide driveway, approximately 190-feet west of Sailer Avenue onto Jackpot Street.

The applicant is proposing to construct a 40-foot wide driveway, approximately 510-feet west of Sailer Avenue onto Jackpot Street.

**d. Staff Comments/Recommendations:** The applicant’s proposal does not meet District policy. The applicant should be required to construct a 36-foot wide maximum driveway located approximately 190-feet west of Sailer Avenue and a 36-foot wide maximum driveway located approximately 510-feet west of Sailer Avenue onto Jackpot Street.

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

### 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**

SH-69 and Avalon Street are classified as principal arterial roadways. Other than the access specifically approved with this application, direct lot access should be prohibited to these roadways.

D. **Site Specific Conditions of Approval**

1. The applicant, City of Kuna, and ITD should work together to determine if additional right-of-way or improvements are necessary on SH-69.

2. Extend Folgado Street into the site as a 36-foot street section, with curb, gutter and 5-foot wide attached sidewalk within 50-feet of right-of-way.

3. Extend Ontem Street into the site as a 36-foot street section, with curb, gutter and 5-foot wide attached sidewalk within 50-feet of right-of-way.

4. Construct the internal residential local streets, Olivine Avenue and Jackpot Street as 36-foot street sections with curb, gutter, and 5-foot wide attached sidewalks, within 50-feet of right-of-way.

5. Construct Sailer Avenue to intersect SH-69/Meridian Road 784-feet east of Sunbird Avenue aligned centerline to centerline with Sailer Avenue on the south side of SH-69/Meridian Road, as a 40-foot street section with curb, gutter and 5-foot wide attached concrete sidewalk within 54-feet of right-of-way.

6. Construct Ensolorado Street to intersect SH-69/Meridian Road approximately 860-feet north of SH-69/Kuna Road intersection as a 40-foot street section with curb, gutter and 5-foot wide attached concrete sidewalk within 54-feet of right-of-way.

7. Construct Merlin Avenue as a 40-foot street section with curb, gutter and 5-foot wide attached concrete sidewalk within 54-feet of right-of-way.

8. Construct one stub street, Merlin Avenue, to the north as a 40-foot street section, located 364-feet west from SH-69/Meridian Road (centerline-to-centerline). Provide a temporary cul-de-sac turnaround at the terminus of Merlin Avenue, as it extends greater than 150-feet. Install a sign at the terminus of the stub street stating that, “THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE EXTENDED AND WIDENED IN THE FUTURE.”

9. Construct a 36-foot wide driveway onto Sailer Avenue, located approximately 360-feet north of SH-69/Meridian Road and 210-feet south of Jackpot Street onto Ensolorado Street.

10. Construct a 32-foot wide driveway approximately 565-feet south of Jackpot Street onto Sailer Avenue.

11. Construct a 36-foot wide driveway approximately 365-feet west of SH-69/Meridian Road and 969-feet east of Sailer Avenue onto Ensolorado Street.

12. Construct 4, 32-foot wide driveways on the north and south side of Ensolorado Street at approximately 250-feet east of Sailer Avenue and at approximately 700-feet east of Sailer Avenue onto Ensolorado Street.

13. Construct 2, 36-foot wide maximum driveways at approximately 190-feet west and 510-feet west of Sailer Avenue onto Jackpot Street.

14. Provide a permanent right-of-way easement for any sidewalks located outside of the dedicated right-of-way.

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

E. **Standard Conditions of Approval**

1. All irrigation facilities shall be located and/or relocated outside of the ACHD right-of-way.
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant’s engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District’s Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District’s Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant’s authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

F. **Conclusions of Law**

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.
G. Attachments

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Request for Reconsideration Guidelines
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.