February 4, 2015

To: ACHD Commission

From: Kaci Bader, Development Review Coordinator

Subject: Final Plat: Mandelay Subdivision

Project Number: FPLT15-0004

Meeting Date: February 11, 2015

FACTS & FINDINGS:

1. Mandelay Subdivision is a 6 buildable and 1 common lot residential subdivision on 1.15 acres. This site is located on W. Kootenai Street, east of S. Roosevelt Street.

2. The applicants are Elcox Enterprises, LTD, whose principals are David John Elcox, Director; Ronald B. Hill, Owner and Mandelay Condominiums Owners’ Association, Inc. whose principals are David John Elcox, President; Richard A. Richardson, Owner; Leonard L. Craig, Owner.

3. The preliminary plat was approved on November 8, 2014. All conditions of the preliminary plat have been satisfied.

RECOMMENDATION:

1. Approve the final plat of Mandelay Subdivision and authorize the President to endorse.

ATTACHMENTS:

1. Final Plat
2. Vicinity Map
MANDELAY SUBDIVISION

CERTIFICATE OF OWNERS

OWNERS:

ELCO ENTERPRISES, LTD., DEFINED BENEFIT PERSONAL
PLAY, AND SUNDAY CORPORATION.

MANDELAY CONDOMINIUM OWNERS' ASSOCIATION, INC.

PURSE B. HILL

LEONARD L. CRAIG

ACCORDANCE DOCUMENT

STATE OF CALIFORNIA
COUNTY OF SANTA BARBARA

ON THIS 22ND DAY OF SEPTEMBER 2014, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY APPEARED LEONARD L. CRAIG, KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHO EXECUTED THE NOTARIZED DOCUMENT, AND ACKNOWLEDGED TO ME THAT SUCH PERSON SIGNED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREON SEEN MY HAND AND APPLIED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC FOR CALIFORNIA
RESIDENCE AT: 2830 5TH STREET
SANTA BARBARA, CA 93101

COUNTY OF SANTA BARBARA
WE ARE OPEN 24 HOURS A DAY, 7 DAYS A WEEK

DEVELOPED:

ELCO ENTERPRISES, LTD.

PROJECT NO: 8146

SHEET 2 OF 2
MANDELA SUBDIVISION

APPROVAL OF ADA COUNTY HIGHWAY DISTRICT
THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE __________ DAY OF __________.

APPROVAL OF CENTRAL DISTRICT HEALTH DEPARTMENT
SANITARY REQUIREMENTS AS REQUIRED BY IDAHO CODE, TITLE 55, CHAPTER 15 HAVE BEEN SATISFIED ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER AS HIS ACT CONFORMS TO THE CONDITIONS OF APPROVAL. SANITARY REQUIREMENTS MAY BE RE-APPROVED, IN ACCORDANCE WITH SECTION 55-1201, IDAHO CODE, BY CONSENT OF UNAPPROVAL.

APPROVAL OF CITY ENGINEER
THE UNDERSIGNED BOISE CITY ENGINEER, HEREBY STATE THAT THE RECOMMENDED CONDITIONS OF BOISE CITY HAVE BEEN SATISFIED FOR THIS PLAT.
BOISE CITY ENGINEER

APPROVAL OF CITY COUNCIL
THE UNDERSIGNED CITY COUNCIL IN AND FOR THE CITY OF BOISE, ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT OF A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE __________ DAY OF __________, THIS PLAT WAS DENTALLY ACCEPTED AND APPROVED.

CITY COUNCIL, BOISE, IDAHO

CERTIFICATE OF SURVEYOR
I, ROBERT E. WILSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO AND THAT THIS PLAT AS DESCRIBED IN THE CERTIFICATE OF SURVEYOR IS DRAWN FROM AN ACTUAL SURVEY MADE ON THE DATE OF RECOGNITION AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.
ROBERT E. WILSON, P.L.S.
DATED: 9-20-02

CERTIFICATE OF COUNTY SURVEYOR
I, THE UNDERSIGNED COUNTY SURVEYOR, IN AND FOR ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE RECOMMENDATIONS OF IDAHO CODE RELATING TO PLATS AND SURVEYS.
COUNTY SURVEYOR

CERTIFICATE OF THE COUNTY TREASURER
I, THE UNDERSIGNED COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, DO HEREBY CERTIFY THAT I HAVE RECEIVED THE APPLICABLE COUNTY PROPERTY TAXES FOR THIS PLAT AND THAT THE REQUIRED TAXES HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS GIVEN FOR THE REASON THAT THE TAXES (30) DAYS ONLY.
STATE: ________________
COUNTY TREASURER

COUNTY RECORDER'S CERTIFICATE
STATE OF IDAHO: ________________
COUNTY OF ADA: ________________
I HEREBY CERTIFY THAT THE INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF ________________.
IN BOOK ________________, OF PAGES ________________.
IN BLACK INK, MEASURED IN ________________ INCHES ON THE ________________ DAY OF ________________, ON THE ________________ DAY OF ________________.
INSTRUMENT NO.: ________________
RECORD: ________________
EXOFFICIO RECORDER

DEVELOPER:
ECHO ENTERPRISES, LTD.
BOISE, IDAHO

SHEET 3 OF 3
November 18, 2014

To: David Elcox, via e-mail
    Elcox Enterprises, Ltd.
    3214 Crescent Rim Dr.
    Boise, ID 83706

Representative: Matt Munger, via e-mail
    WH Pacific, Inc.
    3130 S. Owyhee St.
    Boise, ID 83705

Subject: Mandelay Subdivision

This is a staff level approval of a preliminary plat for Mandelay Subdivision. On November 8, 2005 the Ada County Highway District reviewed and approved this site as part of Mandelay Condos [SUB05-0100 / CUP05-00143]. The District had site specific requirements related to that application and the creation of the private street Mandelay Subdivision will be using as the primary access, these requirements have been previously met.

Kootenai Street is a collector roadway. Upon redevelopment of Lot 1, direct lot access is prohibited on this roadway and should be noted on the final plat.

The applicant will be required to pay all applicable platting and review fees prior to final approval.

If you have any questions, please contact me at (208) 387-6335.

Sincerely,

Austin Miller
Planner I
Development Services

CC: Project file,
    City of Boise, via e-mail
Traffic Information

This development is estimated to generate 40 additional vehicle trips per day (17 existing); and 4 additional vehicle trips per hour in the PM peak hour (2 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition.

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>
</tr>
</thead>
<tbody>
<tr>
<td>Kootenai St.</td>
<td>122-feet</td>
<td>Collector</td>
<td>189</td>
<td>Better than “D”</td>
</tr>
</tbody>
</table>

* Acceptable level of service for a two-lane collector is “D” (425 VPH).

Average Daily Traffic Count (VDT):

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

- The average daily traffic count for Kootenai Street east of Roosevelt Street was 3,601 on April 17, 2013.
Request for Appeal of Staff Decision

Appeal of Staff Decision: The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services 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 Development Services 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 Development Services 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.
A. Findings of Fact

Existing Conditions

1. Site Information: There is currently one single-family residence on the site.

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>Residential lot/baseball field</td>
<td>R-1C</td>
</tr>
<tr>
<td>South</td>
<td>Residential</td>
<td>R-1C</td>
</tr>
<tr>
<td>East</td>
<td>Residential</td>
<td>R-1C</td>
</tr>
<tr>
<td>West</td>
<td>Church</td>
<td>R-1C</td>
</tr>
</tbody>
</table>
3. **Existing Roadway Improvements Adjacent To and Near the Site**
   - Kootenai Street is currently has two lanes, bike lanes, on-street parking, vertical curb and gutter abutting the site. There is no sidewalk abutting the site. There is sidewalk on Kootenai Street to the east and west of the site.

4. **Existing Right-of-Way**
   - Kootenai Street currently has 80-feet of right-of-way (40-feet from centerline).

5. **Existing Access:** There are two existing curb cut driveways on Kootenai Street, one at the east property line and one at the west property line.

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

### Development Impacts

7. **Trip Generation:** This development is estimated to generate 50 additional vehicle trips per day (10 existing) based on the Institute of Transportation Engineers Trip Generation Manual.

8. **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.

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

10. **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>Kootenai</td>
<td>122’</td>
<td>Collector</td>
<td>4,164 east of Roosevelt 9/24/03</td>
<td>Better than “C”</td>
<td>25 MPH</td>
</tr>
<tr>
<td>Roosevelt</td>
<td>None</td>
<td>Collector</td>
<td>7,771 south of Cassia on 3/10/05</td>
<td>Better than “C”</td>
<td>30 MPH</td>
</tr>
</tbody>
</table>

*Acceptable level of service for a two-lane collector roadway is “D” (9,500 VTD).

11. **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 in the Capital Improvements Plan.

### B. Findings for Consideration

1. **Right-of-Way**
   - **Policy:** District policy requires 70-feet of right-of-way on collector roadways (Figure 72-F1B). This right-of-way width allows for the construction of a 3-lane roadway with curb, gutter, 5-foot wide detached sidewalks and bike lanes.

   **Applicant Proposal:** The applicant is not proposing to dedicate any additional right-of-way beyond the existing 40-feet from centerline.

   **Staff Comment:** There is 80-feet of existing right-of-way for Kootenai Street; no additional right-of-way is required to be dedicated with this application.
2. **Street Section**  
**Policy:** District policy 72-F1B requires collector roadways to be constructed as a 46-foot street section with vertical curb, gutter and 5-foot detached (or 7-foot attached) concrete sidewalk within 70-feet of right-of-way with parking prohibited on both sides.

**Applicant Proposal:** The applicant is proposing to construct a new 5-foot concrete sidewalk abutting the site.

**Staff Recommendation:** The applicant’s proposal meets District policy.

3. **Driveways**  
**Offset Policy:** District policy 72-F5, requires driveways located on collector or arterial roadways with a speed limit of 25 to align or offset a minimum of 105-feet from any existing or proposed driveway.

**Width Policy:** District policy 7207.9.3 restricts commercial driveways with daily traffic volumes over 1,000 vehicles to a maximum width of 35-feet. Most commercial driveways will be constructed as curb-cut type facilities if located on local streets. Curb return type driveways with 15-foot radii will be required for driveways accessing collector and arterial roadways.

**Paving 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.

**Applicant Proposal:** The applicant has proposed to construct one curb return driveway on Kootenai Street, 29-feet in width, located at the east property line.

**Staff Comment/Recommendation:** While the proposed driveway location does not precisely align with Jackson Street on the south side of Kootenai Street, it is the only acceptable location with the frontage available for this project. If the driveway were to offset Jackson Street to the west, the driveway would be closer to the intersection of Kootenai Street and Roosevelt Street. Therefore, District staff will grant a modification of policy to allow the driveway in the proposed location. In addition, the other existing driveway on Kootenai Street, located at the west property line, is proposed to be closed, and the existing home will take access from the new service drive. Therefore, there will be no direct access to Kootenai Street.

**C. Site Specific Conditions of Approval**

1. Construct a 5-foot wide concrete sidewalk abutting the site on Kootenai Street within the existing right-of-way.

2. Construct one 29-foot wide curb-return driveway, with minimum 15-foot radii, located at the east property line, as proposed.

3. Close the existing curb cut driveway on Kootenai Street located at the west property line with curb, gutter and sidewalk, as proposed.

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
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.

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   e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.
Development Process Checklist

- Submit a development application to a City or to the County
- The City or the County will transmit the development application to ACHD
- The ACHD Planning Review Division will receive the development application to review
- The Planning Review Division will do one of the following:
  - Send a “No Review” letter to the applicant stating that there are no site specific requirements at this time.
  - Send a “Comply With” letter to the applicant stating that if the development is within a platted subdivision or part of a previous development application and that the site specific requirements from the previous development also apply to this development application.
  - Write a Staff Level report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.
  - Write a Commission Level report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.
- The Planning Review Division will hold a Technical Review meeting for all Staff and Commission Level reports.
- For ALL development applications, including those receiving a “No Review” or “Comply With” letter:
  - The applicant should submit 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:
  a) Traffic Control Plan
  b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50’ or you are placing >600 sf of concrete or asphalt.

**Construction (Subdivisions)**
- Sediment & Erosion Submittal
  - At least one week prior to setting up a Pre-Con an Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, must be turned into ACHD Construction – Subdivision to be reviewed and approved by the ACHD Drainage Division.

**Idaho Power Company**
- Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.

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