February 5, 2015

To: ACHD Commission
From: Kaci Bader, Development Review Coordinator
Subject: Final Plat: Scentsy Commons Subdivision

Project Number: FPLT15-0003
Meeting Date: February 11, 2015

FACTS & FINDINGS:
1. Scentsy Commons Subdivision is a 6 buildable and 0 common lot commercial subdivision on 60.73 acres. This site is located on E. Pine Avenue west of N. Eagle Road.

2. The applicant is H.O.T. 1 LLLP and the principal for the applicant is R. Orville Thompson, General Partner.

3. The preliminary plat was approved on April 17, 2013. All conditions of the preliminary plat have been satisfied.

RECOMMENDATION:
1. Approve the final plat of Scentsy Commons Subdivision and authorize the President to endorse.

ATTACHMENTS:
1. Final Plat
2. Vicinity Map
3. Scentsy Commons Subdivision preliminary plat, staff report dated April 17, 2013
SCENTSY COMMONS SUBDIVISION
A PARCEL BEING A PORTION OF LOT 1, BLOCK 6 OF GEMSTONE CENTER NO. 5, AND A PORTION OF THE SE ¼ OF SECTION 8, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, Ada COUNTY, IDAHO

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS: THAT WE THE UNDERSIGNED, ARE THE OWNERS OF THE REAL PROPERTY DESCRIBED BELOW IN ADA COUNTY, IDAHO, AND THAT WE INTEND TO INCLUDE THE FOLLOWING DESCRIBED PROPERTY IN THIS SCENTSY COMMONS SUBDIVISION:

A PARCEL BEING A PORTION OF LOT 1 IN BLOCK 6 OF GEMSTONE CENTER NO. 5, AS SHOWN IN BOOK 90 OF PLATS AT PAGES 11757 AND 11758, RECORDS OF ADA COUNTY, IDAHO, AND BEING A PORTION OF THE SE ¼ OF SECTION 8, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENT MARKING THE NORTHWEST CORNER OF SAID SE ¼, FROM WHICH A BRASS CAP MONUMENT MARKING THE SOUTHEAST CORNER OF SAID SE ¼ BEARS S 1°22'W ALONG A DISTANCE OF 2593.24 FEET:

THENCE S 1°22'W ALONG THE EASTERN BOUNDARY OF SAID SE ¼ A DISTANCE OF 83.85 FEET TO A POINT;

THENCE LEAVING SAID EASTERN BOUNDARY N 87°53'W A DISTANCE OF 70.00 FEET TO A 5/8 INCH DIAMETER IRON PIN ON THE WESTERN BOUNDARY OF EAGLE ROAD AND THE POINT OF BEGINNING;

THENCE S 1°22'W ALONG SOUTHERLY RIGHT-OF-WAY A DISTANCE OF 7.84 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE CONTINUING ALONG SOUTHERLY RIGHT-OF-WAY S 1°11'24"W A DISTANCE OF 74.45 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE CONTINUING ALONG SOUTHERLY RIGHT-OF-WAY S 1°11'27"W A DISTANCE OF 50.00 FEET TO A BRASS CAP MONUMENT;

THENCE CONTINUING ALONG SOUTHERLY RIGHT-OF-WAY 5°33'10"E A DISTANCE OF 74.24 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE CONTINUING ALONG SOUTHERLY RIGHT-OF-WAY 5°12'28"E A DISTANCE OF 428.84 FEET A 5/8 INCH DIAMETER IRON PIN ON THE NORTHERLY RIGHT-OF-WAY OF THE UNION PACIFIC RAILROAD;

THENCE N 87°53'23"W ALONG SOUTHERLY RIGHT-OF-WAY A DISTANCE OF 1303.29 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY N 2°55'16"E A DISTANCE OF 450.00 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 87°53'23"W A DISTANCE OF 1161.53 FEET TO A 5/8 INCH DIAMETER IRON PIN ON THE EASTERN BOUNDARY OF SAID GEMSTONE CENTER NO. 5;

THENCE N 2°55'16"E ALONG SAID EASTERN BOUNDARY A DISTANCE OF 97.88 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE N 87°53'23"E ALONG SAID SOUTHERLY BOUNDARY A DISTANCE OF 13.46 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE CONTINUING ALONG SAID SOUTHERLY BOUNDARY N 44°54'55"W A DISTANCE OF 42.49 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE CONTINUING ALONG SAID SOUTHERLY BOUNDARY N 0°55'17"E A DISTANCE OF 8.81 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE CONTINUING ALONG SAID SOUTHERLY BOUNDARY N 87°53'23"E A DISTANCE OF 50.50 FEET TO A 5/8 INCH DIAMETER IRON PIN ON THE WESTERN BOUNDARY OF SAID GEMSTONE CENTER NO. 5;

THENCE N 87°53'23"E ALONG SAID SOUTHERLY BOUNDARY A DISTANCE OF 611.54 FEET TO A 5/8 INCH DIAMETER IRON PIN ON THE SOUTHERLY RIGHT-OF-WAY OF PINE AVE;

THENCE N 87°53'23"E ALONG SAID SOUTHERLY RIGHT-OF-WAY A DISTANCE OF 1921.09 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY 5°33'10"E A DISTANCE OF 209.78 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY 5°33'10"E A DISTANCE OF 392.91 FEET TO A 5/8 INCH DIAMETER IRON PIN;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY 5°33'10"E A DISTANCE OF 208.53 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 60.73 ACRES.

ALL THE OUTPUTS IN THIS SUBDIVISION WILL BE ELIGIBLE TO RECEIVE WATER SERVICE FROM THE CITY OF MERIDIAN. THE CITY OF MERIDIAN HAS AGREED IN WRITING TO SAVE ALL THE OUTPUTS IN THIS SUBDIVISION.

THE PUBLIC SERVICES SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC, PUBLIC UTILITY, IRRIGATION AND DRAINAGE EASEMENTS ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT OF ACCESS TO, AND USE OF, THESE EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES, DRAINAGE AND FOR ANY OTHER USES AS MAY BE DESIGNATED HEREOIN AND NO PERMANENT STRUCTURES OTHER THAN FOR SAID USES ARE TO BE ERECTED WITHIN THE LIMITS OF SAID PUBLIC EASEMENTS.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS ___________ DAY OF ___________, 20__.

H.O.T.L. 1 LLP

R. CHVILE THOMPSON, GENERAL PARTNER

CLINTON W. HANSEN
IDAHO NO. 11118

LAND SOLUTIONS
LAND SURVEYING AND CONSULTING
231 E. 5TH ST., STE. A
MERIDIAN, ID 83642
(208) 289-2890 • FAX (208) 289-2905
www.landsolutions.net

SHEET 4 OF 5
HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 59, CHAPTER 13, HAVE BEEN SATISFIED ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER OR HIS AGENT LISTING THE CONDITIONS OF APPROVAL. SANITARY RESTRICTIONS MAY BE RE-IMPOSED IN ACCORDANCE WITH SECTION 50-1326. IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

DISTRICT HEALTH DEPARTMENT, EN-5 DATE

APPROVAL OF CITY COUNCIL

I, THE UNDERSIGNED, CITY CLERK IN AND FOR THE CITY OF MERIDIAN, ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE ___ DAY OF __________, 20__, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

CITY CLERK, MERIDIAN, IDAHO

APPROVAL OF THE CITY ENGINEER

I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY OF MERIDIAN, ADA COUNTY, IDAHO, HEREBY APPROVE THIS PLAT.

CITY ENGINEER – MERIDIAN, IDAHO

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 __________, 20__.

CHAIRMAN, ADA COUNTY HIGHWAY DISTRICT

CERTIFICATE OF THE 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 STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

ADA COUNTY SURVEYOR

CERTIFICATE OF THE COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF LC 59-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

DATE: __________ COUNTY TREASURER

CERTIFICATE OF COUNTY RECORDER

STATE OF IDAHO
COUNTY OF ADA

I, HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF LAND SOLUTIONS, P.C. AT ___ MINUTES P.M. ON THIS ___ DAY OF __________, 20__, IN BOOK ___ OF PLATS AT PAGES ___.

DEPUTY
EX-OFFICIO RECORDER

FEE: ___

CLINTON W. HANSEN
PLT 11118

LandSolutions
Land Surveying and Consulting
231 E. 39TH ST., STE. A
MERIDIAN, ID 83642
(208) 290-2000 fax (208) 290-2552
www.landsolutions.idc
A. Findings of Fact

1. Description of Application: The applicant is requesting approval for a preliminary plat for 7 commercial building lots on 60.727 acres. The site is located at 2701 E Pine Avenue, Meridian, Idaho. This preliminary plat application is proposing to modify a portion of the existing Pinebridge Subdivision preliminary plat for these parcels.

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 retail and service commercial; and Light Industrial</td>
<td>C-G, I-L</td>
</tr>
<tr>
<td>South</td>
<td>General retail and service commercial; and Light Industrial</td>
<td>C-G, I-L</td>
</tr>
<tr>
<td>East</td>
<td>General retail and service commercial; and Light Industrial</td>
<td>C-G, I-L</td>
</tr>
<tr>
<td>West</td>
<td>General retail and service commercial; and Light Industrial</td>
<td>C-G, I-L</td>
</tr>
</tbody>
</table>
3. **Site History:** ACHD Commission previously reviewed this site as Pinebridge-MPP-07-008/MRZ-07-010/MAZ-07-006 in August 2007. The requirements of this staff report are not consistent with those of the prior action, due to the applicant’s proposal not to extend and construct Hickory Avenue, as a public street (see Finding for Consideration 3).

4. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.

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

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

---

**B. Traffic Findings for Consideration**

1. **Trip Generation:** This development is estimated to generate 2,700 additional vehicle trips per day (0 existing); 450 additional vehicle trips per hour in the PM peak hour (0 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition. This estimate is based on the trip generation for Manufacturing, Warehouse, and Corporate HQ Buildings.

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><strong>Eagle Road</strong></td>
<td>2,588-feet</td>
<td>Principal Arterial</td>
<td>2,229</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Pine Avenue</td>
<td>2,615-feet</td>
<td>Minor Arterial</td>
<td>580</td>
<td>Better than &quot;D&quot;</td>
<td>Better than &quot;D&quot;</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 five-lane minor arterial is “D” (1,540 VPH).
   ** ACHD does not set level of service thresholds for State Highways.

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 Eagle Road south of Pine Avenue was 51,788 on 12/7/11.
   - The average daily traffic count for Pine Avenue west of Eagle Road was 10,421 on 11/26/12.

---

**C. Findings for Consideration**

1. **Eagle Road/State Highway**

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

2. **Pine Avenue**

   a. **Existing Conditions:** Pine Avenue is improved with 5-travel lanes, vertical curb, gutter, and 5-foot wide sidewalk abutting the site. There is 96-feet of right-of-way for Pine Avenue (48-feet from centerline).
Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Pine Avenue is designated in the MSM as a Planned Commercial Arterial with 5-lanes and on-street bike lanes, a 82-foot street section within 108-feet of right-of-way.

b. Applicant Proposal: The applicant is not proposing any improvements to Pine Avenue abutting the site.

c. Staff Comments/Recommendations: Pine Avenue is already improved with 5-lanes, curb, gutter and sidewalk, abutting this site; staff does not recommend any additional street improvements or right-of-way dedication as part of this application.

The applicant should be required to replace any broken or deteriorated curb, gutter, and sidewalk abutting the site, consistent with the District's Minor Improvement policy.

3. Hickory Avenue
   a. Existing Conditions: Hickory Avenue is not constructed abutting the site.

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.

   Street Section and Right-of-Way Policy: District policy 7206.5.2 states that the standard right-of-way width for collector streets shall typically be 50 to 70-feet, depending on the location and width of the sidewalk and the location and use of the roadway. The right-of-way width may be reduced, with District approval, if the sidewalk is located within an easement; in which case the District will require a minimum right-of-way width that extends 2-feet behind the back-of-curb on each side.

   The standard street section shall be 46-feet (back-of-curb to back-of-curb). This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

   Sidewalk Policy: District policy 7206.5.6 requires a concrete sidewalks at least 5-feet wide to be constructed on both sides of all collector 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. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

   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.

**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. A new collector roadway was identified on the MSM with the street typology of Industrial Collector. The new collector roadway should align with Hickory Avenue on the north side of Pine Avenue and continue through the property stubbing to the west. The Industrial Collector typology as depicted in the Livable Street Design Guide recommends a 3 lane roadway with bike lanes, and on street parking, a 50-foot street section within 74-feet of right-of-way.

c. **Applicant Proposal:** The applicant is proposing to construct a private drive aisle located 1,986-feet west of Eagle Road (measured centerline-to-centerline).

d. **Staff Comments/Recommendations:** The applicant's proposal does not meet District policy, or ACHD's prior action on Pinebridge Subdivision which requires the construction of Hickory Avenue, as a public industrial collector roadway. However, staff recommends a modification to ACHD's prior action on Pinebridge Subdivision and to the MSM to remove Hickory Avenue as an industrial collector from the map and to remove the extension of the industrial collector west onto Commercial Street out to Locust Grove from the MSM.

Staff's recommendation is due to the fact that the applicant has control over several properties adjacent to and south of the planned extension of Hickory Avenue. These properties are being developed by a sole organization as a business campus to include manufacturing, distribution, and office uses, not by various independent owners and uses of whom would benefit from a public street, which was originally envisioned at the time of ACHD's preliminary plat action on Pinebridge Subdivision.

Additionally, Hickory Avenue would have connected to Commercial Court, an existing private road creating a public connection to a private street. Vehicular connectivity in the area will still be provided through other area public streets (Machine, Web, Nola, and Commercial).

Staff recommends approval of the applicant's proposal not to construct Hickory Avenue as a public street, but as a private drive aisle, removing it from the MSM. The City of Meridian is supportive of this proposal, as the Meridian City Council has already approved the application with the private drive aisle.

Although staff is recommending that Hickory be constructed as a private drive aisle, the applicant does not have control of, or own all of the remaining properties abutting Commercial Court that would take access to Hickory Avenue as a public street. Therefore, staff recommends that the applicant provide the District with a signed affidavit for any property not controlled or owned by the applicant stating that they do not require access to Hickory Street as a public street prior to ACHD's signature on the final plat. If applicant cannot obtain control of the properties or provide signed affidavits, the applicant should be required to redesign the plat to include the construction of Hickory Avenue, as a public street.

ACHD's prior action on the Pinebridge Subdivision required the installation of a signal at the Pine/Hickory intersection when Hickory was to be extended as a public street; however due to the change in use, and the proposal to construct Hickory as a private drive aisle, staff recommends that the signal not be installed at this time. If a signal in this location is warranted in the future, ACHD will install the signal.
4. Machine Avenue
   a. Existing Conditions: Machine Avenue is improved for 222-feet as a 40-foot street section with 2-travel lanes, vertical curb, gutter, and 7-foot wide sidewalk abutting the site. There is 54-feet of right-of-way for Machine Avenue (26-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.

**Half Street Policy:** District Policy 7207.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

c. **Applicant’s Proposal:** The applicant is not proposing any improvements to Machine Avenue.

d. **Staff Comments/Recommendations:** The location of Machine Avenue, abutting the site’s west property line, was approved as part of Pinebridge Subdivision with Machine Avenue to be constructed as a 40-foot commercial roadway within 54-feet of right-of-way. Additionally, an approach for the future roadway was constructed as part of the Pine Avenue widening project. Based on the location of the approach a majority of the roadway will be constructed on the adjacent parcel, as such the adjoining property owner (Pinebridge) will be responsible for constructing half the street plus 12-feet of Machine Avenue when that property develops.

To complete the street when the adjacent parcel develops, staff recommends that the applicant dedicate additional right-of-way from their west property line to a minimum 2-feet behind future curb abutting the site and provide the District with a permanent right-of-way easement for any portion of the future sidewalk located outside of right-of-way. Additionally, the applicant should be required to provide the District with a road trust deposit in the amount of $41,500.00 for the construction of 8-feet of pavement, curb, gutter and sidewalk abutting the site for the future Machine Avenue.

5. **Driveways**

5.2 **Pine Avenue**

a. **Existing Conditions:** There are four existing driveways onto Pine Avenue from the site. They are located at approximately 388-feet, 790-feet, 1,390-feet and 1,986 feet west of Eagle Road (measured centerline-to-centerline). The driveway closest to Eagle Road (388-feet) is median restricted to right-in/right-out only. The other three driveways are full-access driveways.

b. **Policy**

**Access Points Policy:** District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

**Access Policy:** District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

**Driveway Location Policy:** District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a single left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 660-feet from the intersection for a full-movement driveway.
District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a dual left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 710-feet from the intersection for a full-movement driveway.

Successive Driveways: District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 35 MPH to align or offset a minimum of 330-feet from any existing or proposed driveway.

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

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, the applicant should be required to pave the driveway its full width and at least 30- feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7205.4.8.

Cross Access Easements/Shared Access Policy: District Policy 7202.4.1 states that cross access utilizes a single vehicular connection that serves two or more adjoining lots or parcels so that the driver does not need to re-enter the public street system.

c. Applicant's Proposal: The applicant is not proposing any improvements to the four driveways. These driveway locations were approved as part of ACHD's action on Pinebridge Subdivision and were constructed as part of the widening of Pine Avenue abutting the site.

d. Staff Comments/Recommendations: Staff recommends approval of the applicant's proposal to maintain the four driveways; as these locations were approved as part of Pinebridge Subdivision and have been constructed as part of the Pine Avenue widening project.

5.4 Machine Avenue

a. Existing Conditions: There is an existing driveway approach on Machine Avenue located 770-feet (measured centerline-to-centerline) south of Pine Avenue abutting this 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 not proposing to use this driveway approach to access the site.
d. **Staff Comments/Recommendations:** The location of the existing driveway onto Machine Street meet’s District policy, and should be approved, as proposed. Staff recommends that in the event the applicant chooses to use the driveway in the future that it be paved 30-feet into the site beyond the edge of pavement.

6. **Tree Planters**

   **Tree Planter Policy:** 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**

   Eagle Road is classified as a principal arterial roadway and Pine Avenue is classified as a minor arterial roadway. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways and should be noted on the final plat.

D. **Site Specific Conditions of Approval**

1. Replace any broken or deteriorated curb, gutter, and sidewalk on Pine Avenue abutting the site.

2. Provide the District with a signed affidavit for any property along Commercial Court not controlled or owned by the applicant stating that they do not require access to Hickory Street as a public street prior to ACHD’s signature on the final plat. If control of the properties cannot be obtained or signed affidavits provided, redesign the plat to include the construction of Hickory Avenue, as a public street.

3. Dedicate additional right-of-way from the west property line a minimum 2-feet behind future curb on Machine Avenue abutting the site.

4. Provide a road trust deposit in the amount of $41,500.00 for the construction of 8-feet of pavement, curb, gutter, and sidewalk for future construction of Machine Avenue.

5. Provide the District with a permanent right-of-way easement for any portion of the future sidewalk on Machine Avenue located outside of right-of-way.

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

7. Comply with all Standard Conditions of Approval.

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
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 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.