March 30, 2016

TO: ACHD Board of Commissioners  
FROM: Stacey Yarrington, Planner III  
SUBJECT: Pope’s Garden/ MPP16-0006/ H-2016-0006

---

Executive Summary:
This is an annexation, rezone, and preliminary plat consisting of 20 buildable lots and 4 common lots, and a conditional use permit to construct a multi-family development consisting of 79 dwelling units on 5.28-acres. The site is located at 2662 E Magic View Drive, Meridian, Idaho. This item is on the regular agenda due to neighborhood concerns.

Neighborhood Concerns:
Neighbors in the area are concerned regarding additional traffic that may be generated in the area as well as staff’s recommended requirement to connect to an existing unimproved public street, Hickory Way. This requirement is consistent with ACHD policy and will provide the only north-south connection in the area between Eagle Road and Locust Grove Road.

Staff Recommendation:
Staff recommends approval of the staff report as written.
Project/File: Pope’s Garden/ MPP16-0006/ H-2016-0006
This is an annexation, rezone, and preliminary plat consisting of 20 buildable lots and 4 common lots, and a conditional use permit to construct a multi-family development consisting of 79 dwelling units.

Lead Agency: City of Meridian
Site address: 2662 E Magic View Drive
Commission Hearing: March 30, 2016
Commission Approval:

Applicant: Iron Mountain Real Estate
Jeremy Amar
Meridian, ID 83646

Representative: Kent Brown Planning
Kent Brown
3161 E Springwood Drive
Meridian, ID 83642

Staff Contact: Stacey Yarrington
Phone: 387-6171
E-mail: syarrington@achdidaho.org

A. Findings of Fact

1. Description of Application: The applicant is requesting approval of an annexation into the City of Meridian, rezone from RUT (Rural Urban Transition) to R-15 (Medium high-density residential), preliminary plat consisting of 20 buildable lots and 4 common lots, and conditional use permit to construct a multi-family development consisting of 79 dwelling units.

The applicant is requesting an amendment to the City of Meridian’s comprehensive plan for this project.

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>Estate Residential (Ada County)</td>
<td>R1</td>
</tr>
<tr>
<td>South</td>
<td>Rural Urban Transition (Ada County)</td>
<td>RUT</td>
</tr>
<tr>
<td>East</td>
<td>Rural Urban Transition (Ada County)</td>
<td>RUT</td>
</tr>
<tr>
<td>West</td>
<td>Medium-density Residential (Meridian City)</td>
<td>R-8</td>
</tr>
</tbody>
</table>

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

4. Transit: Transit services are not available to serve this site.
5. **New Center Lane Miles:** The proposed development includes 0.14 centerline miles of new public road.

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

7. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
   There are currently no roadways, bridges or intersections in the general vicinity of the project that are currently in the Integrated Five Year Work Plan (IFYWP) or the District’s Capital Improvement Plan (CIP).

### B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 459 additional vehicle trips per day (10 existing); 41 additional vehicle trips per hour in the PM peak hour (1 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition.

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>State Highway 55/ Eagle Road</strong></td>
<td>0-feet</td>
<td>Principal Arterial</td>
<td>2,126</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Franklin Road</td>
<td>0-feet</td>
<td>Principal Arterial</td>
<td>842</td>
<td>Better than “E”</td>
<td>Better than “E”</td>
</tr>
<tr>
<td>Magic View Drive</td>
<td>552-feet</td>
<td>Collector</td>
<td>164</td>
<td>Better than “D”</td>
<td>Better than “D”</td>
</tr>
<tr>
<td>Hickory Way</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 collector is “D” (425 VPH).

3. **Average Daily Traffic Count (VDT)**
   *Average daily traffic counts are based on ACHD’s most current traffic counts.*
   - The average daily traffic count for Eagle Road north of I-84 was 59,784 on 7/17/2014.
   - The average daily traffic count for Franklin Road west of SH-55/ Eagle Road was 16,178 on 5/8/2014.
   - The average daily traffic count for Magic View Drive west of SH-55/ Eagle Road was 3,206 on 6/17/15.

### C. Findings for Consideration

1. **Magic View Drive**
   a. **Existing Conditions:** Magic View Drive is improved with 2-travel lanes, 24-feet of pavement, and no curb, gutter or sidewalk abutting the site. There is 50-feet of right-of-way for Magic View Drive (25-feet from centerline).

   b. **Policy:**
      **Collector Street Policy:** District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.
**Master Street Map and Typologies Policy:** District policy 7206.5 states that if the collector street is designated with a typology on the Master Street Map, that typology shall be considered for the required street improvements. If there is no typology listed in the Master Street Map, then standard street sections shall serve as the default.

**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.

**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.

**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. This segment of Magic View Drive is designated in the MSM as an Industrial Collector with 3-lanes and on-street bike lanes, a 50-foot street section within 74-feet of right-of-way.

c. Applicant Proposal: The applicant is proposing to dedicate 25-feet of right-of-way from centerline of Magic View Drive abutting the site.

The applicant is proposing to construct Magic View Drive as one-half of a 36-foot wide street section with curb, gutter, and 5-foot wide attached concrete sidewalk within 50-feet of right-of-way abutting the site.

d. Staff Comments/Recommendations: The applicant’s proposal does not meet District Policy for the sidewalk width. The applicant should be required to construct Magic View Drive as one-half of a 36-foot wide street section with curb, gutter, minimum 12-feet of pavement on the other side, and either 7-foot wide attached sidewalk or 5-foot wide detached sidewalk abutting the site.
The applicant should be required to provide a permanent right-of-way easement for any public sidewalks 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.

Magic View Drive is designated in the MSM as an Industrial Collector Street, located from Eagle Road west to Wells Street.

The City of Meridian’s Future Land Use map shows this area as Commercial/Office, which is consistent with existing uses east of the site (shown below). Staff recommends an amendment to the street typology from Industrial Collector to Commercial Collector as it is consistent with the existing type of uses.

2. Hickory Way
   a. Existing Conditions: A 50-foot wide right-of-way for Hickory Way extends from Autumn Way to the north property line of the site. The street is not constructed.
b. Policy:

Reduced Urban Local Street—29-foot Street Section and Right-of-Way Policy: District Policy 7207.5.2 states that the width of a reduced urban local street shall be 29-feet (back-of-curb to back-of-curb) with curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 42-feet of right-of-way. Although some parking is allowed by the following subsections, the District will further restrict parking on a reduced width street if curves or other physical features cause problems, if actual emergency response experience indicates that emergency vehicles may not be able to provide service, or if other safety concerns arise. One of the following three sets of design conditions shall apply.

Design Condition #1: Parking is allowed on one side of a reduced width street when all of the following criteria are met:

- The street is in a residential area.
- The developer shall provide written approval from the appropriate fire department or emergency response unit in the jurisdiction.
- The developer shall install —NO PARKING signs on one side of the street, as specified by the District and as specified by the appropriate fire department.
- Vertical curbs with attached 5-foot (minimum) wide sidewalks, or rolled curbs with 5-foot (minimum) wide detached sidewalks and 8-foot (minimum) wide planter strips, are required.
- Traffic volumes on the street shall not exceed 1,000 vehicle trips per day. There shall be no possibility that another street may be connected to it in a manner that would allow more than 1,000 vehicle trips per day.

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 Proposal:** The applicant is proposing to construct Hickory Way as a 34-foot street section with curb, gutter, and 5-foot wide sidewalk within 50-feet of right-of-way along the west property line from Magic View Drive to the north property line.

**Staff Comments/Recommendations:** The applicant’s proposal has the potential to create dual fronting lots for the building lots located west of the site in Waverly Place subdivision. After coordination with City staff, staff recommends that the applicant be required to construct Hickory Way as a 29-foot street section with vertical curb, gutter, and 5-foot wide sidewalk on the east side of the street and vertical curb, gutter, and a minimum 10-foot wide landscape buffer on the west side of the street within 50-feet of right-of-way abutting the site.

Hickory Way north of the site currently consists of 50-feet of unimproved right-of-way located between the site’s north property line and Autumn Way. This section of Hickory Way was dedicated with the Greenhill Estates No. 2 plat in 1974, but was never improved.

With this application, Hickory Way should be constructed north to Autumn Way within the unimproved right-of-way. Hickory Way should be constructed as a 29-foot street section with vertical curb, gutter, and 5-foot wide sidewalk on the east side and vertical curb and gutter only on the west side within 50-feet of right-of-way.

The extension of Hickory Way is consistent with ACHD’s Continuation of Streets Policy Section 7207.2.4. This extension will provide north-south connectivity to Franklin Road that does not currently exist in the area. The only existing north to south connections is at Eagle Road and Locust Grove Road. This will provide additional emergency services access, intra-neighborhood traffic circulation, as well as bicycle and pedestrian connectivity.
ACHD should fund the construction of the section of Hickory Way from the site’s north property line to Autumn Way. The applicant should enter into a cooperative development agreement with the District for the construction and reimbursement of the improvements for this roadway prior to beginning design.

The applicant should be required to install “NO PARKING” signs on one side of the street, along Hickory Way from Magic View Drive north to Autumn Way, as specified by the District and as specified by the Meridian Fire Department.

The applicant should be required to provide written approval by the Meridian Fire Department for the reduced street section prior to plan approval and signature of the final plat.

3. Roadway Offsets
   a. Existing Conditions: There are no roads constructed internal to the site.
   
   b. Policy:
      Local Offset Policy: District policy 7207.4.2, requires local roadways to align or provide a minimum offset of 125-feet from any other street (measured centerline to centerline).
   
   c. Applicant’s Proposal: The applicant is proposing to construct a new local roadway, Hickory Way, to intersect Magic View Drive 350-feet east of Fiddle Avenue and 225-feet west of Wells Street/ Magic View Drive intersection (measured centerline to centerline).
4. **Staff Comments/Recommendations:** Magic View Drive west of Wells Street is a local street. Therefore, the applicant's proposal meets District policy and should be approved, as proposed.

4. **Driveways**

4.1 **Magic View Drive**

a. **Existing Conditions:** There is an existing 35-foot wide unimproved residential driveway located approximately 110-feet east of Magic View Drive/ Wells Street intersection onto Magic View Road from the site.

b. **Policy:**

- **Access 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.

- **Driveway Location Policy:** District policy 7206.4.4 requires driveways located on collector roadways near a STOP controlled intersection to be located outside of the area of influence; OR a minimum of 150-feet from the intersection, whichever is greater. Dimensions shall be measured from the centerline of the intersection to the centerline of the driveway.

- **Successive Driveways:** District policy 7206.4.5 Table 1, requires driveways located on collector roadways with a speed limit of 20 MPH and daily traffic volumes greater than 200 VTD to align or offset a minimum of 245-feet from any existing or proposed driveway.

- **Driveway Width Policy:** District policy 7206.4.6 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, 7206.4.6, 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 7206.4.6.

c. **Applicant’s Proposal:** The applicant is proposing to construct a 26-foot wide driveway on Magic View Drive located approximately 225-feet west of an existing residential driveway and 130-feet east of Wells Street/ Magic View Drive intersection.

d. **Staff Comments/Recommendations:** The applicant's proposal does not meet District Successive Driveway and Driveway Location policies, because there is insufficient frontage between the existing driveway and the intersection to meet the offsets. However, staff recommends a modification of policy to allow the driveway to be located as proposed due to the fact there is insufficient frontage to meet policy and the proposed driveway is located outside of the area of influence of the intersection. The modification is only 14% and can be approved by the Development Services Manager.

The applicant should be required to construct the driveway as a curb return, pave the driveway its full width, and at least 30-feet into the site beyond the edge of pavement with minimum 15-foot radii.
4.2 Hickory Way

a. Existing Conditions: There are no existing driveways onto Hickory Way from the site.

b. Policy:

Driveway Location Policy: District policy 7207.4.1 requires driveways located near intersections to be located a minimum of 75-feet (measured centerline-to-centerline) from the nearest street intersection.

Successive Driveways: District Policy 7207.4.1 states that successive driveways away from an intersection shall have no minimum spacing requirements for access points along a local street, but the District does encourage shared access points where appropriate.

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

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

c. Applicant’s Proposal: The applicant is proposing to construct a 26-foot wide driveway on Hickory Way located approximately 235-feet north of Magic View Drive

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

   The applicant should be required to pave the driveway its full width, at least 30-feet into the site beyond the edge of pavement of the roadway.

5. 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.

6. 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.

7. Other Access

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

D. Special Recommendation to the City of Meridian

The City should require adequate on-site parking for the multi-family use. If adequate parking is not provided for the proposed density, users of the site will park on the surrounding residential streets.
E. Site Specific Conditions of Approval

1. Construct Magic View Drive as one-half of a 36-foot wide street section with curb, gutter, minimum 12-feet of pavement on the other side, and either 7-foot wide attached sidewalk or 5-foot wide detached sidewalk abutting the site.

2. Provide a permanent right-of-way easement for any public sidewalks 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.

3. Enter into a cooperative development agreement with the District for the design and construction of the section of Hickory Way from the site’s north property line to Autumn Way prior to beginning design. ACHD will fund the design and construction of the off-site section of Hickory Way.

4. Construct Hickory Way as a 29-foot street section with vertical curb, gutter, and 5-foot wide sidewalk on the east side of the street and vertical curb, gutter, and a minimum 10-foot wide landscape buffer on the west side of the street within 50-feet of right-of-way along the site’s west property line, from Magic View Drive to Autumn Way.

5. Install “NO PARKING” signs on one side of the street, along Hickory Way from Magic View Drive north to Autumn Way, as specified by the District and as specified by the Meridian Fire Department.

6. Construct a 26-foot wide curb return driveway on Magic View Drive located 130-feet east of Wells Street/ Magic View Drive intersection. Pave the driveway its full width, and at least 30-feet into the site beyond the edge of pavement of the roadway with minimum 15-foot radii.

7. Construct a 26-foot wide driveway on Hickory Way located approximately 235-feet north of Magic View Drive. Pave the driveway its full width, at least 30-feet into the site beyond the edge of pavement of the roadway.

8. Other than the access specifically approved with this application, direct lot access is prohibited to Magic View Drive and should be noted on the final plat.

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


F. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).

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.

G. 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.

H. Attachments

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

Developer/Local Improvement District
Right of Way Improvements Guideline Request

Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.

1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.

2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.

3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.

4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

*Notification to the Ada County UCC can be sent to:* 50 S. Cole Rd. Boise 83707, or Visit iducc.com for e-mail notification information.
Development Process Checklist

Items Completed to Date:

☑ Submit a development application to a City or to Ada County
☑ The City or the County will transmit the development application to ACHD
☑ The ACHD Planning Review Section will receive the development application to review
☑ The Planning Review Section will do one of the following:
  ☑ Send a “No Review” letter to the applicant stating that there are no site specific conditions of approval at this time.
  ☑ Write a Staff Level report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.
  ☑ Write a Commission Level report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

Items to be completed by Applicant:

☐ For ALL development applications, including those receiving a “No Review” letter:
  • The applicant should submit one set of engineered plans directly to ACHD for review by the Development Review Section for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
  • The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.

☐ Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

DID YOU REMEMBER:

Construction (Non-Subdivisions)

☐ Driveway or Property Approach(s)
  • Submit a “Driveway Approach Request” form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.

☐ Working in the ACHD Right-of-Way
  • Four business days prior to starting work have a bonded contractor submit a “Temporary Highway Use Permit Application” to ACHD Construction – Permits along with:
    a) Traffic Control Plan
    b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50’ or you are placing >600 sf of concrete or asphalt.

Construction (Subdivisions)

☐ Sediment & Erosion Submittal
  • At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.

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

☐ Final Approval from Development Services is required prior to scheduling a Pre-Con.
Request for Reconsideration of Commission Action

1. **Request for Reconsideration of Commission Action**: A Commissioner, a member of ACHD staff or any other person objecting to any final action taken by the Commission may request reconsideration of that action, provided the request is not for a reconsideration of an action previously requested to be reconsidered, an action whose provisions have been partly and materially carried out, or an action that has created a contractual relationship with third parties.

   a. Only a Commission member who voted with the prevailing side can move for reconsideration, but the motion may be seconded by any Commissioner and is voted on by all Commissioners present.

   If a motion to reconsider is made and seconded it is subject to a motion to postpone to a certain time.

   b. The request must be in writing and delivered to the Secretary of the Highway District no later than 3:00 p.m. on the day prior to the Commission’s next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.

   c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.

   d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.

   e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.

   f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.