March 31, 2016

To: ACHD Commission
From: Kaci Bader, Development Review Coordinator
Subject: Final Plat: Southcreek Subdivision No. 3
Project Number: SUBP15-0111
Meeting Date: April 6, 2016

FACTS & FINDINGS:
1. Southcreek Subdivision No. 3 is a 48 buildable and 5 common lot residential subdivision on 10.19 acres. This site is located west of S. Maple Grove Road and south of W. Amity Road.

2. The applicant is Merced Sunwood Ventures, LLC, a member of LP Silverpine, LLC, and the principal for the applicant is Don Newell, authorized person.

3. The preliminary plat was approved on July 7, 2006.

4. All conditions of the preliminary plat have been satisfied, except for the completion of the roadway improvements. The applicant has provided a financial surety of $352,800 in the form of cash provided in accordance with ACHD Policy Section 7103.2.

5. The applicant is responsible to complete all street improvements and conditions of approval required with the preliminary plat to ACHD standards by March 11, 2017 and prior to final acceptance of the street by ACHD and release of the financial surety.

RECOMMENDATION:
1. Approve the final plat of Southcreek Subdivision No. 3 and authorize the President to endorse.

ATTACHMENTS:
1. Final Plat
2. Vicinity Map
CERTIFICATE OF OWNERS

Know all men by these presents: That LP Silverpine LLC, a Delaware Limited Liability Company, is the owner of the property described as follows:

A parcel located in the 6 ½ of the SE ¼ of Section 26, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a 5/8 inch diameter iron pin marking the southeast corner of said SE ¼ of the SE ¼ from which a 5/8 inch diameter iron pin marking the southwest corner of the SE ¼ of said Section 26 bears N 89°28’46” W a distance of 2660.09 feet; Thence N 0°17’45” E along the easterly boundary of said SE ¼ of the SE ¼ a distance of 436.52 feet to a point; Thence leaving said easterly boundary N 89°42’20” W a distance of 48.00 feet to a point on the westerly right-of-way of S. Maple Grove Road and the POINT OF BEGINNING;

Thence S 0°17’40” W along said westerly right-of-way a distance of 328.91 feet to a 5/8 inch diameter iron pin on the southerly right-of-way of the Temnille Feeder;

Thence along said southerly right-of-way the following described courses:

Thence N 89°50’15” W a distance of 96.95 feet to a 5/8 inch diameter iron pin;

Thence N 54°54’42” W a distance of 312.60 feet to a 5/8 inch diameter iron pin;

Thence N 88°44’20” W a distance of 501.10 feet to a 5/8 inch diameter iron pin;

Thence N 76°34’20” W a distance of 248.97 feet to a 5/8 inch diameter iron pin;

Thence N 35°42’17” W along said southerly right-of-way and a portion of the easterly boundary of Silverpine Subdivision as shown in Book 90 of Plats on Pages 10489 thru 10498, records of Ada County, Idaho, a distance of 423.61 feet to a point;

Thence continuing along said southerly right-of-way N 67°47’15” W a distance of 32.33 feet to a 5/8 inch diameter iron pin;

Thence S 84°12’45” W a distance of 192.40 feet to a 5/8 inch diameter iron pin;

Thence N 38°47’15” W a distance of 193.50 feet to a 5/8 inch diameter iron pin;

Thence N 64°22’15” W a distance of 195.50 feet to a 5/8 inch diameter iron pin;

Thence N 54°17’15” W a distance of 52.80 feet to a 5/8 inch diameter iron pin;

Thence leaving said southerly right-of-way N 30°42’45” E a distance of 80.00 feet to a 5/8 inch diameter iron pin on the northerly right-of-way of said Temnille Feeder and the southerly boundary of Southcreek Subdivision No. 2 as shown in Book 108 of Plats on Pages 15233 thru 15237, records of Ada County, Idaho;

Thence along said northerly right-of-way and southerly boundary of Southcreek Subdivision No. 2 the following described courses:

Thence S 54°17’15” E a distance of 47.46 feet to a 5/8 inch diameter iron pin;

Thence S 64°22’15” E a distance of 203.83 feet to a 5/8 inch diameter iron pin;

Thence S 38°47’15” E a distance of 174.99 feet to a 5/8 inch diameter iron pin;

Thence N 84°12’45” E a distance of 174.79 feet to a 5/8 inch diameter iron pin;

Thence N 67°47’15” E a distance of 64.03 feet to a 5/8 inch diameter iron pin;

Thence S 38°47’15” E a distance of 185.71 feet to a 5/8 inch diameter iron pin;

Thence leaving said northerly right-of-way and continuing along said southerly boundary of Southcreek Subdivision No. 2 the following described courses:

Thence N 53°17’45” E a distance of 110.00 feet to a 5/8 inch diameter iron pin;

Thence S 38°47’15” E a distance of 35.00 feet to a 5/8 inch diameter iron pin;

Thence N 53°17’43” E a distance of 155.00 feet to a 5/8 inch diameter iron pin;

Thence S 36°42’17” E a distance of 101.72 feet to a 5/8 inch diameter iron pin;

Thence S 36°42’17” E a distance of 102.20 feet to a 5/8 inch diameter iron pin;

Thence S 85°44’20” E along said southerly boundary and the southerly boundary of Southcreek Subdivision No. 1 as shown in Book 107 of Plats on Pages 14751 thru 14755, records of Ada County, Idaho, a distance of 502.64 feet to a 5/8 inch diameter iron pin;

Thence continuing along said southerly boundary of Southcreek Subdivision No. 1 the following described courses:

Thence S 89°42’20” E a distance of 111.42 feet to a 5/8 inch diameter iron pin;

Thence S 0°17’40” W a distance of 34.03 feet to a 5/8 inch diameter iron pin;

Thence S 40°57’28” W a distance of 1.91 feet to a 5/8 inch diameter iron pin;

Thence a distance of 11.50 feet along the arc of a 525.00 foot radius curve left, said curve having a central angle of 1°15’20” and a long chord bearing S 82°14’52” W a distance of 11.50 feet to a 5/8 inch diameter iron pin;

Thence S 8°22’46” E a distance of 50.00 feet to a 5/8 inch diameter iron pin;

Thence N 81°37’12” E a distance of 2.61 feet to a 5/8 inch diameter iron pin;

Thence S 49°02’34” E a distance of 23.08 feet to a 5/8 inch diameter iron pin;

Thence S 89°42’20” E a distance of 50.00 feet to a 5/8 inch diameter iron pin;

Thence N 13°32’22” E a distance of 2.75 feet to a 5/8 inch diameter iron pin;

Thence N 36°45’10” E a distance of 2.00 feet to a 5/8 inch diameter iron pin;

Thence S 89°42’20” E a distance of 80.79 feet to a 5/8 inch diameter iron pin;

Thence S 44°42’20” E a distance of 24.44 feet to a 5/8 inch diameter iron pin;

Thence S 8°39’20” E a distance of 30.00 feet to the POINT OF BEGINNING.

This parcel contains 10.19 acres.

CERTIFICATE OF SURVEYOR

I, Clinton W. Hansen, do hereby certify that I am a Licensed Professional Land Surveyor in the State of Idaho, and that this plat as described in the "Certificate of Owners" was drawn from the field notes of a survey made on the ground under my direct supervision and accurately represents the points plotted thereon, and is in conformity with the State of Idaho Code relating to plats and surveys.

ACKNOWLEDGMENT

State of Idaho )

County of Ada  )

On this 8th day of March 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared Don Newell, known or identified to me to be a Authorized Person of Merced Sunwood Ventures, LLC, a member of LP Silverpine LLC, the Delaware Limited Liability Company that executed the instrument or the person who executed the instrument on behalf of said Limited Liability Company and acknowledged to me that such Limited Liability Company executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My commission expires

Notary Public for Idaho
Residing in McCall, Idaho

ACKNOWLEDGMENT

State of Idaho )

County of Ada  )

On this 29th day of March 2016 before me, the undersigned, a Notary Public in and for said State, personally appeared Don Newell, known or identified to me to be a Authorized Person of Merced Northwest Opportunity Fund, a member of LP Silverpine LLC, the Delaware Limited Liability Company that executed the instrument or the person who executed the instrument on behalf of said Limited Liability Company and acknowledged to me that such Limited Liability Company executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My commission expires

Notary Public for Idaho
Residing in Meridian, Idaho
HEALTH CERTIFICATE
Sanitary restrictions as required by Idaho Code, Title 50, 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, EHS Date

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 ACHD

APPROVAL OF CITY ENGINEER
I, the undersigned, Boise City Engineer, hereby state that the conditions of Boise City have been satisfied for Southcreek Subdivision No. 3.

City Engineer Date

APPROVAL OF COUNTY COMMISSIONERS
The foregoing plat was duly accepted and approved by the Board of County Commissioners of Ada County, Idaho on the ___ day of ____________, 20___

Chairperson

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 State of Idaho Code relating to plats and surveys.

County Surveyor

CERTIFICATE OF COUNTY TREASURER
I, the undersigned, County Treasurer in and for the County of Ada, State of Idaho, per the requirements of I.C.50-1308, do hereby certify that any and all current and/or 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

COUNTY RECORDER'S CERTIFICATE
I hereby certify that this instrument was filed for record at the request of __________ at __________ Minutes past __ O'clock __ M. on this ___ day of ____________, 20___ in Book ___ of plats at Pages ___

Instrument No.

Deputy __ Ex-Officio Recorder

Fee: __________
VICINITY MAP
SOUTHCREEK SUBDIVISION NO. 3

A PORTION OF THE SE 1/4 OF SECTION 26
TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN
ADA COUNTY, IDAHO

PROJECT SITE

1” = 600’
NAVD 1988 DATUM
Project/File: Silver Pine No. 2 – 200600131-S ZC DA
This is a preliminary plat for the development of 227 residential units on 50.76 acres.

Lead Agency: Ada County

Site address: 4261 S. Maple Grove

Commission Hearing: July 26, 2006 6:30pm

Applicant: BLD Inc
11760 W. Executive Dr. STE 120
Boise, ID 83713

Representative: Bailey Engineering, Kent Brown
1500 E. Iron Eagle Road
Eagle, ID 83616

Staff Contact: Mindy Wallace
Phone: 387-6178
E-mail: mwallace@achd.ada.id.us

Tech Review: July 7, 2006

Application Information:
Acreage: 50.76
Current Zoning: RWS
Proposed Zoning: R-4, R-8, R-12, R-20
Residential Units: 227
Common Lots: 21

A. Findings of Fact

Existing Conditions

1. Site Information: The site currently contains two dwelling units and associated out buildings.

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>Maple Ridge Estates No. 2</td>
<td>R-1</td>
</tr>
<tr>
<td>South</td>
<td>Southwest Community Residential Zone</td>
<td>RSW</td>
</tr>
<tr>
<td>East</td>
<td>Silver Pine Subdivision</td>
<td>R-8</td>
</tr>
<tr>
<td>West</td>
<td>Bridgeport Subdivision</td>
<td>R-6</td>
</tr>
</tbody>
</table>
3. **Existing Roadway Improvements and Right-of-Way Adjacent To and Near the Site**  
   - S. Maple Grove is currently improved with 2 traffic lanes, and no curb gutter or sidewalk abutting the site. There is 64-feet of right-of-way existing for S. Maple Grove (32-feet from centerline).  
   - Mitchell is currently improved with 2 traffic lanes, and no curb, gutter or sidewalk abutting the site. There is 50-feet of right-of-way existing for Mitchell (25-feet from centerline).  
   - Amity Road is currently improved with 2 traffic lanes, and no curb, gutter, or sidewalk abutting the site. There is 65 feet of right-of-way existing for Amity Road (32.5 from centerline).

4. **Existing Access:** There are currently three defined access points to this property off of S. Maple Grove.

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

### Development Impacts

6. **Trip Generation:** This development is estimated to generate 1,973 additional vehicle trips per day based on the submitted traffic impact study.

7. **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.

8. **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>Maple Grove</td>
<td>1,200’</td>
<td>Minor Arterial</td>
<td>11,572north of Amity Road on 8/23/05 12,879 south of Victory Road on 8/23/05</td>
<td>Better than “C”</td>
<td>35 MPH</td>
</tr>
<tr>
<td>Mitchell</td>
<td>660’</td>
<td>Major Collector</td>
<td>1,111south of Victory Road on 8/23/05</td>
<td>Better than “C”</td>
<td>25 MPH</td>
</tr>
<tr>
<td>Amity Road</td>
<td>N/A</td>
<td>Major Collector</td>
<td>4,677 east of Five Mile Road on 8/30/05</td>
<td>Better than “C”</td>
<td>35 MPH</td>
</tr>
</tbody>
</table>

*Acceptable level of service for a two-lane minor arterial roadway is “D” (14,000 VTD).
*Acceptable level of service for a two-lane major collector roadway is “D” (9,500 VTD).

9. **Capital Improvements Plan/Five Year Work Program**  
Maple Grove between Overland Road and Victory Road is scheduled for pedestrian improvement in 2008, and Five Mile Road between Victory Road and Amity Road is scheduled for pedestrian improvements in 2009 as part of the District’s Five Year Work Plan. Maple Grove is schedule to be widened to three lanes between Victory Road and Amity Road in 16 to 20 years as part of the District’s Capital Improvements Plan.
B. **Findings for Consideration**

1. **Traffic Impact Study**
   The Washington Group International prepared a traffic study for Silver Pine No. 2 subdivision. Below is an executive summary of the findings.

   - The proposed development is projected to generate an average daily traffic (ADT) volume of 1,973.

   - As a result of the site build-out traffic in the vicinity is expected to increase. Traffic on Maple Grove Road may increase by 1,874 trips per day north of the project site. Traffic on Amity Road may increase by only 25 trips per day.

   - The intersection of Maple Grove Road and Amity Road is currently a two-way stop with stop signs on the Amity Road approaches. Each approach has only a single lane. There are not added turn lanes at this intersection.

   - The intersection currently operates at LOS A in the PM Peak hour for the existing Maple Grove Road traffic volumes. Amity Road traffic has a stop sign and experiences an LOS of D during the PM peak hour.

   - For the background year 2011 condition (e.g. regional growth), the intersection is predicted to operate at LOS B in the PM peak hour for the existing Maple Grove Road traffic volumes. Amity Road traffic has a stop sign and experiences a LOS of F during the PM peak hour.

   - For the build out year 2011 condition (e.g. regional growth), the intersection is predicted to operate at LOS B in the PM peak hour for the existing Maple Grove Road traffic volumes. Amity Road traffic has a stop sign and experiences a LOS of F during the PM peak hour.

   - The north site access approach with Maple Grove Road is predicted to operate at LOS E during the PM peak hour. The through traffic on Maple Grove has no traffic control and therefore no delay. LOS E is acceptable for minor street approaches to an arterial roadway. The low LOS affects only 40 vehicles per hour. Based on commonly accepted guidelines, a northbound left-turn lane is not required at this site access. However, a southbound taper is needed to facilitate the right-turning traffic.

   - The south site access approach with Maple Grove Road is predicted to operate at LOS E during the PM peak hour. The through traffic on Maple Grove has no traffic control and therefore no delay. LOS E is acceptable for minor street approaches to an arterial roadway. The low LOS affects only 40 vehicles per hour. Based on commonly accepted guidelines, a northbound left turn lane is not required at this site. However, a southbound taper is needed to facilitate the right-turning traffic.

   - The forecast daily build-out volumes for the 2011 build out conditions for all roadways except Maple Grove are lower than COMPASS’ thresholds. Maple Grove has estimated ATD above the COMPISS’ threshold.

   - Internally, all of the subdivision’s streets with front-on housing have projected ADT volumes less than 1,000 vehicle trips per day.
**Staff Comment/Recommendations:** Staff comments were provided by the District’s Traffic Department after receiving the applicant’s traffic study.

- The bridge just north of Amity Road on Maple Grove Road is narrow and will need to be widened.

- Even though they are in alignment with Tillamook on the east, it may be better if they shifted their entrance off Maple Grove to the north to get further from the Amity/Maple Grove Intersection.

- ACHD will be installing a temporary signal at Amity/Maple Grove this year. It is not believed that long term improvements to this intersection are needed.

2. **Maple Grove**

**Right-of-Way Policy:** District policy requires 96-feet of right-of-way on arterial roadways (Figure 72-F1B). This right-of-way allows for the construction of a 5-lane roadway with curb, gutter, 5-foot concrete detached sidewalks and bike lanes.

**Street Section Policy:** District policy 72-F3 requires arterial roadways to be constructed as a 72-foot street section with curb, gutter and 5-foot detached (or 7-foot attached) concrete sidewalk within 96-feet of right-of-way with parking prohibited on both sides of the roadway.

**Sidewalk Policy:** District policy requires 7-foot wide attached (or 5-foot detached) concrete sidewalk on all collector roadways and arterial roadways (7204.7.2).

**Applicant’s Proposal:** The applicant has proposed to construct a 5-foot detached concrete sidewalk 41-feet from centerline within 48-feet of right-of-way.

**Staff Comment/Recommendation:** The applicant’s proposal meets District Policy. Dedicate 48-feet of right-of-way from the centerline of Maple Grove Road abutting the parcel by means of a warranty deed. The right-of-way purchase and sale agreement and deed must be completed and signed by the applicant prior to scheduling the final plat for signature by the ACHD Commission or prior to issuance of a building permit (or other required permits), whichever occurs first. Allow up to 30 business days to process the right-of-way dedication after receipt of all requested material. The owner will be paid the fair market value of the right-of-way dedicated which is an addition to existing ACHD right-of-way.

The applicant will be required to widen and make pedestrian improvements to match the east side of the Ten Mile Canal Feeder Bridge on S. Maple Grove Road located approximately 205-feet from the Amity/Maple Grove intersection.

3. **Mitchell**

**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.

**Street Section Policy:** District policy 7204.4.2 states, “developments with any buildable lot that is less that 1-acre in size will typically provide streets having a minimum pavement width of 32-feet with curb, gutter and sidewalks. The total street width shall be 36-feet from back-of-curb to back-of-curb. Variations of this width may be allowed, depending on traffic volumes forecast to be generated by the development. Concrete sidewalks shall be a minimum of 5-feet in width unless they are separated from the curb 5-feet or more in which case the sidewalk shall be a minimum of 4-feet in width.
Applicant’s Proposal: The applicant has proposed to construct half of a 21-foot street section within 30-feet of right-of-way from the northwest corner of the property south to W. Arabian Drive. Further south past W. Arabian Drive a pedestrian path is proposed.

Staff Comment/Recommendation: The applicant will be required to construct one-half of a 36-foot street section within 25-feet of right-of-way from the northwest property line south to W. Arabian Drive along Mitchell Street. Mitchell Street is classified as a collector roadway, but because of its existing use to the north of this site a full collector roadway is not needed. Staff feels that a 36-foot street section within 50-feet of right-of-way is consistent with Mitchell Street to the north, and will provide sufficient access to the site.

The applicant will be required to design and construct one-half of a bridge crossing the Ten Mile Feeder Canal on Mitchell Street. The District will participate in half of the cost of the bridge structure. The applicant will be required to construct the bridge and one-half of the roadway improvements to include a minimum of 24-feet of pavement, curb, gutter, and sidewalk on the east side of the crossing. When funds become available the District will construct the west half of the street improvements (curb, gutter, and sidewalk). The applicant should coordinate with Development Review staff in regards to the design of the crossing.

Staff recommends allowing access for Lot 12, Block 1 from Mitchell Street.

4. Internal Streets

Right-of-Way Policy: District policy 7204.4.1 and Figure 72-F1A requires 50-feet of right-of-way on local streets. This right-of-way allows for the construction of a 2-lane roadway with curb, gutter and 5-foot wide concrete sidewalks.

36-foot Street Section Policy: District policy 7204.4.2 states, “developments with any buildable lot that is less than 1-acre in size will typically provide streets having a minimum pavement width of 32-feet with curb, gutter and sidewalks. The total street width shall be 36-feet from back-of-curb to back-of-curb. Concrete sidewalks shall be a minimum of 5-feet in width unless they are separated from the curb 5-feet or more in which case the sidewalk shall be a minimum of 4-feet in width.

Island Policy: District policy 7202.7 and 7207.5 require islands to be constructed a minimum of 4-feet wide with a minimum area of 100-square feet and designed to safely channel traffic. The roadway on either side of the traffic island should maintain a minimum of a 21-foot street section. District policy also requires any proposed landscape islands/medians within the public right-of-way dedicated by this plat should be owned and maintained by a homeowners association. Notes of this should be required on the final plat. The design should be reviewed and approved by ACHD's Development staff.

Turnaround Policy: District policy 7205.2.1 requires turnarounds to be constructed to provide a minimum turning radius of 45-feet. The applicant should also be required to provide a minimum of a 29-foot street section on either side of any proposed center islands within the turnarounds. The medians should be constructed a minimum of 4-feet wide to total a minimum of a 100-square foot area.

Applicant Proposal (Internal streets): The applicant is proposing two entrances roads off of Maple Grove. The first, W. Golden Nugget Street is located approximately 300-feet from the north property line. The second, W. Tillamook Drive is located approximately 1,000-feet from the north property line and approximately 320-feet from the S. Maple Grove/Amity intersection. The applicant is proposing to construct the internal streets as 36-foot street sections with curb, gutter, and 5-foot attached concrete sidewalks within 50-feet of right-of-way. The applicant has proposed one center
landscape island on W. Golden Nugget Street within the development. The applicant has proposed 21-foot street sections on each side of the proposed island.

**Staff Comment/Recommendation:** The applicant will be required to construct the internal roads as 36-foot street section with curb, gutter, and 5-foot attached concrete sidewalk as proposed. Although the applicant’s proposal meets District policy, staff would recommend relocating W. Tillamook Drive. As proposed W. Tillamook Drive is to align with existing Tillamook Drive located on the east side of S. Maple Grove Road. District staff is supportive of the alignment, but because of the increased traffic at the intersection of S. Maple Grove and Amity Road it is recommended that W. Tillamook Road be relocated approximately 200-feet north to align with an existing driveway for Amity United Methodist Church. This would move the street approximately 500-feet north of the intersection.

5. **Tree Planters**

**Tree Planter Policy:** The District’s Tree Planter Width Interim Policy prohibits all trees in planters less than 6-feet in width. In addition to prohibiting trees in planters less than 6-feet in width, the policy requires a minimum planter width of 6-feet for class II trees with the installation of root barriers on both sides of the planter strip or a minimum planter width of 8-feet without the installation of a root barrier. The policy also requires Class I and Class III trees to provide a minimum planter width of 10-feet.

6. **Stub Streets**

**Stub Street Policy:** District policy 7203.5.1 states that the street design in a proposed development shall cause no undue hardship to adjoining property. An adequate and convenient access to adjoining property for use in future development may be required. If a street ends at the development boundary, it shall meet the requirements of sub-section 7205, “non-continuous streets.” District policy 7205.5 states that stub streets will be required to provide intra-neighborhood circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7204.5, 7204.6 and 7204.7, except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the stub street stating that, “THIS ROAD WILL BE EXTENDED IN THE FUTURE.”

**Applicant Proposal:** The applicant has proposed two stub streets to the south, and one two to the west. The stub streets are proposed to be located as follows:
- First stub street to the south, S. Metal Way, is proposed to be located 900-feet west of S. Maple Grove Road (measured property line to centerline).
- Second stub street to the south, S. Silveroak Way, is proposed to be located 460-feet east of the west property line (measured property line to centerline).
- First stub to the west, W. Arabian Drive, is proposed to be located 270-feet north of the south property line (measured property line to centerline).

**Staff Comment/Recommendation:** The first stub street to the south, S. Metal Way will need to continue over the Ten Mile Feeder Canal when the property to the south redevelops. The applicant has indicated that the canal is owned by the Bureau of Land Management and that they had received permission from the Army Corp. of Engineers to include the canal as part of the plat. Because of this the applicant will be required to participate in the cost of one-half of the crossing. The applicant will need to provide design and cost estimates for the construction of the crossing to District staff. The applicant will then be required to road trust funds for the construction for one-half of the crossing and for curb, gutter, and sidewalk on the north side of the crossing. The applicant should coordinate with Development Review staff in regards to the design of the crossing.
S. Silveroak way should align with the previously approved stub street, S. Silveroak Avenue, within Silver Pine Subdivision, located to the south of this site. W. Arabian Drive should align with the existing W. Arabian Drive located west of Mitchell Street.

7. **Bridge for Ten Mile Feeder Canal Crossing**
The District will require that the applicant submit the bridge plans for the crossing of the Ten Mile Feeder Canal (S. Silveroak Way) for review and approval prior to the pre-construction meeting and plat approval.

8. **Other Access**
S. Maple Grove Road is classified as minor arterial roadway and Mitchell Street is classified as a collector 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.

C. **Site Specific Conditions of Approval**

1. Dedicate 48-feet of right-of-way from the center line on S Maple Grove Road abutting the parcel by means of a warranty deed. The right-of-way purchase and sale agreement and deed must be completed and signed by the applicant prior to scheduling the final plat for signature by the ACHD Commission or prior to issuance of a building permit (or other required permits), whichever occurs first. Allow up to 30 business days to process the right-of-way dedication after receipt of all requested material. The owner will be paid the fair market value of the right-of-way dedicated which is an addition to existing ACHD right-of-way. Construct a 5-foot detached concrete sidewalk located 41-feet from center line in its ultimate location. Construct pavement widening and pedestrian improvements to match the east side of the Ten Mile Canal Feeder Bridge located on Maple Grove Road.

2. Dedicate 25-feet of right-of-way from center line on Mitchell Street. Construct one-half of a 36-foot street section with curb, gutter, and 5-foot attached concrete sidewalk. Design and construct one-half of a bridge crossing the Ten Mile Feeder Canal on Mitchell Street. Construct the bridge and one-half of the roadway improvements to include a minimum of 24-feet of pavement, curb, gutter, and sidewalk on the east side of the crossing. The applicant should coordinate with Development Review staff in regards to the design of the crossing.

3. Construct all internal streets as a 36-foot street section with rolled curb, gutter, and 5-foot attached concrete sidewalk as proposed. Provide 21-foot street sections on each side of any center islands. Any proposed landscape islands/medians within public right-of-way dedicated by this plat should be owned and maintained by a homeowners association. Notes of this will be required on the final plat. The design shall be reviewed and approved by ACHD’s Development Staff. Construct turnarounds to provide a minimum turning radius of 45-feet.

4. Construct two entrance roads to the subdivision. The first, W. Golden Nugget Street is to be constructed approximately 300-feet from the north property line. The second, W. Tillamook Drive is to be constructed approximately 500-feet north of the S. Maple Grove Road and Amity Road intersection aligning with the existing driveway for Amity United Methodist Church on the east side of S. Maple Grove Road.

5. Construct the following stub streets as proposed:
   - First stub street to the south, S. Metal Way, is proposed to be located 900-feet west of S. Maple Grove Road (measured property line to centerline).
   - Second stub street to the south, S. Silveroak Way, is proposed to be located 460-feet east of the west property line (measured property line to centerline).
• First stub to the west, W. Arabian Drive, is proposed to be located 270-feet north of the south property line (measured property line to centerline).

Provide design and cost estimates to District staff for the construction of the S. Metal Way canal crossing. Road trust funds for the construction of one-half of the canal crossing and curb, gutter, and sidewalk on the north side of the crossing. Coordinate with Development Review staff in regards to the design of the crossing.

6. Submit the bridge plan for the crossing of the Ten Mile Feeder Canal (S. Silveroak Way for review and approval prior to the pre-construction meeting and plat approval.

7. Comply with all Standard Conditions of Approval.

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. Request for Reconsideration Guidelines OR Appeal Guidelines
4. Development Process Checklist
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.
Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the ROWDS Manager when it is alleged that the ROWDS Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.

   a. **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.

   b. **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary of Highway Systems, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.

   c. **Time to Reply:** The ROWDS Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.

   d. **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the ROWDS Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.

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

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

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

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

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

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

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

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

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