



Committed to Service

**Project/File:** CUP10-00059

*This application is for construction of a free-standing grocery store of approximately 25,000 square feet and a small free-standing retail building of approximately 1,800 square feet. The site is located at 1511 W. Bannock Street, Boise, Idaho.*

**Lead Agency:** City of Boise

**Site address:** 1511 W. Bannock Street

**Staff Approval:** October XX, 2010

**Applicant:** Persimmon II, LLC  
Rudy Kadlub  
44292 S. El Macero Drive  
El Macero, CA 95618

**Representative:** CSHQA  
Danielle Weaver  
250 S. 5<sup>th</sup> Street  
Boise, ID 83702

**Staff Contact:** Jarom Wagoner  
Phone: 387-6174  
E-mail: [jwagoner@achdidaho.org](mailto:jwagoner@achdidaho.org)

**Tech Review:** October XX, 2010



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**A. Findings of Fact**

1. **Description of Application:** The applicant is requesting approval to construct a 25,000 square foot free-standing grocery store/farmers market and a 1,800 square foot free-standing retail store. The applicant is proposing an open plaza area, located at the corner of Idaho Street and 15<sup>th</sup> Street, between the grocery and retail stores.

2. **Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	General Commercial	C-2
South	General Commercial	C-2
East	General Commercial	C-2
West	General Commercial	C-2

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

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 2,636 additional vehicle trips per day (none existing); 268 additional vehicle trips per hour in the PM peak hour (none existing), based on the Institute of Transportation Engineers Trip Generation Manual, 8<sup>th</sup> edition.

2. **Condition of Area Roadways**

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Existing Plus Project
15 <sup>th</sup> Street	260-feet	Principal Arterial	795	"F"	"F"
16 <sup>th</sup> Street	260-feet	Principal Arterial	898	Better than "E"	Better than "E"
Idaho Street	300-feet	Collector	835	"F"	"F"
Bannock Street	300-feet	Collector	99	Better than "D"	Better than "D"

\* Acceptable level of service for a two-lane principal arterial is "E" (690 VPH).

\* Acceptable level of service for a four-lane principal arterial is "E" (1,330 VPH).

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

\* Acceptable level of service for a three-lane collector is "D" (530 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 15<sup>th</sup> Street north of Idaho Street was 7,678 on October 20, 2009.
- The average daily traffic count for 16<sup>th</sup> Street north of Idaho Street was 9,839 on February 4, 2009.
- The average daily traffic count for Idaho Street west of 15<sup>th</sup> Street was 6,110 on March 11, 2009.
- The average daily traffic count for Bannock Street west of 15<sup>th</sup> Street was 1,745 on July 1, 2009.

## **C. Findings for Consideration**

1. **15<sup>th</sup> Street**

- a. **Existing Conditions:** 15<sup>th</sup> Street is improved with 2-travel lanes, on-street parking, striped bike lane, vertical curb, gutter, and 5-foot wide sidewalk abutting the site. There is 80-feet of right-of-way for 15<sup>th</sup> Street (40-feet from centerline). There are significant amounts of broken curb, gutter and sidewalk along 15<sup>th</sup> Street.

**b. Policy**

**Arterial Roadway Policy:** District Policy 7203.4.3 states that if a proposed development abuts an arterial street, the developer shall provide sidewalk along the paved frontage and dedicate right-of-way required by the proposed land use and scale of the project.

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

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

- c. 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 15<sup>th</sup> Street is designated in the MSM as a Towncenter Arterial with 3-lanes and on-street bike lanes, a 60-foot street section within 90-feet of right-of-way.
- d. Applicant Proposal:** The applicant has not proposed any improvements to 15<sup>th</sup> Street.
- e. Staff Comments/Recommendations:** The applicant will not be required to dedicate any additional right-of-way with this application due to the fact that there are no roadway projects currently planned for 15<sup>th</sup> Street in either the Five Year Work Plan or the Capital Improvements Plan. The applicant should provide the District with a sidewalk easement for any segment of the sidewalk located outside of the right-of-way. The applicant should also be responsible to replace any cracked or broken sidewalk, curb or gutter along 15<sup>th</sup> Street abutting the site, consistent with ACHD's Minor Improvements Policy 7203.6.

**2. 16<sup>th</sup> Street**

- a. Existing Conditions:** 16<sup>th</sup> Street is improved with 4-travel lanes, striped bike lanes, vertical curb, gutter, and 5-foot wide sidewalk abutting the site. There is 80-feet of right-of-way for 16<sup>th</sup> Street (40-feet from centerline). There are significant amounts of broken curb, gutter and sidewalk along 16<sup>th</sup> Street.
- b. Policy**
- Arterial Roadway Policy:** District Policy 7203.4.3 states that if a proposed development abuts an arterial street, the developer shall provide sidewalk along the paved frontage and dedicate right-of-way required by the proposed land use and scale of the project.
- Right-of-Way Policy:** District policy requires 70-feet of right-of-way on arterial roadways (Figure 72-F1B). This right-of-way allows for the construction of a 3-lane roadway with curb, gutter, 5-foot wide concrete detached sidewalks and bike lanes.
- Sidewalk Policy:** District policy requires 7-foot wide attached (or 5-foot wide detached) concrete sidewalk on all collector roadways and arterial roadways (7204.7.2).
- c. 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 16<sup>th</sup> Street is designated in the MSM as a Towncenter Arterial with 5-lanes, on-street parking and bike lanes and an 80-foot street section within 110-feet of right-of-way.
- d. Applicant Proposal:** The applicant has not proposed any improvements to 16<sup>th</sup> Street.
- e. Staff Comments/Recommendations:** The applicant will not be required to dedicate any additional right-of-way with this application due to the fact that there are no roadway projects currently planned for 16<sup>th</sup> Street in either the Five Year Work Plan or the Capital Improvements Plan. The applicant should provide the District with a sidewalk easement for any segment of the sidewalk located outside of the right-of-way. The applicant should also be responsible to

replace any cracked or broken sidewalk, curb or gutter along 16<sup>th</sup> Street abutting the site, consistent with ACHD's Minor Improvements Policy 7203.6.

### 3. Idaho Street

- a. **Existing Conditions:** Idaho Street is improved with 3-travel lanes, vertical curb, gutter, and 5-foot wide sidewalk abutting the site. There is 80-feet of right-of-way for Idaho Street (40-feet from centerline). There are significant amounts of broken curb, gutter and sidewalk along Idaho Street.
- b. **Policy**
  - 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 72-F1B requires collector roadways to be constructed as 46-foot street sections with vertical curb, gutter, and 5-foot detached (or 7-foot attached) concrete sidewalks within 70-feet of right-of-way. This street section allows for the construction of a 3-lane roadway with bike lanes.
  - 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).
- c. **Existing Collector 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 Idaho Street is designated in the MSM as a Towncenter Arterial with 3-lanes and on-street bike lanes, a 60-foot street section within 90-feet of right-of-way.
- d. **Applicant Proposal:** The applicant has not proposed any improvements to Idaho Street.
- e. **Staff Comments/Recommendations:** The applicant will not be required to dedicate any additional right-of-way with this application due to the fact that there are no roadway projects currently planned for Idaho Street in either the Five Year Work Plan or the Capital Improvements Plan. The applicant should provide the District with a sidewalk easement for any segment of the sidewalk located outside of the right-of-way. The applicant should also be responsible to replace any cracked or broken sidewalk, curb or gutter along Idaho Street abutting the site, consistent with ACHD's Minor Improvements Policy 7203.6.

### 4. Bannock Street

- a. **Existing Conditions:** Bannock Street is improved with 2-travel lanes, vertical curb, gutter, and 5-foot wide sidewalk abutting the site. There is 80-feet of right-of-way for Bannock Street (40-feet from centerline). There are significant amounts of broken curb, gutter and sidewalk along Bannock Street.
- b. **Policy**
  - 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 72-F1B requires collector roadways to be constructed as 46-foot street sections with vertical curb, gutter, and 5-foot detached (or 7-foot attached) concrete sidewalks within 70-feet of right-of-way. This street section allows for the construction of a 3-lane roadway with bike lanes.
  - 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).

- c. **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 Bannock Street is designated in the MSM as a Towncenter Collector with 3-lanes and on-street bike lanes, a 60-foot street section within 88-feet of right-of-way.
- d. **Applicant Proposal:** The applicant has not proposed any improvements to Bannock Street.
- e. **Staff Comments/Recommendations:** The applicant will not be required to dedicate any additional right-of-way with this application due to the fact that there are no roadway projects currently planned for Bannock Street in either the Five Year Work Plan or the Capital Improvements Plan. The applicant should provide the District with a sidewalk easement for any segment of the sidewalk located outside of the right-of-way. The applicant should also be responsible to replace any cracked or broken sidewalk, curb or gutter along 15<sup>th</sup> Street abutting the site, consistent with ACHD's Minor Improvements Policy 7203.6.

## 5. Driveways

### 5.1 15<sup>th</sup> Street

- a. **Existing Conditions:** There is one driveway on 15<sup>th</sup> Street, located mid-block and in alignment with the existing alley on the east side of 15<sup>th</sup> Street. This driveway is 135-feet south of the intersection of 15<sup>th</sup> Street and Bannock Street (measured near-edge to near-edge) and is approximately 18-feet wide.
- b. **Policy**
  - Access Policy:** District policy 7207.8 states that direct access to arterials and collectors is normally restricted. The developer shall try to use combined access points. If the developer can show that the use of a combined access point to a collector or arterial street is impractical, the District may consider direct access points. Access points for proposed developments at intersections should be located as far from the intersection as practical, and in no case closer than as illustrated on Figure 72-F4, unless a waiver for the access point has been approved by the District Commission.
  - Successive Driveways:** District policy 72-F5, requires driveways located on collector or arterial roadways with a speed limit of 30 to align or offset a minimum of 125-feet from any existing or proposed driveway.
  - Commercial Driveway Width Policy:** District policy 7207.9.3 restricts commercial driveways with daily traffic volumes over 1,000 vehicles to a maximum width of 36-feet. Most commercial driveways will be constructed as curb-cut type facilities if located on local streets. Curb return type driveways with 15-foot radii will be required for driveways accessing collector and arterial roadways.
  - Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.9.1, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers with 15-foot radii abutting the existing roadway edge.
- c. **Applicant's Proposal:** The applicant is proposing to relocate the existing driveway 95-feet south of the intersection of 15<sup>th</sup> Street and Bannock Street (measured near-edge to near-edge). The driveway is proposed to be widened to 22-feet wide.
- d. **Staff Comments/Recommendations:** The applicant's proposal does not meet District Successive Driveway and Driveway Location Policies, however, staff recommends a modification of policy to allow the driveway to be located as proposed due to the fact that 15<sup>th</sup> Street is a one-way roadway and therefore there will be no turning conflicts with the driveway. Additionally the applicant has provided a pedestrian alignment with the existing alley that abuts the store front. Relocating the drive alley to the south to align with the existing alley

would create a safety hazard for the pedestrians as they immediately exit the store. Staff recommends that the existing driveway be re-located 95-feet south of the intersection of 15<sup>th</sup> Street and Bannock Street (measured near-edge to near-edge), as proposed. The driveway width of 22-feet should also be approved, as proposed.

## 5.2 16<sup>th</sup> Street

a. **Existing Conditions:** There are three driveways on 16<sup>th</sup> Street. They are located as follows:

- 40-foot wide driveway located 35-feet south of the intersection of 16<sup>th</sup> Street and Bannock Street (measured near-edge to near-edge).
- 18-foot wide driveway located mid-block and 135-feet south of the intersection of 16<sup>th</sup> Street and Bannock Street (measured near-edge to near-edge).
- 30-foot wide driveway located 20-feet north of the intersection of 16<sup>th</sup> Street and Idaho Street (measured near-edge to near-edge).

### b. Policy

**Access Policy:** District policy 7207.8 states that direct access to arterials and collectors is normally restricted. The developer shall try to use combined access points. If the developer can show that the use of a combined access point to a collector or arterial street is impractical, the District may consider direct access points. Access points for proposed developments at intersections should be located as far from the intersection as practical, and in no case closer than as illustrated on Figure 72-F4, unless a waiver for the access point has been approved by the District Commission.

**Successive Driveways:** District policy 72-F5, requires driveways located on collector or arterial roadways with a speed limit of 30 to align or offset a minimum of 125-feet from any existing or proposed driveway.

**Commercial Driveway Width Policy:** District policy 7207.9.3 restricts commercial driveways with daily traffic volumes over 1,000 vehicles to a maximum width of 36-feet. Most commercial driveways will be constructed as curb-cut type facilities if located on local streets. Curb return type driveways with 15-foot radii will be required for driveways accessing collector and arterial roadways.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.9.1, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers with 15-foot radii abutting the existing roadway edge.

c. **Applicant's Proposal:** The applicant is proposing to relocate the existing mid-block driveway to 95-feet south of the intersection of 16<sup>th</sup> Street and Bannock Street (measured near-edge to near-edge). The driveway is proposed to be widened to 22-feet wide. The applicant is proposing to close the other two existing driveways with vertical curb, gutter and sidewalk.

d. **Staff Comments/Recommendations:** The applicant's proposal does not meet District Successive Driveway and Driveway Location Policies, however, staff recommends a modification of policy to allow the driveway to be located as proposed due to the fact that 16<sup>th</sup> Street is a one-way roadway and therefore there will be no turning conflicts with the driveway. Additionally the applicant has provided a pedestrian alignment with the existing alley that abuts the store front. Relocating the drive alley to the south to align with the existing alley would create a safety hazard for the pedestrians as they immediately exit the store. Staff recommends that the existing mid-block driveway be relocated 95-feet south of the intersection of 16<sup>th</sup> Street and Bannock Street (measured near-edge to near-edge), as proposed. The driveway width of 22-feet should also be approved, as proposed.

### 5.3 Idaho Street

- a. **Existing Conditions:** There is one driveway on Idaho Street, located 140-feet west of the intersection of 15<sup>th</sup> Street and Idaho Street (measured near-edge to near-edge) and is approximately 26-feet wide.

b. **Policy**

**Access Policy:** District policy 7207.8 states that direct access to arterials and collectors is normally restricted. The developer shall try to use combined access points. If the developer can show that the use of a combined access point to a collector or arterial street is impractical, the District may consider direct access points. Access points for proposed developments at intersections should be located as far from the intersection as practical, and in no case closer than as illustrated on Figure 72-F4, unless a waiver for the access point has been approved by the District Commission.

**Driveway Location Policy:** District policy 72-F4 (2) requires driveways located on collector roadways near a stop controlled intersection to be located a minimum of 150-feet from the intersection for a full-access driveway and a minimum of 110-feet from the intersection for a right-in/right-out only driveway.

**Successive Driveways:** District policy 72-F5, requires driveways located on collector or arterial roadways with a speed limit of 20 MPH to align or offset a minimum of 105-feet from any existing or proposed driveway.

**Commercial Driveway Width Policy:** District policy 7207.9.3 restricts commercial driveways with daily traffic volumes over 1,000 vehicles to a maximum width of 36-feet. Most commercial driveways will be constructed as curb-cut type facilities if located on local streets. Curb return type driveways with 15-foot radii will be required for driveways accessing collector and arterial roadways.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.9.1, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers with 15-foot radii abutting the existing roadway edge.

- c. **Applicant's Proposal:** The applicant is proposing to close the existing driveway on Idaho Street and replace it with vertical curb, gutter and sidewalk.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District Policy and should be approved as proposed.

### 5.4 Bannock Street

- a. **Existing Conditions:** There are four driveways on Bannock Street. They are located as follows:

- 10-foot wide driveway located 65-feet west of the intersection of Bannock Street and 15<sup>th</sup> Street.
- 10-foot wide driveway located 135-feet west of the intersection of Bannock Street and 15<sup>th</sup> Street.
- 20-foot wide driveway located 140-feet east of the intersection of Bannock Street and 16<sup>th</sup> Street.
- 30-foot wide driveway located 40-feet east of the intersection of Bannock Street and 16<sup>th</sup> Street.

**b. Policy**

**Access Policy:** District policy 7207.8 states that direct access to arterials and collectors is normally restricted. The developer shall try to use combined access points. If the developer can show that the use of a combined access point to a collector or arterial street is impractical, the District may consider direct access points. Access points for proposed developments at intersections should be located as far from the intersection as practical, and in no case closer than as illustrated on Figure 72-F4, unless a waiver for the access point has been approved by the District Commission.

**Driveway Location Policy:** District policy 72-F4 (2) requires driveways located on collector roadways near a stop controlled intersection to be located a minimum of 150-feet from the intersection for a full-access driveway and a minimum of 110-feet from the intersection for a right-in/right-out only driveway.

**Successive Driveways:** District policy 72-F5, requires driveways located on collector or arterial roadways with a speed limit of 20 MPH to align or offset a minimum of 105-feet from any existing or proposed driveway.

**Commercial Driveway Width Policy:** District policy 7207.9.3 restricts commercial driveways with daily traffic volumes over 1,000 vehicles to a maximum width of 36-feet. Most commercial driveways will be constructed as curb-cut type facilities if located on local streets. Curb return type driveways with 15-foot radii will be required for driveways accessing collector and arterial roadways.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.9.1, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers with 15-foot radii abutting the existing roadway edge.

- c. Applicant's Proposal:** The applicant is proposing to close the existing four driveways and replace them with an egress only, 22-foot wide driveway located 45-feet east of the intersection of Bannock Street and 16<sup>th</sup> Street (measured near-edge to near-edge).
- d. Staff Comments/Recommendations:** The applicant's proposal to close the existing four driveways and replace them with vertical curb, gutter and sidewalk meets District Policy and should be approved, as proposed. The applicant's proposal to locate the new driveway 45-feet east of the intersection of Bannock Street and 16<sup>th</sup> Street does not meet District Driveway Location Policy, however, staff recommends a modification of policy to allow the driveway to be located as proposed due to the fact that the driveway will be utilized as an exit only. Additionally the driveway will facilitate the exiting of delivery trucks. Relocating the driveway further east would hamper the movement of delivery trucks and cause potential conflicts with customer traffic. Staff recommends that the driveway be relocated 45-feet east of the intersection of Bannock Street and 16<sup>th</sup> Street (measured near-edge to near-edge) for a right out only driveway, as proposed. The applicant should work with District Traffic Services and Development Review staff for the proper signing of the driveway.

**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**

15<sup>th</sup> Street and 16<sup>th</sup> Street are classified as principal arterial roadways, Idaho Street and Bannock Street are classified as collector roadways. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways.

## **D. Site Specific Conditions of Approval**

1. Relocate the existing driveway onto 15<sup>th</sup> Street 50-feet to the north, so as to be located 95-feet south of the intersection of 15<sup>th</sup> Street and Bannock Street (measured near-edge to near-edge), as proposed. The driveway width shall be 22-feet, as proposed. Replace the existing driveway with curb, gutter and sidewalk to match the existing conditions on either side. Pave the driveway its full-width at least 30-feet into the site beyond the edge of pavement.
2. Relocate the existing driveway onto 16<sup>th</sup> Street 50-feet to the north, so as to be located 95-feet south of the intersection of 16<sup>th</sup> Street and Bannock Street (measured near-edge to near-edge), as proposed. The driveway width shall be 22-feet, as proposed. Replace the existing driveway with curb, gutter and sidewalk to match the existing conditions on either side. Pave the driveway its full-width at least 30-feet into the site beyond the edge of pavement.
3. Replace the existing driveway onto 16<sup>th</sup> Street located 35-feet south of the intersection of 16<sup>th</sup> Street and Bannock Street (measured near-edge to near-edge) with vertical curb, gutter and sidewalk to match the existing conditions on either side.
4. Replace the existing driveway onto 16<sup>th</sup> Street located 20-feet north of the intersection of 16<sup>th</sup> Street and Idaho Street (measured near-edge to near-edge) with vertical curb, gutter and sidewalk to match the existing conditions on either side.
5. Replace the existing driveway onto Idaho Street located 140-feet west of the intersection of 15<sup>th</sup> Street and Idaho Street (measured near-edge to near-edge) with vertical curb, gutter and sidewalk to match the existing conditions on either side, as proposed.
6. Construct the new driveway onto Bannock Street so as to be located 45-feet east of the intersection of Bannock Street and 16<sup>th</sup> Street (measured near-edge to near-edge), as proposed. Driveway shall be designed and signed for right out only. Applicant shall coordinate a signage program with District Traffic Services and Development Review staff. The driveway width shall be 27-feet, as proposed. Pave the driveway its full-width at least 30-feet into the site beyond the edge of pavement.
7. Replace the existing four driveways onto Bannock Street with vertical curb, gutter and sidewalk to match the existing conditions on either side, as proposed. These driveways are located:
  - 65-feet west of the intersection of Bannock Street and 15<sup>th</sup> Street (measured near-edge to near-edge).
  - 135-feet west of the intersection of Bannock Street and 15<sup>th</sup> Street (measured near-edge to near-edge).
  - 140-feet east of the intersection of Bannock Street and 16<sup>th</sup> Street (measured near-edge to near-edge).

- 40-feet east of the intersection of Bannock Street and 16<sup>th</sup> Street (measured near-edge to near-edge).
8. Provide an easement for any sidewalk that is located outside of the public right-of-way.
  9. Other than the access specifically approved with this application direct lot access is prohibited to 15<sup>th</sup> Street, 16<sup>h</sup> Street, Idaho Street and Bannock Street.
  10. 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, 7203.6, 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

## **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 consistent with applicable federal, state and local laws.

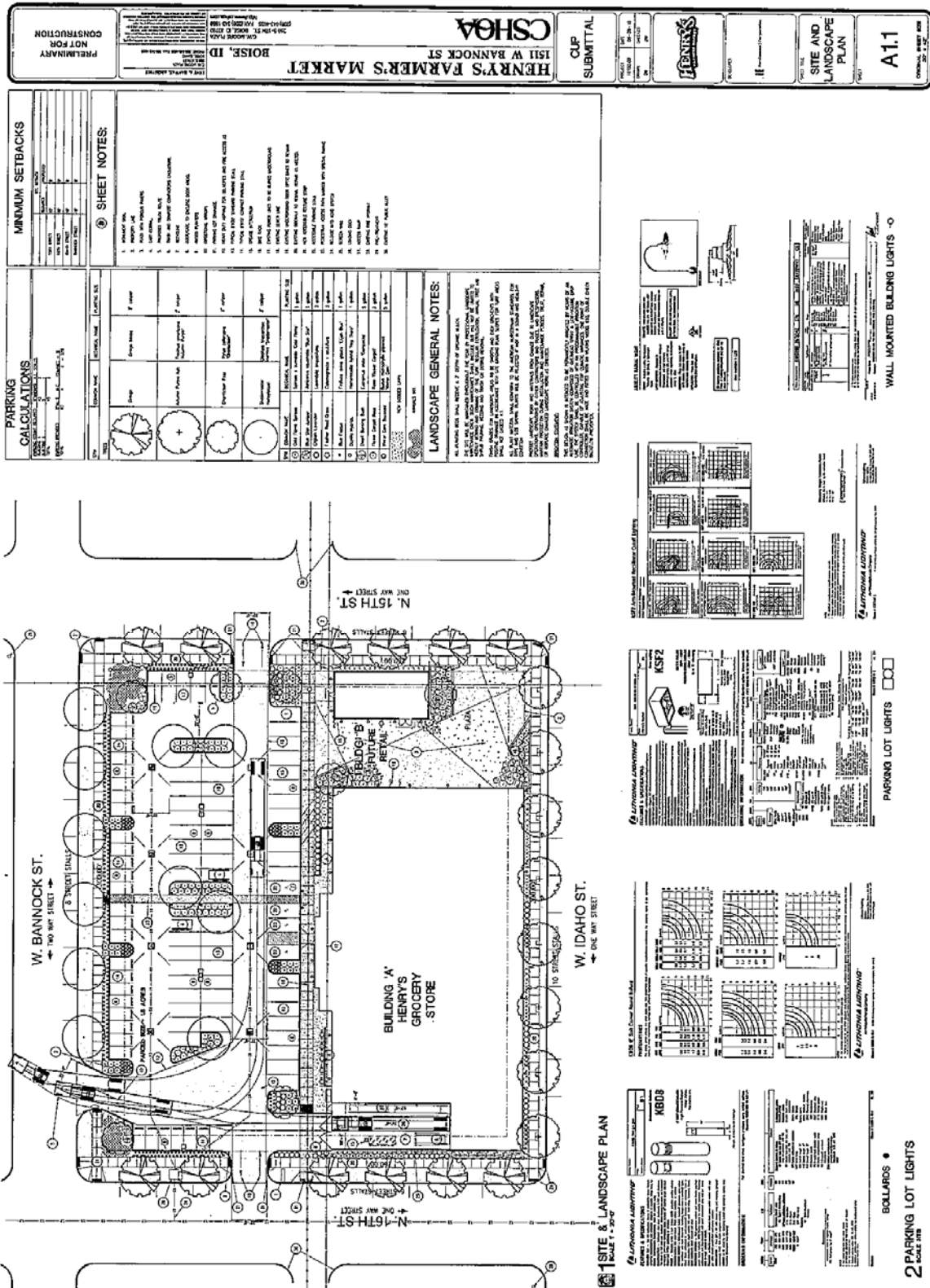
### Attachments

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

## **Vicinity Map**



# 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](http://iducc.com) for e-mail notification information.

# Development Process Checklist

## Items Completed to Date:

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

## Items to be completed by Applicant:

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

### DID YOU REMEMBER:

#### *Construction (Non-Subdivisions)*

- ☐ **Driveway or Property Approach(s)**
  - Submit a “Driveway Approach Request” form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.
- ☐ **Working in the ACHD Right-of-Way**
  - Four business days prior to starting work have a bonded contractor submit a “Temporary Highway Use Permit Application” to ACHD Construction – Permits along with:
    - a) Traffic Control Plan
    - b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50’ or you are placing >600 sf of concrete or asphalt.

#### *Construction (Subdivisions)*

- ☐ **Sediment & Erosion Submittal**
  - At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.
- ☐ **Idaho Power Company**
  - Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.
- ☐ **Final Approval from Development Services is required** prior to scheduling a Pre-Con.

## Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the ROWDS Manager when it is alleged that the ROWDS Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
  - a. **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
  - b. **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary of Highway Systems, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
  - c. **Time to Reply:** The ROWDS Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
  - d. **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the ROWDS Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
  - e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.