



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

Commission Hearing: November 10, 2010

Commission Approval:

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

Representative: CSHQA
 Danielle Weaver
 250 S. 5th Street
 Boise, ID 83702

Staff Contact: Jarom Wagoner
 Phone: 387-6174
 E-mail: jwagoner@achdidaho.org



Tech Review: October 27, 2010

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 15th 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, 8th 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 th Street	260-feet	Principal Arterial	795	Better than "E"	Better than "E"
16 th Street	260-feet	Principal Arterial	898	Better than "E"	Better than "E"
Idaho Street	300-feet	Collector	835	Better than "D"	Better than "D"
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) per lane.

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

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 15th Street north of Idaho Street was 7,678 on October 20, 2009.
 - The average daily traffic count for 16th Street north of Idaho Street was 9,839 on February 4, 2009.
 - The average daily traffic count for Idaho Street west of 15th Street was 6,110 on March 11, 2009.
 - The average daily traffic count for Bannock Street west of 15th Street was 1,745 on July 1, 2009.

C. Findings for Consideration

1. **15th Street**
 - a. **Existing Conditions:** 15th Street is improved with 2 one-way northbound travel lanes; on-street parking on both sides; a striped bike lane on the east side; and vertical curb, gutter, and 5-foot wide sidewalk abutting the site. There is 80-feet of right-of-way for 15th Street (40-feet from centerline). There are significant amounts of broken curb, gutter and sidewalk along 15th Street abutting the site.

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 15th 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 is proposing to construct vertical curb, gutter and an 18-foot wide sidewalk with tree wells on 15th Street, abutting the site. The applicant is proposing to construct bulb outs at the intersection of 15th Street and Idaho Street and the intersection of 15th Street and Bannock Street. There is 40-feet between the proposed bulb-outs and the curb on the east side of 15th Street.

e. Staff Comments/Recommendations: 15th Street in its current configuration with 47-feet of pavement curb-to-curb contains all the elements of a Towncenter Arterial; as such staff does not recommend any improvements or right-of-way dedication as part of this application.

If the city of Boise desires additional amenities within the pedestrian zone the city should coordinate those requests with the applicant.

The applicant's proposal to construct vertical curb, gutter and an 18-foot wide sidewalk meets District Policy and should be approved as proposed. This site is located within the Boise City's Westside Downtown District. As such the applicant should enter into a license agreement with the City of Boise regarding the sidewalk, tree wells and other streetscaping/landscaping proposed to be located within the right-of-way. The applicant should be required to provide an easement for any segment of the sidewalk located outside of the right-of-way.

The applicant's proposal for bulb-outs at the intersections of 15th Street/Idaho Street and 15th Street/Bannock Street meets District Policy and should be approved as proposed. The applicant should also be responsible to replace any cracked or broken sidewalk, curb or gutter along 15th Street abutting the site, consistent with ACHD's Minor Improvements Policy 7203.6.

2. 16th Street

a. Existing Conditions: 16th Street is improved with 4 one-way southbound travel lanes; on-street parking on the west side from Bannock Street to the mid-block alley; striped bike lane on the east side; and vertical curb, gutter, and 5-foot wide sidewalk abutting the site. There is 80-feet of right-of-way for 16th Street (40-feet from centerline). There are significant amounts of broken curb, gutter and sidewalk along 16th Street abutting the site.

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 16th 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 is proposing to construct vertical curb, gutter and a 6-foot wide detached sidewalk on 16th Street, abutting the site.
- e. **Staff Comments/Recommendations:** 16th Street in its current configuration with 51-feet of pavement curb-to-curb contains all the elements of a Towncenter Arterial; as such staff does not recommend any improvements or right-of-way dedication as part of this application.

If the city of Boise desires additional amenities within the pedestrian zone the city should coordinate those requests with the applicant.

The applicant's proposal for vertical curb, gutter and a 6-foot wide detached sidewalk meets District Policy and should be approved as proposed. This site is located within the Boise City's Westside Downtown District. As such the applicant should enter into a license agreement with the City of Boise regarding the sidewalk, tree wells and other streetscaping/landscaping proposed to be located within the right-of-way. The applicant should be required to provide an 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 16th 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 one-way westbound 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 abutting the site.

- 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 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 is proposing vertical curb, gutter and an 18-foot wide sidewalk with tree wells on Idaho Street, abutting the site.

- e. **Staff Comments/Recommendations:** Idaho Street in its current configuration with 53-feet of pavement curb-to-curb contains all the elements of a Towncenter Collector; as such staff does not recommend any improvements or right-of-way dedication as part of this application.

If the city of Boise desires additional amenities within the pedestrian zone the city should coordinate those requests with the applicant.

The applicant's proposal to construct vertical curb, gutter and an 18-foot wide sidewalk meets District Policy and should be approved as proposed. This site is located within the Boise City's Westside Downtown District. As such the applicant should enter into a license agreement with the City of Boise regarding the sidewalk, tree wells and other streetscaping/landscaping proposed to be located within the right-of-way. The applicant should be required to provide an easement for any segment of the sidewalk located outside of the right-of-way.

As noted above in the findings for the MSM, Idaho Street is designated as a future Towncenter Collector with on-street bike lanes. However, ACHD cannot approve the restriping of bike lanes as part of this application. The restriping of Idaho Street with bike lanes cannot be done application by application, or piecemeal, but needs to be addressed in longer segments as corridors. When adding bike lanes to a roadway several things need to be taken into consideration such as: the removal of on street parking, the existence of bike lanes on either side of the corridor and safety of cyclists and driveways.

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; on-street parking on both sides; and vertical curb, gutter, and 5-foot wide sidewalk abutting the site. There is 80-foot of right-of-way for Bannock Street (40-feet from centerline). There are significant amounts of broken curb, gutter and sidewalk along Bannock Street abutting the site.
- 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 is proposing to construct vertical curb, gutter and a 6-foot wide detached sidewalk on Bannock Street, abutting the site.
- e. **Staff Comments/Recommendations:** Bannock Street in its current configuration with 42-feet of pavement curb-to-curb contains all the elements of a Towncenter Collector, except for a center-turn lane. Staff does not recommend widening Bannock Street to accommodate a future center-turn lane, since there are no center turn lanes on Bannock Street east or west of

the site. Staff recommends that no modifications to Bannock Street be made at this time and that the curb-to-curb street section be maintained.

The MSM notes that bike lanes are optional on a Towncenter Collector, or necessary when part of a regional plan. This segment of Bannock Street is not included as part of a regional transportation plan, therefore roadway widening and restriping to accommodate a bike lane should not be required with this application.

If the city of Boise desires additional amenities within the pedestrian zone the city should coordinate those requests with the applicant.

The applicant's proposal to construct vertical curb, gutter and a 6-foot wide detached sidewalk meets District Policy and should be approved as proposed. This site is located within the Boise City's Westside Downtown District. As such the applicant should enter into a license agreement with the City of Boise regarding the sidewalk, tree wells and other streetscaping/landscaping proposed to be located within the right-of-way. The applicant should be required to provide an easement for any segment of the sidewalk located outside of the right-of-way.

As noted above in the findings for the MSM, Bannock Street is designated as a future Towncenter Collector with on-street bike lanes. However, ACHD cannot approve the restriping of bike lanes as part of this application. The restriping of Bannock Street with bike lanes cannot be done application by application, or piecemeal, but needs to be addressed in longer segments as corridors. When adding bike lanes to a roadway several things need to be taken into consideration such as: the removal of on street parking, the existence of bike lanes on either side of the corridor and safety of cyclists and driveways.

The applicant should also be responsible to replace any cracked or broken sidewalk, curb or gutter along Bannock Street abutting the site, consistent with ACHD's Minor Improvements Policy 7203.6.

5. Driveways

5.1 15th Street

a. **Existing Conditions:** There is one 18-foot wide driveway on 15th Street, located mid-block and in alignment with the existing alley on the east side of 15th Street. This driveway is 135-feet south of the intersection of 15th Street and Bannock 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 driveway 95-feet south of the intersection of 15th Street and Bannock Street (measured near-edge to near-edge). The driveway is proposed to be widened to 22-feet wide. The driveway's new location will offset the existing alley on the east side of 15th Street 20-feet to the north (measured near-edge to near-edge). The applicant is proposing to replace the existing driveway with vertical curb, gutter and 18-foot wide 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 15th 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 15th Street and Bannock Street (measured near-edge to near-edge), as proposed. The driveway width of 22-feet meets District Policy and should be approved, as proposed. The applicant should replace the existing driveway with vertical curb, gutter and 18-foot wide sidewalk, as proposed.

5.2 16th Street

- a. **Existing Conditions:** There are three driveways on 16th Street. They are located as follows:
 - 40-foot wide driveway located 35-feet south of the intersection of 16th 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 16th Street and Bannock Street (measured near-edge to near-edge).
 - 30-foot wide driveway located 20-feet north of the intersection of 16th 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 95-feet south of the intersection of 16th Street and Bannock Street (measured near-edge to near-edge). The driveway is proposed to be widened to 22-feet wide. The driveways new location will offset the existing alley on the west side of 16th Street 20-feet to the north (measured near-edge to near-edge). The applicant is proposing to close the existing driveways with vertical curb, gutter and 6-foot wide concrete 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 16th 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 16th Street and Bannock Street (measured near-edge to near-edge), as proposed. The driveway width of 22-feet meets District Policy and should be approved, as proposed. The applicant should replace the existing driveways with vertical curb, gutter and 6-foot wide sidewalk, as proposed.

5.3 Idaho Street

- a. **Existing Conditions:** There is one 26-foot wide driveway on Idaho Street, located 140-feet west of the intersection of 15th 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.

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 18-foot wide 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 15th Street.
- 10-foot wide driveway located 135-feet west of the intersection of Bannock Street and 15th Street.
- 20-foot wide driveway located 140-feet east of the intersection of Bannock Street and 16th Street.
- 30-foot wide driveway located 40-feet east of the intersection of Bannock Street and 16th 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 16th Street (measured near-edge to near-edge). This driveway is proposed to be a right-out only driveway. The applicant is proposing to close the existing driveways with vertical curb, gutter and 6-foot wide sidewalk.
- d. **Staff Comments/Recommendations:** The applicant's proposal to close the existing four driveways and replace them with vertical curb, gutter and 6-foot wide concrete 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 16th Street does not meet District Driveway Location Policy, however, staff recommends a modification of policy to allow the driveway to be constructed 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. The applicant should coordinate signage and/or other methods, to restrict the driveway and the design for the right-out only driveway, with District Traffic Services and Development Review staff.

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

15th Street and 16th Street are classified as principal arterials 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 on 15th Street 40-feet to the north, so as to be located 95-feet south of the intersection of 15th Street and Bannock Street, as proposed. The driveway width shall be 22-feet, as proposed. Pave the driveway its full-width at least 30-feet into the site beyond the edge of pavement.
2. Replace the existing 18-foot wide driveway on 15th Street located 135-feet south of the intersection of 15th Street and Bannock Street with curb, gutter and 18-foot wide sidewalk.
3. Relocate the existing driveway onto 16th Street 50-feet to the north, so as to be located 95-feet south of the intersection of 16th Street and Bannock Street, as proposed. The driveway width shall be 22-feet, as proposed. Pave the driveway its full-width at least 30-feet into the site beyond the edge of pavement.
4. Replace the existing 18-foot wide driveway on 16th Street located 135-feet south of the intersection of 16th Street and Bannock Street with curb, gutter and 6-foot wide sidewalk.
5. Replace the existing 40-foot wide driveway on 16th Street located 35-feet south of the intersection of 16th Street and Bannock Street with vertical curb, gutter and 6-foot wide sidewalk.
6. Replace the existing 30-foot wide driveway on 16th Street located 20-feet north of the intersection of 16th Street and Idaho Street with vertical curb, gutter and 6-foot wide sidewalk.

7. Replace the existing 26-foot wide driveway on Idaho Street located 140-feet west of the intersection of 15th Street and Idaho Street with vertical curb, gutter and 18-foot wide sidewalk.
8. Construct the new driveway on Bannock Street so as to be located 45-feet east of the intersection of Bannock Street and 16th Street, 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.
9. Replace the existing four driveways onto Bannock Street with vertical curb, gutter and 6-foot wide sidewalk, as proposed. These driveways are located:
 - 65-feet west of the intersection of Bannock Street and 15th Street.
 - 135-feet west of the intersection of Bannock Street and 15th Street 140-feet east of the intersection of Bannock Street and 16th Street.
 - 140-feet east of the intersection of Bannock Street and 16th Street.
 - 40-feet east of the intersection of Bannock Street and 16th Street.
10. Provide an easement for any sidewalk that is located outside of the public right-of-way.
11. Other than the access specifically approved with this application direct lot access is prohibited to 15th Street, 16^h Street, Idaho Street and Bannock Street.
12. 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 application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

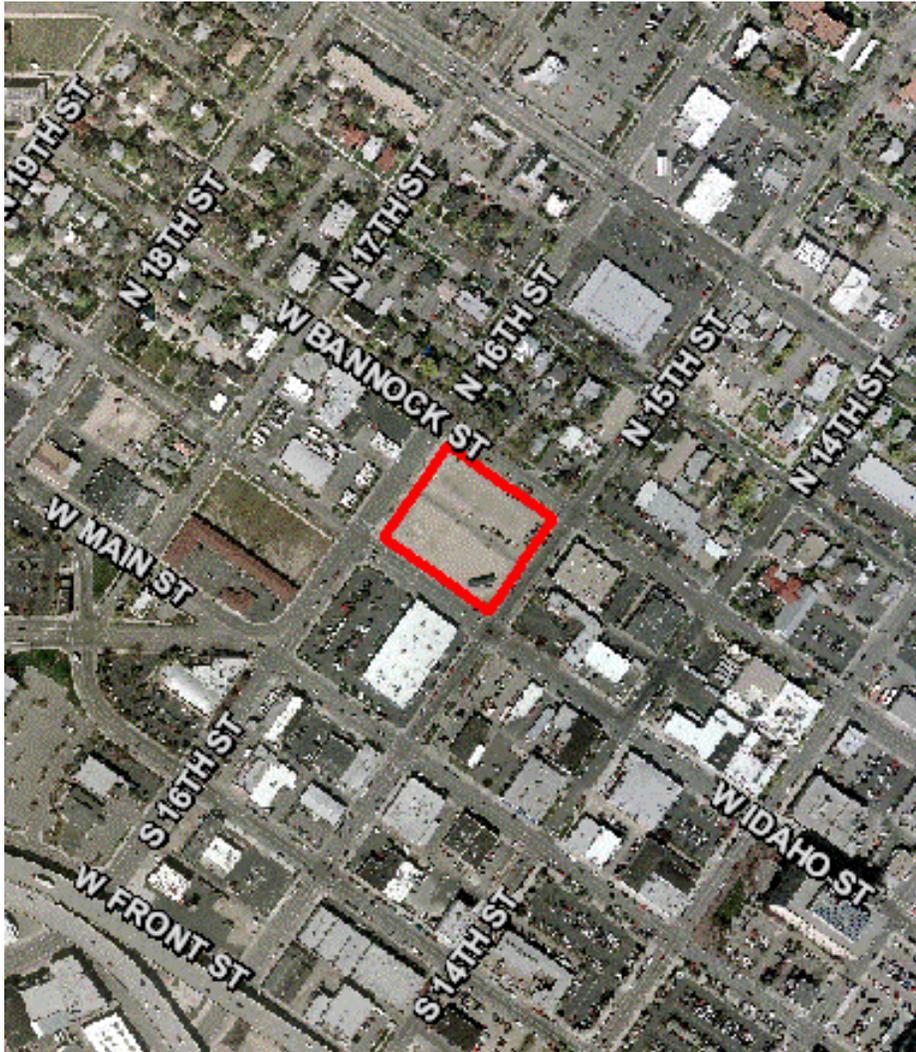
F. Conclusions of Law

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are 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



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.