



John S. Franden, President
Mitchell A. Jaurena, Vice President
Rebecca W. Arnold, Commissioner
Sara M. Baker, Commissioner
Jim Hansen, Commissioner

Date: June 26, 2014

(Via e-mail)

To: Hawkins Companies
Jason Hawkins
855 E Broad Street
Boise, ID 83702

Subject: CAR14-00010/PUD14-00003 – Kensington Apartments at North Pointe
7410 W State Street

On June 25, 2014 the Ada County Highway District Commission acted on your application for the above referenced project. The attached report lists site-specific requirements, conditions of approval and street improvements, which are required.

If you have any questions, please feel free to contact me at (208) 387-6171.

Sincerely,

Stacey Yarrington
Planner III
Development Services
Ada County Highway District

CC: Project file
Brandon Whallon (via e-mail)
City of Boise (via e-mail)



Project/File: **Kensington Apartments at North Pointe/CAR14-00010/PUD14-00003**
 The applicant is requesting rezone and planned unit development approval to rezone 26.5 acres of C-4D, L-OD, and R-2D to C-4D to allow for the development of 312- multi-family residential units. The site is located at 7410 W. State Street in Boise, Idaho.

Lead Agency: Boise City

Site address: 7410 W. State Street

Commission Hearing: *Regular Agenda*
 June 25, 2014

Commission Approval: June 25, 2014

Applicant: Jason Hawkins
 Hawkins Companies
 855 E. Broad Street
 Boise, ID 83702

Representative: Brandon Whallon
 Hawkins Companies
 855 E Broad Street
 Boise, ID 83702

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



A. Findings of Fact

- Description of Application:** The applicant is requesting rezone and planned unit development approval to rezone 26.5 acres of C-4D, L-OD, and R-2D to C-4D to allow for the development of 312- multi-family residential units. The site is located at 7410 W. State Street in Boise, Idaho.

The applicant's proposal is consistent with Boise City's comprehensive plan which calls for mixed use in this area.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Single family residential	R-2D
South	Wal-Mart/Northgate Shopping Center	C-1 (Garden City)
East	Single family residential	R-1
West	Neighborhood Storage	C-2 (Ada County)

- Site History:** See Finding for Consideration C 1.

4. **Transit:** Transit services are available to serve this site via Routes 10 and 44.
5. **New Center Lane Miles:** This development will not add any new center line miles of road.
6. **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.
7. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
 There are currently no roadways, bridges or intersections in the general vicinity of the project that are currently in the Integrated Five Year Work Program.
 - State Street/SH-44 is listed in the Capital Improvements Plan to be widened to 7-lanes from Glenwood Street to Pierce Park between 2017 and 2021.
 - The intersection of State Street/SH-44 and Glenwood Street is listed in the Capital Improvements Plan to be widened to 6-lanes on the north leg, 7-lanes on the south, 8-lanes east, and 8-lanes on the west leg, and signalized between 2017 and 2021.

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 2,075 additional vehicle trips per day (0 existing); 193 additional vehicle trips per hour in the PM peak hour (0 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition.

2. **Traffic Impact Study**

A traffic study was required with the original development application in 1999, due to the size and scope of the development, with an estimated additional 12,300 average daily trips (ADT). A revised study was done in 2000 with the implementation of the 1st Development Agreement with an estimated 7,383 ADT, and again in 2004 with the submittal of the Northwest Passage Subdivision application for 147,024 square feet of shopping center/retail use, a 5,560 square feet convenience store with a car wash, and 156 multi-family units with an estimated 6,432 ADT.

The applicant has now submitted a new application for 312 multi-family units along with an amended development agreement reducing the commercial/retail space from 168,000 square feet down to 70,000 square feet. This proposal is an increase in the multi-family units from 156 units to 312 units for an estimated increase of 1,038 vehicle trips per day, 96 in the PM Peak hour. However, it is reducing the future commercial/retail space by 98,000 square feet, a decrease of 3,103 vehicle trips per day, with 190 in the PM Peak hour. For a total decrease in estimated traffic of 2,198 vehicle trips per day, 107 in the PM Peak hour, therefore, a new traffic study was not required.

3. **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
**State Street/SH-44	0-feet	Principal Arterial	1,927	N/A	N/A
Gary Lane	450-feet	Minor Arterial	710	Better than "D"	"F"
Saxton Drive	400-feet	Collector	78	Better than "D"	Better than "D"

* Acceptable level of service for a three-lane minor arterial is "D" (720 VPH)

* Acceptable level of service for a three-lane minor arterial is "E" (880 VPH)

* Acceptable level of service for a three-lane collector is “D” (530 VPH).

** ACHD does not set level of service thresholds for State Highways.

4. Average Daily Traffic Count (VDT)

Average daily traffic counts are based on ACHD’s most current traffic counts. (New counts were not available as Bogart Lane/ State Street/SH-44 intersection has been under construction.)

- The average daily traffic count for State Street/SH-44 east of Bogart Lane was 32,767 on 5/5/2013.
- The average daily traffic count for Gary Lane north of Baron Lane was 11,758 on 04/21/2014.
- The average daily traffic count for Saxton Drive north of State Street/SH-44 was 1,545 on 4/23/2014.

C. Findings for Consideration

1. Site History

ACHD initially reviewed this site for a rezone application (CAR99-00010) in 1999; then again in 2000 for a conditional use application (CUP00-00007), and a development agreement was entered into with the City of Boise in 2001.

In March 2003 ACHD approved the Northwest Passage Subdivision / SUB03-0005 / CSN04-000168 / DRH04-00155 / CUP04-00073, which was approved for 12-lots to accommodate a total of 147,024 square feet of shopping center/retail use, a 5,560 square feet convenience store with a car wash, and 156 multi-family units); a public road connection (Saxton Drive) between Gary Lane and State Street/SH-44; and the State Street traffic signal at Wal-Mart and a traffic signal at the Gary Lane/Saxton Lane intersection. This approved application was estimated to generate approximately 6,435 new vehicle trips per day (ADT), and 470 trips during the PM peak hour period.

In 2007 the development agreement was amended (1st Amendment) as there was an additional 5-acres added to the PUD and a new concept plan was adopted. The amendment included an increase in the commercial/retail square footage from the previously approved 147,024 square feet to 168,000 square feet.

The current application for the proposed 2014 Development Agreement (2nd Amendment) is showing a dramatic reduction of 98,000 square feet of commercial/ retail space down to approximately 70,000 square feet; and increasing the multi-family units from 156 units to 312 units, which is a less intense use than has been previously approved with all of the above applications.

2. Area Roadway Level of Service

As noted above, Gary Lane will exceed the acceptable level of service threshold “D” (LOS D) for a 3-lane minor arterial street with this development. Gary Lane between State Street/SH-44 and Hill Road was identified as a constrained road segment in the adopted 2012 Capital Improvement Plan. Gary Lane would operate at approximately 125% capacity if all the proposed trips were to take access onto Gary Lane; however, this particular development also takes access to Saxton Drive, which is currently operating at approximately 15% capacity, exceeding the acceptable level of service “D” (LOS D) for a 3-lane collector street. The District does not have plans to widen Gary Lane in the future because it was previously identified in the CIP as a constrained road.

The intersection of Gary Lane/ Glenwood/ State Street/SH-44 overall is currently functioning at a LOS D or better in the AM Peak Hour and LOS E or better in the PM Peak Hour. However, it should be noted that the right turn from State Street/SH-44 onto Glenwood operates at LOS F in the AM Peak Hour and the 2 left turn lanes from Glenwood onto State Street/SH-44 and the left turn from Gary Lane onto State Street/SH-44, both operate at a LOS F in the PM Peak Hour.

The intersection is listed in the Capital Improvements Plan to be widened and signalized between 2017 and 2021, as noted above and will improve the function and level of service for this intersection. The lane configuration shown in the CIP includes 6-lanes on the north leg (Gary Lane), 7-lanes on the south (Glenwood), 8-lanes east (State St.), and 8-lanes on the west leg (State St.).

Typically, when a roadway or intersection operates at or above an acceptable level of service staff recommends that improvements be made to mitigate the additional traffic to be generated by the development, or that the developer wait until ACHD makes improvements, as scheduled in the CIP or IFYWP. In this case improvements would include widening the Gary Lane/ Glenwood/ State Street/SH-44 intersection. However, given the size of the development (312 units), the costs associated with widening the intersection, (ACHD's portion \$1.2M, and ITD's portion \$1.5M) and the improvements that have already been made by the development, (construction of Saxton Drive from Gary Lane to State Street/SH-44 including signalizing the intersections) it would be infeasible for the applicant to construct the improvements.

Because the applicant's proposal is consistent with the City of Boise's Comprehensive Plan, the development is also taking access onto Saxton Drive, which is signalized at both the Gary Lane/ Saxton Dr. intersection and the Saxton Dr. / State Street/SH-44 intersection, and the Gary Lane/ Glenwood/ State Street/SH-44 intersection is scheduled in the CIP, staff recommends a waiver of District Policy 7601.4.1, Level of Service Standards. This allows the project to move forward with the understanding that the Gary Lane/ Glenwood/ State Street/SH-44 intersection will be widened in the future, as noted in the CIP.

3. State Street Transit and Traffic Operations Plan (TTOP)

The TTOP study represents a major follow-on effort of the State Street Corridor Strategic Plan Study (February, 2004). The Strategic Plan considered a range of possible streetscape and operational scenarios for State Street. This service plan is designed to provide a level of transit accessibility and improved transit travel times that could support TOD nodes along the corridor. Widening State Street to seven general-purpose lanes for the entire segment between 23rd Street and SH 16 would result in improved transit travel times.

4. Gary Lane

a. **Existing Conditions:** Gary Lane is improved with 3-travel lanes, bike lanes, vertical curb, gutter, and 7-foot wide attached sidewalks abutting the site. There is 70-feet of right-of-way for Gary Lane (25-feet from centerline).

b. **Policy:**

Arterial Roadway Policy: District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Gary Lane is designated in the MSM as a Residential Arterial with 3-lanes and on-street bike lanes, a 46-foot street section within 70-feet of right-of-way.

Street Section and Right-of Way Width Policy: District Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Right-of-Way Dedication: District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along

arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

- c. **Applicant Proposal:** The applicant is not proposing any improvements to Gary Lane abutting the site.
- d. **Staff Comments/Recommendations:** Gary Lane is fully improved with 3 travel lanes, bike lanes, vertical curb, gutter, and 7-foot wide attached concrete sidewalks abutting the site. As such, staff does not recommend any additional street improvements or right-of-way dedication as part of this application.

Consistent with ACHD's Minor Improvement Policy, the applicant should be required to replace any broken or deteriorated curb, gutter, and sidewalk and to install or reconstruct pedestrian ramps to meet current ADA standards.

5. Saxton Drive

- a. **Existing Conditions:** Saxton Drive is improved with 3-travel lanes, vertical curb, gutter, and 7-foot wide attached sidewalk abutting the site. There is 55-feet of right-of-way for Saxton Drive (27.5-feet from centerline).

- b. **Policy:**

Collector Street Policy: District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.

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 Saxton Drive is designated in the MSM as a Commercial Collector with 3-lanes and on-street bike lanes, a 45-foot street section within 70-feet of right-of-way.

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

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

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused

driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

- c. **Applicant Proposal:** The applicant is not proposing any improvements to Saxton Drive abutting the site.
- d. **Staff Comments/Recommendations:** Saxton Drive is already improved with 3 travel lanes, vertical curb, gutter, and 7-foot wide attached concrete sidewalks abutting the site. As such, staff does not recommend any additional street improvements or right-of-way dedication as part of this application.

Consistent with ACHD's Minor Improvement Policy, the applicant should be required to replace any broken or deteriorated curb, gutter, and sidewalk and to install or reconstruct pedestrian ramps to meet current ADA standards.

6. Driveways

5.1 Gary Lane

- a. **Existing Conditions:** There is an existing 50-foot wide driveway located approximately 325-feet north of the Gary Lane/ Saxton Dr. intersection and 330-feet south of Baron Lane onto Gary Lane from the site.

- b. **Policy**

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

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

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

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

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

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

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, the applicant should be required to pave the driveway its full width and at least 30-

feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7205.4.8.

- c. **Applicant's Proposal:** The applicant is proposing to reduce the existing driveway to a 30-foot wide driveway approximately 325-feet north of the Gary Lane/ Saxton Dr. intersection and 330-feet south of Baron Lane and in alignment with Bluebird Drive (measured centerline to centerline).
- d. **Staff Comments/Recommendations:** The applicant's proposal does not meet District Driveway Location policy because it does not meet the minimum distance for a full movement driveway. However, staff recommends a modification of policy to allow the driveway to be located as proposed, due to the fact that there is a center turn lane on Gary Lane, the proposed driveway is in alignment with Bluebird Drive directly east of the site, and the entrance was approved with the previous development application.

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.

4.2 Saxton Drive

- a. **Existing Conditions:** There are 5 existing driveways onto Saxton Drive from the site.

- b. **Policy:**

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

District Policy 7206.1 states that the primary function of a collector is to intercept traffic from the local street system and carry that traffic to the nearest arterial. A secondary function is to service adjacent property. Access will be limited or controlled. Collectors may also be designated at bicycle and bus routes.

Driveway Location Policy (Signalized Intersection): District policy 7206.4.3 requires driveways located on collector roadways near a signalized intersection to be located outside the area of influence; OR a minimum of 440-feet from the signalized intersection for a full-access driveway and a minimum of 220-feet from the signalized intersection for a right-in/right-out only driveway. Dimensions shall be measured from the centerline of the intersection to the centerline of the driveway

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

Driveway Width Policy: District policy 7206.4.6 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7206.4.6, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7206.4.6.

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction

or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

- c. **Applicant’s Proposal:** The applicant is proposing to close the existing driveway located approximately 195-feet west of Gary Lane with curb, gutter, and sidewalk and construct a 40-foot wide driveway approximately 250-feet west of Gary Lane and 75-feet east of the nearest existing driveway (measured centerline to centerline) onto Saxton Street from the site.
- d. **Staff Comments/Recommendations:** The applicant's proposal does not meet District Driveway Location and Success Driveway policies because it does not meet the minimum distance required for a full movement driveway. However, staff recommends a modification of policy to allow the driveway to be located as proposed, due to the fact that the driveway is located outside of the area of influence of the intersection, there is a center turn lane on Saxton Drive, and Saxton Drive was originally built as a local/commercial and the driveways were approved with that application.

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

7. Neighborhood Concerns

Staff is in receipt of written correspondence from neighbors in the area regarding the increase in traffic on Gary Lane, the Saxton Drive/ Gary Lane intersection, Gary Lane/ Glenwood intersection, and Saxton Drive/ State Street intersection, mainly in the AM Peak Hour. District staff conducted a review of the Glenwood/ Gary Lane intersection and found that it is functioning at a LOS D or better in the AM Peak Hour and LOS E or better in the PM Peak Hour. The intersection at State Street/SH-44/ Saxton Drive is functioning at a LOS A in the AM Peak Hour and LOS C in the PM Peak Hour. Gary Lane/ Saxton Drive intersection is functioning at a LOS A in both the AM and PM Peak Hour.

AM Peak Hour:

Intersection	East	West	North	South	S/E	N/W	N/E	S/W	AVG
Glenwood/Gary Ln/ State Street			LOS E	LOS E	LOS E	LOS C			LOS D
State St./Saxton Drive					LOS A	LOS A	LOS E	LOS E	LOS A
Gary Ln/ Saxton Drive	LOS B	LOS B	LOS A	LOS A					LOS A

PM Peak Hour:

Intersection	East	West	North	South	S/E	N/W	N/E	S/W	AVG
Glenwood/Gary Ln/ State Street			LOS F*	LOS E	LOS E	LOS D			LOS E
State St./Saxton Drive					LOS B	LOS B	LOS E	LOS E	LOS C
Gary Ln/ Saxton Drive	LOS C	LOS C	LOS A	LOS A					LOS A

*Dual left turn onto State St/SH-44 from Glenwood Street

In meeting with 2 neighbors from this area, traffic accidents were another concern that was expressed so a traffic accident study was conducted. Staff found that between 2003 to present, there have been 55 crashes on Gary Lane north of State Street to Tobi Street.

They are as follows:

- 7 – Gary Lane/Albertsons' parking lot entrance
- 10 – Gary Lane/Bunch Court
- 3 – Gary Lane/Garden Glen Drive
- 23 – Gary Lane/Saxton Drive
 - 18 prior to signal being installed
 - 5 after the signal was installed
- 3 – Gary Lane/Bluebird Drive
- 5 – Gary Lane/Baron Avenue
- 4 – Gary Lane/Tobi Street

There have been no more than 3 reported accidents in any year after the signal light was installed at the Gary Lane/ Saxton Drive intersection.

There was also a question on whether the turning designations at the Saxton Drive/ State Street/SH-44 signal could be changed to provide for a dedicated right turn lane rather than the thru/ right turn combined lane. ACHD engineering staff reviewed and found that it would create a large shift (12') for vehicles wanting to go straight; and it might encourage people cutting through Saxton to avoid the light at Glenwood. Staff does not recommend this change.

8. 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.

9. 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.

10. Other Access

Gary Lane is classified as a minor arterial roadway; Saxton Drive 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.

11. Commission Action

During the June 25, 2014 Commission Meeting, the Commission accepted testimony from the applicant and members of the public. Much of the testimony was regarding the actual development proposed and the additional traffic to Gary Lane and the Gary Lane/ Glenwood/ State Street intersection.

After considering the testimony, the Commission passed a motion to approve the application with the recommendations outlined in the staff report.

D. Site Specific Conditions of Approval

1. Replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along Gary Lane abutting the site, consistent with ACHD's Minor Improvement Policy 7203.3.
2. Replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along Saxton Drive abutting the site, consistent with ACHD's Minor Improvement Policy 7203.3.
3. Construct a 30-foot wide driveway on Gary Lane located in alignment with Bluebird Drive. This is approved as a temporary full access. Pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement.
4. Close the existing driveway located 195-feet west of Gary Lane with curb, gutter, and sidewalk.
5. Construct a 40-foot wide driveway on Saxton Drive located approximately 250-feet west of Gary Lane. Pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement.
6. Payment of impacts fees are due prior to issuance of a building permit.
7. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

1. All irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.

9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

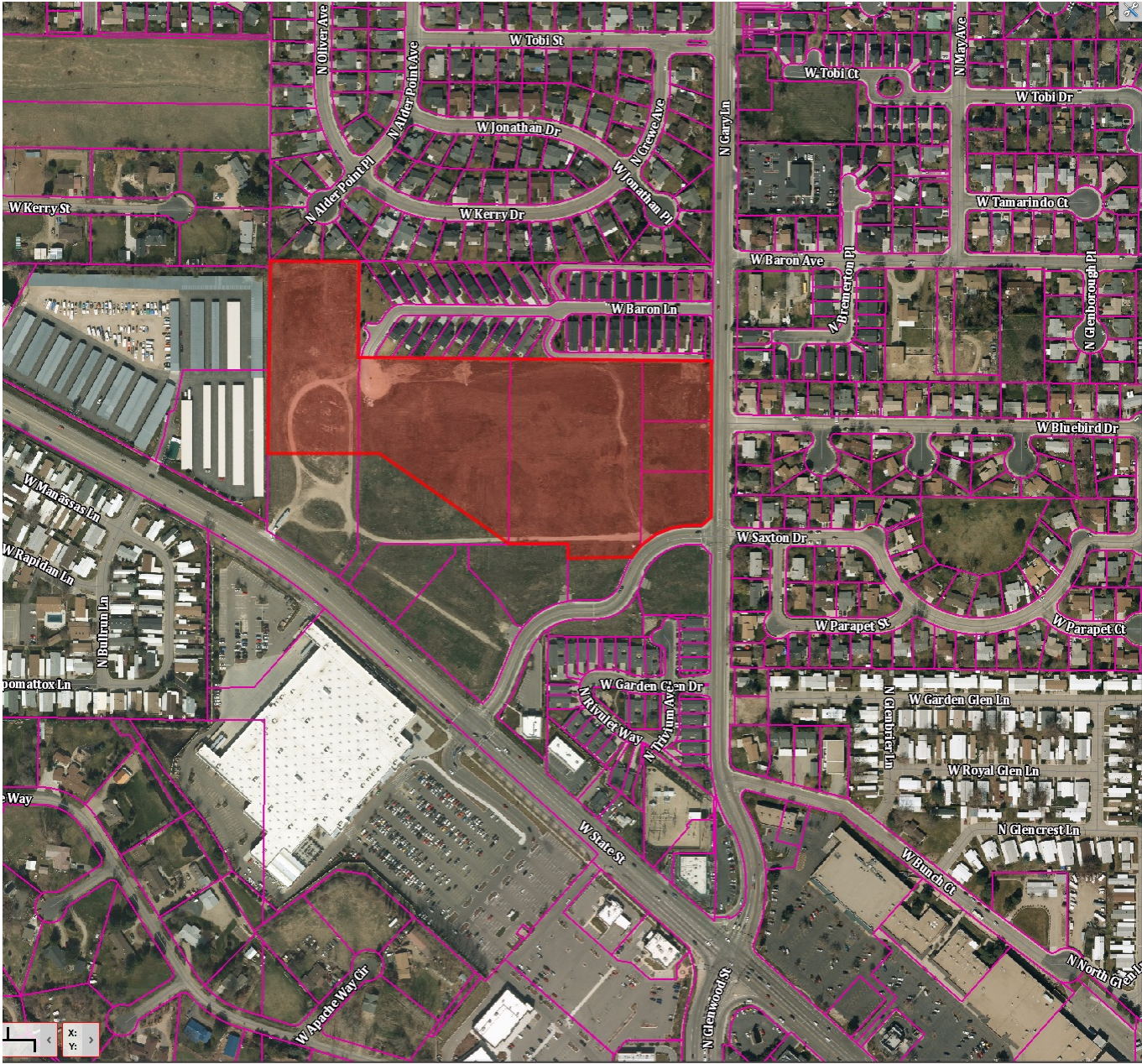
F. Conclusions of Law

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

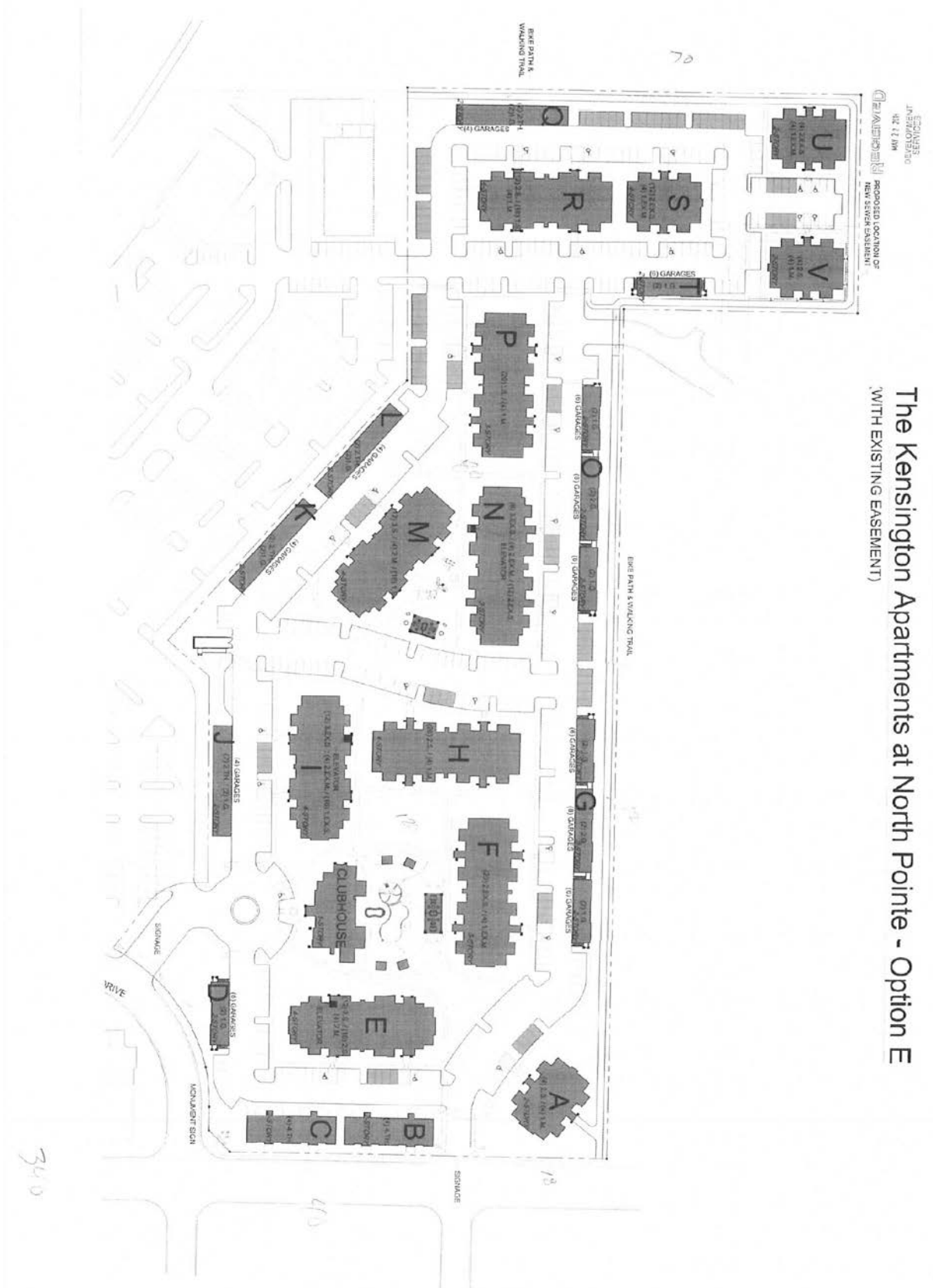
G. Attachments

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
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VICINITY MAP



SITE PLAN



**The Kensington Apartments at North Pointe - Option E
(WITH EXISTING EASEMENT)**

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.