



**Project/File:** **Roe Street Townhomes/ BPP16-0023/ SUB16-00046/CAR16-00023/PUD16-00022**  
*This is a rezone, preliminary plat, and planned unit development application to allow for the development of 176 lot subdivision consisting of 153 single family attached building lots and 22 common lots on 17.14 acres. The site is located 6022 N. Roe Street in Boise, Idaho.*

**Lead Agency:** City of Boise

**Site address:** 6022 N. Roe Street

**Staff Approval:** September 8, 2016

**Applicant:** Jane Suggs  
 Suggs Community Solutions  
 200 Louisa Street  
 Boise, ID 83712

**Representative:** Same as above

**Staff Contact:** Mindy Wallace, AICP  
 Phone: 387-6178  
 E-mail: [mcppwallace@achdidaho.org](mailto:mcppwallace@achdidaho.org)

## A. Findings of Fact

- Description of Application:** The applicant is requesting approval of a rezone, preliminary plat, and planned unit development application to allow for the development of 176 lot subdivision consisting of 153 single family attached building lots and 22 common lots on 17.14 acres. The site is located 6022 N. Roe Street in Boise, Idaho.

The applicant's proposal is consistent with City of Boise's Comprehensive Plan which calls for Mixed-Use development in this area.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Single family residential	R-1A
South	Single family residential	R-1A
East	Single family residential	R-1C
West	Multi-family	R-3D

- Site History:** ACHD has not previously reviewed this site for a development application.
- Transit:** Transit services are available to serve this site via routes 9 and 44.

5. **New Center Lane Miles:** The proposed development includes 0.78 centerline miles of new public 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 Plan (IFYWP) or the District's Capital Improvement Plan (CIP).

## **B. Traffic Findings for Consideration**

1. **Trip Generation:** This development is estimated to generate 895 vehicle trips per day; 80 vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 9<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
**State Street	N/A	Principal Arterial	2,018	"F"
Roe Street	810-feet	Local	N/A	N/A

\* Acceptable level of service for a five-lane principal arterial is "E" (1,770 VPH).

\* Acceptable level of service for a seven-lane principal arterial is "E" (2,660 VPH).

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

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 State Street west of Roe was 38,223 on 7/20/16.

## **C. Findings for Consideration**

1. **Roe Street**

- a. **Existing Conditions:** Roe Street is improved with 2-travel lanes and no curb, gutter or sidewalk abutting the site. North of Limelight Street and across from the site, Roe Street is improved with vertical curb, gutter, a drainage swale, and a 5-foot wide detached concrete sidewalk. Approximately 170-feet north of Kerry Street there are speed bumps on Roe Street. There is 50 to 60-feet of right-of-way for Roe Street (25 to 30-feet from centerline).

- b. **Policy:**

**Local Roadway Policy:** District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

**Street Section and Right-of-Way Policy:** District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 50-feet wide and that the standard

street section shall be 36-feet (back-of-curb to back-of-curb). The District will consider the utilization of a street width less than 36-feet with written fire department approval.

**Standard Urban Local Street—36-foot to 33-foot Street Section and Right-of-way Policy:**

District Policy 7207.5.2 states that the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 50-feet of right-of-way.

The District will also consider the utilization of a street width less than 36-feet with written fire department approval. Most often this width is a 33-foot street section (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size.

**Continuation of Streets Policy:** District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

- Reduces vehicle miles traveled.
- Increases pedestrian and bicycle connectivity.
- Increases access for emergency services.
- Reduces need for additional access points to the arterial street system
- Promotes the efficient delivery of services including trash, mail and deliveries.
- Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
- Promotes orderly development.

**Sidewalk Policy:** District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

**Half Street Policy:** District Policy 7207.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

- c. **Applicant's Proposal:** North of Limelight Street, the applicant has proposed to complete Roe Street as a 36-foot street section with 18-feet of pavement from centerline, vertical curb, gutter and a drainage swale within 50-feet of right-of-way with a 5-foot wide detached concrete sidewalk within an 11-foot wide sidewalk easement.

South of Limelight Street, the applicant has proposed to construct Roe street as half of a 36-foot street section with 18-feet of pavement from centerline, vertical curb, gutter and a drainage swale within 45-feet of right-of-way and a 5-foot wide detached concrete sidewalk within an 11-foot wide sidewalk easement.

- d. **Staff Comments/Recommendations:** The applicant's proposed street sections for Roe Street north and south of Limelight Street meet District policy and should be approved, as proposed.

Roadside drainage swales are not typically allowed on local streets with standard size lots, however staff recommends allowing the use of the roadside drainage swales on Roe Street abutting the site. Staff's recommendation is due to high ground water in the area, there is no direct lot access onto Roe Street, and that a roadside drainage swale has already been constructed on the west side of Roe Street across from the site. The applicant should be required to coordinate the design and construction of the roadside drainage swales with District Development Review staff.

## 2. **Limelight Street/Fairfax Avenue/Hastings Street**

- a. **Existing Conditions:** Roe Street is improved with 2-travel lanes and no curb, gutter or sidewalk abutting the site. North of Limelight Street and across from the site, Roe Street is improved with vertical curb, gutter, a drainage swale, and a 5-foot wide detached concrete sidewalk. Approximately 170-feet north of Kerry Street there are speed bumps on Roe Street. There is 50 to 60-feet of right-of-way for Roe Street (25 to 30-feet from centerline).

- b. **Policy:**

**Local Roadway Policy:** District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

**Street Section and Right-of-Way Policy:** District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 50-feet wide and that the standard street section shall be 36-feet (back-of-curb to back-of-curb). The District will consider the utilization of a street width less than 36-feet with written fire department approval.

**Standard Urban Local Street—36-foot to 33-foot Street Section and Right-of-way Policy:** District Policy 7207.5.2 states that the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 50-feet of right-of-way.

The District will also consider the utilization of a street width less than 36-feet with written fire department approval. Most often this width is a 33-foot street section (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size.

**Continuation of Streets Policy:** District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

- Reduces vehicle miles traveled.
- Increases pedestrian and bicycle connectivity.
- Increases access for emergency services.

- Reduces need for additional access points to the arterial street system
- Promotes the efficient delivery of services including trash, mail and deliveries.
- Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
- Promotes orderly development.

**Sidewalk Policy:** District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

- c. **Applicant's Proposal:** The applicant has proposed to construct Limelight Street, Fairfax Avenue, and Hastings Street as 36-foot street sections with rolled curb, gutter, and 5-foot wide attached concrete sidewalks within 50-feet of right-of-way.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed.

### 3. **29-foot Local Streets (Lamplighter, Jonathon, & Tobi)**

- a. **Existing Conditions:** There are no internal local streets within the site.

- b. **Policy:**

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

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

- The street is in a residential area.
- The developer shall provide written approval from the appropriate fire department or emergency response unit in the jurisdiction.
- The developer shall install —NO PARKING signs on one side of the street, as specified by the District and as specified by the appropriate fire department.

- Vertical curbs with attached 5-foot (minimum) wide sidewalks, or rolled curbs with 5-foot (minimum) wide detached sidewalks and 8-foot (minimum) wide planter strips, are required.
- Traffic volumes on the street shall not exceed 1,000 vehicle trips per day. There shall be no possibility that another street may be connected to it in a manner that would allow more than 1,000 vehicle trips per day.

Design Condition #2: Parking is allowed on both sides of a reduced width street when the street layout has the qualities of a road grid system. This provides fire trucks and other emergency vehicles alternate routes of access since the ability to pass another vehicle may be compromised by placement of parked vehicles on both sides of the street. The following criteria shall be met:

- The street is in a residential area.
- The developer shall provide written approval from the appropriate fire department or emergency response unit in the jurisdiction.
- The block length of the street shall not exceed 500-feet, measured between centerlines.
- Traffic volumes on the street are not forecast to exceed 400 vehicle trips per day.
- A minimum of two street connections shall be provided to each end of the street with the reduced width. The two connecting streets shall each connect to the larger street system to provide the intended alternate routes of access. A street system that has one street connection to the larger street network on one end and a loop/circle street on the other end with no outlet shall not be approved.
- Vertical curbs with attached 5-foot (minimum) wide sidewalks, or rolled curbs with 5-foot (minimum) wide detached sidewalks and 8-foot (minimum) wide planter strips, are required.

Design Condition #3: Parking is allowed on both sides of a reduced width residential street with passing pockets that are created when two driveways are constructed near the same property line, where a 50-foot segment will not have on-street parking on the side of the street with the driveways. This provides fire trucks and other vehicles areas to move to the side of the street to allow another vehicle to pass when vehicles are parked on the street. Parking is allowed on both sides of a reduced width street when the following criteria are met:

- The street is in a residential area.
- The developer shall provide written approval from the appropriate fire department or emergency response unit in the jurisdiction.
- Driveway locations are predetermined with curb cuts for the driveways to be installed when the street is constructed. The curb cuts shall be 20-feet wide. Each lot on the street will be —paired with an adjacent lot. If there are an odd number of lots, one lot at either end of the street will not be —paired. Each pair of lots shall locate its driveway 5-feet from the shared lot line of the pair.
- Vertical curbs with attached 5-foot (minimum) wide sidewalks, or rolled curbs with 5-foot (minimum) wide detached sidewalks and 8-foot (minimum) wide planter strips, are required.
- The lots cannot abut an alley.
- Traffic volumes on the street are not forecast to exceed 400 vehicle trips per day.

**Sidewalk Policy:** District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local streets, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.).

**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 has proposed to construct Lamplighter, Jonathon, & Tobi Streets as 29-foot street sections with rolled curb, and gutter on both sides of the roadway, and a 5-foot wide attached concrete sidewalk abutting the site. Sidewalks are not proposed to be constructed on the north side of Lamplighter, the south side of Jonathon, and the north side of Tobi Streets as they abut already developed parcels.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed. The right-of-way should be extended to the property lines on north side of Lamplighter and the south side of Jonathon. Staff recommends that the right-of-way not be extended to the north side of Tobi Street, as there is an existing common lot, with an irrigation pipe/ditch, that extends the length of Tobi Street and along the south border of Pocono Subdivision.

#### 4. **Minor Urban Local Street (Prescott, Ikure, Masago, Tobiko,& Tarako)**

- a. **Existing Conditions:** There are no minor local streets within the site.
- b. **Policy:**
  - Minor Local Street Policy:** District policy 7207.5.2 states that a minor local street is defined as a reduced width local street that provides direct lot access for residential uses, and in limited circumstances, commercial or mixed use as described below.
  - **Pavement Width and Curb Type:** A minor local shall be constructed with a reduced width of 24-feet from back-of-curb to back-of-curb with curb and gutter. Where the minor local street is utilized in a gridded street system with alleys, vertical curb shall be required and direct lot access shall be restricted. Where the minor local street is utilized, with residential open space scenarios, rolled curb or ribbon curbing (with an inverted crown), is allowed if access to the rear of the parcels is provided from the minor local street.
  - **Sidewalk and Right-of-Way:** Five-foot wide concrete sidewalks are required on both sides, unless as otherwise described below or approved by ACHD and the lead land use agency. The sidewalk for this street section may be located within a permanent right-of-way easement. If the sidewalk is located within an easement, the minimum right-of-way width for this street section is 28-feet, to allow for 2-feet behind the back-of-curb on each side. Sidewalk may not be required, or may be required on one side only as determined by the lead land use agency, if the minor local street is used in residential areas where houses

accessing the minor local street are built with the front of the house (including the front door) facing the common or open space lots that include a connected system of sidewalks or paved pathways and the lotting pattern is mirrored on both sides of the street.

- **Parking:** Parking is prohibited on both sides of this street section. “No Parking” signs are required. Alternative parking for guests, visitors, auxiliary residential parking, and deliveries shall be provided and shall be designated and located in coordination with the lead land use agency. Typically this parking will be provided via community parking spaces located within walking distance of these types of residences. Walking distance shall be defined by the lead land use agency.
- **Requirements** (*This street section may only be used if the following conditions are met*):
  - The maximum projected ADT is less than 400.
  - The street connects to two other standard size streets.
  - There is support from the lead land use agency (either from staff or Commission/Council).
  - Maximum block length of 600-feet.
  - In commercial or mixed use areas where urban designs utilizing alleys are desirable, but may be impractical due to access restrictions to classified roadways (arterials, collectors, and residential collectors). In this example, the minor local street would parallel the access-restricted roadway and would provide direct access to the commercial or mixed-use lots.
  - No portion of a building shall be over 30-feet in height. If any portion of a building is over 30-feet in height, aerial fire apparatus is required and a 26-foot wide street is required (International Fire Code Appendix D Section C105). However, a 26-foot wide street, with a minimum right-of-way of 30-feet, is allowed if all other requirements for a minor local street are met.

**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 has proposed to construct 5 streets, Prescott, Ikure, Masago, Tobiko, & Tarako as minor urban local streets with 24-feet of pavement, rolled curb, and gutter within 28-feet of right-of-way. The applicant has proposed to construct 5-foot wide private detached concrete sidewalks abutting the front or mew side of the building lots. All of the proposed urban minor local streets are proposed to intersect a 29-foot wide street section.
- d. **Staff Comments/Recommendations:** The applicant’s proposal meets District policy in that the urban minor local streets are proposed to provide frontage to building lots which front on a mew or open space lot.

ACHD policy requires the urban minor local streets to connect to two standard sized streets. The 29-foot street section used throughout the development is a reduced street section, but staff believes the use of the 29-foot street section meets the intent of the policy, as the site is laid out in a grid pattern, there is no direct lot access to any of the 29-foot street sections, and the applicant has proposed to construct a small parking near Tobi and Prescott Streets to address staff concerns with limited parking. Therefore, staff recommends approval of the applicant’s proposal to construct Prescott, Ikure, Masago, Tobiko, & Tarako as minor urban local streets. The applicant should be required to provide written Fire Department approval for use of the urban minor local street section.



If Boise City does not approve the use of the private sidewalks abutting the open space lots and desires public sidewalk facilities, then the applicant should submit a revised preliminary plat showing how the public sidewalks will be incorporated into the site.

## 5. Roadway Offsets

**Local Street Intersection Spacing on Principal Arterials:** District policy 7205.4.3 states that new local s

**Local Offset Policy:** District policy 7206.4.5, requires local roadways to align or offset a minimum of 330-feet from a collector roadway (measured centerline to centerline).

District policy 7207.4.2, requires local roadways to align or provide a minimum offset of 125-feet from any other street (measured centerline to centerline).

- a. **Applicant's Proposal:** All of the internal local streets align or offset by 125-feet with the exception of Tobiko and Fairfax Avenue north of Limelight Street, Masago and Hasting south of Limelight, and Hastings and Ikure, which are all proposed to offset by 110-feet.
- b. **Staff Comments/Recommendations:** Staff recommends approval of the applicant's proposed roadway offsets, as the site is designed in a grid pattern and the 110-foot offset is a 12% variance of the policy that is approved as the discretion of the Development Services Manager.

## 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.

## D. Site Specific Conditions of Approval

1. Construct Roe Street north and south of Limelight as a half of a 36-foot street section with 18-feet of pavement from centerline, vertical curb, gutter and a drainage swale within 50-feet of right-of-way with a 5-foot wide detached concrete sidewalk within an 11-foot wide sidewalk easement. Coordinate the design and construction of the roadside drainage swales with District Development Review staff.
2. Construct Limelight Street, Fairfax Avenue, and Hastings Street as 36-foot street section with rolled curb, gutter, and 5-foot wide attached concrete sidewalks within 50-feet of right-of-way, as proposed.
3. Construct Lamplighter, Jonathon, & Tobi Streets as 29-foot street sections with rolled curb, and gutter on both sides of the roadway, and a 5-foot wide attached concrete sidewalk abutting the site, as proposed. Extend the right-of-way to the property lines on north side of Lamplighter and the south side of Jonathon. Sidewalks are not required on the north side of Lamplighter, the south side of Jonathon, and the north side of Tobi Streets.

4. Construct Prescott, Ikure, Masago, Tobiko, & Tarako as minor urban local streets with 24-feet of pavement, rolled curb, and gutter within 28-feet of right-of-way, as proposed.
5. Provide written Fire Department approval for use of the 29-foot street section and the urban minor local 24-foot street section.
6. If Boise City does not approve the use of the private sidewalks abutting the open space lots and desires public sidewalk facilities, then submit a revised preliminary plat showing how public sidewalks will be incorporated into the site.
7. Payment of impacts fees are due prior to issuance of a building permit.
8. Comply with all Standard Conditions of Approval.

## **E. Standard Conditions of Approval**

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.

12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

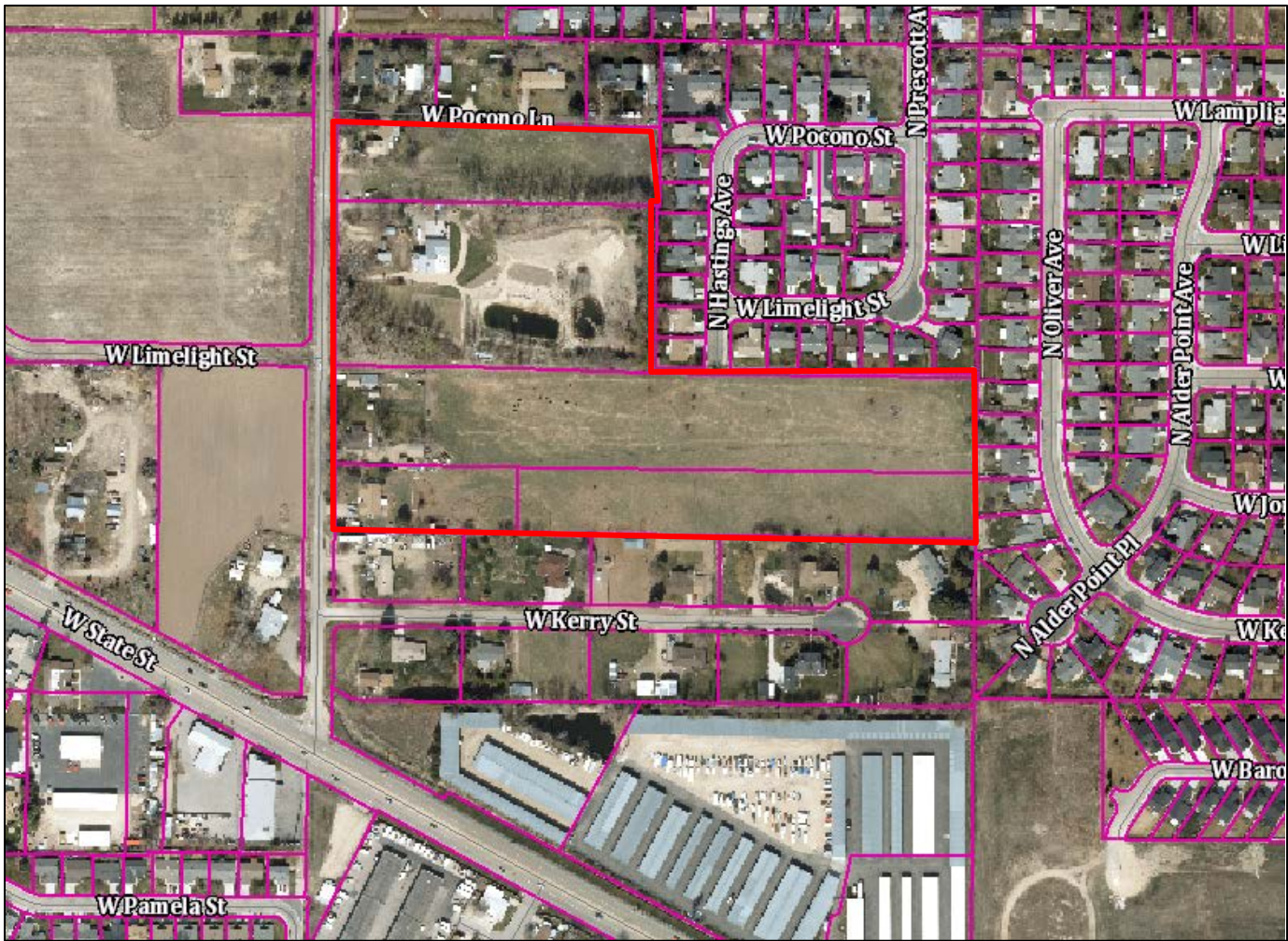
## **F. Conclusions of Law**

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
5. Request for Reconsideration Guidelines

VICINITY MAP



# STAINS SUBDIVISION

**STEINS SUBDIVISION**

**Curves Table**

Curve #	Radius	Length
C10	100.00	58.42
C11	100.00	20.00
C12	100.00	28.10
C13	300.00	40.00
C14	300.00	4.04
C15	300.00	34.63
C16	50.00	16.53
C18	125.00	58.88
C111	75.00	43.81
C112	64.00	1.71
C113	64.00	16.45
C117	125.00	7.81
C118	75.00	41.45
C120	75.00	2.37
C146	125.00	13.84
C147	36.00	11.90
C148	174.94	36.77

**TOTAL GUEST PARKING**  
179 SPACES

# 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 Development Services Manager when it is alleged that the Development Services 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 Development Services 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 Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
  - e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.



## Request for Reconsideration of Commission Action

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

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

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

- b. The request must be in writing and delivered to the Secretary of the Highway District no later than 3:00 p.m. on the day prior to the Commission's next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.
- c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.
- d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.
- e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.
- f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.