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April 15, 2009

To: Dave & Ethel Ficks
5600 W. Hill Road
Boise, Idaho 83703

Subject: CUP09-00017, CAR09-00011
Conditional use permit for commercial events center in existing residence & annexation of
0.635 acres into Boise City R-1B
5600 W. Hill Road, 6058 N. Plano Lane

On 15 April 2009, the Ada County Highway District Planning Review staff approved the above applications. 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) 387-6187.

Sincerely,

Matt Edmond
Planner III
Right-of-Way & Development Services
Ada County Highway District

CC: Project file
Susan Riggs, Boise City Planning & Development Services *(sent via email)*



Committed to Service

Project/File: CUP09-00017, CAR09-00011

This application is for annexation and rezone of 0.635 acres into Boise City R-1B zone and a conditional use permit to allow a commercial special event center on 3.145 acres in the Boise City R-1B zone.

Lead Agency: City of Boise

Site address: 5600 W. Hill Road, 6058 N. Plano Lane

Staff Approval: April 15, 2009

Applicant/Owner: Dave & Ethel Ficks
5600 W. Hill Road
Boise, Idaho 83703

Staff Contact: Matt Edmond
Phone: 387-6187
E-mail: medmond@achd.ada.id.us

Tech Review: April 14, 2009 (via phone)

Application Information:

Total Acreage: 3.145
Current Zoning: R-1B (2.51 acres), R6 (0.635 acres)
Proposed Zoning: R-1B
Proposed Use: Commercial Event Center



A. Findings of Fact

Existing Conditions

1. **Site Information:** The site contains a single family residence with a home occupancy (Boise Book Farm).

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

Direction	Land Use	Zoning
North	Vacant / Hillside	R-1B
South	Single Family Residential	R-1B
East	Single Family Residential	R-1B
West	Single Family Residential	R6

3. **Existing Roadway Improvements and Right-of-Way Adjacent To and Near the Site**

- Hill Road is improved with two travel lanes and bike lanes (32-feet of pavement) and no curb, gutter, or sidewalk within 50-feet of right-of-way (25-feet from centerline) abutting the site.
- Plano Lane is improved with two travel lanes (18-feet of pavement) and no curb, gutter, or sidewalk within 50-feet of right-of-way (25-feet from centerline) abutting the site.

4. **Existing Access:** The site has one access point onto Hill Road.
5. **Site History:** ACHD has not previously reviewed or acted on any development applications involving this site.
6. **Adjacent Development:** Plano Road Subdivision, a proposed development to consist of 154 single family units, is located north of the site. The ACHD Commission approved the preliminary plat for Plano Road Subdivision on June 25, 2008.

Development Impacts

7. **Trip Generation:** This development is estimated to generate 21 additional vehicle trips per day (10 existing) according to the Institute of Transportation Engineers Trip Generation Manual.
8. **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.
9. **Current Condition of Area Roadways:**

Roadway	Frontage	Functional Classification	Traffic Count	Level of Service*	Speed Limit
Hill Road	280'	Minor Arterial	3,269 east of Pierce Park 2/18/2009	Better than "C"	35 MPH
Plano Lane	195'	Local	112 north of Hill 4/3/2008	N/A	25 MPH

* Acceptable level of service for a two-lane minor arterial is "D" (14,000 ADT).

10. Capital Improvements Plan/Five Year Work Plan:

- Hill Road between Castle Drive and 36th Street is listed in the Capital Improvements Plan for corridor preservation to accommodate future widening to three lanes.
- The intersection of Hill Road and Pierce Park Road is listed in the Capital Improvements Plan to be widened to three lanes on all approaches and signalized between 2019 and 2028.

B. Findings for Consideration

1. Hill Road

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

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

Applicant Proposal: The applicant is proposing to construct a 5-foot wide detached concrete sidewalk along Hill Road abutting the site.

Staff Comment/Recommendation: Hill Road is not programmed for widening between Pierce Park Road and Castle Drive. The applicant's proposal for sidewalk meets District policy and should be approved, as proposed.

This segment of Hill Road was overlaid in March of 2006, so no pavement cuts will be allowed before March 2011 without written approval from the District. Contact Chuck Rinaldi at 387-6258 for more information.

2. Plano Lane

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

Local Street Policy: District policy 7204.4.2 states, "developments with any buildable lot that is less than 1-acre in size will typically provide streets having a minimum pavement width of 32-feet with curb, gutter and sidewalks. The total street width shall be 36-feet from back-of-curb to back-of-curb. Variations of this width may be allowed, depending on traffic volumes forecast to be generated by the development. Concrete sidewalks shall be a minimum of 5-feet in width unless they are separated from the curb 5-feet or more in which case the sidewalk shall be a minimum of 4-feet in width.

Applicant Proposal: The applicant is not proposing any additional right-of-way dedication or roadway improvements along Plano Lane abutting the site.

Staff Comment/Recommendation: With the approval of Plano Road Subdivision, ACHD required Plano Lane to be widened to 40-feet of pavement for 50-feet north from Hill Road, and thereafter to 30-feet of pavement with a 4-foot striped bike and pedestrian lane on the east side and 3-foot gravel shoulders on both sides north of Hill Road. ACHD required these nonstandard improvements in order to minimize the impact on the existing homes fronting on Plano Road while allowing adequate pavement width for vehicles and pedestrians. Due to this previous action, District staff recommends that, if Plano Road Subdivision is approved, the applicant be required to widen Plano Lane to 20-feet of pavement from centerline for 50-feet north of Hill Road, 15-feet of pavement from centerline abutting the rest of the site; and install 3-foot gravel shoulders along the entire site frontage abutting Plano Lane. If Plano Road Subdivision is not approved, the applicant should be required to widen Plano Lane to 15-feet of pavement from centerline and install 3-foot gravel shoulders abutting the site.

3. Driveways

Access Management 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 Driveway Policy: District policy 72-F5, requires driveways located on collector or arterial roadways with a speed limit of 35 to align or offset a minimum of 150-feet from any existing or proposed driveway.

Commercial Driveway 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.

Applicant Proposal: The applicant is proposing to close the existing driveway onto Hill Road located approximately 190-feet east of Plano Lane, and to construct a new 30-foot wide driveway onto Hill Road located approximately 135-feet east of Plano Road (measured near edge to near

edge). The new driveway will also align with an existing residential driveway on the south side of Hill Road.

Staff Comment/Recommendation: The applicant's driveway proposal meets District policy and should be approved, as proposed. The applicant will be required to pave the driveway its full width at least 30-feet into the site and install pavement tapers with 15-foot radii abutting the existing roadway edge. District staff estimates that the new driveway will have a sight distance onto Hill Road of approximately 700-feet to the east and 425-feet to the west. The recommended minimum sight distance onto a 35 MPH road is 390-feet.

4. Landscaping

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.

5. Other Access

Hill Road is classified as a minor arterial roadway. Other than access specifically approved with this application, direct lot access to Hill Road is prohibited.

C. Site Specific Conditions of Approval

1. Construct a 5-foot wide detached concrete sidewalk along Hill Road abutting the site. Provide an easement to the District for any portion of sidewalk located outside of the right-of-way.
2. If Plano Road Subdivision is approved, Widen Plano Lane to 20-feet of pavement from centerline for 50-feet north of Hill Road, 15-feet of pavement from centerline abutting the rest of the site; and install 3-foot gravel shoulders along the entire site frontage abutting Plano Road.
3. If Plano Road Subdivision is not approved, widen Plano Lane to 15-feet of pavement from centerline and install 3-foot gravel shoulders abutting the site.
4. Close the existing driveway onto Hill Road located approximately 190-feet east of Plano Lane.
5. Construct a 30-foot wide driveway onto Hill Road located approximately 135-feet east of Plano Lane. 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.
6. Enter into a license agreement for any landscaping located with ACHD right-of-way abutting the site.
7. Other than access specifically approved with this application, direct lot access to Hill Road is prohibited.
8. Comply with all Standard Conditions of Approval.

D. Standard Conditions of Approval

1. Any existing irrigation facilities shall be relocated outside of the right-of-way.
2. Private sewer or water systems are prohibited from being located within any ACHD roadway or right-of-way.

3. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. Comply with the District's Tree Planter Width Policy.
6. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
7. All design and construction shall be in accordance with the Ada County Highway District Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Ordinances unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
8. The applicant shall submit revised plans for staff approval, prior to issuance of building permit (or other required permits), which incorporates any required design changes.
9. Construction, use and property development shall be in conformance with all applicable requirements of the Ada County Highway District prior to District approval for occupancy.
10. Payment of applicable road impact fees is required prior to building construction. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.
11. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) 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.
12. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of the Ada County Highway District. The burden shall be upon the applicant to obtain written confirmation of any change from the Ada County Highway District.
13. Any change by the applicant in the planned use of the property which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant or its successors in interest advises the Highway District of its intent to change the planned use of the subject property unless a waiver/variance of said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.

E. Conclusions of Law

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

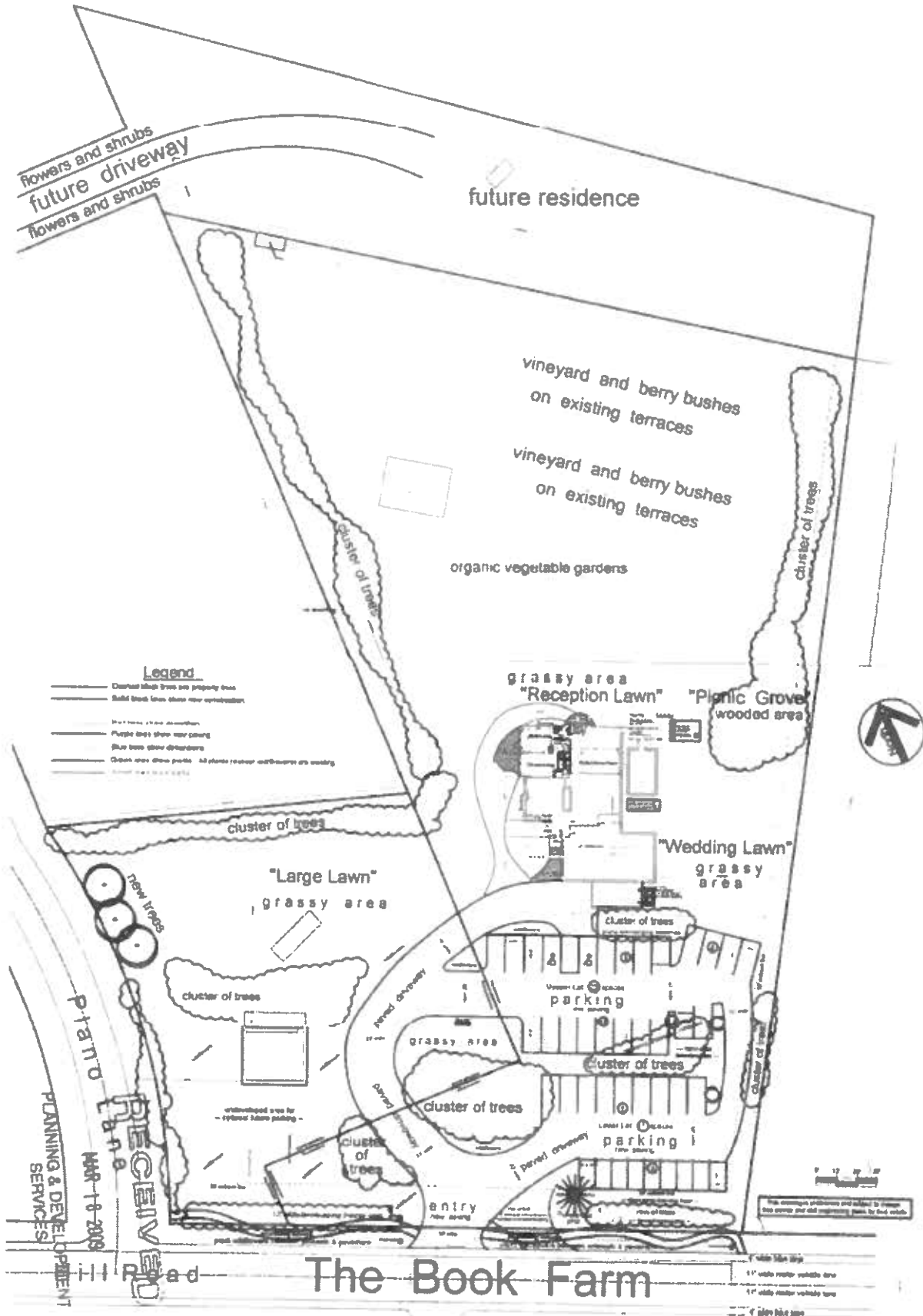
Attachments

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

Vicinity Map



Site Plan



The Book Farm

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.