



Project/File: DRH12-00319 / CUP12-00067 – Downtown Boise Retail Block
 This is a design review and conditional use application for the construction of a four-building retail development. The site consists of an entire downtown Boise block and is located at 300 S. Capitol Boulevard in Boise, Idaho.

Lead Agency: City of Boise

Site address: 300 S. Capitol Blvd.

Staff Approval: December XX, 2012

Applicant: Hawkins Companies
 Bryan Vaughn
 855 Broad St., Ste. 300
 Boise, ID 83702

Representative: Erstad Architects
 Andrew Erstad
 420 Main St., Ste. 202
 Boise, ID 83702

Staff Contact: Chrissy Weiser
 Phone: 387-6282
 E-mail: cweiser@achdidaho.org

Tech Review: December 7, 2012



A. Findings of Fact

1. **Description of Application:** The applicant is requesting a design review and conditional use approval for a downtown retail development on 1.718 acres. The development consists of four single-level retail buildings, including one building with a drive-thru, and is located at 300 S. Capitol Boulevard in Boise, ID.

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

Direction	Land Use	Zoning
North	Central Business	C-5DDC
South	Central Business	C-5DDC
East	Central Business	C-5DD
West	Central Business	C-5DDC

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

4. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.

5. Capital Improvements Plan (CIP)/Five Year Work Plan (FYWP):

There are currently no roadways, bridges or intersections in the general vicinity of the project that are currently in the Five Year Work Program or the District’s Capital Improvement Plan (CIP).

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 2,332 additional vehicle trips per day (0 existing); 198 additional vehicle trips per hour in the PM peak hour (0 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 8th edition.

2. **Condition of Area Roadways**

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Existing Plus Project
Front Street	286-feet	State Highway	2,671	N/A	N/A
Capitol Blvd.	243-feet	Principal Arterial	1,748	“F”	“F”
6 th Street	240-feet	Minor Arterial	266	Better than “D”	Better than “D”
Broad Street	300-feet	Local	N/A	N/A	N/A

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

* Acceptable level of service for a two-lane minor arterial is “D” (550 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 Front Street east of Capitol Boulevard was 30,446 on June 16, 2011.
- The average daily traffic count for Capitol Boulevard south of Front Street was 21,841 on November 10, 2011.
- The average daily traffic count for 6th Street south of Front Street was 2,456 on October 20, 2009.

C. Findings for Consideration

1. Capitol Boulevard Streetscape Improvements

Capitol Boulevard is one of the principal gateway streets in the State of Idaho. The City of Boise has adopted specific standards including a streetscape plan, lighting specifications, signage restrictions, building and parking setbacks and other goals, objectives and policies for this section of Capitol Boulevard. The Streetscape Plan for Capitol Boulevard requires wider sidewalks and more landscaping. This segment of Capitol Boulevard was originally constructed with four 14-foot travel lanes but has since been re-stripped to four 11-foot travel lanes in order to allow for sufficient right-of-way for wider sidewalks.

2. Front Street

Front Street is under the jurisdiction of the Idaho Transportation Department (ITD). The applicant, City of Boise, and ITD should work together to determine if additional right-of-way or improvements are necessary on Front Street.

Staff Comments/Recommendations: There is an existing driveway approach on Front Street, located mid-block between Capital and 6th Street. This driveway is not currently being used and is not proposed to be used as part of this application. Because of this, staff recommends that ITD and The City of Boise require the applicant to replace this curb cut with vertical curb, gutter and sidewalk to match the existing improvements along Front Street.

3. Capitol Boulevard

a. **Existing Conditions:** Capitol Boulevard is improved with 4-travel lanes, vertical curb, gutter, and 10-foot wide attached concrete sidewalks. There is 80-feet of right-of-way for Capitol Boulevard (40-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.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Street Section and Right-of-Way Width Policy: District Policies 7205.2.1 & 7205.5.2 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalks at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

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.

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 Capitol Boulevard is designated in the MSM as a Mobility Arterial with 4-lanes and on-street bike lanes, a 58-foot street section within 82-feet of right-of-way.

c. **Applicant Proposal:** The applicant is proposing no improvements to Capitol Boulevard.

d. **Staff Comments/Recommendations:** Upon inspection of the site, staff noticed several cracks and portions of deteriorated sidewalk along Capitol Boulevard. Consistent with ACHD's

Minor Improvements Policy 7203.3, the applicant should be required to replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along Capitol Boulevard abutting the site.

There is an existing driveway approach on Capitol Boulevard located approximately 60-feet from the north property line. This driveway is not currently being used and is not proposed to be used as part of this application. Because of this, the applicant should be required to replace this curb cut with vertical curb, gutter and sidewalk to match the existing improvements along Capitol Boulevard.

Capitol Boulevard was overlaid in 2010 and is on the moratorium “no cut” list. If the applicant wishes to cut into the pavement, the applicant should seek approval from the ACHD cut committee.

No additional right-of-way for Capitol Boulevard should be required with this application.

4. 6th Street

a. **Existing Conditions:** Sixth Street is improved with 2-travel lanes, on-street parking, vertical curb, gutter, and 5-foot wide attached concrete sidewalks abutting the site. There is 80-feet of right-of-way for 6th Street (40-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.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

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.

On-Street Parking: District Policy 7205.3.7 states that on-street parking is typically prohibited on arterials. The District may consider on-street parking in central business districts. If on-street parking is allowed by the District, it may be removed in the future at the discretion of the District if safety conditions warrant. In order to maintain site distance requirements, parking is restricted 25-feet from a marked or unmarked crosswalk and 35-feet from a stop sign or signal. “No Parking” signs should be located near intersections and driveways according to these guidelines.

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalks at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District’s planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

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.

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 6th Street is designated in the MSM as a Town Center Arterial with 2-lanes, on-street bike lanes, on-street parking, a 47-foot street section within 77-feet of right-of-way.

- c. **Applicant Proposal:** The applicant is proposing no improvements to 6th Street.
- d. **Staff Comments/Recommendations:** Consistent with ACHD's Minor Improvements Policy 7203.3, the applicant should be required to replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along 6th Street abutting the site.

On-street parking is currently allowed on 6th Street abutting the site. Consistent with District On-Street Parking Policy, the applicant should be required to locate "No Parking" signs 25-feet from a marked or unmarked crosswalk and 35-feet from a stop sign or signal along 6th Street.

The ACHD Traffic Department has recommended that the applicant should be required to relocate the "No Parking Anytime" sign on the south side of 6th Street north of Broad an additional 25-feet north of its current location. This will increase pedestrian safety for the unmarked crosswalk at this location.

No additional right-of-way for 6th Street should be required with this application.

5. Broad Street

- a. **Existing Conditions:** Broad Street is improved with 2-travel lanes, on-street parking, vertical curb, gutter, and a detached 6-foot wide sidewalk abutting the site. There is 80-feet of right-of-way for Broad Street (40-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.

On-Street Parking: In order to maintain site distance requirements, parking is restricted 25-feet from a marked or unmarked crosswalk and 35-feet from a stop sign or signal. "No Parking" signs should be located near intersections and driveways according to these guidelines.

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's Proposal:** The applicant is proposing no improvements to Broad Street.
- d. **Staff Comments/Recommendations:** Upon inspection of the site, staff noticed several areas of broken curb along Broad Street. Consistent with ACHD's Minor Improvements Policy 7203.3, the applicant should be required to replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along Broad Street abutting the site.

On-street parking is currently allowed on Broad Street abutting the site. Consistent with District On-Street Parking Policy, the applicant should be required to locate "No Parking" signs 25-feet from a marked or unmarked crosswalk and 35-feet from a stop sign or signal along Broad Street.

No additional right-of-way for Broad Street should be required with this application.

6. Driveways

6.1 6th Street

- a. **Existing Conditions:** There is one existing driveway on 6th Street into the site located approximately 45-feet south of the north property line.

- 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.

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.

- c. **Applicant's Proposal:** The applicant is proposing one paved 24-foot wide driveway with a 15-foot radii curb return located approximately 100-feet north of the south property line.
- d. **Staff Comments/Recommendations:** The applicant's proposal to construct a 24-foot wide driveway meet's District policy, and should be approved, as proposed. The applicant should be required to construct the driveway as a curb return type driveway with 30-foot radii and be paved at least 30-feet into the site beyond the edge of pavement.

The applicant's proposal does not meet District Access Management and Driveway Location Policy; however, staff recommends a modification of policy to allow the driveway to be located as proposed due to the fact that the proposed driveway is generally located midblock, and ACHD allows for midblock driveways in the Central Business District.

The applicant should be required to locate "No Parking" signs on either side of the driveway on 6th Street. Coordinate the design and location of the "No Parking" signs with District Development Review and Traffic Services staff.

Due to the fact that the applicant is not proposing to use the existing driveway on 6th Street located approximately 45-feet south of the north property line, the applicant should be required to replace this driveway with vertical curb, gutter and sidewalk to match the existing improvements along 6th Street.

6.2 Broad Street

- a. **Existing Conditions:** There is one existing driveway on Broad Street into the site located approximately 140-feet east of the west property line.
- b. **Policy**
Driveway Location Policy: District policy 7207.4.1 requires driveways located near intersections to be located a minimum of 75-feet (measured centerline-to-centerline) from the nearest street intersection.
- c. **Applicant's Proposal:** The applicant is proposing to retain the existing driveway located approximately 140-feet east of the west property line. The driveway is proposed to be a curb return type driveway 30'-6" in width with 25-foot radii.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District Driveway Location Policy and should be approved as proposed.

The applicant should be required to locate "No Parking" signs on either side of the driveway on Broad Street. Coordinate the design and location of the "No Parking" signs with District Development Review and Traffic Services staff.

7. Tree Planters

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.

8. 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.

9. Other Access

Capitol Boulevard and 6th Street are classified as a principal arterial roadway and a minor arterial roadway, respectively. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways.

D. Site Specific Conditions of Approval

1. Contact the Idaho Transportation Department (ITD) and the City of Boise to determine if additional right-of-way or improvements are necessary on Front Street.
2. Replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along Capitol Boulevard abutting the site.
3. Replace the existing curb cut on Capitol Boulevard located approximately 60 feet south of the north property line with vertical curb, gutter and sidewalk to match the existing improvements along Capitol Boulevard.
4. Contact the ACHD cut committee if pavement cuts are desired on Capitol Boulevard.
5. Update the pedestrian ramps at the following locations:
 - The corner of 6th Street and Front Street abutting the site.
 - The corner of 6th Street and Broad Street abutting the site.
 - The corner of Capitol Boulevard and Broad Street abutting the site.
 - The corner of Capitol Boulevard and Front Street abutting the site.
6. Close the existing driveway located on 6th Street approximately 45-feet south of the north property line. This driveway should be replaced with vertical curb, gutter and sidewalk to match the existing improvements along 6th Street.
7. Locate “No Parking” signs 25-feet from a marked or unmarked crosswalk and 35-feet from a stop sign or signal along 6th Street abutting the site.
8. Relocate the “No Parking Anytime” sign on the south side of 6th Street north of Broad an additional 25-feet north of its current location.
9. Replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along Broad Street abutting the site.
10. Locate “No Parking” signs 25-feet from a marked or unmarked crosswalk and 35-feet from a stop sign or signal along Broad Street abutting the site.
11. Construct a curb-return type driveway on 6th Street restricted to a maximum width of 36-feet with 30-foot radii located approximately 100-feet north of the south property line, as proposed. Install “No Parking” signs on both sides of the driveway. Coordinate the design and location of the “No Parking” signs with District Development Review and Traffic Services staff.

12. Retain the existing approach on Broad Street located approximately 140-feet east of the west property line. Construct as a curb-return type driveway 30'-6" in width with 25-foot radii, as proposed. "No Parking" signs on both sides of the driveway. Coordinate the design and location of the "No Parking" signs with District Development Review and Traffic Services staff.
13. Enter into a license agreement for all landscaping proposed within ACHD right-of-way or easement areas.
14. Other than the access specifically approved with this application, direct lot access is prohibited to Capitol Boulevard and 6th Street.
15. Payment of impacts fees are due prior to issuance of a building permit.
16. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

1. Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way.
2. Private sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, 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

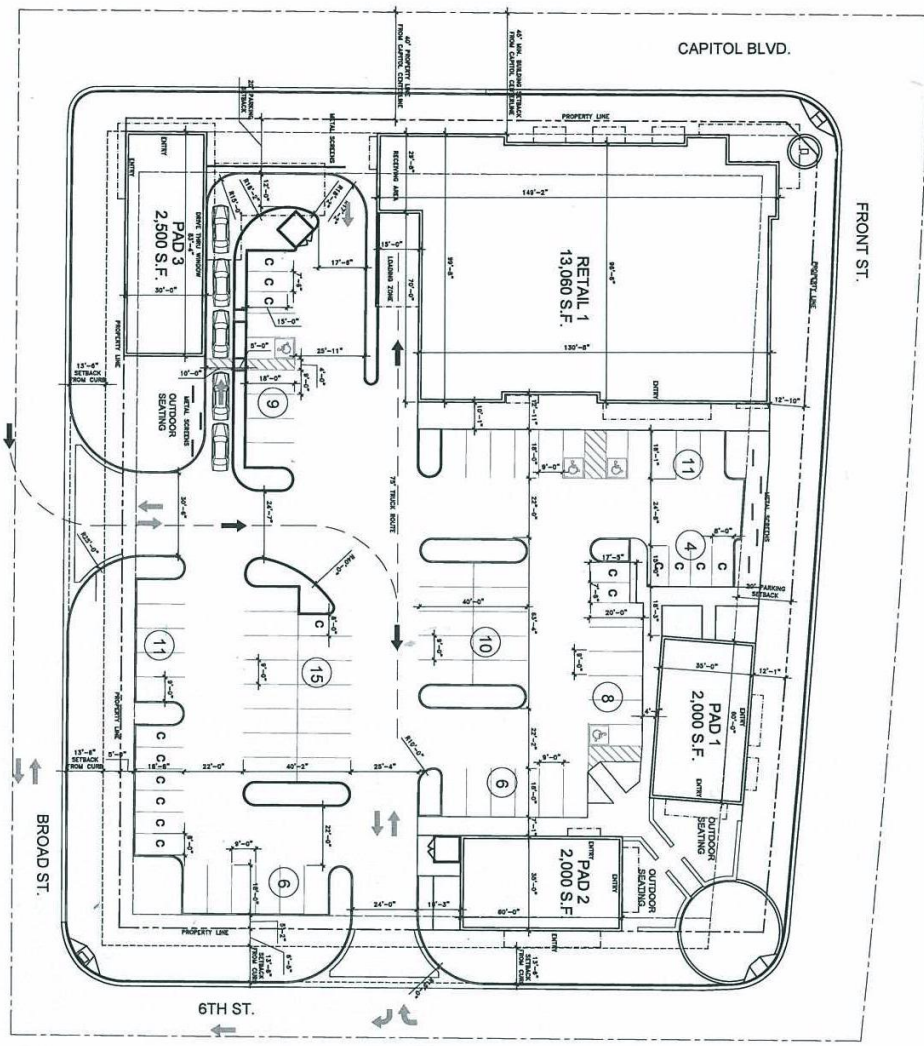
1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted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





capitol blvd + front st. site plan
1/16"=1'-0"

SITE DATA	
PROJECT NAME	125003
OWNER	11-1312
DESIGNER	11-1312
DATE	11-13-12
SCALE	AS SHOWN
PROJECT NO.	125003
DATE	11-13-12
DESIGNER	11-1312
DATE	11-13-12
SCALE	AS SHOWN

PROJECT: 125003
DATE: 11-13-12
DESIGNER: 11-1312
CHECKED: [signature]
DATE: 11-13-12

capitol + front st.
300 s. capitol blvd.
boise, idaho 83702

NOT TO SCALE
FOR INFORMATION ONLY
THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
IT IS THE RESPONSIBILITY OF THE CLIENT TO VERIFY THE ACCURACY OF ALL INFORMATION PROVIDED.
NO WARRANTY IS MADE BY THE ARCHITECT FOR THE ACCURACY OF THIS PLAN.

erited ARCHITECTS, PA
631 n. 1st st., suite 202, boise, idaho 83702
208.333.1234 or 208.333.1235



site plan
a1.11

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 Appeal of Staff Decision

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

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.