

**Project/File: Benari Estates/ EPP21-0021/ PPUD-07-21, RZ-12-21**

This is a preliminary plat, planned unit development, and rezone application to rezone a parcel from A to R-4 to allow for the development 133 single-family residential lots and 15 common lots on 35.29 acres.

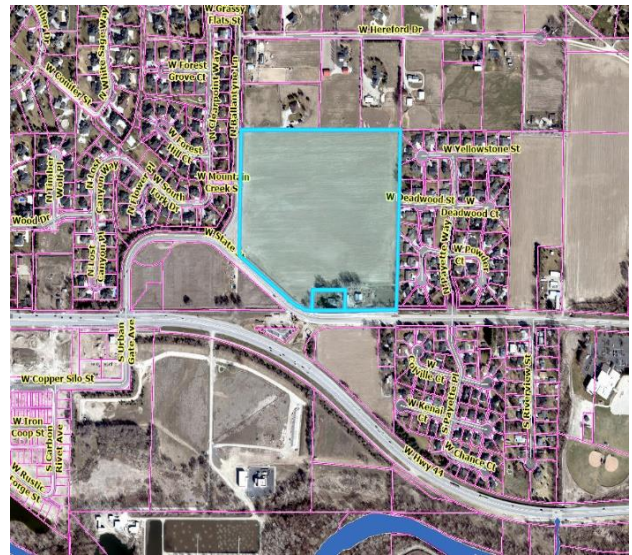
Lead Agency: City of Eagle

Site address: 1770 W. State Street

Staff Approval: September 27, 2021

Applicant: Eagle 1 LLC
Laren Bailey
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Boise, Idaho 83706

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A. Findings of Fact

- Description of Application:** The applicant is requesting approval of a preliminary plat, planned unit development, and rezone application to rezone a 35.29 acre parcel from A (Agricultural) to R-4 (Residential) to allow for the development of 148-lot residential subdivision (133 buildable, 15 common). The existing barn to proposed to remain on site. The applicant's proposal is consistent with the City of Eagle's comprehensive plan designation of Neighborhood.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Agricultural-Residential	A-R
South	Mixed Use	MU
East	Residential	R-2
West	Residential	R-2

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

- Adjacent Development:** The following developments are pending or underway in the vicinity of the site:

- Kingfisher Cove Townhomes, a 73 lot development on 7.38 acres, is located directly southwest of the site. This development was approved by ACHD on December 3, 2020.
- Martin Storage, a 7 acres self-storage site located directly south of the site was approved, by ACHD on October 2, 2020.

5. **Transit:** Transit services are available to serve this site, via route 9.
6. **Pathway Crossings:** United States Access Board R304.5.1.2 Shared Use Paths. In shared use paths, the width of curb ramps runs and blended transitions shall be equal to the width of the shared use path.

AASHTO's Guidelines for the Development of Bicycle Facilities 5.3.5 Other Intersection Treatments: The opening of a shared use path at the roadway should be at least the same width as the shared use path itself. If a curb ramp is provided, the ramp should be the full width of the path, not including any flared sides if utilized. . . . Detectable warnings should be placed across the full width of the ramp.

FHWA's "Designing Sidewalks and Trails for Access" (1999) reflected common ADA-related concepts: Chapter 6, Page 16-6: The width of the ramp should be at least as wide as the average width of the trail to improve safety for users who will be traveling at various speeds. In addition, the overall width of the trail should be increased, so the curb ramp can be slightly offset to the side. The increased width reduces conflict at the intersection by providing more space for users at the bottom of the ramp.

7. **New Center Lane Miles:** The proposed development includes 0.43 centerline miles of new public road.
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. The impact fee assessment will not be released until the civil plans are approved by ACHD.
9. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
There are no roadways, bridges or intersections in the general vicinity of the project that are in the Integrated Five Year Work Plan (IFYWP) or the District's Capital Improvement Plan (CIP).
10. **Roadways to Bikeways Master Plan:** ACHD's Roadways to Bikeways Master Plan (BMP) was adopted by the ACHD Commission in May of 2009 and was update in 2018. The plan seeks to implement the Planned Bicycle Network to support bicycling as a viable transportation option for Ada County residents with a wide range of ages and abilities, maintain bicycle routes in a state of good repair in order to ensure they are consistently available for use, promote awareness of existing bicycle routes and features and support encouragement programs and to facilitate coordination and cooperation among local jurisdictions in implementing the Roadways to Bikeways Plan recommendations.

The BMP identifies State Street as an existing Level 1 facility and Ballantyne Lane as an existing Level 1 and future Level 3 facility that will be constructed as part of future ACHD projects.

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 1,352 vehicle trips per day; 134 vehicle trips per hour in the PM peak hour, based on the submitted traffic impact study.
2. **Traffic Impact Study**
CR Engineering prepared a traffic impact study for the proposed Benari Estates Subdivision. An executive summary of the findings as **presented by CR Engineering** can be found as attachment 3. ACHD has reviewed the submitted traffic impact study for consistency with ACHD policies and practices and may have additional requirements beyond what is noted in the summary.

a. Policy:

Mitigation Proposals: Mitigation recommendations shall be provided within the report. At a minimum, for each roadway segment and intersection that does not meet the minimum acceptable level of service planning threshold or v/c ratio, the report must discuss feasible

measures to avoid or reduce the impact to the system. To be considered adequate, measures should be specific and feasible. Mitigation may also include:

- Revision to the Phasing Plan to coincide with the District's planning Capital Projects.
- Reducing the scope and/or scale of the project.

Alternative Mitigation Measures: 7106.7.3 states that if traditional mitigation measures such as roadway widening and intersection improvements are infeasible as determined by ACHD, the TIS may recommend alternative mitigation measures. Alternative mitigation measures shall demonstrate that impacts from the project will be offset.

- If the impacted roadway segments and/or intersections are programmed as funded in the Integrated Five Year Work Plan (IFYWP) or the Capital Improvements Plan (CIP); no alternative mitigation is required.
- If the impacted roadway segments and/or intersections are not programmed in either the IFYWP or the CIP; the applicant may (i) analyze the shoulder hour and (ii) provide a safety analysis to determine alternative mitigation requirements.
 - If the impacted roadway segments and intersections meet the minimum acceptable level of service planning thresholds in the shoulder hour the applicant may suggest feasible alternative mitigation such as: sidewalks, bike facilities, connectivity, safety improvements, etc. within 1.5 miles of the proposed development.
 - If the shoulder hour planning thresholds are exceeded the applicant may request to enter into a Development Agreement and pay into the Priority Corridor Fund an amount determined by the ACHD to offset impacts from the project.
- Alternative Mitigation may also include:
 - Revision to the Phasing Plan to coincide with the District's future Capital Projects.
 - Reducing the scope and/or scale of the project.

Level of Service Planning Thresholds: District Policy 7206.4.1 states that, Level of Service Planning Thresholds have been established for principal arterials and minor arterials within ACHD's Capital Improvement Plan and are also listed in section 7106. Unless otherwise required to provide a Traffic Impact Study under section 7106, a proposed development with site traffic less than 10% of the existing downstream roadway or intersection peak hour traffic shall not be required to provide mitigation for a roadway or intersection that currently exceeds the minimum acceptable level of service planning threshold or V/C ratio.

- b. Staff Comments/Recommendations:** The TIS indicates that all roadway segments and intersections in the study area are expected to operate at an acceptable level of service planning threshold during the exiting AM and PM peak hours under existing traffic, 2025 background and 2025 total traffic conditions with the exception of the State Street/SH-44 intersection.

The TIS notes that the State Street/SH-44 intersection is anticipated to exceed ACHD's acceptable level of service planning threshold and ITD's level of service standards under existing, 2025 background, and 2025 total traffic conditions. The study recommending widening the east and westbound legs of the intersection to include an additional through/right turn lane. Or paying into ITD's Priority Corridor Fund.

The traffic impact study notes that the site traffic is approximately 1.6% of the total traffic entering the State Street/SH-44 intersection in the PM peak hour. Therefore, consistent with District policy 7205.3.1 Level of Service Planning Threshold, which states, a proposed development with site traffic less than 10% of the existing downstream roadway or intersection

peak hour traffic shall not be required to provide mitigation; no improvements are required at this intersection. Additionally, the east/westbound approaches of the intersection are under the jurisdiction of ITD and ACHD is unable to require improvements.

There is one local street, Yellowstone Street, that will extend greater than 750-feet in length. To address this the TIS recommended the construction of a bulb-out at the Yellowstone Way/Arrow Rock intersection. Staff is supportive of this recommendation.

Although not recommended in the TIS, staff recommends that the applicant construct a center left turn lane on Ballantyne Lane at the Mountain Creek Street intersection. This will allow for safer left turns out of the site during the AM peak hour and it will reduce delay for those entering the site from Ballantyne Lane in the PM peak hour by allow the residents to make a right turn into the site without having to stop to wait for those making a left turn into Countryside Estates located on the west side of Ballantyne Road directly across from the site.

3. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
State Street	1,506-feet	Minor Arterial	350	Better than "E"
Ballantyne Lane	872-feet	Collector	244	Better than "D"

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

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

4. 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 Taylor Street was 5,562 on 09/18/2018.
- The average daily traffic count for Ballantyne Lane north of State Street was 5,625 on 06/12/2019.

C. Findings for Consideration

1. State Street

- a. **Existing Conditions:** State Street is improved from Ballantyne Lane south/east 1,157-feet with 3-travel lanes, vertical curb, gutter, and 5-foot wide detached sidewalk. For the remaining frontage, State Street is improved with 3-travel lanes and 5-foot wide detached concrete sidewalk. There is 73 to 120-feet of right-of-way for State Street (25 to 52-feet from centerline).

There are four existing driveways from the site onto State Street located at the east property line and 277, 413, and 688-feet west of the east property line.

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.

Right-of-Way Dedication: District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

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

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

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalk 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 State Street is designated in the MSM as a Residential Arterial with 3-lanes and on-street bike lanes, a 46-foot street section within 73-feet of right-of-way.

- c. **Applicant Proposal:** The applicant is proposing to close the 4 existing driveways with either the construction of curb, gutter, and sidewalk or sidewalk and landscaping to match the improvements on either side.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed.

State Street is fully improved therefore no additional street improvements or right-of-way dedication are required as part of this application. Consistent with the District's Minor Improvements policy, the applicant should be required to replace or repair any damaged or deteriorated portions of curb, gutter, and sidewalk on State Street abutting the site.

2. Ballantyne Lane

- a. **Existing Conditions:** Ballantyne Lane is improved from State Street north 265-feet with 3-travel lanes vertical curb and gutter, and no sidewalk. For the remaining frontage, Ballantyne Lane is improved with 2-travel lanes and no curb, gutter, or sidewalk abutting the site. There is 63-feet of right-of-way for Ballantyne Lane (24 to 33-feet from centerline).

There is one existing driveway from the site onto Ballantyne Lane located approximately 20-feet south of the site's north property line.

b. **Policy:**

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

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

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

Residential Collector Policy: District policy 7206.5.2 states that the standard street section for a collector in a residential area shall be 36-feet (back-of-curb to back-of-curb). The District will consider a 33-foot or 29-foot street section with written fire department approval and taking into consideration the needs of the adjacent land use, the projected volumes, the need for bicycle lanes, and on-street parking.

Sidewalk Policy: District policy 7206.5.6 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all collector 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.

- c. **Applicant Proposal:** The applicant is proposing to improve Ballantyne Lane as ½ a 35-foot rural collector street section with curb, gutter, an 8-foot wide planter strip, and 5-foot wide detached concrete sidewalk abutting the site.

The applicant is proposing to close the existing driveway from the site onto Ballantyne Lane with curb, gutter, an 8-foot wide planter strip, and 5-foot wide detached concrete sidewalk.

- d. **Staff Comments/Recommendations:** The applicant's proposal to improve Ballantyne Lane as a ½ a 35-foot rural collector street section does not meet District policy and should not be approved, as proposed. The applicant should be required to construct Ballantyne Lane as half of a 36-foot wide collector roadway with vertical curb, gutter, and 7-foot wide attached or 5-foot wide detached concrete sidewalk abutting the site. The applicant should dedicate additional right-of-way to extend 2-feet behind the back of curb for detached sidewalks and 2-feet behind the back of sidewalk for attached sidewalks. A permanent right-of-way easement should be provided for detached sidewalks located outside of the dedicated right-of-way.

Construct a center turn lane on Ballantyne Road at Mountain Creek Street, when Mountain Creek Street is constructed.

The applicant's proposal to close the existing driveway from the site onto Ballantyne Lane with curb, gutter, an 8-foot wide planter strip, and 5-foot wide detached concrete sidewalk meets District Policy and should be approved, as proposed.

3. Internal Local Roads

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

Deadwood Street stubs the site's east property line, and is improved as a 36-foot wide street section with curb, gutter, and 5-foot wide attached concrete sidewalks within 50-feet of right-of-way. This stub street was constructed as part of Van Engelen Estate Subdivision, which final platted in 1995.

- 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 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 33-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 wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, 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 wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

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.

Cul-de-sac Streets Policy: District policy 7207.5.8 requires cul-de-sacs to be constructed to provide a minimum turning radius of 50-feet; in rural areas or for temporary cul-de-sacs the emergency service providers may require a greater radius. Landscape and parking islands may be constructed in turnarounds if a minimum 29-foot street section is constructed around the island. The pavement width shall be sufficient to allow the turning around of a standard AASHTO SU design vehicle without backing. The developer shall provide written approval from the appropriate fire department for this design element.

The District will consider alternatives to the standard cul-de-sac turnaround on a case-by-case basis. This will be based on turning area, drainage, maintenance considerations and the written approval of the agency providing emergency fire service for the area where the development is located.

Landscape Medians Policy: District policy 7207.5.16 states that landscape medians are permissible where adequate pavement width is provided on each side of the median to accommodate the travel lanes and where the following is provided:

- The median is platted as right-of-way owned by ACHD.
- The width of an island near an intersection is 12-feet maximum for a minimum distance of 150-feet. Beyond the 150-feet, the island may increase to a maximum width of 30-feet.
- At an intersection that is signalized or is to be signalized in the future, the median width shall be reduced to accommodate the necessary turn lane storage and tapers.
- The Developer or Homeowners Association shall apply for a license agreement if landscaping is to be placed within these medians.
- The license agreement shall contain the District's requirements of the developer including, but not limited to, a "hold harmless" clause; requirements for maintenance by the developer; liability insurance requirements; and restrictions.
- Vertical curbs are required around the perimeter of any raised median. Gutters shall slope away from the curb to prevent ponding.

- c. **Applicant's Proposal:** The applicant is proposing to construct the entry roadway, Forest Hill Drive (Mountain Creek Street), to intersect Ballantyne Lane with two 21-foot wide travel lanes, an 11-foot wide center landscape island, vertical curb, gutter, and 5-foot wide detached concrete sidewalk within 53-feet of right-of-way.

The applicant is proposing to extend Deadwood Street into the site and construct the internal local public streets (Forest Hill, Wood Stream, Yellowstone, Arrow Rock, and Great Falls) as 33-foot wide local street sections with curb, gutter, an 8-foot wide planter strip, and 5-foot wide detached concrete sidewalks within 37-feet of right-of-way.

The applicant is proposing to construct a knuckle at the Yellowstone Street and Great Falls Avenue intersection.

The applicant is proposing to terminate Yellowstone Court in a cul-de-sac turnaround with a 10-foot wide center landscape island and turning radius of 51-feet.

- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed.

The applicant should be required to plat all of the center landscape islands as right-of-way owned by ACHD. The applicant or the future homeowner's association should enter into a license agreement with ACHD for any landscaping proposed within the islands.

A minimum 29-foot street section should be constructed around the center island proposed within the cul-de-sac at the terminus of Yellowstone Court. Parking within the island is prohibited.

A permanent right-of-way easement should be provided for detached sidewalks located outside of the dedicated right-of-way.

Consistent with the recommendations of the traffic impact study, the application should be required to construct a bulb-out with a minimum of 24-feet measured face to curb to face of curb at the Yellowstone Street/Arrow Rock intersection.

4. Roadway Offsets

- a. **Existing Conditions:** There are no roadways within the site.

- b. **Policy:**

Local Offset Policy: 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).

- c. **Applicant's Proposal:** The applicant is proposing to construct Forest Hill Drive, to intersect Ballantyne Lane approximately 360-feet south of the site's north property line in alignment with Mountain Creek Street on the west side of Ballantyne Lane across from the site.

The applicant is proposing to construct the internal local streets to align or offset by a minimum of 125-feet.

- d. **Staff Comments/Recommendations:** The applicant's proposal District policy and should be approved, as proposed.

5. Stub Streets

- a. **Existing Conditions:** Deadwood Street stubs the site's east property line and is improved as a 36-foot wide street section with curb, gutter, and 5-foot wide attached concrete sidewalks within 50-feet of right-of-way. This stub street was constructed as part of Van Engelen Estate Subdivision, which final platted in 1995.

- b. **Policy:**

Stub Street Policy: District policy 7207.2.4.3 states that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7207.2.4, except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

In addition, stub streets must meet the following conditions:

- A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.
- The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.

Temporary Dead End Streets Policy: District policy 7207.2.4.4 requires that the design and construction for cul-de-sac streets shall apply to temporary dead end streets. The temporary cul-de-sac shall be paved and shall be the dimensional requirements of a standard cul-de-sac. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

- c. **Applicant Proposal:** The applicant is proposing to extend Deadwood Street into the site and to construct a stub street to the north, Arrow Rock Avenue, located approximately 600-feet west of the east property line.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District Policy and should be approved as proposed. The applicant should install a sign at the terminus of Arrow Rock Avenue stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

A temporary turn around is not required as the Arrow Rock Avenue is less than 150-feet in length.

6. Private Roads

- a. **Existing Conditions:** There are no private roads within the site.
- b. **Private Road Policy:** District policy 7212.1 states that the lead land use agencies in Ada County establish the requirements for private streets. The District retains authority and will review the proposed intersection of a private and public street for compliance with District intersection policies and standards. The private road should have the following requirements:
- Designed to discourage through traffic between two public streets,
 - Graded to drain away from the public street intersection, and
 - If a private road is gated, the gate or keypad (if applicable) shall be located a minimum of 50-feet from the near edge of the intersection and a turnaround shall be provided.
- c. **Applicant Proposal:** The applicant is proposing to construct a network of seven private roads within the site with gated access points at Powder Lane and Great Falls Lane.
- d. **Staff Comments/Recommendations:** If the City of Eagle approves the private roads, the applicant shall be required to pave the private roadway its full width and at least 30-feet into the site beyond the edge of pavement of all public streets and install pavement tapers with 15-foot curb radii abutting the existing roadway edge. If private roads are not approved by the City of Eagle, the applicant will be required to revise and resubmit the preliminary plat to provide public standard local streets in these locations.

Street name and stop signs are required for the private roads. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.

ACHD does not make any assurances that the private road, which is a part of this application, will be accepted as a public road if such a request is made in the future. Substantial redesign and reconstruction costs may be necessary in order to qualify this road for public ownership and maintenance.

The following requirements must be met if the applicant wishes to dedicate the roadway to ACHD:

- Dedicate a minimum of 50-feet of right-of-way for the road.
- Construct the roadway to the minimum ACHD requirements.
- Construct a stub street to the surrounding parcels.

The gated entry points on Powder Lane and Great Falls Lane should be located a minimum of 50-feet from the near edge of Forest Hill Drive and Deadwood Street and a turnaround should be provided.

7. Neighborhood Concerns

Staff has been contacted by some residents of the Van Engelen Estates subdivision located directly east of the site who have raised concerns regarding the extension of Deadwood Street into the site. They noted increasing in traffic on Deadwood Street and Payette Way as primary concerns, as their subdivision has direct access to State Street. Deadwood Street was plated as a stub street in 1995 as part of the Van Engelen Estates subdivision and has always been planned to be extended.

To help address these concerns staff requested that additional information be included in the traffic impact study. The study notes that it is anticipated that less than 100 vehicles per day generated by the Benari Estates development are anticipated to travel east through Van Engelen Estates and that all of the roadways within Van Engelen Estates are anticipated to carry less than 1,000 vehicle trips per day. The study estimates that there may be up to 151 total trips per day on Deadwood Street and 651 trips per day on Payette Way. Both roadways would be well under ACHD's policy threshold of 2,000 vehicle trip per day on an existing local street.

8. Tree Planters

Tree Planter Policy: Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

9. Landscaping

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

D. Site Specific Conditions of Approval

1. Close the 4 existing driveways onto State Street with curb, gutter, 5-foot wide detached concrete sidewalk or sidewalk and landscaping, as proposed.
2. Replace or repair any damaged or deteriorated portions of curb, gutter, and sidewalk on State Street abutting the site.

3. Construct Ballantyne Lane as ½ a 36-foot collector street section with curb, gutter, and 8-foot wide planter strip and 5-foot wide detached concrete sidewalk. Dedicate additional right-of-way to extend 2-feet behind the back of curb and provide a permanent right-of-way easement for detached sidewalk located outside of the dedicated right-of-way.
4. Construct a center turn lane on Ballantyne Lane at Forest Hill (Mountain Creek) when Forest Hill is constructed to intersect Ballantyne Lane.
5. Close the existing driveway from the site onto Ballantyne Lane with curb, gutter, an 8-foot wide planter strip, and 5-foot wide detached concrete sidewalk, as proposed.
6. Construct the entry roadway, Forest Hill Drive, to intersect Ballantyne Lane aligned centerline to centerline with Mountain Creek Street on the west side of Ballantyne Lane across from the site with two 21-foot wide travel lanes, a 11-foot wide center landscape island, vertical curb, gutter, and 5-foot wide detached concrete sidewalk within 53-feet of right-of-way.
7. Extend Deadwood Street into the site and construct the internal local public streets (Forest Hill, Wood Stream, Yellowstone, Arrow Rock, and Great Falls) as 33-foot wide local street sections with curb, gutter, an 8-foot wide planter strip, and 5-foot wide attached concrete sidewalks. The dedicated right-of-way shall extend to 2-feet behind the back of curb and a permanent right-of-way easement shall be provided for detached sidewalk located outside of the dedicated right-of-way.
8. Construct a cul-de-sac turnaround with a center landscape island at the terminus of with an island Yellow Court, as proposed. Provide a minimum 29-foot street section around the center island and a minimum radius of 50-feet. Parking within the island is prohibited.
9. Provide written fire department approval for use of the reduced street section, specifically pertaining to the center landscape island in the cul-de-sac at the terminus of Yellow Court on site.
10. Plat the of all of the center landscape islands as right-of-way owned by ACHD. Enter into a license agreement with the ACHD for any landscaping proposed within the islands.
11. Construct one stub street to the north, Arrow Rock Avenue, located 600-feet west of the site's east property line. Install a sign at the terminus of each of the stub streets stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."
12. If the private roads are approved by the City of Eagle, the applicant must pave the private roadways a minimum of 20 to 24-feet wide and at least 30-feet into the site beyond the edge of pavement of all public streets and install pavement tapers with 15-foot curb radii abutting the existing roadway edge.
13. The gated entry points on Powder Lane and Great Falls Lane shall be located a minimum of 50-feet from the near edge of Forest Hill Drive and Deadwood Street and a turnaround shall be provided.
14. Provide street name and stop signs for the private roads. Verify the correct, approved name of each road for signs ordered through the District.
15. If the private roads are not approved by the City of Eagle, the applicant must revise and resubmit the preliminary plat to provide public standard local streets in these locations.
16. Submit civil plans to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD.
17. Payment of impact fees is due prior to issuance of a building permit.
18. 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.

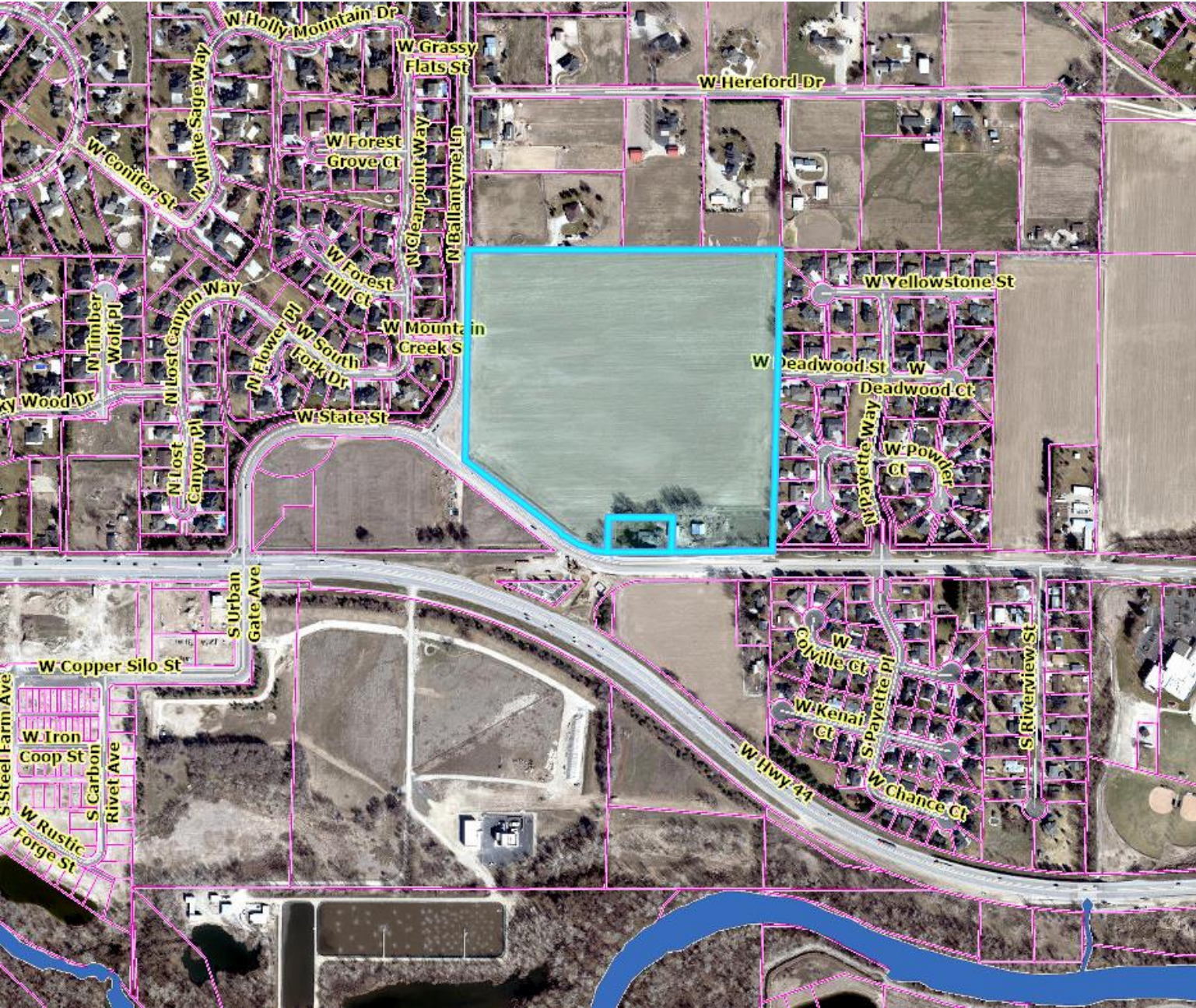
F. Conclusions of Law

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 Appeal Guidelines

VICINITY MAP



SITE PLAN



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 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 and Clerk of the District, 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.