



Alexis Pickering, President
 Miranda Gold, Vice-President
 Jim Hansen, Commissioner
 Kent Goldthorpe, Commissioner
 Dave McKinney, Commissioner

Date: June 12th, 2024

To: Scott Davis, EVstudio

Staff Contact: Matt Pak, Planner

Project Description: Elle Estates

Trip Generation: This development is estimated to generate 94 vehicle trips per day, 7.41 vehicle trip per hour in the PM peak hour according to the Institute of Transportation Engineers Trip Generation Manual, 11th edition.

Proposed Development Meets	
All ACHD Policies	X
Requires Revisions to meet ACHD Policies	

Traffic Impact Study	
Yes	
No	X
If yes, is mitigation required	

Area Roadway Level of Service	
Do area roadways meet ACHD's LOS Planning Thresholds?	
Yes	X
No	
Area roads will meet ACHD's LOS Planning Thresholds in the future with planned improvements?	
Yes	
No	

ACHD Planned Improvements	
IFYWP	
CIP	

Livable Street Performance Measures	
Pedestrian	LTS 1
Cyclist	LTS 3

Is Transit Available?	
Yes	X
No	

connecting you to more



Project/File: **Elle Estates / GCPP24-0003 / SUBFY22-0004**
 This is a final/preliminary plat application to allow for the development of a 13-lot townhouse development on .6 acres.

Lead Agency: Garden City

Site address: 406 E 48th St

Staff Approval: June 12th, 2024

Applicant: Scott Davis
 Evstudio LLC
 5335 W 48th Ave Suite 300
 Denver, CO 80212

Owner: Paul Martinet
 403 Larkspur Ct
 Caldwell, ID 83605

Staff Contact: Matt Pak, Planner
 Phone: 208-387-6171
 E-mail: mpak@achdidaho.org

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ACHD Planned Improvements

1. 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).

Level of Service Planning Thresholds

1. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification
Adams Street	138-feet	Collector
48 th Street	196-feet	Local Commercial

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

2. Average Daily Traffic Count (VDT)

Average daily traffic counts are based on ACHD's most current traffic counts.

- There are no current traffic counts for Adams and 48th Street.

A. Site Specific Conditions of Approval

1. Repair or replace any damaged or deficient transportation facilities on Adams and 48th Street abutting the site, as determined by ACHD staff, and consistent with the current version of PROWAG.
2. Close the existing driveway onto Adams Street located 100-feet west of 48th Street with vertical curb, gutter and 7-foot wide attached concrete sidewalk to tie into the existing improvements on either side.
3. Reconstruct to reduce the width of the existing 40-foot wide driveway onto Adams Street, located 143-feet west of 48th Street as a 15-foot wide curb return type driveway.
4. Close the two existing driveways onto 48th Street with vertical curb, gutter and 5-foot wide attached concrete sidewalk to tie into the existing improvements on either side.
5. Construct a 26-foot wide curb cut type driveway onto 48th Street, located 211-feet northeast of Adams Street.
6. 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.
7. 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.
8. Comply with all Standard Conditions of Approval.

B. Findings for Consideration

1. Adams Street

- a. **Existing Conditions:** Adams Street is improved with 3-travel lanes, vertical curb, gutter, and 7-foot wide attached concrete sidewalk abutting the site. There is 54-feet of right-of-way for Adams Street (27-feet from centerline).
- b. **Applicant Proposal:** The applicant is not proposing any street improvements to Adams Street abutting the site.
- c. **Staff Comments/Recommendations:** Adams Street is fully improved; therefore, no additional right-of-way dedication or street improvements should be required as part of this application.

Consistent with District Minor Improvements policy, the applicant should be required to repair or replace any damaged or deficient transportation facilities on Adams Street abutting the site, as determined by ACHD staff, and consistent with the current version of PROWAG.

2. 48th Street

- a. **Existing Conditions:** 48th Street is improved with 2-travel lanes, vertical curb, gutter, and 5-foot wide attached concrete sidewalk abutting the site. There is 25-feet of right-of-way for 48th Street (25-feet from centerline).
- b. **Applicant's Proposal:** The applicant is not proposing any street improvements to 48th Street abutting the site.
- c. **Staff Comments/Recommendations:** 48th Street is fully improved; therefore, no additional right-of-way dedication or street improvements should be required as part of this application.

Consistent with District Minor Improvements policy, the applicant should be required to repair or replace any damaged or deficient transportation facilities on 48th Street abutting the site, as determined by ACHD staff, and consistent with the current version of PROWAG.

3. Driveways

3.1 Adams Street

- a. **Existing Conditions:** There are two existing driveways from the site onto Adams Street located 143 and 100-feet west of 48th Street.

There is an existing recorded agreement (attached on page 13) granting a 15-foot wide permanent easement at the site's west property line that provides access to the buildings on the back portion of the adjacent parcel to the west of the site.

- b. **Applicant's Proposal:** The applicant is proposing to close the existing driveway onto Adams Street located 100-feet west of 48th Street with vertical curb, gutter and 7-foot wide attached concrete sidewalk to tie into the existing improvements on either side.

The applicant is proposing to reconstruct to reduce the width of the existing 40-foot wide driveway onto Adams Street, located 143-feet west of 48th Street as a 15-foot wide curb return type driveway to continue to provide access to the adjacent parcel to the west per the recorded access agreement. This driveway is not proposed to provide any access to the development, as the applicant is installing a retaining wall and fencing along the eastern side of the reconstructed driveway.

- c. **Staff Comments/Recommendations:** The applicant's proposal to close the existing driveway onto Adams Street located 100-feet west of 48th Street with vertical curb, gutter and 7-foot wide attached concrete sidewalk to tie into the existing improvements on either side meets District policy and should be approved, as proposed.

The applicant's proposal to reconstruct to reduce the width of the existing 40-foot wide driveway onto Adams Street, located 143-feet west of 48th Street as a 15-foot wide curb return type driveway meets District policy and should be approved, as proposed. The applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of Adams Street.

3.2 48th Street

a. Existing Conditions: There are two existing driveways from the site onto 48th Street.

b. Applicant's Proposal: The applicant is proposing to close the two existing driveways onto 48th Street with vertical curb, gutter and 5-foot wide attached concrete sidewalk to tie into the existing improvements on either side.

The applicant is proposing to construct a 26-foot wide curb cut type driveway onto 48th Street, located 211-feet northeast of Adams Street.

d. Staff Comments/Recommendations: The applicant's proposal to close the two existing driveways onto Adams Street meets District policy and should be approved, as proposed.

The applicant's proposal to construct the curb cut type driveway meets District policy and should be approved as proposed.

C. Policy

1. Federal Accessibility Design Guidelines and Standards

District policy 7203.1.1 states that developers shall follow the current version of the U.S. Access Board's Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), 36 CFR Part 1190, September 7, 2023; (Also see, <https://www.access-board.gov/prowag> and <https://www.access-board.gov/files/prowag/planning-and-design-for-alternatives.pdf> for additional information).

2. Minor Improvements

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing Highways adjacent to a proposed development may be required. These needed transportation facilities are to correct deficiencies or replace deteriorated facilities. Included are sidewalk and/or bike lane construction or replacement (with physical buffers if missing and needed); construction of transitional sidewalk segments; crosswalk construction or replacement; curb and gutter construction or replacement; repair, replacement or expansion of curb extensions; replacement of unused driveways with curb, gutter, sidewalk, repair or addition of traffic calming or speed mitigation features; installation or reconstruction of pedestrian ramps; pavement repairs; signs, motor vehicle, pedestrian and bicycle traffic control devices; and other similar items. The current version of PROWAG will determine the applicable accessibility requirements for alterations and elements added to existing streets. ACHD staff is responsible for identifying the minor improvements that would be proportionate to the size and complexity of the development.

3. Livable Street Performance Measures

District policy 7203.8 states that ACHD has adopted performance measures (level of stress) for evaluating the experience of bicyclists and pedestrians. ACHD seeks to create a transportation network that serves all ages and abilities. Bike and pedestrian facilities built through development should achieve a bike and pedestrian level of traffic stress 1 or 2, with no new bike lane below a minimum of 5-feet.

4. Adams Street

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. Improvements shall include transitional segments in accordance with ADA and the current version of PROWAG.

Master Street Map and Typologies Policy: District policy 7206.5 states that if the collector street is designated with a typology on the Master Street Map, that typology shall be considered for the required street improvements. If there is no typology listed in the Master Street Map, then standard street sections shall serve as the default. ACHD reserves the right to require bicycle and pedestrian facilities above those identified in the Livable Streets Design Guide and Master Street Map to ensure the safest facility possible based on current best practice.

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 or multi-use path and the location and use of the roadway. The right-of-way width may be reduced, with District approval, if the sidewalk or multi-use path 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 47-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. If a multi-use path is determined to be the required treatment, the street section shall be reduced to 37-feet. If it is determined a continuous center left-turn lane is not appropriate and a path is installed, the street section may be reduced to 26-feet.

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.

At the discretion of Traffic Engineering staff, adjustments may be made to the street section, including removal of the continuous center turn lanes or modification to lane widths, where no driveways or intersections are present or to ensure adequate space for pathways and buffers.

Pedestrian Facilities: 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 8-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. Sidewalk constructed next to the back-of-curb shall be a minimum of 7-feet wide. Alternatively, on roadways identified as low-stress bikeways in ACHD's Bike Master Plan, a minimum 10-foot wide multi-use path may be required in lieu of sidewalks. ACHD Development Review staff will be responsible for determining the required facility. The path shall be built 8-feet behind the back-of-curb as measured to the closest edge of the path. Street trees are encouraged between the pedestrian facility and the roadway when irrigation and maintenance will occur by the adjacent property owner or HOA through an approved license agreement. Vertical hardscape alternatives to street trees may be considered in the buffer space when street trees are not practicable.

Pedestrian facilities should be parallel to the adjacent roadway. Pedestrian facilities will only be allowed to deviate from a straight line when authorized by Development Review staff to meet site specific conditions (i.e., street trees, utilities, etc.).

Appropriate easements shall be provided if public sidewalks or multi-use paths are placed out of the 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 or multi-use path. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Curb ramps or blended transitions shall be provided to connect the pedestrian access route at each pedestrian street crossing in accordance with the current version of PROWAG. Provide detectable warning surface in accordance with the current version of PROWAG.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. This segment of Adams Street is designated in the MSM as a Residential Collector with 3-lanes and on-street bike lanes, a 47-foot street section within 54-feet of right-of-way.

5. 48th Street

Commercial Roadway Policy: District Policy 7208.2.1 states that the developer is responsible for improving all commercial 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 7208.5 states that right-of-way widths for new commercial streets shall typically be 50 and 70-feet wide and that the standard street section will vary depending on the need for a center turn lane, bike lanes, volumes, percentage of truck traffic, and/or on-street parking.

- A 36-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and on-street parking.

- A 40-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and a center turn lane.
- A 46-foot street section (back-of-curb to back-of-curb) will typically accommodate two travel lanes and a center turn lane and bike lanes.

Sidewalk Policy: District Policy 7208.5.6 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all commercial streets. If a separated sidewalk is proposed, 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.

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.

6. Driveways

6.1 Adams Street

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

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

Driveway Location Policy (Stop Controlled Intersection): District policy 7206.4.4 requires driveways located on collector roadways near a STOP controlled intersection to be located outside of the area of influence; OR a minimum of 150-feet from the intersection, whichever is greater. Dimensions shall be measured from the centerline of the intersection to the centerline of the driveway.

Successive Driveways: District policy 7206.4.5 Table 1 requires driveways located on collector roadways with a speed limit of 25 MPH and daily traffic volumes less than 100 VTD to align or offset a minimum of 150-feet from any existing or proposed driveway.

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

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

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing Highways adjacent to a proposed development may be required. These needed transportation facilities are to correct deficiencies or replace deteriorated facilities. Included are sidewalk and/or bike lane construction or replacement (with physical buffers if missing and needed); construction of transitional sidewalk segments; crosswalk construction or replacement; curb and gutter

construction or replacement; repair, replacement or expansion of curb extensions; replacement of unused driveways with curb, gutter, sidewalk, repair or addition of traffic calming or speed mitigation features; installation or reconstruction of pedestrian ramps; pavement repairs; signs, motor vehicle, pedestrian and bicycle traffic control devices; and other similar items. The current version of PROWAG will determine the applicable accessibility requirements for alterations and elements added to existing streets. ACHD staff is responsible for identifying the minor improvements that would be proportionate to the size and complexity of the development.

6.2 48th Street

Driveway Location Policy: District policy 7208.4.1 requires driveways near intersections to be located a minimum of 75-feet (measured centerline-to-centerline) from the nearest local street intersection, and 150-feet from the nearest collector/arterial or arterial street intersection.

Successive Driveways: District Policy 7208.4.1 states that successive driveways away from an intersection shall have no minimum spacing requirements for access points along a local street, but the District does encourage shared access points where appropriate.

Driveway Width Policy: District policy 7208.4.3 restricts commercial driveways to a maximum width of 40-feet. Most commercial driveways will be constructed as curb-cut type facilities.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7208.4.3, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway.

Driveway Design Requirements: District policy 7208.4.3 states if an access point is to be gated, the gate or keypad (whichever is closer) shall be located a minimum of 50-feet from the near edge of the intersection and a turnaround shall be provided.

7. 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.

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. 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.

D. Attachments

Order No.

WARRANTY DEED 8905457

FOR VALUE RECEIVED

1104000447

GOLDA ADAMSON and RAYMOND ADAMSON, mother and son,

GRANTOR(s) does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto
RALPH E. STODDARD and RUBY STODDARD, husband and wife,

GRANTEE(S), whose current address is: 4810 Adams St. Boise, Idaho 83704
the following described real property in County, State of Idaho,
more particularly described as follows, to wit:

A permanent easement on, over and across the following described land. A portion of Lots 1 and 2, Block 23, Fairview Acres Subdivision No. 3, according to the plat thereof, filed in Book 11 of Plats at page 617, records of Ada County.

Beginning at the southeastern corner of Lot 1, Block 23 and thence northwesterly along the northeastern boundary of Adams Street 125 feet to a point which is the POINT OF BEGINNING:


Thence northeasterly 200 ft. to a point on the lot line common to Lots 2 and 3.
Thence northwesterly 15 feet along the lot line common to Lots 2 and 3 to a point;
Thence southwesterly 200 feet to a point on the northeasterly right-of-way line of Adams Street;
Thence southeasterly 15 feet along the northeasterly right-of-way line of Adams Street to POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: Feb. 2, 1989 Malda M. Adamson
Raymond P. Adamson
Feb 2, 1989 Raymond P. Adamson

STATE OF Idaho County of Ada, ss.
On this 2nd day of February in the year of 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared GOLDA M. ADAMSON AND RAYMOND P. ADAMSON known or identified to me to be the person(s) whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.
Signature: [Signature]
Name: ELLEN L. SIMS
Address: Meridian, Id.
My commission expires: 11-5-94

STATE OF IDAHO, COUNTY OF Ada
I hereby certify that this instrument was filed for record at the request of Ralph E. Stoddard at 35 minutes past 6 o'clock P.M. this 6th day of February 1989 in my office, and duly recorded in Book of Deeds at page
JOHN BASTIDA
Ex-Officio Recorder
By: [Signature]
Deputy.
Fee \$ 3.00
Mail to

This form furnished courtesy of
STEWART TITLE OF IDAHO, Inc.

Security of Customer

Order No.

WARRANTY DEED

8905458

FOR VALUE RECEIVED

GOLDA ADAMSON and RAYMOND ADAMSON, mother and son,

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto

1104090448

RAIPH E. STODDARD and RUBY STODDARD, husband and wife,

GRANTEE(S), whose current address is: 4810 Adams St. Boise, Idaho 83704
the following described real property in Ada County, State of Idaho,

more particularly described as follows, to wit:

(Continued)

This easement is given to replace that easement described in Warranty Deeds No. 8018309 and No. 8122529 recorded Nov/1/1988, records of Ada County.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: Feb 2, 1989 Golda M. Adamson
Raymond D. Adamson
Feb 2, 1989 Raymond D. Adamson

STATE OF Idaho County of Ada
On this 2nd day of February
in the year of 1989 before me, the undersigned, a Notary Public in and for said State, personally appearing GOLDA A. ADAMSON AND RAYMOND D. ADAMSON known or identified to me to be the person(s) whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.
Signature: [Signature]
Name: ELLEN L. SIMS
Notary Public
My commission expires: 11-5-94

STATE OF IDAHO, COUNTY OF Ada
I hereby Certify that this instrument was filed for record at the request of Ralph E. Stoddard in 35 minutes past 6th o'clock pm on the 2nd day of February 1989 in my office, and duly recorded in Book of Deeds at page JOHN BASTIDA
Ex-Officio Recorder
By: [Signature]
Deputy.
Fee \$ 3.00
Mail to:

This form furnished courtesy of
STEWART TITLE OF IDAHO, Inc.


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), Public Right-of-Way Accessibility Guidelines (PROWAG), ISPWC, or ACHD requirements . The applicant's engineer should provide documentation of 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.

Request for Appeal of Staff Decision

To request an appeal of a staff level decision, see District policy 7101.6.7 at <https://www.achdidaho.org/home/showpublisheddocument/452/638243231708370000>

Request for Reconsideration of Commission Action

To request reconsideration of a Commission Action, see District policy 1006.11 at <https://www.achdidaho.org/home/showpublisheddocument/452/638243231708370000>