

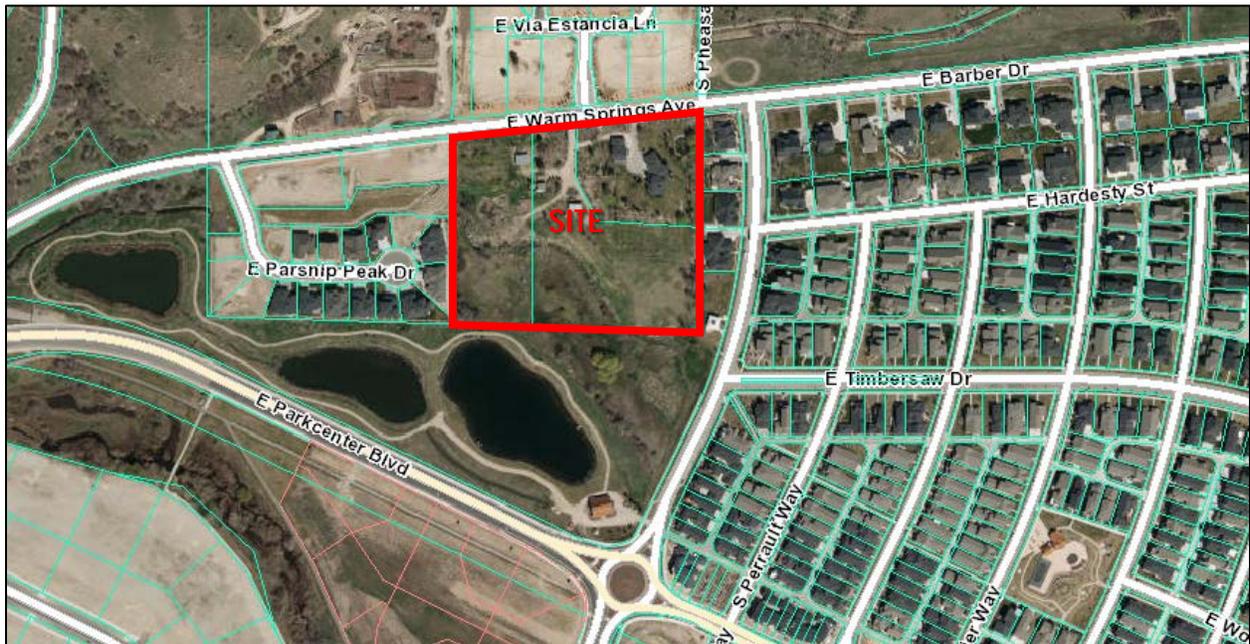


PLANNING AND DEVELOPMENT SERVICES

MAYOR: David H. Bieter | DIRECTOR: Derick O'Neill

MEMO

TO: Mayor & Boise City Council
FROM: Céline Acord, Associate Planner, Planning & Development Services
HEARING DATE: September 12, 2017
RE: PUD17-00007 & CAR17-00004 (Revised Reasons for Decision)



Background

On August 29, 2017, Council denied an appeal of the Planning and Zoning Commission's denial of a conditional use permit for a 125-unit multi-family residential development located at 3555 E Warm Springs Ave. Council also made a final decision to deny the rezone request for the subject site's 8.65 acres from A-1 (Open Land) to R-2D/DA (Medium Density Residential with Design Review and Development Agreement).

Request/Required Action

The Planning Team was directed to expand the Reason Statement and Findings of Approval Criteria for the PUD and the Rezone. The Planning Team recommends Council adopts the revised Reason and Findings listed below.

*This report includes information available on the Boise City Website.
The entire public record, including additional documents, can be viewed through [PDS Online](#).*

PUD17-00007 *REVISED* Reason for the Decision

There was no error in the Planning and Zoning Commission's decision to deny the planned unit development. While there was a difference of opinion regarding the overall site design and its compatibility to the surrounding area, the action was not arbitrary or capricious. It was based on detailed review of evidence available to the Commission by the June 12, 2017, public hearing as well as significant input from the public.

As detailed in the May 8, 2017, project report, the project is inconsistent with many of the Comprehensive Plan goals, policies and principles. *Goal NAC 7.1, Principle GDP-N.3 and Principle GDP-N.4* encourages a mix of housing types and densities with distinct character. Thus, these units should be designed specifically to maintain the unique development character of the Barber Valley (BV-NC 1) and the property's unique features such as wetlands, topography or location (*Goal BV-CCN 1 and BV-CCN 2*). The Planning Team suggested a variety of designs which were detailed in the report, but were not included in the revisions submitted.

Likewise, *Principle GDP-N.10 and Principle GDP-N.8* encourages cluster development to preserve scenic view corridors and natural features which is also listed as a benefit of planned unit developments in the Development Code (*B.C.C. 11-03-04.7B*). A clustered development could preserve usable open space, while creating public spaces within the residential development, which could create a space for tenants to gather and recreate. These design principles would provide a more suitable design that would align with the guidelines of Harris Ranch and Barber Valley.

The project is also not compatible with the general neighborhood and will adversely affect other property in the vicinity. The recommendation of introducing single-family housing was in hopes to have similar-sized lots adjacent to the existing single-family housing. Also, without official comments from outside agencies, it is unknown how the proposed development may impact or disturb the lower/southern part of the site which may very well be considered wetlands. Lastly, the increase of density on site is not a concern if the proposed design implements the adopted specific plans of Harris Ranch (SP-01) and Barber Valley (SP-02) as a policy basis (*BV-CNN 3.1*).

CAR17-00004 *REVISED* Reason for the Decision

As detailed in the May 8, 2017, project report, the rezone request is inconsistent with many of the Comprehensive Plan goals, policies and principles. *Goal NAC 3* intends to protect stable neighborhoods and have development enhance their neighborhoods. While the Barber Valley Planning Area is still being built out, the adjacent areas of the subject site are established or planned for larger detached single-family dwellings. An increase in density could be appropriate in this location, however development must be compatible with surrounding neighborhood.

Although the request for R-2 is a permissible zone within the "Commercial" Land Use designation, there is not an approved development proposal accompanying the rezone request. Rezoning the property from A-1 to an R-2D/DA zone without an approved conceptual design would not be in the best interest of the public convenience or general welfare.

