Planning and Zoning Commission
AGENDA
CITY OF BOISE

Commission Meeting
Monday, October 5, 2020
6:00 PM
City Hall – Maryanne Jordan City Council Chambers
150 N Capitol Blvd
Boise, ID 83702

Virtual attendance is strongly encouraged. Please visit:
www.cityofboise.org/virtual-meetings

CHAIR
Meredith Stead

Planning and Zoning Commission Members

Co-Chair
Bob Schafer

Commissioner
Ashley Squyres

Commissioner
Christopher Blanchard

Commissioner
Jennifer Mohr

Commissioner
Jennifer Stevens

Commissioner
Milt Gillespie

Commissioner
Janelle Finfrock

Commissioner
Jim Bratnober

Our Vision: Creating a City for Everyone

NOTE: It is at the discretion of the Commission to not begin new business after 9:30pm. Remaining items will be deferred to the next scheduled hearing.
Pursuant to Idaho Code Section 74-204(4), all items on the Agenda marked with an asterisk * are action items that require a vote. Identifying an item as an action item on the Agenda does not require that a vote be taken. All Consent Agenda items will be enacted by one motion, unless a Commissioner or citizen requests the item be removed from the Consent Agenda and considered in the normal sequence of business.
BOISE, IDAHO
Planning and Zoning Commission Agenda
City Hall – Maryanne Jordan City Council Chambers and Virtual Attendance
6:00 PM
October 5, 2020

I. CALL TO ORDER

II. CREATION OF CONSENT AGENDA

III. NEW BUSINESS

NOTE: It is at the discretion of the Commission to not begin new business after 9:30pm. Remaining items will be deferred to the next scheduled hearing.

*A. RES-1-20 / First Amendment to the Urban Renewal Plan Westside Downtown Urban Renewal Project
A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF BOISE CITY, IDAHO, VALIDATING CONFORMITY OF THE FIRST AMENDMENT TO THE URBAN RENEWAL PLAN WESTSIDE DOWNTOWN URBAN RENEWAL PROJECT WITH THE CITY OF BOISE CITY’S COMPREHENSIVE PLAN. Mark Lavin

*B. SUB20-00042 / Forester Subdivision
WITHDRAWN
11304 W Fairview Ave
Preliminary plat for a mixed use subdivision comprised of 4 buildable lots on 5.09 acres in a C-2D (General Commercial with Design Review) zone. Karla Nelson

*C. SUB20-00044 / Dallas Harris South Subdivision No. 2
3850 E Warm Springs Ave
Preliminary and Final Plat for a mixed use subdivision comprised of 4 buildable lots on 42.66 acres in a SP-01 (Harris Ranch Specific Plan) zone. Nicolette Womack

*1. CFH20-00070 / Erik Stoermer
2115 N Heights Dr
Appeal of the Planning Director’s approval of a hillside permit for the grading associated with a residential addition in an R-1CH (Single-family Residential, with Historic Design Overlay) zone. Nicolette Womack
*2. **CVA20-00043 / Amy Allgeyer Architect Inc.**
1320 N 5th St
Variance to encroach the street side setback for a proposed addition to an existing single-family home on 0.18 acres in a R-1CH (Single Family Residential with Historic District Overlay) zone. *Nicolette Womack*

*3. **SOS20-00026 / Sawtooth Land Surveying LLC**
9798 W Arnold Rd
Waiver to the Subdivision Ordinance requirement to construct sidewalk as part of a property line adjustment on 1.38 acres in a R-1C (Single Family Residential) zone. *David Moser*

*4. **CVA20-00035 / Marks Land Surveying, LLC**
1801 S Leadville Ave
Variance to the rear setback for an existing single-family home in a R-2 (Medium Density Residential) zone. *Kevin Holmes*

*5. **CUP20-00031 / Darigold, Inc.**
618 N Allumbaugh
Conditional use permit for a height exception for approximately 72-foot and 62-foot proposed boiler stacks associated with an existing milk processing and bottling facility on 5.94 acres in a M-1D (Light Industrial with Design Review) zone. *Ethan Mansfield*

*6. **CUP20-00035 / Trans-Texas Tire, LLC**
**WITHDRAWN**
2655 S Broadway Ave
Conditional use permit for a tire wholesale and retail center on 7.98 acres in a C-2D (General Commercial with Design Review) zone. *Ethan Mansfield*

*7. **CUP20-00033 / McAlvain Companies**
2351 S Apple St
Conditional use permit to build a new 7,200 square foot structure for a martial arts studio on 0.66 acres in a R-2D (Medium Density Residential) zone. *Crystal Rain*

*8. **CUP20-00034 / Image National**
5015 N Pierce Park Ln
Conditional use permit for an electronic message display, free-standing sign associated with an existing elementary school in a R-1C (Single Family Residential) zone. *Crystal Rain*

**IV. ADJOURNMENT**
PZC RES-1-20 – First Amendment to the Urban Renewal Plan Westside Downtown Urban Renewal Project / Capital City Development Corporation – Findings of Consistency with Boise City Comprehensive Plan

Summary:
The Capital City Development Corporation requests the Planning and Zoning Commission to approve findings that the First Amendment to Urban Renewal District – Westside Downtown Urban Renewal Project is in conformance with the goals and policies of the City’s Comprehensive Plan, Blueprint Boise, and forward those findings to the Boise City Council.

Prepared by:
Mark Lavin

Recommendation:
Staff recommends that the Planning and Zoning Commission find the First Amendment to Urban Renewal District – Westside Downtown Urban Renewal Project to be in conformance with the goals and policies of the City’s Comprehensive Plan, Blueprint Boise, and recommend the same to Boise City Council.
TO: Planning & Zoning Commission  
FROM: Mark Lavin  
DATE: 9/25/2020  
RE: PZC RES-1-20 / First Amendment to the Urban Renewal Plan Westside Downtown Urban Renewal Project

Table of Contents:
1. Executive Summary  
   a. Process/Actions to Date  
   b. Statutory Requirements  
   c. Study Area Map  
2. Facts and Circumstances  
3. Comprehensive Plan – Blueprint Boise  
4. History and Current Conditions of the Area  
5. Recommendation  
6. Findings of consistency

Attachments:
1. Resolution and Findings  
2. Zoning Map  
3. Land Use Map  
4. CCDC Transmittal Letter, dated September 18, 2020  
5. CCDC Agenda Bill, dated September 14, 2020, including attachments:  
   a. CCDC Resolution No. 1669  
   b. First Amendment to Urban Renewal Plan Westside Urban Renewal Project, including attachments:  
      i. Attachment 1A – Legal Descriptions of the Boundaries of the Additional Areas  
      ii. Attachment 2A – Boundary Map of the Additional Areas  
      iii. Attachment 3A – Map Depicting Expected Land Uses and Current Zoning Within the Area Added by the First Amendment  
      iv. Attachment 4A – Properties (Public and/or Private) Which May Be Acquired by Agency  
1. Executive Summary

The Capital City Development Corporation (CCDC) requests that the Planning and Zoning Commission review the proposed First Amendment to Urban Renewal Plan (URP) Westside Downtown Urban Renewal Project (the “Westside Plan First Amendment”) for conformity with Blueprint Boise pursuant to Idaho Code.

The Westside Plan First Amendment, prepared by CCDC as directed by City Council, is informed by Blueprint Boise, associated master plans and regulatory documents as well as input from public outreach and stakeholder engagement. It is the result of a multi-step process that includes identifying the study area geography, determining eligibility, creating a detailed list of desired improvements and conducting an economic analysis to determine feasibility.

At a high level, the Westside Plan First Amendment:

- Adds two areas of property to the Westside URP (see Study Area Map), which are very generally described as:
  - **East Node** – The eastern area includes property bounded by Washington Street on the North, N 9th Street on the West, State Street on the South, and N 8th Street on the East. It also includes portions of the N 8th Street Right-of-Way (ROW) between W State Street and W Franklin Street.
  - **West Node** – The western area includes properties currently occupied by the YMCA of Treasure Valley and Boise High School. It also includes portions of the W Washington Street ROW between N 10th Street and N 11th Street and W Franklin Street ROW between N 10th Street and N 13th Street.
  - Legal descriptions of these two areas and additional graphics are provided in the CCDC Agenda Bill in the attachments.
- Recognizes the need to promote and incentivize a diversity of housing types (including workforce and affordable), services, and amenities to residents, students, and workers.
- Suggests innovative mobility options and connectivity throughout the District and prioritizes pedestrian, cyclists and vehicles, including possible extensions of the N 8th Street bicycle and pedestrian improvements (currently under construction) and the proposed N 11th Street bicycle and pedestrian improvements.
- Creates a vision to redevelop vacant parcels, underutilized parcels or surface parking lots.
- Promotes the extensive and unique recreational resources in the District.

The First Amendment to Urban Renewal Plan Westside Downtown Urban Renewal Project has been found to be eligible and feasible, has been approved by the CCDC Board of Commissioners and is before the Planning and Zoning Commission to determine conformity prior to review, a public hearing and ultimate approval by City Council. Staff recommends that the Planning & Zoning Commission find the First Amendment to be in conformity, as set forth in RES-1-20.
a. Process/Actions to Date

May 2019: CCDC Board approved the Eligibility Report
June 2019: Boise City Council approves the Eligibility Report
       City Council approves Eligibility Study and directs CCDC to create a plan
Sept 2020: CCDC Board approves Westside Plan First Amendment to the Boise City Planning and Zoning Commission for review and a determination of Conformity with Blueprint Boise.

b. Statutory Requirements

Idaho Code § 50-2905 identifies what information the Plan must include with specificity as follows:
(1) A statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality;
(2) A statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area;
(3) An economic feasibility study;
(4) A detailed list of estimated project costs;
(5) A fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property on the revenue allocation area;
(6) A description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred;
(7) A termination date for the plan and the revenue allocation area as provided for in section 50-2903(20), Idaho Code. In determining the termination date, the plan shall recognize that the agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the urban renewal plan; and
(8) A description of the disposition or retention of any assets of the agency upon the termination date. Provided however, nothing herein shall prevent the agency from retaining assets or revenues generated from such assets as long as the agency shall have resources other than revenue allocation funds to operate and manage such assets.
c. Study Area Map

[Image of Study Area Map]
2. Project Data and Facts

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<tr>
<th>Project Data</th>
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<tr>
<td>Applicant</td>
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<td>Location of Property</td>
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<td>Existing Land Use Designation</td>
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<td>Planning Area</td>
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<td>Neighborhood Assoc./Contact</td>
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<td>Procedure</td>
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Current Land Use
The two added areas include school/education, recreational/gym, commercial, and office uses.

Description of Applicant’s Request
The Capital City Development Corporation (CCDC) requests the Planning and Zoning Commission to approve findings that the Westside Plan First Amendment is in conformance with the Goals and Policies of the City’s Comprehensive Plan, Blueprint Boise, and forward those findings to the Boise City Council.

Description and Character of Surrounding Area
The existing Westside URP area and the two proposed areas are all located within the Downtown Planning Area. The two added areas are surrounded by Downtown...
Mixed-Use and Mixed-Use areas that include commercial, office, residential and religious uses.

### Adjacent Uses (to added areas only)

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<th>Region</th>
<th>Description</th>
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<tbody>
<tr>
<td>North</td>
<td>Mixed (L-O and R-3) with Conservation, Design Review, and Historic overlays</td>
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<tr>
<td>South</td>
<td>Mixed (C-5, PC, and R-3) with Downtown and Design Review overlays</td>
</tr>
<tr>
<td>East</td>
<td>Mixed (L-O and R-3) with Design Review overlay</td>
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<tr>
<td>West</td>
<td>Mixed (L-O, PC, and R-3) with Downtown and Design Review overlays</td>
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### 3. Comprehensive Plan (Blueprint Boise)

As prepared, the Westside Plan First Amendment is in conformance with Blueprint Boise. The Westside Plan First Amendment will serve as an important implementing tool for the City of Boise to further the Vision of the city.

Specifically, The Plan furthers the goals, objectives and policies associated with the seven themes and guiding principles listed below and in Chapter 2, Citywide Vision and Policies.

1. Environmental Stewardship;
2. A Predictable Development Pattern;
3. A Community of Stable Neighborhoods and Vibrant Mixed-Use Activity Centers;
4. A Connected Community;
5. A Community that Values its Culture, Education, Arts and History;
6. A Strong, Diverse Economy; and
7. A Healthy, Safe, and Caring Community.

A comprehensive review with detailed policy reference is included as Exhibit A to the Resolution in this packet.

### 4. History and Current Conditions of the Area

The “Background” section on pages 1-3 of the CCDC Agenda Bill provides a good summary of these issues.

### 5. Recommendation

Staff recommends that the Planning and Zoning Commission find the First Amendment to Urban Renewal Plan Westside Downtown Urban Renewal Project to be in conformance with the goals and policies of the Comprehensive Plan, and recommend the same to Council, as set forth in RES-1-20.

### 6. Findings of Consistency

The Findings of Consistency are included as Exhibit A to the Resolution.
A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF BOISE CITY, IDAHO, VALIDATING CONFORMITY OF THE FIRST AMENDMENT TO THE URBAN RENEWAL PLAN, WESTSIDE DOWNTOWN URBAN RENEWAL PROJECT WITH THE CITY OF BOISE CITY’S COMPREHENSIVE PLAN

WHEREAS, the Urban Renewal Agency of the city of Boise City (“City”), Idaho, also known as Capital City Development Corporation (hereinafter “Agency”), the duly constituted and authorized urban renewal agency of the City, has submitted the proposed First Amendment to the Urban Renewal Plan, Westside Downtown Urban Renewal Project (the “First Amendment”) to the City; and

WHEREAS, the Mayor and Boise City Council referred the First Amendment to the City Planning and Zoning Commission for review and recommendations concerning the conformity of said First Amendment with the City’s Comprehensive Plan, Blueprint Boise, as amended (“Comprehensive Plan”); and

WHEREAS, on October 5, 2020, the City Planning and Zoning Commission met to consider whether the First Amendment conforms with the Comprehensive Plan for the City as required by Idaho Code Section 50-2008(b); and

WHEREAS, the City Planning and Zoning Commission has reviewed said First Amendment in view of the Comprehensive Plan, and made the findings outlined in Exhibit A; and

WHEREAS, the City Planning and Zoning Commission has determined that the First Amendment is in all respects in conformity with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION FOR THE CITY OF BOISE CITY, IDAHO:

Section 1. That the First Amendment, submitted by the Agency and referred to this Commission by the Mayor and City Council for review, is in all respects in conformity with the City’s Comprehensive Plan.

Section 2. That Exhibit A, outlining the findings supporting the determination that the First Amendment is in conformity with the City’s Comprehensive Plan, is hereby adopted and incorporated as part of this Resolution.

Section 3. That the Deputy Director of the City’s Current Planning Division is hereby authorized and directed to provide the Mayor and Boise City Council with a certified copy of this Resolution relating to said First Amendment.

Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.
ADOPTED by the Planning and Zoning Commission of the city of Boise City, Idaho, this 5th day of October 2020.

APPROVED:

__________________________________
Meredith Stead
Chair, Planning and Zoning Commission

ATTEST:

__________________________________
Cody Riddle
Deputy Director, Current Planning Division

4844-7928-8779, v. 1
Exhibit A

Findings that the First Amendment to the Urban Renewal Plan Westside Downtown Urban Renewal Project conforms with the City’s Comprehensive Plan, *Blueprint Boise* ("Comprehensive Plan"), as required by Idaho Code Section 50-2008(b):

1. The First Amendment to the Urban Renewal Plan Westside Downtown Urban Renewal Project is in conformance with the Land Use Map of the Comprehensive Plan. The Land Use Map designations for the area primarily include downtown mixed-use and education.

2. The First Amendment to the Urban Renewal Plan Westside Downtown Urban Renewal Project and Revenue Allocation Area are adjacent to the existing Westside Downtown Urban Renewal Project without overlap.


4. The First Amendment to the Urban Renewal Plan Westside Downtown Urban Renewal Project supports the objectives of the Comprehensive Plan to:
   - Create a clear vision for the future;
   - Establish a strong linkage between land use, transportation, and urban design;
   - Provide clear guidance at the planning-area level; and
   - Synchronize regulations with the community’s vision.

5. The First Amendment to the Urban Renewal Plan Westside Downtown Urban Renewal Project is in conformance with the Vision, the seven Themes, Citywide and Planning Area Policies, and Action Plan of the Comprehensive Plan.

Applicable specific goals and policies follow:

**Citywide Policies**

**Environmental Stewardship**

- Promote compact, walkable development patterns that support transit and reduce carbon emissions from vehicles and discourage development patterns that rely solely on vehicles for transportation in an effort to reduce vehicle miles traveled.

- Encourage high-quality design and maintenance of stormwater management infrastructure and development of practices to significantly reduce runoff, erosion, and flooding, and to meet other drainage management needs. Design should include wetland restoration where appropriate.
- Support intra-jurisdictional efforts to aggressively pursue treatment of pollutants on site or through natural filtration and management of urban runoff.

- Support the co-location of infiltration infrastructure into landscaping as a method to “stack” multiple environmental and economic benefits.

- Encourage aggressive use of “green infrastructure” that maximizes stormwater retention on-site and land development designs for urban runoff that minimize flooding and the need for additional or expanded flood control and conveyance facilities.

- Support the application of best conventional engineering to manage high flows and associated efforts to replace, repair, and improve aging stormwater infrastructure.

- Pursue land use action to preserve a high percent of native vegetation and encourage appropriate use of native landscape materials; support landscape areas that minimize polluted runoff and mimic natural watershed processes.

- Explore public purchase of land, easements, and development rights in the Boise River floodplain, Boise Front Foothills, and along the selected waterways in the annual city budget and capital improvement program. Give priority to lands identified in the Potential Public Preservation Sites 1993 plan.

- Promote the adaptive reuse of historic buildings rather than demolition to promote energy conservation, conservation of embedded energy and the reuse of building materials.

- Promote increased use of geothermal systems and protection of the city’s geothermal resources.
  - Increase the efficiency and capacity of the city’s geothermal resources, through support for ongoing improvements.
  - Explore funding and seek partners for further expansion of the system.

A Predictable Development Pattern

- Recognize the Downtown, designated mixed-use activity centers, major travel corridors, and other potential areas of change identified at the planning area level as priorities for infill and redevelopment.

- Establish incentives to encourage the production of housing and mixed-use development in infill priority areas.

- To ensure adequate public infrastructure is in place to accommodate increased densities, place a high priority on public investments in transportation facilities, necessary water and wastewater improvements, and other essential urban services in areas targeted for infill and redevelopment as identified in this Comprehensive Plan.
- Plan for and coordinate the efficient expansion of public facilities and infrastructure to serve future growth.
  
  o Address the scheduling and funding of key facilities and services as part of the city’s five-year Capital Improvement Plan.

Stable Neighborhoods and Mixed Use Activity Centers

- Provide opportunities for residents to meet most daily needs within walking distance.
  
  o Give priority to proposed activity centers that are located in areas of potential change within the applicable planning area, as addressed in Appendix C of this Comprehensive Plan.

- Establish mixed-use zone districts suitable for regional, community, and neighborhood activity centers. Include opportunities for varied intensity, and mix of uses based on the type of activity center and location.

- Encourage existing single-use centers to incorporate a greater mix of compatible uses, such as offices, housing, and live-work units, through infill, adaptive reuse, or redevelopment.

- Encourage the use of arts and culture to promote neighborhood identity in new centers and as a means for the revitalization of existing centers.

- Enhance the character of established neighborhoods.
  
  o Encourage residential infill that complements the scale and character of the surrounding neighborhood by applying the Infill Design Principles contained in Chapter 3.
  
  o Develop zoning standards to implement the Infill Design Principles.

- Encourage the maintenance and rehabilitation of existing housing stock.

- Use the State Urban Renewal Law, the CEAC, and other techniques to replace or upgrade blighted conditions in the city.

- Facilitate an integrated mix of housing types and price ranges in neighborhoods.

- Allow a mix of housing types and densities by-right in areas designated as Mixed-Use Activity Centers, Compact, and High Density Residential on the Land Use Plan map.

- Assist in the provision of housing for low- and moderate-income households throughout the community.
  
  o Encourage an adequate supply of safe, sanitary housing at costs appropriate to the varied financial capabilities of city residents.
- Encourage diversity in the type, density, and location of housing through partnerships with members of the real estate community and area employers.
- Promote dispersal of low- and moderate income housing throughout the city.
- Consider incentives to support workforce housing, particularly within mixed-use activity centers and other areas that may be readily served by transit.

- Ensure that the zoning districts are updated to reflect the goals and policies contained in this plan.
- Remove barriers to desirable development patterns, particularly in those areas identified as areas of change in Chapter 4: Planning Area Policies.
- Promote high-quality, pedestrian-oriented design within the public realm.
- Protect historically and culturally significant resources that contribute to community identity and history.

A Connected Community

- Encourage infill development in order to avoid costly extensions of transportation facilities and to minimize travel distances.
- Encourage compact development with a mix of uses as a means to decrease vehicle miles traveled (VMT).
- The city’s top priority for investment of federal and local transportation dollars is to maintain the roadway, transit, and pedestrian/bicycle system. Expand the capacity of the transit system and the bicycle and pedestrian facilities. All improvements to the roadway system will be designed to accommodate all modes.
- Create an interconnected network of complete streets that serve all modes of transportation.
- Develop a street network that interconnects and distributes vehicle, bicycle, and pedestrian traffic to multiple streets.
- Establish a connectivity measure to promote a connected system of roadways to alleviate traffic congestion, reduce travel distances, and increase travel options.
- Explore opportunities to improve connectivity in existing neighborhoods without widening existing streets.
- Use street typologies in the ACHD Transportation Land Use Integration Plan to guide how streets relate to adjacent land uses and how specific streets are intended to provide a high degree of mobility.
- Consider all travel modes in the design of streets. While vehicular traffic flow should be carefully considered, reasonable reduction in vehicular traffic capacities and level
of service should be allowed at intersections and crossings with high pedestrian and bicycle activity to safely accommodate their crossing.

- Promote transit-ready development patterns.

- Promote development patterns with high intensity activity centers or nodes consistent with the regional long-range transportation plan, Communities in Motion, and the Blueprint for Good Growth.

- Identify appropriate sites for future transit development or expansion.

- Integrate transit stops and stations into new and redeveloped sites and/or improve access to existing transit facilities.

- Prioritize improvements of pedestrian and bicycle facilities in areas served by transit.

- Connect destinations with pedestrian facilities and encourage walking for a wide variety of trips by adding sidewalk connections, restoring damaged sidewalks, and requiring sidewalks as part of development approvals.

- Support new development designed with compact, mixed-use patterns that are conducive to walking and bicycling.

- Enhance bicycling connectivity and comfort.

- Close “gaps” in the bicycle network and improve bicycle connectivity.

- Construct and upgrade bicycle routes to the standards described in the ACHD PBTP and the Roadways to Bikeways Plan.

- Provide a high-quality public transit system.

- Promote development patterns that support existing transit routes and that will help build new routes and enhanced service over time. Transit-supportive development patterns are particularly important along transit corridors and within mixed-use activity centers where higher densities can be accommodated.

- Pursue transit programs such as rail and streetcar systems as a means of achieving other nonpolluting methods of transportation.

- Expand access of advanced telecommunications technologies to activity centers throughout Boise as a means of encouraging live/work and telecommuting opportunities.

A Community That Values its Culture, Education, Arts and History

- Create public spaces where people can experience art in their daily lives.

- Continue to plan cooperatively with BSU on future expansion opportunities.
- Recognize the adopted BSU Framework Master Plan. Analyze fiscal impacts to the city when considering additions to the Framework Master Plan area.

- Coordinate with BSU to ensure that new campus construction is compatible with surrounding areas and consistent with Blueprint Boise.

- Work with BSU and the surrounding neighborhoods to ensure that future development along the campus perimeter provides an appropriate transition of land use, scale, density, and design between university uses and adjacent uses.

- Work with BSU to better integrate the campus and its facilities into the Downtown area through such means as better pedestrian, bike and bus connections, and additional student housing and support services.

- Maximize the ability of the city’s institutions of higher education to provide quality educational services, while minimizing impacts on area residents and businesses.

- Participate with institutions of higher education in the development of master plans, neighborhood plans, transit programs, and other programs that provide quality education in a manner compatible with surrounding uses.

**A Strong, Diverse Economy**

- Protect the economic climate for existing businesses and promote opportunities for expansion.

- Create and maintain a business environment that encourages the retention, growth, and profitability of existing businesses to benefit the city, its tax base, and citizens.

- Maintain and develop public/private partnerships that help support Downtown development efforts.

- Work with the CCDC to promote infill and redevelopment in Downtown through update of the core area zoning and development of special area plans for priority areas.

- Work with CCDC to promote housing in the Downtown core through the implementation of the Downtown Boise Housing Study. In particular, ensure that future development includes housing at a range of price points.

- Work with CCDC to identify potential barriers to Downtown development, and to explore opportunities to incentivize higher-intensity development such as a review of fees and assessments in relationship to similar fees and assessments in other areas of the city.

- Work with transit and transportation agencies, BSU, and Downtown organizations to implement the Downtown Boise Mobility Study. Monitor all transportation demands
in the downtown area and work with ACHD and ITD to adopt appropriate level of service standards for vehicles, pedestrians, and bicycles.

A Safe, Healthy and Caring Community

- Minimize risk from flood hazards to life, property, and public investment.

Downtown Planning Area Policies

Centers, Corridors and Neighborhoods

- Maintain Downtown as the civic, economic, educational, social and cultural center of the city and region, which includes a concentrated, higher density Central Business District (CBD) activity center and integrated sub-districts.

- Use adopted master plans and development guidelines for Downtown to guide development.

- Develop a vibrant mix of uses in Downtown which encourage:
  o 24-hour activity;
  o Office; retail and service businesses;
  o Residential; hotel, convention and medical facilities; and
  o Civic, cultural, educational and entertainment uses.

- Establish design criteria that require developments built in the CBD to use urban building forms where typically buildings are placed at the sidewalk and create a street wall, street level space is activated with people oriented uses, and building entrances and openings are oriented to public sidewalks rather than to parking lots.

- Work with developers to use building massing in Downtown that responds to the traditional pattern of lots within blocks, and creates a collage of buildings in each block rather than full block mega-buildings or “superblocks”.

- Recognize that the neighborhoods surrounding Downtown contribute to the workforce and customer base for Downtown businesses and provide a reservoir of housing for Downtown workers. Maintain close ties between Downtown and these neighborhoods through walking and bicycling routes, transit, range of available shopping, services, dining, culture and entertainment, and through community events.

- Create in-town residential neighborhoods and increase the amount and range of housing choices available in Downtown and adjacent neighborhoods.

- Create thriving Downtown neighborhoods at the periphery of the CBD to allow people to live and work in Downtown, to increase support of Downtown businesses and to make Downtown safer and more vibrant.

- Encourage residential development in the Westside, Old Boise-Eastside, Parkside, South 8th Street / Cultural District and the River Street neighborhood have been identified as prime locations for urban neighborhoods.
- Provide a variety of housing types and living opportunities for a range of household types and income levels. Give particular attention to developing housing suitable for families.

**Housing**
- Provide incentives to promote development of housing affordable to people working in Downtown, so people can live closer to work, reduce commute distances, make walking, bicycling and transit practical alternatives to driving and allow a wide diversity of people to live in Downtown.

- Encourage residential development on sites within walking distance of employment centers, neighborhood services, parks and the Boise Greenbelt, and other amenities.

- Encourage redevelopment of surface parking lots and other underutilized properties.

- Foster conversations between property owners and developers to identify partnership opportunities.

**Parking**
- Maximize the use of the public parking garage system in Downtown and coordinate the expansion of these facilities to support development in Downtown.

- Identify creative ways to supply parking facilities through public, public-private, and private partnerships.

- Recognize that supplying parking in parking structures allows the removal of surface parking lots, reduces the amount of land used for parking, makes land available for more productive uses, and increases development intensity, walkability and vitality.

- Recognize that on-street parking is important to the success of storefront retail businesses and to creating pedestrian-oriented, walkable areas, slowing traffic and increasing pedestrian safety.

- Give priority to retaining or restoring on-street parking in areas where ground floor retail and service businesses predominate.

**Connectivity**
- Develop a robust, multimodal transportation system in Downtown, with an emphasis on transit, bicycle, and pedestrian circulation and safety.

- Create a network of designated bicycle lanes and routes in Downtown, and expand bicycle facilities and amenities to encourage the use of bicycles for transportation and recreation.
- Create a network of safe, attractive pedestrian routes in Downtown to encourage walking as a transportation mode and as an enjoyable part of the Downtown experience.

- Continue to develop a framework of streets, paths and open spaces that builds upon existing networks and strengthen connections to the Boise River and Downtown sub-districts.

- Where superblocks exist, work with property owners and developers when redevelopment is proposed to re-establish the street grid and create blocks that approximate the traditional block size. If it is not feasible to re-establish streets, obtain public pedestrian ways protected by easements in place of the street grid so development areas approximate the traditional block size.

- Avoid development of mega-structures on superblocks that create either real or perceived barriers to connectivity.

- Where gaps exist in the street grid, work with property owners and developers to establish missing street segments when property is proposed for development or redevelopment consistent with the Downtown Boise Mobility Study.

- Continue a program of improving sidewalks along Downtown streets with paving, street trees, historic lights, benches, planters, and other street furnishings consistent with the Downtown Boise Streetscape Standards and the Downtown Boise Elements of Continuity. Use streetscape to give Downtown a distinctive identity, beautify the public realm, and create a safe, appealing environment in which to walk.

**Public Services/Facilities**

- Develop a plan for infrastructure improvements to accommodate projected future growth.

- Expand the geothermal system to increase coverage in Downtown as resources allow.

**Neighborhood Character**

- Promote alternative transportation facilities in Downtown to reduce fuel consumption, air and water pollution, and traffic congestion.

- Promote alternative transportation facilities in Downtown to reduce fuel consumption, air and water pollution, and traffic congestion.

- Develop design guidelines that carry forward the vision, design principles, desired character and development objectives stated in adopted plans for Downtown.

**Culture, Education and Arts**
- Design public spaces so they are suitable for cultural events and make them available for cultural activities.

- Strengthen linkages between BSU, the University of Idaho, and other institutions of higher learning, as well as Downtown businesses and cultural and social service organizations.

- Strive to make Downtown an asset to the social, cultural, and economic life of faculty, staff and students at these educational institutions.

**Economic Development**

- Create and maintain a prosperous economy in Downtown.

- Recognize that Downtown requires continuing attention to stay competitive relative to other lower-cost locations for business investment.

- Find an appropriate balance between the demands for economic prosperity, historic preservation, and quality design in reviewing development applications.

- Work with appointed and elected officials, CCDC, DBA, historic preservation organizations, developers, property owners, and other stakeholders to understand the dynamics between historic preservation, design quality, and economic development in Downtown development projects.

**Action Plan**

**Environmental Stewardship**

- Strengthen protection of environmentally significant areas and waterways.

- Complete a comprehensive review of the Boise River System Ordinance relative to the goals of flood protection, fish and wildlife protection, pollution and runoff control, recreation, and development opportunities. Evaluate the need for amendments to the existing ordinance.

- Align regulations and development processes with sustainability policies.

- Develop new mixed-use zoning districts to facilitate the more compact and sustainable patterns of development supported by the policies contained in this Comprehensive Plan.

**A Predictable Development Pattern**

- Establish incentives for infill development

- Identify and prioritize needed infrastructure improvements to foster infill development and redevelopment in downtown, designated mixed-use activity centers,
along major travel corridors, and in other potential areas of change identified at the planning area level.

**A Community of Stable Neighborhoods and Vibrant Mixed-Use Activity Centers**

- Establish tools necessary to achieve desired patterns of development.
- Develop a series of mixed-use zoning districts to promote a more transit-supportive pattern of development. Consider form-based approaches where appropriate. Multiple districts may be required to address the varied character, scale, intensity, and mix of uses desired in different locations of the city; however, it is likely there will be a number of common elements (e.g., pedestrian connectivity requirements). Separate new districts will be required for the downtown.

**A Connected Community**

- Expand non-motorized transportation.
- Reexamine standards for public and private streets, sidewalks, and alleys to promote pedestrian and bicycle safety and mobility. Establish maximum parking requirements for all non-residential uses. Parking standards should recognize:
  - The availability and capacity of transit service;
  - Availability of alternative commute modes;
  - Access to off-site and on-street parking facilities; and
  - The availability of joint-use parking in mixed-use areas.

**A Strong, Diverse Economy**

- Promote downtown vitality.
- Create new downtown zoning district(s) to promote the urban design principles contained in adopted master plans for the Downtown Planning Area. Standards should address:
  - Mix of uses;
  - Urban building forms;
  - Housing;
  - Relationship to nearby neighborhoods;
  - Parking location and quantity;
  - On and off-site connectivity;
  - Block patterns; and
  - Other urban design principles as identified.
Westside U.R.D Zoning

Legend

- Westside U.R.D Expansion
- Westside U.R.D

Boise Zoning

- A-1
- C-1
- C-2
- C-3
- C-5
- L-O
- N-O
- PC
- R-2
- R-3
- R-O

Boise Zoning - Comprehensive Planning Division

Attachment: PZ Project Report, October 5, 2020 - RES-1-20 (RES-1-20 / First Amendment to the Urban Renewal Plan Westside Downtown Urban Renewal)
September 18, 2020

Mayor Lauren McLean
CITY OF BOISE
150 N Capitol Boulevard
Boise, Idaho 83702

RE: First Amendment to the Urban Renewal Plan, Westside Downtown Urban Renewal Project

Dear Mayor McLean:

In compliance with the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the “Law”) and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”), I am pleased to provide you with a copy of the First Amendment to the Urban Renewal Plan, Westside Downtown Urban Renewal Project (the “First Amendment”) adopted by the Urban Renewal Agency of Boise City, Idaho, also known as Capital City Development Corporation (the “Agency”) on September 14, 2020, pursuant to Agency Resolution No. 1669, a copy of which is also enclosed.

Public Hearing and Ordinance Readings

Under the provisions of the Law and the Act, a public hearing must be held by the City Council prior to final reading of the Ordinance adopting the First Amendment. I am herewith requesting that you schedule the readings and the public hearing before the City Council in conformance with the City’s Ordinance approval process. I understand the tentative schedule to be as follows: the public hearing will be scheduled for Tuesday, November 10, 2020, at 6:00 p.m. in the City Maryanne Jordan Council Chambers at City Hall, which will coincide with the first reading of the Ordinance; the second reading of the Ordinance will be scheduled for Tuesday, November 17, 2020, at 6:00 p.m.; and, the final reading of the Ordinance will be scheduled for Tuesday, December 1, 2020, at 6:00 p.m.

Publication of Public Hearing Notice and Transmittal to Affected Taxing Entities

I have also requested that the City Clerk publish notice of the public hearing and transmit the notice, the proposed First Amendment and the Agency Resolution No. 1669 recommending adoption of the First Amendment to the governing bodies of each taxing district affected by the revenue allocation financing provisions contained in the First Amendment no later than Friday, October 9, 2020.
These taxing entities will have to receive the referenced information no later than at least 30 days prior to the proposed hearing date but not more than 60 days prior to the date set for the final reading of the Ordinance as required by the statute, and publication of the notice in the Idaho Statesman no later than at least 30 days prior to the public hearing date but not more than 60 days prior to the date set for the final reading of the Ordinance. With the public hearing scheduled for November 10, 2020, and the final reading of the Ordinance scheduled for December 1, 2020, the first publication of the notice and receipt of the information by the taxing entities by Friday, October 9, 2020, should comply with the statutory requirements. A second publication date on Friday, October 23, 2020, should also be arranged.

Planning & Zoning Commission Finding of Conformity

The First Amendment must also be reviewed by the Planning & Zoning Commission within this same time frame. The Commission will need to make a finding concerning the First Amendment’s conformity with the City’s Comprehensive Plan, Blueprint Boise, as amended. I understand the Commission will consider the First Amendment on Monday, October 5, 2020.

Thank you for your cooperation in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

Capital City Development Corporation

______________________________
Chair Dana Zuckerman

Ryan P. Armbruster
Meghan S. Conrad
Jayme Sullivan, Boise City Attorney
James Smith, Boise City Attorney’s Office
4852-7043-9883, v. 1
# AGENDA BILL

**Agenda Subject:**
Resolution #1669 – Approve First Amendment to the Urban Renewal Plan Westside Downtown Urban Renewal Project  

**Date:**
September 14, 2020  

**Staff Contact:**
Doug Woodruff & Todd Bunderson  

**Attachments:**
1) Resolution No. 1669  
2) First Amendment to the Urban Renewal Plan Westside Downtown Urban Renewal Project  

**Action Requested:**
Adopt Resolution #1669 Approving the First Amendment to the Urban Renewal Plan Westside Downtown Urban Renewal Project

## Background:
In December 2001, the Urban Renewal Plan Westside Downtown Urban Renewal Project (the “Plan”) was approved by the City of Boise establishing the Westside Revenue Allocation Area (the “RAA”). The Plan, by attachment, included the Westside Downtown Framework Master Plan, as well as the other required attachments including a description of the RAA boundary, a map of the RAA, a list of properties to be acquired and an economic feasibility study. The Plan has a twenty-four (24) year term and a termination date of December 31, 2025; however, the Plan recognizes revenue allocation proceeds will be received in 2026 with formal termination on September 30, 2026. There are six more years of activity before the term of the RAA will be complete.

The RAA is home to a variety of large office buildings and institutions such as Meadow Gold and Idaho Power. The area includes many surface parking lots and CCDC has worked with a variety of property owners to create investments in workforce housing, historic rehabilitation of buildings, business headquarters, hospitality, public art, streetscapes and the design of lively public spaces. Additional opportunities have been identified for properties adjacent to both inside and outside of the current RAA boundaries.

The First Amendment to the Urban Renewal Plan, Westside Downtown Urban Renewal Project (the “First Amendment”) seeks to amend the Plan to add: 1) approximately 3.4 acres of land contiguous to the northern boundary of the Westside District Project Area and generally bounded by 9th Street to the west, 8th Street to Franklin St. to the east, State Street to the south, and Washington Street to the north (the “East Node”); and 2) approximately 10.6 acres of land contiguous to the northern boundary of the Westside District Project Area and generally bounded by 13th Street to the west, 10th Street to the east, Washington Street to the south and Franklin Street to the north, with the extension of an adjacent block to the south that is bounded...
by 11th Street to the west, 10th Street to the east, State Street to the south, and Washington Street to the north (the “West Node”).

The existing RAA is currently nearly 144 acres; the geographically smallest RAA administered by CCDC. The proposed amendment area is 14 acres or 9.8% of the total existing RAA, which complies with the geographic limitation for an amendment to a RAA set forth in Idaho Code Section 50-2033.

Further, the combined base values of the existing revenue allocation areas, plus the value of the area added is approximately 3% of the City’s 2019 taxable value, which is well below the 10% statutory limit set forth in Idaho Code Section 50-2903(15).

The Westside Downtown Framework Master Plan, Attachment 3 to the Plan (the “Framework”), describes a proposed street character and sets forth certain design guidelines. The Master Framework confirms the importance of right-of-ways designed to accommodate all modes of transportation, including pedestrians and bicycles, as well as generally enhancing the streetscape experience. This is one of the primary improvements the Agency hopes to complete in order to attract investment and collaborate with institutional groups.

CCDC is collaborating with public and private partners to facilitate additional investment and development both within the existing RAA and those areas directly adjacent to it in the proposed area of addition. The proposed amended area includes large parcels owned by Boise School District and the YMCA. These institutions are not real estate development focused and face challenges in creating taxable investment opportunities. There may be opportunities to partner to advance symbiotic goals. The area proposed to be added to the RAA also includes the privately owned Carnegie Library building that is encumbered with a historic overlay and whose primary tenants vacated approximately two years ago. The former bank building on the highly visible corner of 8th and State Street has not had a permanent tenant since the state of Idaho auctioned the building on December 1, 2016. The need for north-south multi-modal transit routes connecting the dense neighborhood to the north with Downtown has increased as both areas continue to expand.

In May 2019, the Agency adopted Resolution No. 1599 accepting the Westside Downtown Urban Renewal Area Amendment Eligibility Report, an eligibility study determining that the study area meets the statutory criteria pursuant to the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code (the “Law”) and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code (the "Act") (the "Eligibility Report"). The City Council subsequently adopted the study by Resolution No. RES-229-19 on June 4, 2019.

Additionally, the City of Boise, CDCC and the Boise School District have been working collaboratively to determine how urban renewal can most effectively assist the redevelopment of in-town neighborhoods while supporting the goals of the School District.

Currently the Agency owns a portion of the block south of State Street between 10th Street and 11th Street (1010 W. Jefferson and 421 N. 10th Street) and believes the likelihood of a larger transformative project in the area would be more likely to be achieved with the ability to
participate in ROW improvements, increasing multi modal transit corridors, and focusing on the future investment of currently vacant and inactive buildings.

S.B. Friedman & Company prepared a third-party economic feasibility study (the “Study”) for the area added to the RAA by the First Amendment, plus a 2020 update for the existing RAA. The Study determined that the expansion of the RAA and the associated projects are financially feasible.

The Study also analyzed the impact of House Bill 587. House Bill 587, as amended in the Senate, effective July 1, 2020, amends Idaho Code Section 50-2908 altering the allocation of revenue allocation funds to the Agency from the Ada County Highway District levy. This amendment applies only to the area to be added by this First Amendment, not the existing Project Area, and provides: “[i]n the case of a revenue allocation area first formed or expanded to include the property on or after July 1, 2020, all taxes levied by any highway district, unless the local governing body that created the revenue allocation area has responsibility for the maintenance of roads or highways” will be allocated to the applicable highway district, which in this case is the Ada County Highway District.

However, amended Idaho Code Section 50-2908 further provides the highway district and Agency may enter into an agreement for a different allocation. A copy of any agreement is required to be submitted to the Idaho State Tax Commission and to the Ada County Clerk by the Ada County Highway District as soon as practicable after the parties have entered into the agreement and by no later than September 1 of the year in which the agreement takes effect.

The area added by this First Amendment includes significant transportation elements and the Agency intends to work with ACHD to enter into an agreement on or before September 1, 2021, allowing the Agency to retain the revenues from the highway district levies from the area added. The Study estimates revenues from the ACHD levy in the amended area through Plan termination to be $1,000.

**Fiscal Notes**

There is no outstanding debt or bond covenants in the Westside District.

The cost of the Plan Amendment lies in legal and consultant fees, staff time and public noticing costs and is incorporated within the FY2020 Amended and FY2021 Original budget and will be within the approved budgets. This Plan Amendment will not impact on the duration of the Westside District and will not reset the base value of the Westside District. It will add the described parcels into the Westside Street District, and therefore, the Westside Street District will receive an allocation of revenues from the taxable annexed parcels.

**Staff Recommendation:**

Adopt Resolution #1669, approving First Amendment to the Urban Renewal Plan Westside Downtown Urban Renewal Project.

**Suggested Motion:**

Resolution #1669 – Approve First Amendment to the Urban Renewal Plan Westside Downtown Urban Renewal Project
RESOLUTION No. 1669

BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF BOISE, IDAHO:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF BOISE CITY, IDAHO, ALSO KNOWN AS CAPITAL CITY DEVELOPMENT CORPORATION, RECOMMENDING AND ADOPTING THE FIRST AMENDMENT TO THE URBAN RENEWAL PLAN WESTSIDE DOWNTOWN URBAN RENEWAL PROJECT, WHICH PLAN SEeks TO ANNEX CERTAIN AREAS TO THE EXISTING WESTSIDE DOWNTOWN PROJECT AREA, WHICH PLAN AMENDMENT INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS SUBJECT TO CERTAIN CONDITIONS; AUTHORIZING THE CHAIR, VICE-CHAIR, OR EXECUTIVE DIRECTOR AND THE SECRETARY OF THE AGENCY TO TAKE APPROPRIATE ACTION; AND PROVIDING FOR THIS RESOLUTION TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

THIS RESOLUTION, made on the date hereinafter set forth by the Urban Renewal Agency of Boise City, Idaho, also known as Capital City Development Corporation, an independent public body, corporate and politic, authorized by and existing under the authority of the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the “Law”), and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”), a duly created and functioning urban renewal agency for Boise City, Idaho, hereinafter referred to as the “Agency.”

WHEREAS, the City Council (the “City Council”) of the City of Boise City, Idaho (the “City”), after notice duly published, conducted a public hearing on the River Street-Myrtle Street Urban Renewal Plan (the “River Street Plan”);

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 5596 on December 6, 1994, approving the River Street Plan and making certain findings;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Westside Downtown Urban Renewal Plan (the “Westside Plan”);

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 6108 on December 4, 2001, approving the Westside Plan and making certain findings;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the First Amended and Restated Urban Renewal Plan, River Street-Myrtle Street Urban Renewal Project (annexation of the Old Boise Eastside Study Area and Several Minor Parcels) and Renamed River Myrtle-Old Boise Urban Renewal Project (the “River Myrtle-Old Boise Plan”);

RESOLUTION NO. 1669 - 1
WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 6362 on November 30, 2004, approving the River Myrtle-Old Boise Plan and making certain findings;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the 30th Street Area Urban Renewal Project Urban Renewal Plan (the “30th Street Plan”);

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 6868 on December 4, 2012, approving the 30th Street Plan and making certain findings;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the First Amendment to the First Amended and Restated Urban Renewal Plan, River Street-Myrtle Street, Urban Renewal Project and Renamed River Myrtle – Old Boise Urban Renewal Project (the “First Amendment to the River Myrtle-Old Boise Plan”);

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 24-18 on July 24, 2018, approving the First Amendment to the River Myrtle-Old Boise Plan for the purpose of de-annexing certain parcels from the existing revenue allocation area and making certain findings;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the First Amendment to the Urban Renewal Plan, 30th Street Area, Urban Renewal Project (the “First Amendment to the 30th Street Plan”);

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 26-18 on July 24, 2018, approving the First Amendment to the 30th Street Plan for the purpose of de-annexing certain parcels from the existing revenue allocation area and making certain findings;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Urban Renewal Plan for the Shoreline District Urban Renewal Project Area (the “Shoreline District Plan”);

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 55-18 on December 18, 2018, approving the Shoreline District Plan and making certain findings;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Urban Renewal Plan for the Gateway East Economic Development District Project Area (the “Gateway East District Plan”);

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 58-18 on December 18, 2018, approving the Gateway East District Plan and making certain findings;

WHEREAS, the River Myrtle-Old Boise Plan, as amended by the First Amendment to the River Myrtle-Old Boise Plan, the Westside Plan, the 30th Street Plan, as amended by the First Amendment to the 30th Street Plan, the Shoreline District Plan and the Gateway East District Plan and their project areas are collectively referred to herein as the “Existing Project Areas;”

RESOLUTION NO. 1669 - 2
WHEREAS, pursuant to Idaho Code Section 50-2008, an urban renewal project may not be planned or initiated unless the local governing body has, by resolution, determined such area to be a deteriorated area or deteriorating area, or combination thereof, and designated such area as appropriate for an urban renewal project;

WHEREAS, Idaho Code Section 50-2906, also requires that in order to adopt an urban renewal plan containing a revenue allocation financing provision, the local governing body must make a finding or determination that the area included in such plan is a deteriorated area or deteriorating area;

WHEREAS, based on inquiries and information presented by certain interested parties and property owners, the City and Agency commenced certain discussions concerning examination of an additional area as appropriate for an urban renewal project;

WHEREAS, in late 2018/early 2019, the Agency authorized SB Friedman Development Advisors to commence an eligibility study and preparation of an eligibility report of a geographic area totaling approximately 14 acres adjacent and contiguous to the existing Westside Plan Revenue Allocation Area (also may be referred to as the “Westside Project Area”). The area reviewed was divided into two nodes: (1) the East Node which is generally bounded by 9th Street to the west, 8th Street to the east, State Street to the south, and Washington Street to the north; and (2) the West Node which is generally bounded by 13th Street to the west, 10th Street to the east, Washington Street to the south, and Franklin Street to the north, with the extension of an adjacent block to the south that is bounded by 11th Street to the west, 10th Street to the east, State Street to the south, and Washington Street to the north. Collectively, the East Node and the West Node are commonly referred to as the Amendment Area (the “Amendment Area”);

WHEREAS, the Agency obtained the Westside Downtown Urban Renewal Area Amendment Eligibility Report, dated May 8, 2019 (the “Report”), which examined the Amendment Area for purposes of determining whether such area is a deteriorating area, a deteriorated area, or a combination of both a deteriorating area and a deteriorated area, as those terms are defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, pursuant to Idaho Code Sections 50-2018(8), (9) and 50-2903(8), which define a deteriorating area and a deteriorated area, many of the conditions necessary to support a finding of eligibility are found in the Amendment Area, i.e. the presence of a substantial number of deteriorated or deteriorating structures, deterioration of site or other improvements, predominance of defective or inadequate street layout, and faulty lot layout in relation to size, adequacy, accessibility or usefulness;

WHEREAS, the effects of the listed conditions cited in the Report result in the economic underdevelopment of the area, substantially impairs or arrests the sound growth of a municipality, constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare in its present condition or use;

WHEREAS, the Agency, on May 13, 2019, adopted Resolution No. 1599, accepting the Report subject to technical and ministerial edits, and authorizing the Chair, Vice-Chair, or Executive Director of the Agency to transmit the Report to the City Council requesting its consideration for designation of an urban renewal area and requesting the City Council to direct

RESOLUTION NO. 1669 - 3
the Agency to prepare an urban renewal plan or plan amendment for the Amendment Area, which plan or plan amendment may include a revenue allocation provision as allowed by law;

WHEREAS, the City Council on or about June 4, 2019, adopted and approved Resolution No. RES-229-19 finding the Amendment Area described in the Report to be a deteriorated area or deteriorating area as defined by the Law and the Act, that such Amendment Area was appropriate for an urban renewal project, and directed the Agency to commence preparation of an urban renewal plan or plan amendment for the Amendment Area;

WHEREAS, the Agency seeks to amend the Westside Plan, which contains provisions of revenue allocation financing as allowed by the Act;

WHEREAS, pursuant to the Law and Act, as amended, the First Amendment to the Urban Renewal Plan Westside Downtown Urban Renewal Project (the “First Amendment to the Westside Plan”) seeks to add the Amendment Area to the Westside Project Area and further, to provide updates to certain provisions and financial information from the Westside Plan, including to address changes in the Law and Act, to provide a projection concerning the remaining and additional improvements, projected expenses, and anticipated revenues through the Westside Plan termination;

WHEREAS, in order to implement the provisions of the Act and the Law either the Agency may prepare a plan, or any person, public or private, may submit such plan to the Agency;

WHEREAS, the Act authorizes the Agency to adopt revenue allocation financing provisions as part of an urban renewal plan;

WHEREAS, the First Amendment to the Westside Plan contains revenue allocation financing provisions as allowed by the Act;

WHEREAS, in order to implement the provisions of the Act, the Agency shall prepare and adopt the First Amendment to the Westside Plan and submit the First Amendment to the Westside Plan and recommendation for approval thereof to the City;

WHEREAS, pursuant to the Intergovernmental Cooperation and Development Agreement, dated January 22, 2019, by and between the Agency, City and the Independent School District of the City of Boise (the “BSD”), Agency and BSD representatives have met to discuss proposed projects within the First Amendment to the Westside Plan, and the parties have agreed to continue to have an open dialogue concerning projects within the area to be added by the First Amendment to the Westside Plan;

WHEREAS, as required by the Act, the Agency has reviewed the information within the First Amendment to the Westside Plan concerning the use of revenue allocation funds and approved such information and considered the First Amendment to the Westside Plan at its meeting on September 14, 2020;

RESOLUTION NO. 1669 - 4
WHEREAS, such First Amendment to the Westside Plan will be tendered to the Planning and Zoning Commission and to the City for their consideration and review as required by the Law and the Act;

WHEREAS, under the Act, the First Amendment to the Westside Plan shall include with specificity the following: (1) a statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality; (2) a statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area; (3) an economic feasibility study; (4) a detailed list of estimated project costs; (5) a fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area; and (6) a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred; (7) a termination date for the plan and the revenue allocation area as provided for in Idaho Code § 50-2903(20); and (8) a description of the disposition or retention of any assets of the agency upon the termination date;

WHEREAS, it is necessary and in the best interests of the citizens of the City to recommend approval of the First Amendment to the Westside Plan and to adopt, as part of the First Amendment to the Westside Plan, revenue allocation financing provisions that will help finance urban renewal projects to be completed in accordance with the First Amendment to the Westside Plan in order to (1) encourage private development in the urban renewal area; (2) to prevent and arrest decay of the Amendment Area added by the First Amendment to the Westside Plan due to the inability of existing financing methods to provide needed public improvements; (3) to encourage taxing districts to cooperate in the allocation of future tax revenues arising in the Amendment Area added by the First Amendment to the Westside Plan in order to facilitate the long-term growth of their common tax base; (4) to encourage the long-term growth of their common tax base; (5) to encourage private investment within the City and (6) to further the public purposes of the Agency;

WHEREAS, the Agency Board finds that the equalized assessed valuation of the taxable property in the revenue allocation area described in Attachments 1A and 2A of the First Amendment to the Westside Plan is likely to increase as a result of initiation of urban renewal projects in accordance with the First Amendment to the Westside Plan;

WHEREAS, under the Law and Act, any such plan should provide for (1) a feasible method for the location of families who will be displaced from the urban renewal area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan should conform to the general plan of the municipality as a whole; (3) the urban renewal plan should give due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety and welfare of the children residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan should afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise;

WHEREAS, if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for

RESOLUTION NO. 1669 - 5
residential uses, the local governing body shall determine that a shortage of housing of sound standards and design which is decent, safe and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality, or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in this act, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area;

WHEREAS, the base assessment roll of the area added by the First Amendment to the Westside Plan, together with the base assessment roll values of the Existing Project Areas, cannot exceed ten percent (10%) of the current assessed values of all the taxable property in the City;

WHEREAS, the area to be added by the First Amendment cannot exceed ten percent (10%) of the area within the Westside Project Area, and the Amendment Area is contiguous to the Westside Project Area;

WHEREAS, Agency staff and consultants recommend the Agency Board accept the First Amendment Westside Plan and forward it to the City Council;

WHEREAS, the Agency Board finds it in the best interests of the Agency and the public to formally adopt the First Amendment to the Westside Plan, as set forth in Exhibit 1 attached hereto, and to forward it to the Mayor and City Council, and recommend its adoption, subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF BOISE CITY, AS FOLLOWS:

Section 1. That the above statements are true and correct.

Section 2. It is hereby found and determined that the Amendment Area as defined in the First Amendment to the Westside Plan is a deteriorated area, a deteriorating area, or a combination thereof, as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law.

Section 2. That the Agency specifically adopts the First Amendment to the Westside Plan along with any changes discussed at the September 14, 2020, Agency Board meeting, including but not limited to finalization of the Attachments to the First Amendment to the RESOLUTION NO. 1669 - 6
Westside Plan, confirmation of levy rates, confirmation of the affected taxing districts, updated list of projects, updated map or legal description and any modifications to the financial analysis previously prepared by SB Friedman Development Advisors.

Section 4. That the Agency recommends that the First Amendment to the Westside Plan, a copy of which is attached hereto as Exhibit 1, and incorporated herein by reference, be adopted by the City Council, including those sections, modifications, or text, or replacement of Attachments as discussed at the September 14, 2020, Agency Board meeting.

Section 5. That this Resolution constitutes the necessary action of the Agency under the Act, Idaho Code § 50-2905, recommending approval by the City and that the First Amendment to the Westside Plan includes with specificity the following: (1) a statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality; (2) a statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area; (3) an economic feasibility study; (4) a detailed list of estimated project costs; (5) a fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area; and (6) a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred; (7) a termination date for the plan and the revenue allocation area as provided for in Idaho Code § 50-2903(20); and (8) a description of the disposition or retention of any assets of the agency upon the termination date.

Section 6. It is hereby found and determined that:

(a) The First Amendment to the Westside Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement (recognizing the mixed-use residential and commercial components of the First Amendment to the Westside Plan and the need for public improvements), and shows consideration for the health, safety, and welfare of any residents or businesses in the general vicinity of the urban renewal area covered by the First Amendment to the Westside Plan.

(b) The First Amendment to the Westside Plan affords maximum opportunity consistent with the sound needs of the City as a whole for the rehabilitation, development and redevelopment of the Westside Project Area as amended by the First Amendment to the Westside Plan by private enterprises.

(c) The First Amendment to the Westside Plan provides a feasible method for relocation of any displaced families residing within the Westside Project Area, noting there are no current residents in the area added by the First Amendment to the Westside Plan.

(d) The area added by the First Amendment to the Westside Plan does not contain “open land” areas, or areas of agricultural operation. The Agency
may acquire land and the First Amendment to the Westside Project Area is planned to be redeveloped in a manner that may include residential and non-residential uses.

(e) The portion of the area added by the First Amendment to the Westside Plan which may be identified for residential uses is necessary and appropriate as there is a shortage of housing of sound standards and design which is decent, safe and sanitary in the City; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the City.

(f) The portion of the area added by the First Amendment to the Westside Plan which may be identified for non-residential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Comprehensive Plan to overcome economic disuse, the need for improved traffic patterns and the need for the correlation of this area with other areas of the City.

(g) The base assessment roll of the area added by the First Amendment to the Westside Plan, together with the base assessment roll values of the Existing Project Areas, do not exceed ten percent (10%) of the current assessed values of all the taxable property in the City.

(h) The area to be added by the First Amendment does not exceed ten percent (10%) of the geographical area contained within the existing Westside Project Area and the area to be added is contiguous to the existing Westside Project Area.

(i) The First Amendment to the Westside Plan includes a revenue allocation provision and the Agency has determined that the equalized assessed valuation of the revenue allocation area will likely increase as the result of the initiation of an urban renewal project.

Section 7. That this Resolution constitutes the necessary action of the Agency under the Law, Section 50-2008, Idaho Code and the Act.

Section 8. The Chair, Vice-Chair, or Executive Director, and the Secretary of the Agency are hereby authorized and directed to take all steps necessary and convenient to submit the proposed First Amendment to the Westside Plan for approval by the City Council.

Section 9. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

RESOLUTION NO. 1669 - 8
PASSED by the Urban Renewal Agency of Boise City, Idaho, on September 14, 2020. Signed by the Chair of the Board of Commissioners and attested by the Secretary to the Board of Commissioners, on September 14, 2020.

APPROVED:

By __________________________
Dana Zuckerman, Chair

ATTEST:

By __________________________
Lauren McLean, Secretary

RESOLUTION NO. 1669 - 9
Exhibit 1

The First Amendment to the Urban Renewal Plan Westside Downtown Urban Renewal Project

4843-3443-9882, v. 2
FIRST AMENDMENT TO THE
URBAN RENEWAL PLAN
WESTSIDE DOWNTOWN
URBAN RENEWAL PROJECT

URBAN RENEWAL AGENCY OF BOISE CITY
BOISE, IDAHO

Ordinance No. 6108
Adopted December 4, 2001
Effective December 8, 2001, publication

First Amendment to the
Westside Downtown Plan
Ordinance No. ______
Adopted _____________
Effective ______________, publication
BACKGROUND

This First Amendment (“First Amendment”) to the Urban Renewal Plan, Westside Downtown Urban Renewal Project (the “Plan”) amends the Plan for the following purposes: 1) to add approximately 3.4 acres of land contiguous to the northern boundary of the Westside District Project Area and generally bounded by 9th Street to the west, 8th Street to Franklin Street to the east, State Street to the south, and Washington Street to the north (the “East Node”); and 2) to add approximately 10.6 acres of land contiguous to the northern boundary of the Westside District Project Area and generally bounded by 13th Street to the west, 10th Street to the east, Washington Street to the south, and Franklin Street to the north, with the extension of an adjacent block to the south that is bounded by 11th Street to the west, 10th Street to the east, State Street to the south, and Washington Street to the north (the “West Node”). The scope of this First Amendment is limited to addressing the addition of area to the Westside District Project Area. It is important to note this First Amendment to the Plan does not extend the Plan’s duration. The Plan terminates on December 31, 2025; however, revenue allocation proceeds will be received in 2026 pursuant to Idaho Code § 50-2905(7).

This First Amendment to the Plan, which adds area to the Westside District Project Area, does not result in a reset of the base assessment roll values to the current equalized assessed values in the year following the amendment or modification of the Plan. House Bill 606, effective July 1, 2016, amended the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”), firmly establishing “[f]or plans adopted or modified prior to July 1, 2016, and for subsequent modifications of those urban renewal plans, the value of the base assessment roll of property within the revenue allocation area shall be determined as if the modification had not occurred.” Idaho Code § 50-2903(4). Though the provisions of Idaho Code § 50-2903A do not apply to the Plan, a plan amendment or modification to add area to an existing revenue allocation area pursuant to Idaho Code § 50-2033 is a specifically identified exception to a base reset. Idaho Code § 50-2903A(1)(a)(ii). This highlights the legislative support for these types of amendments.

Idaho Code § 50-2033 permits an urban renewal agency, after July 1, 2011, to add area to an existing revenue allocation area one (1) time “so long as the total area to be added is not greater than ten percent (10%) of the existing revenue allocation area and the area to be added is contiguous to the existing revenue allocation area . . . .” Idaho Code § 50-2033. Contiguity cannot be established solely by a shoestring or public or railroad right-of-way. See Idaho Code § 50-2033. The two geographic areas to be added to the Westside District Project Area are contiguous to the existing Project Area and combined are less than 10% of the existing revenue allocation area.

A separate base assessment value will be established for the areas to be added to the Westside District Project Area, effective retroactive to January 1, 2020. The Agency will receive an allocation of revenues from the added area from any increases in value above the base value through the remaining years of the Plan. The base values for the original Project Area will continue to be retroactive to January 1, 2001.

The area to be added to the Westside District Project Area was deemed to be a deteriorated area and/or a deteriorating area under the Law and the Act and, therefore, eligible
for inclusion into the existing revenue allocation area pursuant to the Westside Downtown Urban Renewal Area Amendment Eligibility Report, prepared by S.B. Friedman & Company, dated May 8, 2019 (the “Eligibility Report”). The Eligibility Report was submitted to the Agency, which by adoption of Resolution No. 1599 on May 13, 2019, found the additional area to be eligible and authorized the transmission of the Eligibility Report and Resolution to the Boise City City Council, together with the Agency’s recommendation that the area be designated as appropriate for an urban renewal project, and seeking direction from the City Council to proceed with an urban renewal plan amendment. The Boise City City Council, by adoption of Resolution No. RES-229-19 on June 4, 2019, found the area under consideration to be a deteriorating area or a deteriorated area in the City, as defined by the Law and the Act, and authorized preparation of a new plan area and/or a plan amendment.

AMENDMENTS TO THE PLAN

1. Definitions. Capitalized terms not otherwise defined herein shall have the respective meanings ascribed to such terms in the Plan.

2. The following defined terms in the Plan are amended throughout the Plan as follows:

   a. Delete “Project Area” and replace with “Amended Project Area” except where specifically referenced in this First Amendment.

   b. Delete references to “Attachment 1” and replace with “Attachment 1, as supplemented by Attachment 1A” except where specifically referenced in this First Amendment.

   c. Delete references to “Attachment 2” and replace with “Attachment 2, as supplemented by Attachment 2A” except where specifically referenced in this First Amendment.

   d. Delete references to “Attachment 4” and replace with “Attachment 4, as supplemented by Attachment 4A” except where specifically referenced in this First Amendment.

   e. Delete references to “Attachment 5” and replace with “Attachment 5, as supplemented by Attachment 5A” except where specifically referenced in this First Amendment.

3. Amendment to List of Attachments. The List of Attachments on Page 4 is amended by deleting the list of attachments and replacing it as follows:

   Attachment 1: Legal Description of the Project Area and Revenue Allocation Area Boundaries

   Attachment 1A: Legal Descriptions of the Boundaries of the Additional Areas

   Attachment 2: Boundary Map of Project Area and Revenue Allocation Area Boundary

   Attachment 2A: Boundary Map of the Additional Areas

FIRST AMENDMENT TO THE WESTSIDE DOWNTOWN PLAN - 2
Attachment 3: Westside Downtown Framework Master Plan
Attachment 3A: Map Depicting Expected Land Uses and Current Zoning Within the Areas Added by the First Amendment
Attachment 4: Properties to Be Acquired
Attachment 4A: Properties (Public and/or Private) Which May Be Acquired by Agency
Attachment 5: Economic Feasibility Study for the Westside Downtown Urban Renewal Area
Attachment 5A: Proposed Amended Westside Urban Renewal District Feasibility Study

4. Amendment to Section 100 of the Plan.
   a. Section 100 is amended by deleting the list of attachments in the first paragraph and replacing it as follows:

   Legal Description of the Project Area and Revenue Allocation Area Boundaries (Attachment 1);
   Legal Descriptions of the Boundaries of the Additional Areas (Attachment 1A);
   Boundary Map of Project Area and Revenue Allocation Area Boundary (Attachment 2);
   Boundary Map of the Additional Areas (Attachment 2A);
   Westside Downtown Framework Master Plan (Attachment 3);
   Map Depicting Expected Land Uses and Current Zoning Within the Area Added by the First Amendment (Attachment 3A);
   Properties to Be Acquired (Attachment 4);
   Properties (Public and/or Private) Which May Be Acquired by Agency (Attachment 4A)
   Economic Feasibility Study for the Westside Downtown Urban Renewal Area (Attachment 5)
   Proposed Amended Westside Urban Renewal District Feasibility Study (Attachment 5A)

   b. Section 100 is amended by deleting the list of planning documents in the sixth paragraph and replacing it as follows:
Document 1/Attachment 3


Document 2

(Reserved)

Document 3

Capital Improvement Plan

Document 4

Recommended Strategic Investments/Actions: Westside Downtown District (2016)

5. Amendment to Section 101.01 of the Plan. Section 101.01 entitled “CONFORMANCE WITH STATE OF IDAHO URBAN RENEWAL LAW OF 1965, AS AMENDED” is amended by adding new paragraphs to the end of the existing language as follows:

d. Subsequent to adoption of this Plan in 2001, in late 2018, the Agency retained a third-party consultant to review approximately 14 acres of land adjacent and contiguous to the Project Area for an eligibility determination for an urban renewal project. The area reviewed included (1) land contiguous to the northern boundary of the Westside District Project Area and generally bounded by 9th Street to the west, 8th Street to Franklin Street to the east, State Street to the south, and Washington Street to the north (the “East Node”); and (2) land contiguous to the northern boundary of the Westside District Project Area and generally bounded by 13th Street to the west, 10th Street to the east, Washington Street to the south, and Franklin Street to the north, with the extension of an adjacent block to the south that is bounded by 11th Street to the west, 10th Street to the east, State Street to the south, and Washington Street to the north (the “West Node”).

e. The additional area to be added to the Project Area was reviewed and determined to be a deteriorated area and/or a deteriorating area under the Law and the Act and, therefore, eligible for inclusion into the existing revenue allocation area pursuant to the Westside Downtown Urban Renewal Area Amendment Eligibility Report, prepared by SB Friedman, dated May 8, 2019 (the “Eligibility Report”). The Eligibility Report was submitted to the Agency, which by adoption of Resolution No. 1599 on May 13, 2019, found the additional area to be eligible and authorized the transmission of the Eligibility Report and Resolution to the City Council, together with the Agency’s recommendation that the area be designated as appropriate for an urban renewal project, and seeking direction from the City Council to proceed with an urban renewal plan amendment. The City Council by adoption of Resolution No. RES-229-19 on June 4, 2019, found the
area under consideration to be a deteriorating area or a deteriorated area in the City, as defined by the Law and the Act, and authorized preparation of a plan amendment. The 14 acres being added to the Project Area hereby create the “Amended Project Area” as further described and shown in Attachments 1, 1A, 2, and 2A.

f. This First Amendment to the Plan (the “First Amendment”) was prepared and submitted to the Agency for its review and approval. The Agency approved the First Amendment by the adoption of Agency Resolution No. 1669 on September 14, 2020, and submitted the First Amendment to the City Council with its recommendation for adoption.

g. In accordance with the Law, this First Amendment was submitted to the Planning and Zoning Commission of the City. After consideration of the First Amendment, the Commission reported to the City Council, by Resolution, finding that this First Amendment is in conformity with the City’s Comprehensive Plan, and as subsequently as amended.

h. Pursuant to the Law and Act, the City Council having published due notice thereof, held a public hearing on the First Amendment. Notice of the hearing was duly published in the *Idaho Statesman*, a newspaper having general circulation in the City. The City Council adopted the First Amendment on ____________. 2020, by Ordinance No. __________.

6. Amendment to Section 102 of the Plan. Section 102 is amended by adding new paragraphs following the last paragraph as follows:

   During 2018 and early 2019, the City, Agency, and other interested parties began to examine the need to expand the Project Area to include all or a portion of Boise High School, the YMCA Downtown, the former Carnegie Library site, and the adjacent rights-of-way. The approximately 14 acres total of land to be added to the Project Area is separated into two separate geographic areas: the East Node, including approximately 3.4 acres, and the West Node, including approximately 10.6 acres, as further described above.

   Both areas to be added to the Project Area include a substantial number of deteriorated or deteriorating structures and deterioration of site. There was significant visual evidence of cracked foundations, cracked or damaged windows, and significant water damage to existing structures. Further, cracked pavement and sidewalks, potholes, and damage to streetscape was observed throughout the East Node and West Node. The West Node, which includes Boise High School, exhibited a predominance of defective or inadequate street layout, as well as, faulty lot layout in relation to size, adequacy, accessibility or usefulness. The Boise High School site presents a large superblock, which blocks the 11th Street and 12th Street transportation corridors unlinking the neighborhoods to the north from downtown. The superblock, combined, with the smaller undevelopable YMCA parking parcels, present potential impediments to future development. Generally, the deteriorating conditions have resulted in economic and social liability. The East Node
includes a number of vacant or underutilized parcels representing an economic liability. The West Node includes parcels with no taxable value; however, both Boise High School and the YMCA require significant capital improvements. Further, due to the site and layout, those parcels are not easily transitioned to developable parcels.

The First Amendment embraces the principles set forth in the Plan and proposes improvements to public infrastructure and other publicly owned assets throughout the expansion area, creating the framework for the development of mixed-use, residential, commercial, and retail areas, improvements to educational facilities, improvements to other public facilities, including, but not limited to, streets, streetscapes, water and sewer improvements, environmental remediation/site preparation, public parking, community facilities, and pedestrian/bike amenities. A portion of the expansion area is underdeveloped and is not being used to its highest and best use due to deterioration of structures and site. Further, the East Node and West Node could better address pedestrian and bicycle uses connecting the neighborhoods to the north with the downtown core. The foregoing conditions have arrested or impaired growth in the expansion area.

7. Amendment to Section 200 of the Plan. Section 200 entitled “DESCRIPTION OF PROJECT AREA” is deleted and replaced as follows:

**DESCRIPTION OF THE AMENDED PROJECT AREA**

The boundaries of the Project Area and of the Revenue Allocation Area are described in Attachment 1 and are shown on the Boundary Map of Project Area and Revenue Allocation Area Boundary, in Attachment 2.

The boundaries of the areas added to the Project Area, pursuant to the First Amendment, are described in the Legal Descriptions of the Boundaries of the Additional Areas in Attachment 1A and are shown on the Boundary Map of the Additional Areas in Attachment 2A. Collectively, the Project Area, as amended, may be referred to as the “Amended Project Area.”

For purposes of boundary descriptions and use of proceeds for payment of improvements, the boundary shall be deemed to extend to the outer boundary of rights-of-way or other natural boundary.

The attachments referenced above are attached hereto and are incorporated herein by reference.

8. Amendment to Section 301 of the Plan.

a. Section 301 is amended by deleting paragraph f and replacing it as follows:

f. The installation, construction, or reconstruction of streets and utilities, including, removal, burying, or relocation of overhead utilities; extension of electrical distribution lines and transformers; improvement of
irrigation and drainage ditches and laterals; addition of fiber optic lines or other communication systems; and improvement of storm drainage facilities, flood control facilities, public parking facilities, and other public improvements, including, but not limited to, water and sewer improvements, fire protection systems, roadways, curbs, gutters, and streetscapes, which for purposes of this Plan, the term streetscapes includes sidewalks, lighting, landscaping, benches, bike racks, public art, and similar amenities between the curb and right-of-way line; and other public improvements, including parks, pedestrian/bike paths and trails, plazas, open space, and other recreational facilities; other public improvements related to the development of mixed-use residential, commercial, and retail areas, educational facilities, community facilities and other public facilities that may be deemed appropriate by the Board;

b. Section 301 is amended by deleting paragraph i. and replacing it as follows:

   i. The preparation and assembly of adequate sites for the development and construction of facilities for mixed-use, residential, commercial and retail areas, recreational facilities, educational facilities, and other public or governmental use;

c. Section 301 is amended by adding paragraph l as follows:

   l. The remediation of certain site conditions and other environmental remediation to encourage development of land by private enterprise.

d. Section 301 is amended by adding paragraph m as follows:

   m. Other related improvements to those set forth above and as may be further described in Attachments 5 and 5A.

9. Amendment to Section 302 of the Plan. Section 302 is amended by deleting the first sentence of the second paragraph and replacing it as follows:

   The Amended Project Area includes the area as described in Section 200, as amended by the First Amendment.

10. Amendment to Section 401 of the Plan. Section 401 is amended by deleting the paragraph and replacing it as follows:

   The Amended Project Area includes the area as described in Section 200, as amended by the First Amendment. The proposed land uses to be permitted in the Amended Project Area for all land, public and private, are depicted in Attachments 3 and 3A.
11. Amendment to Section 402.01 of the Plan. Section 402.01 is amended by deleting the paragraph and replacing it as follows:

The zoning classifications for the Amended Project Area are shown and depicted in Attachment 3A. The Agency also recognizes those land uses permitted by conditional uses under each zoning classification, subject to the conditions imposed by the City of Boise pursuant to the conditional use process.

12. Amendment to Section 504 of the Plan.

a. Section 504 is amended by deleting the first sentence of the first paragraph and replacing it as follows: The Agency hereby adopts revenue allocation financing provisions as authorized by the Act, Chapter 29, Title 50, Idaho Code, effective retroactively to January 1, 2001, for the original Project Area and effective retroactively to January 1, 2020, for the area added to the Project Area by the First Amendment.

b. Section 504 is amended by deleting the first and second sentences of the fourth paragraph and replacing it as follows: A statement listing proposed public improvements and facilities, an economic feasibility study, estimated project costs, fiscal impact upon other taxing districts, and methods of financing project costs required by Idaho Code § 50-2905 is included in Attachment 5 for the Project Area, and as supplemented in Attachment 5A for the area added to the Project Area by the First Amendment, including a 2020 update for the existing Project Area. The information contained in Attachment 5A necessarily incorporates estimates and projections based on the Agency’s present knowledge and expectations and includes analysis and assessment based on the additional estimated 14 acres added to the Project Area.

13. Amendment to Section 504.01 of the Plan. Section 504.01 is amended by deleting Section 504.01 and replacing it as follows:

Attachment 5 consists of the Economic Feasibility Study for the Westside Downtown Urban Renewal Area prepared by Keyser Marston Associates, Inc. Attachment 5A consists of the Proposed Amended Westside Urban Renewal District Feasibility Study, which includes an Economic Feasibility Study for the area added to the Project Area by the First Amendment, plus a 2020 update for the existing Project Area prepared by S.B. Friedman & Company (collectively, Attachments 5 and 5A are referred to as the “Study”). The Study constitutes the financial analysis required by the Act.

14. Amendment to Section 504.03 of the Plan. Section 504.03 is amended by deleting Section 504.03 and replacing it as follows:

Under the Act, the base assessed valuation for all revenue allocation areas cannot exceed gross/net ten percent (10%) of the current assessed taxable value for the entire City. According to the Ada County Assessor, the assessed taxable value for the City as of
January 1, 2019, less homeowners’ exemptions is $27,742,463,491. Therefore, the 10% limit is $2,774,246,349.

The adjusted base assessed value of each of the existing revenue allocation areas, plus the expansion area, as of January 1, 2020, is as follows:

<table>
<thead>
<tr>
<th>Revenue Allocation Area</th>
<th>Adjusted Base Assessed Value</th>
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</thead>
<tbody>
<tr>
<td>Westside Downtown District</td>
<td>$138,858,300</td>
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<tr>
<td>2020 Westside Downtown District Project Area Amendment</td>
<td>$3,369,800</td>
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<tr>
<td>River Myrtle/Old Boise District</td>
<td>$120,435,600</td>
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<tr>
<td>30th Street District</td>
<td>$59,685,100</td>
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<tr>
<td>Shoreline District</td>
<td>$117,552,700</td>
</tr>
<tr>
<td>Gateway East District</td>
<td>$378,899,000</td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td><strong>$818,800,500</strong></td>
</tr>
</tbody>
</table>

The adjusted base values for the combined revenue allocation areas total $818,800,500, which is less than 10% of the City’s 2019 taxable value.

Further Idaho Code § 50-2033 provides that after July 1, 2011: “[a]n urban renewal plan that includes a revenue allocation area may be extended only one (1) time to extend the boundary of the revenue allocation so long as the total area to be added is not greater than ten percent (10%) of the existing revenue allocation area and the area to be added is contiguous to the existing revenue allocation area but such contiguity cannot be established solely by a shoestring or strip of land which comprises a railroad or public right-of-way.” The Project Area consists of approximately 143.4 acres; therefore, the 10% geographic limit is approximately 14.3 acres. The area to be added to the Project Area, which is adjacent and contiguous to the Project Area, consists of approximately 14.1 acres, which is less than 10% of the acreage included in the Project Area.

15. Amendment to Section 508 of the Plan. Section 508 of the Plan is amended by deleting Section 508 and replacing it as follows:

An estimate of the overall impact of the revenue allocation project on each taxing district is shown in the Study through the new development projections.

The assessed value for each property in a revenue allocation area consists of a base value and an increment value. The base value is the assessed value as of January 1 of the year in which a revenue allocation area is approved by a municipality with periodic adjustments allowed by Idaho law. The addition of the geographic area to the Project Area does not reset the base; however, for the area added, the base value is the assessed

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1 Due to the timing of the assessment process and creation of this First Amendment, the 2020 adjusted base values of the existing revenue allocation areas and the 2019 taxable values of the City have been used to establish compliance with the 10% limitation. Using these values, the total value of the existing revenue allocation areas combined with the value of this Amended Project Area are approximately 3% of the total taxable value of the City. Even assuming an increase in the taxable values of the City for 2020, the combined base values of the existing revenue allocation areas and the base value of the Amended Project Area would not exceed 10% of the current assessed taxable value for the entire City.
value as of January 1 of the year in which the municipality approved the expansion or, in this instance, January 1, 2020. The increment value is the difference between the adjusted base assessed value and current assessed taxable value in any given year while the property is in a revenue allocation area. Under Idaho Code § 63-802, taxing entities are constrained in establishing levy rates by the amount each budget of each taxing district can increase on an annual basis.² Taxing entities submit proposed budgets to the County Board of Commissioners, which budgets are required to comply with the limitations set forth in Idaho Code § 63-802. Therefore, with the exception of the Boise School District, the impact of revenue allocation is more of a product of the imposition of Idaho Code § 63-802 than the effect of urban renewal.

The County Board of Commissioners calculates the levy rate required to produce the proposed budget amount for each taxing entity using the assessed values which are subject to each taxing entity’s levy rate. Assessed values in urban renewal districts which are subject to revenue allocation (incremental values) are not included in this calculation. The combined levy rate for the taxing entities is applied to the incremental property values in a revenue allocation area to determine the amount of property tax revenue which is allocated to an urban renewal agency. The property taxes generated by the base assessed values of properties in the urban renewal districts and by properties outside revenue allocation areas are distributed to the taxing entities. Properties in revenue allocation areas are subject to the same levy rate as they would be outside a revenue allocation area. The difference is how the revenue is distributed. If the overall levy rate is less than assumed, the Agency will receive fewer funds from revenue allocation.

In addition, without the revenue allocation area and its ability to pay for public improvements and public facilities, fewer substantial improvements within the revenue allocation area would be expected during the remaining term of the Plan; hence, there would be lower increases in assessed valuation to be used by the other taxing entities.

One result of new construction occurring outside of the revenue allocation area (Idaho Code §§ 63-802 and 63-301A) is the likely reduction of the levy rate as assessed values increase for property within each taxing entity’s jurisdiction. From and after December 31, 2006, Idaho Code § 63-301A prohibits taxing entities from including, as part of the new construction roll, the increased value related to new construction within a revenue allocation area until the revenue allocation authority is terminated. Any new construction within the Amended Project Area is not available for inclusion by the taxing entities to increase their budgets. Upon termination of this Plan, the taxing entities will be able to include the accumulated new construction roll value in setting the following year’s budget and revenue from such value; thus, the budget is not limited to the three percent increase allowed in Idaho Code § 63-802(1)(a).

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² Recognizing the Boise School District’s tort levy is the only levy constrained in this manner.
Pursuant to the First Amendment and the Study concerning the expansion, as 2020 certified levy rates are not determined until late September 2020, the 2019 certified levy rates have been used in the Study. Those taxing districts and rates are as follows:

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<thead>
<tr>
<th>Taxing District</th>
<th>Levy Rate</th>
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<tbody>
<tr>
<td>Ada County</td>
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<tr>
<td>Ada County Ambulance</td>
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<td>City of Boise</td>
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<td>SW Ada County Mosquito Abatement</td>
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</tbody>
</table>

      
House Bill 587, as amended in the Senate, effective July 1, 2020, amends Idaho Code Section 50-2908 altering the allocation of revenue allocation funds to the Agency from the Ada County Highway District levy. This amendment applies only to the area to be added by this First Amendment, not the existing Project Area, and provides: “[i]n the case of a revenue allocation area first formed or expanded to include the property on or after July 1, 2020, all taxes levied by any highway district, unless the local governing body that created the revenue allocation area has responsibility for the maintenance of roads or highways” will be allocated to the applicable highway district, which in this case is the Ada County Highway District.

However, amended Idaho Code Section 50-2908 further provides the highway district and Agency may enter into an agreement for a different allocation. A copy of any agreement is required to be submitted to the Idaho State Tax Commission and to the Ada County Clerk by the Ada County Highway District as soon as practicable after the parties have entered into the agreement and by no later than September 1 of the year in which the agreement takes effect. The area added by this First Amendment includes significant transportation elements, and the Agency intends to work with the Ada County Highway District to enter into an agreement allowing the Agency to retain the revenues from the highway district levies.

Additionally, due to COVID-19, the state of Idaho is currently working to leverage $200 million in federal coronavirus aid under the CARES Act to provide local property tax relief. This program is referred to as the Governor’s Public Safety Grants Initiative ("GPSGI"). Ada County and the City are eligible under the program. To the extent Ada County and/or the City elect to receive funds under the GPSGI, preliminary evidence of impact of the property tax relief indicates there could be a drop in levy rates for those taxing districts. The impact of this program

3 Due to the timing of the taxing districts' budget and levy setting process, certification of the 2020 levy rates did not occur until this First Amendment had been prepared and considered by the Agency. In order to provide a basis to analyze the impact on the taxing entities, the 2019 levy rates are used. Use of the 2019 levy rates provides a more accurate base than estimating the 2020 levy rates.

4 This First Amendment continues to be feasible despite any agreement with the Ada County Highway District for a different allocation. Projected revenues from the Ada County Highway District Levy in the area to be added by the First Amendment total less than $1,000.00 for the remaining life of the Amended Project Area.
on the Agency is unknown; however, if increment values remain stagnant or drop, the result could be less revenue for the Agency in calendar year 2021.\(^5\)

The Study has made certain assumptions concerning the levy rate. The 2020 levy rate is estimated to drop slightly to 1.24% and then increase in 2021 to 1.34% and remain constant for the life of the Amended Project Area. The annual increment value is expected to increase by an estimated 2.0% annually across the Amended Project Area for the remaining term of the Plan. If the overall levy rate is less than projected, or the land values do not increase as expected, or expected development fails to occur as estimated, the Agency shall receive fewer funds from revenue allocation.

Pursuant to Idaho Code § 50-2908, the Agency is not entitled to revenue allocation proceeds from certain levy increases which are allowed by either specific statutory authorization or approved by an election of the qualified electors of the particular taxing district. Therefore, for any levy election, the Agency will not receive revenue allocation funds which would have been generated by imposing that levy on the assessed valuation within the Amended Project Area. The Study has taken this statute into account.

16. Amendment to Section 500 of the Plan. Section 500 of the Plan is amended by the addition of new Section 509 entitled “LEASE REVENUE, PARKING REVENUE, AND BONDS” as follows:

509 Lease Revenue, Parking Revenue, and Bonds

Under the Law (Idaho Code § 50-2012), the Agency is authorized to issue revenue bonds to finance certain public improvements identified in the Plan. Under that type of financing, the public entity would pay the Agency a lease payment annually which provides certain funds to the Agency to retire the bond debt. Another variation of this type of financing is sometimes referred to as conduit financing, which provides a mechanism where the Agency uses its bonding authority for the Project, with the end user making payments to the Agency to retire the bond debt. These sources of revenues are not related to revenue allocation funds and are not particularly noted in the Study because of the “pass through” aspects of the financing. Under the Act, the economic feasibility study focuses on the revenue allocation aspects of the Agency’s financial model.

These financing models typically are for a longer period of time than the 20-year period set forth in the Act. However, these financing models do not involve revenue allocation funds but, rather, funds from the end users which provide a funding source for the Agency to continue to own and operate the facility beyond the term of the Plan as allowed by Idaho Code § 50-2905(8) as those resources involve funds not related to revenue allocation funds.

17. Amendment to Section 500 of the Plan. Section 500 of the Plan is amended by the addition of new Section 510 entitled “MEMBERSHIP DUES AND SUPPORT OF COMMUNITY ECONOMIC DEVELOPMENT” as follows:

---

\(^5\) To the extent possible, efforts have been made to neutralize any impact on urban renewal agencies.
510 Membership Dues and Support of Community Economic Development

The Act is premised upon economic development being a valid public purpose. To the extent allowed by the Law and the Act, the Agency reserves the authority to use revenue allocation funds to contract with non-profit and charitable organizations established for the purpose of supporting economic development and job creation. Additionally, the Agency reserves the authority to expend revenue allocation funds to join, participate, and support non-profit organizations established to support Agency best practices and administration. The line item of Operation Costs within the Study shall be deemed to include expenditures for the purposes described in this section as may be deemed appropriate during the annual budgetary process.

18. Amendment to Section 800 of the Plan. Section 800 of the Plan is amended by deleting Section 800 and replacing it as follows:

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan, shall be effective for twenty-four (24) years from the effective date of the adoption of the original Plan by the City Council in 2001, subject to modifications and/or extensions set forth in Idaho Code §§ 50-2904 and 50-2905(7). The revenue allocation authority will expire on December 31, 2025, except for any revenue allocation proceeds received in calendar year 2026, as contemplated by Idaho Code § 50-2905(7).

Idaho Code § 50-2903(5) provides the Agency shall adopt a resolution of intent to terminate the revenue allocation area by September 1. In order to provide sufficient notice of termination to the affected taxing districts to allow them to benefit from the increased budget capacity, the Agency will use its best efforts to provide notice of its intent to terminate this Plan and its revenue allocation authority by May 1, 2026 or if the Agency determines an earlier termination date, then by May 1 of the early termination year:

a. When the Revenue Allocation Area plan budget estimates that all financial obligations have been provided for, the principal of and interest on such moneys, indebtedness, and bonds have been paid in full, or when deposits in the special fund or funds created under this chapter are sufficient to pay such principal and interest as they come due, and to fund reserves, if any, or any other obligations of the Agency funded through revenue allocation proceeds shall be satisfied and the Agency has determined no additional project costs need be funded through revenue allocation financing, the allocation of revenues under Idaho Code § 50-2908 shall thereupon cease; any moneys in such fund or funds in excess of the amount necessary to pay such principal and interest shall be distributed to the

6 This amendment does not seek to extend the duration of the Agency’s revenue allocation authority; rather, the intent is to update this Section to better reflect the Idaho law provisions governing termination.
7 Due to the difference between the tax year and the budget-levy setting cycle, this date contemplates the Agency’s receipt of revenue allocation from assessments in 2025, consistent with Idaho Code § 50-2905(7).

FIRST AMENDMENT TO THE WESTSIDE DOWNTOWN PLAN - 13
affected taxing districts in which the Revenue Allocation Area is located in the same manner and proportion as the most recent distribution to the affected taxing districts of the taxes on the taxable property located within the Revenue Allocation Area; and the powers granted to the urban renewal agency under Idaho Code § 50-2909 shall thereupon terminate.

b. In determining the termination date, the Plan shall recognize that the Agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the Plan.

c. For the fiscal year that immediately predates the termination date, the Agency shall adopt and publish a budget specifically for the projected revenues and expenses of the Plan and make a determination as to whether the Revenue Allocation Area can be terminated before January 1 of the termination year pursuant to the terms of Idaho Code § 50-2909(4). In the event that the Agency determines that current tax year revenues are sufficient to cover all estimated expenses for the current year and all future years, by May 1, but in any event, no later than September 1, the Agency shall adopt a resolution advising and notifying the local governing body, the county auditor, and the State Tax Commission, recommending the adoption of an ordinance for termination of the Revenue Allocation Area by December 31 of the current year and declaring a surplus to be distributed as described in Idaho Code § 50-2909 should a surplus be determined to exist. The Agency shall cause the ordinance to be filed with the office of the county recorder and the Idaho State Tax Commission as provided in Idaho Code § 63-215.

Upon termination of the revenue allocation authority of the Plan to the extent the Agency owns or possesses any assets, subject to the following paragraph, the Agency intends to dispose of any remaining assets by granting or conveying or dedicating such assets to the City, unless based on the nature of the asset, disposition to another public entity is more appropriate.

As allowed by Idaho Code § 50-2905(8), the Agency may retain assets or revenues generated from such assets as long as the Agency shall have resources other than revenue allocation funds to operate and manage such assets. Similarly, facilities which provide a lease income stream to the Agency for full retirement of the facility debt will allow the Agency to meet debt services obligations and provide for the continued operation and management of the facility.

19. Amendment to Section 1100 of the Plan. Section 1100 of the Plan is deleted and replaced with new Section 1100 entitled “ANNUAL REPORT AND OTHER REPORTING REQUIREMENTS” as follows:

1100 ANNUAL REPORT AND OTHER REPORTING REQUIREMENTS

Under the Law, the Agency is required to file with the City, on or before March 31 of each year, a report of the Agency’s activities for the preceding calendar year, which report shall include a complete financial statement setting forth its assets, liabilities,
income, and operating expenses as of the end of such calendar year. This annual report shall be considered at a public meeting to report these findings and take comments from the public.

Additionally, the Agency must comply with certain other reporting requirements as set forth in Idaho Code § 67-450E, the local government registry portal, and Idaho Code § 50-2913, the tax commission plan repository. Failure to report the information requested under any of these statutes results in significant penalties, including loss of increment revenue and the imposition of other compliance measures by the Ada County Board of County Commissioners.

20. **Amendment to Plan to add new Attachment 1A.** The Plan is amended to add new Attachment 1A entitled “Legal Descriptions of the Boundaries of the Additional Areas,” attached hereto.

21. **Amendment to Plan to add new Attachment 2A.** The Plan is amended to add new Attachment 2A entitled “Boundary Map of the Additional Areas,” attached hereto.

22. **Amendment to Plan to add new Attachment 3A.** The Plan is amended to add new Attachment 3A entitled “Map Depicting Expected Land Uses and Current Zoning Within the Area Added by the First Amendment,” attached hereto.

23. **Amendment to Plan to add new Attachment 4A.** The Plan is amended to add new Attachment 4A entitled “Properties Which May be Acquired by the Agency,” attached hereto.

24. **Amendment to Plan to add new Attachment 5A.** The Plan is amended to add new Attachment 5A entitled “Proposed Amended Westside Urban Renewal District Feasibility Study,” attached hereto.

25. **Westside Downtown District Plan Remains in Effect.** Except as expressly modified in this First Amendment, the Plan and the Attachments thereto remain in full force and effect.
Attachment 1A

Legal Descriptions of the Boundaries of the Additional Areas
WESTSIDE URBAN RENEWAL PROJECT AMENDMENT

East Node Description

A tract of land being all of Block 87 of the Boise City Original Townsite, Book 1 of Plats at Page 1, records of Ada County and portions of North 8th Street and West Washington Street. Said tract being situated in portions of Sections 3 and 10, Township 3 North, Range 2 East, Boise Meridian, Boise City, Ada County, Idaho and being more particularly described by record information as follows:

Commencing at the Section Corner common to Sections 3, 4, 9 and 10, of Township 3 North, Range 2 East, Boise Meridian thence South 88°31'56" East 3468.73 feet along the common line to said Sections 3 and 10 to a point, thence leaving said common line South 01°28'04" West 62.18 feet to the point of intersection of the northerly Right-Of-Way of West State Street and the Easterly Right-Of-Way of North 8th Street, said point also being on the northerly line of the original Westside Urban Renewal Project Boundary and being the POINT OF BEGINNING; thence continuing along said Northerly Right-Of-Way of West State Street and said original Westside Boundary

North 54° 46’ 52” West 380.00 feet to the intersection with the Easterly Right-Of-Way of North 9th Street, thence leaving said Northerly Right-Of-Way and original Westside Boundary

North 35° 12’ 12” East 340.00 feet along said Easterly Right-Of-Way of North 9th Street to the intersection with the Northerly Right-Of-Way of West Washington Street, thence leaving said Easterly Right-Of-Way of North 9th Street

South 54° 47’ 27” East 300.08 feet along said Northerly Right-Of-Way of West Washington Street to the intersection with the Westerly Right-Of-Way of said North 8th Street, thence

North 35° 12’ 59” East 259.81 feet along said Westerly Right-of-Way to the intersection with the Southerly Right-Of-Way of West Franklin Street, thence

South 54° 53’ 00” East 80.00 feet to the intersection of said Southerly Right-Of-Way of West Franklin Street with the Easterly Right-Of-Way of said North 8th Street, thence

South 35° 12’ 59” West 600.00 feet along said Easterly Right-Of-Way of North 8th Street to the POINT OF BEGINNING.

Said Tract contains 3.444 acres, more or less.
WESTSIDE URBAN RENEWAL PROJECT AMENDMENT
West Node Description

A tract of land being all of Blocks 72, 77, 79 and 80 of the Boise City Original Townsite, Book 1 of Plats at Page 1, records of Ada County, a portion of West Franklin Street, a portion of West Washington Street, the vacated alleys in said blocks and vacated portions of North 11th and 12th Streets. Said tract being situated in a portion of Section 3, Township 3 North, Range 2 East, Boise Meridian, Boise City, Ada County, Idaho and being more particularly described by record information as follows:

Commencing at the Section Corner common to Sections 3, 4, 9 and 10, of Township 3 North, Range 2 East, Boise Meridian thence South 88°31'56" East 3468.73 feet along the Section line common to said Sections 3 and 10 to a point, thence leaving said common line South 01°28'04" West 62.18 feet to the point of intersection of the Northerly Right-Of-Way of West State Street and the Easterly Right-Of-Way of North 8th Street, said point also being on the northerly line of the original Westside Urban Renewal Project Boundary, thence continuing along said Northerly Right-Of-Way of West State Street and said original Westside Boundary North 54° 46' 52" West 840.00 feet to the intersection with the Westerly Right-Of-Way of North 10th Street being the POINT OF BEGINNING; thence continuing along said Northerly Right-Of-Way and original Westside Boundary

North 54° 46' 52" West 300.00 feet to the intersection with the Easterly Right-Of-Way of North 11th Street, thence leaving said Northerly Right-Of-Way, and continuing along said Easterly Right-Of-Way and said original Westside Boundary

North 35° 12' 59" East 340.00 feet to the intersection with the Northerly Right-Of-Way of West Washington Street, thence continuing along said Northerly Right-Of-Way and original Westside Boundary

North 54° 46' 42" West 760.00 feet to the intersection with the Easterly Right-Of-Way of North 13th Street, thence leaving said Northerly Right-Of-Way of West Washington Street and original Westside Boundary

North 35° 12' 34" East 340.00 feet along said Easterly Right-Of-Way of West 13th Street to the intersection with the Northerly Right-Of-Way West Franklin Street, thence continuing along said Northerly Right-Of-Way of West Franklin Street

South 54° 46' 44" East 1060.00 feet to the intersection with the Westerly Right-Of-Way of North 10th Street, thence

South 35° 12' 47" West 80.00 feet to the intersection with the Southerly Right-Of-Way of West Franklin Street, thence

South 35° 12' 47" West 259.99 feet along the Westerly line of a vacated portion of North 10th Street, to the intersection with the Northerly Right-Of-Way of West Washington Street and the along the Northerly extension of and Westerly Right-Of-Way of North 10th Street,

South 35° 12' 47" West 340.00 feet to the POINT OF BEGINNING

Said Tract contains 10.615 acres, more or less.
Attachment 2A

Boundary Map of the Additional Areas
ATTACHMENT 2A

BOUNDARY MAP OF THE ADDITIONAL AREAS

*Packet Pg. 61*
Attachment 3A
Map Depicting Expected Land Uses and Current Zoning
Within the Area Added by the First Amendment
Westside U.R.D Zoning
Properties (Public and/or Private) Which May Be Acquired by Agency

1. The Agency has not identified any particular parcel for the construction of public improvements or for private redevelopment. Properties which may be subject to acquisition include parcels to:
   a) assemble with adjacent parcels to facilitate redevelopment;
   b) assemble with adjacent rights-of-way to improve configuration and/or to enlarge parcels for redevelopment;
   c) reconfigure sites for development and possible extension of streets or pathways;
   d) assemble for future transfer to qualified developers to facilitate development of mixed-use, residential, commercial, retail, education and/or community recreation uses consistent with the Plan;
   e) assemble for the construction of improvements consistent with the Plan, including but not limited to streets, streetscapes, water and sewer improvements, environmental remediation/site preparation, public parking, community facilities, educational facilities, parks, pedestrian/bike paths and trails, recreation access points, and other public facilities.

2. The Agency reserves the right to acquire any additional right-of-way or access routes near or around existing or planned rights-of-way.

3. The Agency reserves the right to acquire property needed to provide adequately sized sites for high priority projects for the development of public improvements (the exact location of which has not been determined).

4. Other parcels may be acquired for the purpose of facilitating catalyst or demonstration projects, constructing public parking, constructing new streets or pathways, enhancing public spaces, or to implement other elements of the urban renewal plan strategy and/or any master plan for the Project Area.
Attachment 5A

Proposed Amended Westside Urban Renewal District Feasibility Study, prepared by S. B. Friedman & Company

4847-6772-7771, v. 6
CAPITAL CITY DEVELOPMENT CORPORATION

Proposed Amended Westside Urban Renewal District Feasibility Study

FINAL REPORT | September 10, 2020
CAPITAL CITY DEVELOPMENT CORPORATION

Proposed Amended Westside Urban Renewal District Feasibility Study

September 10, 2020

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1. Executive Summary

Background
The Urban Renewal Plan Westside Downtown Urban Renewal Project (the “Plan”) establishing the Westside Downtown Revenue Allocation Area (the “Original Urban Redevelopment District” or “Original URD”) was created in 2001 with a goal of funding “enhanced public facilities” in order to foster “adjacent private investment”. The 143-acre Original URD consists of 405 parcels on the northwest edge of Downtown Boise. Through fiscal year (FY) 2019, the Original URD collected approximately $30.1 million in revenue (“Historic Revenues”) from incremental property taxes and other revenues, and incurred project costs of approximately $25.0 million (“Historic Project Costs” or “Historic Costs”). FY 2019 ended on September 30, 2019. The combined Historic Revenues and Historic Project costs leave the Original URD with an approximately $5.1 million fund balance at the end of FY 2019 (the “2019 Fund Balance”). Annual FY 2019 data is the most recent available, as FY20 will end on September 30, 2020. To date, costs have primarily funded capital improvements (72% of Historic Costs), promoting economic development, infrastructure, placemaking, mobility, and special projects. The Original URD, will terminate in 2026 after 24 years of property tax collections.

In late 2018 the Urban Renewal Agency of the city of Boise City Idaho, also known as Capital City Development Corporation (“CCDC”) engaged SB Friedman Development Advisors (“SB Friedman”) to assess the eligibility of a proposed seven-parcel, 14-acre amendment to the Original URD (the “Amendment Area”) pursuant to the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code (the “Law”), and the Local Economic Development Act, Title 50, Chapter 29, Idaho Code (the “Act”), collectively the “Urban Renewal Law.” An Eligibility Report prepared by SB Friedman establishing the eligibility of the Amendment Area was approved by Boise City Council in June 2019 (CC RES-229-19), SB Friedman was re-engaged by CCDC in May 2020 to conduct this economic feasibility study for the proposed amended urban renewal district boundary encompassing the Original URD and the Amendment Area (collectively the “Proposed Amended URD”). Figure 1 shows the Original URD, Amendment Area, and Proposed Amended URD. The remainder of the Executive Summary lays out the legal requirements for the economic feasibility study and summarizes SB Friedman’s findings.

Figure 1. Proposed Amended URD Boundary

Source: Ada County Assessor; CCDC; City of Boise; SB Friedman

SB Friedman Development Advisors
Urban Renewal and Economic Development Law Requirements

The Plan and Original URD are being amended pursuant to Idaho Code Sections 50-2033, 50-2903(4) and 50-2905. Idaho Code Section 50-2905 provides that an urban renewal agency shall prepare and adopt a plan for each revenue allocation area. The agency shall submit the plan and recommendation for approval thereof to the local governing body. Among the plan requirements listed in Idaho Code 50-2905, the plan shall include an economic feasibility study. Economic feasibility is an analysis of a scenario of revenues that could be generated by the urban renewal district, and the future costs required for the implementation of a plan that can be supported by those revenues. Idaho Code 50-2905 also articulates the economic feasibility study must be held to a standard of specificity.

SB Friedman worked with CCDC and their legal counsel to assess the need for a revised economic feasibility study (“2020 Feasibility Study”) for the Plan for the Proposed Amended URD. The Original URD’s initial feasibility study and a 2011 update (collectively, the “Original Feasibility Studies”) pre-dated the Act’s 2016 specificity requirement. The 2011 feasibility study update was not officially approved via an amendment process, the document was for internal district management and planning purposes. Following the first phase of SB Friedman’s engagement, CCDC re-engaged SB Friedman to produce a revised 2020 Feasibility Study, including a model (the “Feasibility Model”) focused on:

1. Addressing specific differences between the Original URD’s projected revenues/costs (from the Original Feasibility Studies) and actual Historic Revenues and Historic Costs through FY 2019 by replacing those original projections with the known actuals;
2. Modifying expense and revenue projections to more appropriately model expected revenues and planned expenditures/financing mechanisms (including bonds) anticipated over the remaining life of the Proposed Amended URD; and
3. Incorporating projected taxable value (TV) increases driven by the addition of the Amendment Area parcels.

The following 2020 Feasibility Study satisfies these objectives. The Proposed Amended URD’s existing fund balance and projected revenues were balanced against planned costs to establish an economically feasible revenue allocation area plan.

Findings of Feasibility

To assess the economic feasibility of the Proposed Amended URD, SB Friedman aligned the Original URD’s 2019 Fund Balance and total projected revenues for the Proposed Amended URD through its September 30, 2026 termination (“Projected Revenues”) with projected project costs through termination (“Projected Project Costs” or “Projected Costs”) in the Feasibility Model. Projected Revenues and Projected Costs, as well as the findings of feasibility for the Proposed Amended URD, are summarized below.

PROJECTED REVENUES

Incremental property taxes constituted 96% of Historic Revenues through FY 2019. This trend continues in SB Friedman’s model for obtaining Projected Revenues (the “Revenue Model”). In the Revenue Model, incremental property tax revenue projections are based on assumed increases in TV for existing properties (including the Amendment Area) and increases in TV resulting from redevelopment. Projected incremental property tax revenues through September 30, 2026 total approximately $36.4 million, undiscounted, which are combined with anticipated additional other revenues ($2.6 million) coming from intergovernmental transfers, lease income, and earnings on interest. The $39.0 million in total Projected Revenues through the Proposed Amended URD’s 2026 termination are summarized in Section 5 and Appendix IV. Projected Revenues ($39.0
million) plus 2019 Fund Balance ($5.1 million) equals the projected funds available to be spent over the remaining life of the Proposed Amended URD (“Projected Available Funds”) of $44.1 million.

**PROJECTED COSTS**

Historic and Projected Costs were provided to SB Friedman by CCDC. Where detailed information was unavailable, Historic Costs were estimated by SB Friedman from existing information. Through 2019, Projected Costs incurred by the Original URD totaled $25.0 million, undiscounted. Historic Costs primarily covered a range of capital improvements and operations/transfers. CCDC identified $40.3 million in Projected Costs, undiscounted, for the remaining life of the Proposed Amended URD. Most Projected Costs (73%) are designated for capital improvements, with the balance funding operations-related expenses, and other minor expenses. Along with Projected Available Funds, Projected Costs are incorporated into the Feasibility Model. Projected Costs in the Feasibility Model were assumed to be paid through either a cash payment or the proceeds of two bonds, including an approximately $10 million bond issued in FY 2021 and an approximately $2.9 million bond issued in FY 2023.

**CONCLUSIONS**

Based on the Feasibility Model, SB Friedman projected cumulative Historic Revenues and Projected Revenues (“Total Revenues”) through the remaining life of the Proposed Amended URD ($69.2 million) will exceed cumulative Historic Costs and Project Costs (“Total Project Costs”) ($66.3 million). The projected September 30, 2026 fund balance is approximately $2.9 million.

The actual fund balance at the time of district termination could be lower or higher depending on actual revenues and expenditures. Any surplus after termination of the Proposed Amended URD would be submitted to Ada County for pro rata distribution to the affected taxing districts, including the City of Boise, Ada County, Ada County Highway District, Ada County Paramedics, Ada County Mosquito Abatement District, Boise School District 1, and College of Western Idaho.
2. Introduction

The Original URD was created in 2001 with a goal of funding “enhanced public facilities” in order to foster “adjacent private investment”. The 143-acre Original URD consists of 405 parcels on the northwest edge of Downtown Boise. Through FY 2019, the Original URD collected approximately $30.1 million in Historic Revenues from incremental property taxes and other revenues, and incurred Historic Project Costs of approximately $25.0 million, leaving the Original URD with a $5.1 million 2019 Fund Balance. To date, costs have primarily funded capital improvements (61% of all costs), promoting economic development, infrastructure, placemaking, mobility, and special projects.

In late 2018, CCDC engaged SB Friedman to assess the eligibility of the Amendment Area pursuant to Idaho’s Urban Renewal Law. The 14-acre Amendment Area consists of seven parcels, including five institutional/property tax exempt parcels on the northeast side of the Original URD. An Eligibility Report prepared by SB Friedman establishing the eligibility of the Amendment Area was approved by Boise City Council in June 2019 (CC RES-229-19). SB Friedman was then re-engaged by CCDC to conduct the 2020 Feasibility Study for the Proposed Amended URD, encompassing the Original URD and the Amendment Area. The boundaries for both the Original and Proposed Amended URDs are shown in Figure 3 in the following section.

Implementing an urban renewal district provides the opportunity for CCDC to utilize revenue allocation funds, also known as tax increment financing (TIF) revenues, as a means of funding geographically targeted public improvements. As permitted by Idaho law, TIF can improve the ability of an urban renewal district to assist in economic development projects, make infrastructure improvements and implement mobility initiatives and place-making projects which benefit the area.

Idaho Code 50-2905 requires CCDC evaluate the economic feasibility of the Proposed Amended URD and include economic feasibility findings within the Plan which shall be held to a standard of specificity. This 2020 Feasibility Study fulfills this objective by evaluating the existing status of the Original URD (including Historic Revenues and Historic Costs) and reconciling Projected Revenues and Projected Costs for the remaining life of the Proposed Amended URD in the Feasibility Model. In the process of satisfying the requirements, CCDC coordinated with City staff and SB Friedman. SB Friedman led the financial analyses and revenue projections. CCDC provided cost estimates through the District’s September 30, 2026 termination.

The document includes the following sections:

1. Executive Summary | A summary of the document’s findings.
2. Introduction | Project background and document outline.
5. Projected Revenues | Inputs, assumptions, and results of SB Friedman’s revenue projections.
8. Alternative Sources of Funds | A listing of other prospective revenue sources (not specified elsewhere).

The following key documents and models were developed and serve as key inputs into the 2020 Feasibility Study and will be referenced throughout the report:

- **Revenue Model** | The model for obtaining Projected Revenues, including incremental property tax revenues based on planned development and other key assumptions.
- **Projected Costs** | Costs identified in CCDC’s Capital Improvement Plan that could be incurred by the Proposed Amended URD.
- **Feasibility Model** | A model prepared by SB Friedman which reconciles the Revenue Model and Projected Costs to ensure an economically feasible plan.
Westside Urban Renewal District Amended Boundary
The Proposed Amended URD is generally bounded by 16th Street on the northwest, Franklin Street on the northeast, 8th Street to the southeast, and Grove Street to the southwest.

The Amendment Area, consisting of seven parcels on the northeast side of the district, includes most of the Boise High School campus; the Downtown Boise YMCA; First Church of Christ, Scientist; the former Carnegie Public Library, and an office building. The Amendment Area is anticipated as a 2020 addition the Original URD, collectively forming the Proposed Amended URD.

Based on Ada County Assessor data for tax year (TY) 2020, there are 412 parcels, including 144 condominium parcels in the Proposed Amended URD encompassing 157.5 acres (inclusive of public right-of-way). Primary property types include commercial (34% of acreage), residential (3%), undeveloped land (3%), institutional/property tax exempt (18%), and right-of-way (42%). No parcels within the Proposed Amended URD include agricultural operations or forest lands which would require consent of the property owner per Idaho Code 50-2018(8), 50-2018(9) and 50-2903(8).

The Proposed Amended URD includes 65 property tax exempt parcels encompassing 28 acres, or approximately 18% of the Proposed Amended URD. It is assumed any private improvements made on land currently in public ownership will be taxable moving forward, regardless of land disposition strategy.

Existing Valuation of the Urban Renewal District
The Proposed Amended URD has a total of 412 real property parcels, 144 of which are condominium parcels with a cumulative TV of $470,292,900 in TY 2020. For the purposes of the 2020 Feasibility Study, TV is defined as total taxable value per the Ada County Assessor, before exemptions. Classification of parcels by Ada County Assessor use category is included in Figure 2.

Figure 2. 2020 Taxable Value by Assessor Property Code Category

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<thead>
<tr>
<th>Property Code [1]</th>
<th>Original URD</th>
<th>Amendment Area</th>
<th>Proposed Amended URD</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AV</td>
<td>Acreage</td>
<td>AV</td>
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<tr>
<td>Commercial</td>
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<td>52</td>
<td>$3,369,800</td>
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<td>Residential</td>
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<tr>
<td>Land</td>
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<tr>
<td>Exempt</td>
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<tr>
<td>Right-of-Way [2]</td>
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<td>63</td>
<td>$0</td>
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<tr>
<td>Total [3]</td>
<td>$466,923,100</td>
<td>143</td>
<td>$3,369,800</td>
</tr>
</tbody>
</table>

Source: Ada County Assessor, SB Friedman
[1] Parcels with $0 in value were coded as Exempt.
[2] Right-of-way includes all unparcelized land area within the URD.
[3] Due to rounding totals may not equal sum of components by property code.
Existing (2020) TV was also analyzed spatially to identify lower value nodes within the Proposed Amended URD. **Figure 3** displays TV per land square foot throughout the Proposed Amended URD. Properties with a higher existing TV per square foot are primarily located on the southeast side of the Proposed Amended URD. Institutional/exempt properties are prevalent on the northeast side of the Proposed Amended URD and lower value commercial properties cover much of the northwest side.

**Figure 3. Proposed Amended URD Boundary and Taxable Valuation**

![Proposed Amended URD Boundary and Taxable Valuation](image)

Source: Ada County Assessor; CCDC; City of Boise; SB Friedman
4. Historic Revenues & Costs

Overview
The following section outlines the Original URD’s Historic Revenues and Historic Costs, through FY 2019, including the primary sources of each. Since establishment in 2001, Original URD Historic Costs totaled approximately $25.0 million, undiscounted. Historic Revenues were approximately $30.1 million, undiscounted. Thus, the Original URD amassed a fund balance of $5.1 million, as of FY 2019. The 2019 Fund Balance served as one of the key inputs to the Feasibility Model, discussed in Section 7. Historic Revenues, Historic Costs, and existing fund balances for FYs 2003-2019 were reported from CCDC Independent Financial Statements and SB Friedman estimates.

Revenue Categories
Through FY 2019, the Original URD’s primary sources of revenue included:

1. Incremental Property Tax Revenues
2. Other Revenues
   a. Lease Revenues from office space at 1010 W. Jefferson and associated parking
   b. Interest on Fund Balance

Of the $30.1 million in Historic Revenues, approximately 96% were attributable to incremental property tax revenue. Revenue from lease payments on a CCDC-owned office building in the Original URD and interest collected on the annual fund balance comprised the remaining 4%.
Cost Categories

The Original URD’s primary Historic Cost categories included:

1. Capital Costs, primarily for
   a. Economic Development
   b. Infrastructure
   c. Placemaking
   d. Mobility
   e. Special Projects

2. Operation Costs, primarily for
   a. CCDC Agency Operations
   b. Professional Studies

3. Other Costs
   a. Write Down of Property Held

The three primary categories of the $25.0 million in Historic Costs included: Capital Costs, Operation Costs and Other Costs. Capital Costs constituted approximately 72% of Historic Costs. Capital Costs generally fell into one of five key CCDC objectives: Economic Development, Infrastructure, Placemaking, Mobility, or Special Projects. The following subsection highlights some of the Original URD’s notable capital projects. Historic Operation Costs include CCDC Agency Operations and Professional Studies. A small share of the Historic Costs, approximately $500,000, were the result of a property value write-down.

Highlighted Capital Projects

The Original URD’s Capital Costs were generally used to support streetscaping, sidewalk improvements, connectivity, and curb and gutter projects. One example project is the reconfiguration of 8th Street from Bannock Street to State Street to add accommodation for bikes, fiber optic conduit expansion, and geothermal network expansion.

Other funds supported park and open space projects, including the development of the Westside Downtown Urban Park at 1100 W Bannock Street. Funds from the Original URD also supported necessary infrastructure to spur public and private investments, directly supporting business and housing development. For example, district-funded site improvements associated with the historic Owyhee Hotel’s 2014 rehabilitation led to the expansion of multiple businesses and creation of 36 market rate apartment units in Downtown Boise. Similarly, district-funded stowork at the former CC Anderson Building assisted in the establishment of the new corporate headquarters and teacher training facilities for Athlos Academies, bringing additional jobs and visitors to Downtown Boise.
5. Projected Revenues

Analyses from Section 4 reflect Historic Revenues and Historic Costs through FY 2019. SB Friedman projected revenues through the 2026 termination of the Proposed Amended URD by constructing the Revenue Model based on a series of known values and assumptions. This section details the structure and key assumptions of the Revenue Model followed by the resulting Projected Revenues for the remainder of the Proposed Amended URD. Figures 4-5 summarize the Proposed Amended URD’s Projected Revenues.

Components

The Revenue Model accounts for all expected sources of future income, including: (1) Incremental Property Tax Revenues, (2a) Office Lease Revenues, (2b) Interest on Fund Balance; and (2c) Transfers From Other Agencies. Except for the addition of (2c), Transfers From Other Agencies, the revenue sources are consistent with the Historic Revenue sources outlined in Section 4. The basic structure of the Revenue Model is depicted below:

![Revenue Model Diagram]

### Assumptions

A series of known inputs and assumptions undergird the basic model components. Working with CCDC, SB Friedman derived the following inputs which drive revenue projections:

1. **Projected Incremental Property Tax Revenues**
   - Projected appreciation of existing real estate
   - Projected addition of new development
   - Projected inclusion of Amendment Area

2a. **Projected Office Lease Revenues**

2b. **Projected Interest on Fund Balance**

2c. **Projected Transfers From Other Agencies**

#### TOTAL PROJECTED REVENUES

- **Sources of Growth in Incremental Taxable Value**
  - The Revenue Model accounted for projected growth in incremental TV through three means:
    - Appreciation of existing properties in the Original URD;
    - The addition of a single office building currently under construction at 1100 W. Idaho, assuming full assessment in FY 2021; and
    - The inclusion of the Amendment Area beginning January 1, 2020 and the subsequent appreciation of property through the URD’s termination.
CCDC / Proposed Amended Westside Feasibility Study

- **TIF Schedule** | The Original URD was adopted in December 2001 with a base year of January 1, 2001, and collected its first incremental tax revenues in 2003. The addition of the Amendment Area, forming the Proposed Amended URD, has no impact on the Original URD’s schedule. As permitted by Idaho law, the Amended URD is set to expire in 2025 at the end of its 24 year term, with final property tax collections in 2026.

- **Base Taxable Value** | The Original URD’s 2001 TV was $167,651,000. The adjusted base TV for the Original URD is $138,858,300 based on 2020 TV data from CCDC. The Amendment Area’s anticipated base TV, $3,369,800, is based on the 2020 TV reported by the Ada County Assessor. The two combined have a current base value of $142,228,100 for the Proposed Amended URD.

- **Taxable Value Growth Rate** | In the absence of significant improvements, all properties within the Proposed Amended URD are assumed to appreciate 2.0% annually.

- **Current Taxable Value** | The Original URD’s and Amendment Area’s last known TV for TY 2020, reported by the Ada County Assessor, was the starting point for TV projections for all remaining years.

- **Taxable Value Growth for New Development** | SB Friedman assumed a 191,000 square foot Class A office building currently under construction at 1100 W. Idaho will be fully assessed by FY 2021. The new development appears to be partially valued in FY 2020 assessments. Based on analysis of comparable recent deliveries, SB Friedman assumed a fully assessed TV of $364 per square foot for the completed building, in 2021 dollars. The additional TV is assumed to appreciate at 2.0% annually over the remaining life of the Amended URD.

- **Levy Rates** | Actual and projected property tax levy rates were provided by CCDC through 2021. CCDC provided estimated 2020 and 2021 Levy Rates based on recent trends. Thereafter, the three-year average of the most recent years (2019-2021) is assumed, through the District’s termination in 2026.

- **Discount Rate** | SB Friedman assumed a 4% cost of funds, per CCDC, for discounting revenue projections to calculate present value.

**PROJECTED OFFICE LEASE REVENUES**

- **Lease Terms** | CCDC provided SB Friedman with a detailed inventory of annual revenues from tenants in the CCDC-owned office building at 1010 W. Jefferson Street. These revenues include rent of the building’s office space as well as associated parking.

- **Lease Renewals** | Per CCDC, lease extensions are not assumed. Thus, lease revenue in the model phases out as current lease terms expire.

- **Collections Loss** | Collection loss is not anticipated in Projected Revenues. All tenants are assumed to pay rents in full until lease expiration.

**PROJECTED INTEREST ON FUND BALANCE**

- **Fund Balance** | The Original URD’s 2019 Fund Balance was the last known balance reported by CCDC. All future year fund balances are projected based on the 2019 Fund Balance, Projected Revenues and Projected Costs.

- **Interest on Fund Balance** | 1% interest on the prior year’s fund balance is included as other revenue, through the termination of the Proposed Amended URD in 2026. Interest earnings account for approximately $269,000 in revenue, undiscounted, over the remaining life of the Proposed Amended URD.
TRANSFERS FROM OTHER AGENCIES

- Revenue Sharing & Reimbursements | In FY 2021, CCDC expects the Proposed Amended URD will receive a total of $1.6 million from revenue sharing agreements and reimbursements. Revenue sharing agreements with both the City of Boise and the Ada County Highway District are anticipated to support specific projects subject to actual annual budgeting for each respective project. This projection is not binding for CCDC, the City of Boise or Ada County Highway District.

Revenue Results

In total, the Proposed Amended URD is projected to generate approximately $39.0 million in Projected Revenue through its remaining life, undiscounted, to fund Projected Costs. Discounted at 4%, these revenues are anticipated to be approximately $34.6 million in 2020 dollars. Annual Projected Revenues are summarized in Figure 4.

Projected Revenues include irregular increases in FY 2021 and FY 2022 due to (1) anticipated revenue sharing income from other agencies in FY 2021 and (2) addition of real property increment from the 1100 W. Idaho development in FY 2022.

Figure 4. Projected Revenues, 2020-2026 (Undiscounted)

Source: Ada County Assessor; CCDC; SB Friedman
### Figure 5: Revenue Model Summary

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>PROJECTED INCREMENTAL PROPERTY TAX REVENUES [2]</th>
<th>PROJECTED OTHER REVENUES</th>
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<tr>
<td>2020</td>
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<td>2021</td>
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<td>2022</td>
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<td>2024</td>
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<td>2025</td>
<td>$4,918,317</td>
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<td>2026</td>
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<td>Total</td>
<td>$31,816,307</td>
<td>$13,932</td>
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</table>

Source: Ada County Assessor; CCDC; SB Friedman

[1] The Westside URD will receive collections from the 24th and last year of the URD in FY 2026, or September 30, 2026. Note that taxes are collected one year in arrears (e.g. taxes for FY 2020 are modeled to be collected in FY 2021).

[2] Incremental TV for the prior year multiplied by the assumed levy rate. The property tax levy rates were provided by CCDC through 2021. The latest available rate is from 2019, 2020 onward are estimates. SB Friedman assumed the three-year average from 2019-2021 is held constant beginning in 2022 through the District’s termination in 2026.


[5] Revenue from new development increment and appreciation on all following years.
6. Projected Costs

Section 4 summarizes Historic Project Costs through FY 2019. CCDC provided SB Friedman with a list of anticipated projects and associated Projected Costs for the remaining years of the Proposed Amended URD. Idaho Code 50-2905 requires a detailed list of estimated project costs the urban renewal district is likely to incur in the revenue allocation area. Idaho Code 50-2905 also requires improvements be provided with specificity, including the kind, number and location of all proposed public works or improvements in addition to the estimated cost of each. Appendix IV details Projected Costs, including the kind, number, and location of projects.

Components
Projected Costs provided by CCDC align with the Historic Cost categories outlined in Section 4: (1) Capital Costs, (2) Operation Costs, and (3) Other Costs. The Other Costs component includes interest repayment for the anticipated $10.0 million and $2.9 million bonds, issued in 2021 and 2023 respectively. Bond proceeds fund Capital Costs in the near term, allowing for additional flexibility in funding larger-scale projects.

Assumptions
A series of known inputs and assumptions undergird the Proposed Amended URD’s Projected Costs:

1. Projected Capital Costs
   - Source of Funds | SB Friedman assumed the Proposed Amended URD will make cash payments for all Projected Costs, except those paid with the proceeds of two bonds: (1) a $10.0 million bond issued in 2021, and (2) a $2.9 million bond issued in 2023. Additional bonding assumptions are provided in Section 7.
   - Annual Cost Escalation | CCDC provided Projected Costs in 2020 dollars. Costs paid out of cash flow were escalated at 2.0%, annually, to the year of spending. All projects funded with the proceeds of the 2021 bond were left in 2020 dollars. All projects funded with the proceeds of the 2023 bond were inflated to 2023.
2 PROJECTED OPERATION COSTS

- **Annual Cost Escalation** | CCDC-provided Operation Costs for agency initiatives, operations & professional services are in current year dollars and do not require escalation.

3 PROJECTED OTHER COSTS

- **Bond Interest** | See [Section 7](#) for detailed bonding assumptions.

Projected Costs Summary
As demonstrated in Figures 6-7, Capital Costs and Operation Costs account for almost 98% of all Projected Costs. Projected Other Costs include interest on the proposed debt. A total of $40.3 million in Projected Costs are anticipated between 2020 and 2026.

Like Historic Capital Costs, Projected Capital Costs advance CCDC’s five key objectives: Economic Development, Infrastructure, Mobility, Placemaking, and Special Projects. A selection of Projected Capital Costs are highlighted below by objective. Appendix IV further details Projected Capital Costs including timing by Projected Cost.

- **Economic Development** | Proposed Capital Costs for Economic Development include acquiring a series of parcels for future redevelopment and supporting various private investments.
- **Infrastructure** | Proposed Capital Costs for Infrastructure include a variety of streetscaping projects. Major projects include improvements to W. State Street and N. 8th Street.
- **Mobility** | Proposed Capital Costs for Mobility include preliminary engineering work for downtown mobility infrastructure.
- **Placemaking** | Proposed Capital Costs for Placemaking include the funding for the Westside Urban Park which will bring additional open space to Downtown Boise and complement adjacent private investments.
- **Special Projects** | Proposed Capital Costs for Special Projects include funding for various new and ongoing public art projects such as the wrapping of City of Boise traffic boxes.

To confirm economic feasibility SB Friedman used the 2019 Fund Balance and Revenue Projections described in [Section 5](#) and constructed the Feasibility Model to balance Projected Available Funds and Projected Costs. The Feasibility Model is presented in detail in the following section.
**Figure 6.** Projected Costs, 2020-2026 (Undiscounted)

Source: CCDC; SB Friedman

**Figure 7.** Summarized Projected Costs, 2020-2026 (Undiscounted)

<table>
<thead>
<tr>
<th>Projected Capital Costs (including repayment of bond principal)</th>
<th>73%</th>
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<td>Economic Development</td>
<td>$7,760,000</td>
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<td>Infrastructure</td>
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<td>Placemaking</td>
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<td>Special Projects</td>
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<th>Projected Operation Costs</th>
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<td>Agency Operations</td>
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<td>Professional Services</td>
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<table>
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<tr>
<th>Projected Other Costs</th>
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<tr>
<td>Bond Interest</td>
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<table>
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<tr>
<th>Total Projected Project Costs</th>
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<tbody>
<tr>
<td></td>
<td>$40,275,500</td>
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</tbody>
</table>

Source: CCDC; SB Friedman
7. Economic Feasibility

Components
SB Friedman created a model to assess economic feasibility of the Proposed Amended URD using the following key inputs:

1. **2019 Fund Balance** | Introduced in Section 4
2. **2020-2026 Projected Revenues** | Introduced in Section 5
3. **2020-2026 Projected Costs** | Introduced in Section 6
4. **2020 Bond Assumptions**

The 2019 Fund Balance is the starting point for the Feasibility Model. Annual fund balances (total annual revenues minus total annual costs) are added to the cumulative fund balance from the prior year to obtain cumulative fund balance for the present year. SB Friedman projected cumulative fund balances for 2020-2026, ensuring the Proposed Amended URD maintained a positive cumulative fund balance for the remainder of its life.

Bond Assumptions
SB Friedman reconciled Projected Costs (introduced in Section 6) with Projected Available Funds to define a financially feasible plan to fund Projected Costs. It is assumed the Proposed Amended URD will make cash payments for all Project Costs, except those paid with the proceeds of the assumed $10.0 million bond (issued in 2021) and $2.9 million bond (issued in 2023). All other projects are funded through the Projected Available Funds. As stated previously, costs paid out of cash flow are inflated to the year of spending, while costs paid from the proceeds of the 2021 bond are left in 2020 dollars and those paid from the proceeds of the 2023 bond are inflated to 2023 dollars. In evaluating bond feasibility, SB Friedman included the following key assumptions in the Feasibility Model:

- **Interest Rate** | SB Friedman assumed an annual bond interest rate of 2.85%. The rate is reflective of recent CCDC experience with bonding in mature urban renewal districts and could be confirmed after consultation with a Municipal Advisor.
- **Issuance Cost** | No costs of issuance such as legal fees, municipal advisor fees and other costs are assumed.
- **Debt Service Structure** | Debt service varies for the two bonds:
  - SB Friedman assumed level principal and interest payments for the 2021 bond. The bond term for the bond is 5 years; repayment occurring between 2022 and 2026.
  - The bond term for the bond issued in 2023 is 3 years; with level principal and interest payments followed by a balloon payment in the third year.

Results
In the scenario of Projected Available Funds described, the Proposed Amended URD could fund all Projected Costs by termination in 2026, including the retirement of both identified bonds.
The Feasibility Model resulted in a cumulative September 30, 2026 fund balance of $2.9 million which would revert to local taxing bodies if realized at the expiration of the Proposed Amended URD in 2026. This scenario requires the following key assumptions:

- Revenue assumptions introduced in Section 5 materialize;
- A $10.0 million bond is issued in 2021, and a $2.9 million bond is issued in 2023; and
- Bond interest rates will be 2.85% and will be saleable in varying term durations.

Appendix V includes the complete Feasibility Model, confirming that sufficient revenues are projected to service the 2021 and 2023 bonds while covering all other costs out of cash flow (assuming assumptions are realized). While several of the Proposed Amended URD’s final years have negative annual cash flows, the scenario results in a positive cumulative cash flow in every year.

SB Friedman concludes that this 2020 Feasibility Study confirms there is a plausible scenario, built upon specific market assumptions and trends, which allows for approximately $40.3 million in Projected Costs to be funded over the remaining life of the Proposed Amended URD. This 2020 Feasibility Study is designed to serve as an attachment to the Plan Amendment, satisfying the requirement in Idaho Code 50-2905 that the plan shall include an economic feasibility study with specificity.
8. Alternative Sources of Funds

Funds necessary to pay for redevelopment Projected Costs and/or municipal obligations, which may be issued or incurred to pay for such costs, are to be derived principally from Proposed Amended URD revenues and/or proceeds from municipal obligations, which have as a repayment source tax increment revenue. To secure the issuance of these obligations and the developer’s performance of redevelopment agreement obligations, CCDC may require the utilization of guarantees, deposits, reserves, and/or other forms of security made available by private sector developers. CCDC may incur Projected Costs that are paid from the funds of CCDC other than incremental taxes, and CCDC then may be reimbursed for such costs from incremental taxes.

Other sources of funds, which may be used to pay for development costs and associated obligations issued or incurred, include land disposition proceeds, state and federal grants, investment income, private investor and financial institution funds or developer investment, and other sources of funds and revenues as CCDC from time to time may deem appropriate. In the event alternative sources of funds become available, CCDC may adjust the anticipated funding sources and prioritization of costs outlined above.
Appendix I: Limitations of Engagement

Our report will be based on estimates, assumptions, and other information developed from research of the market, knowledge of the industry, and meetings during which we will obtain certain information. The sources of information and bases of the estimates and assumptions will be stated in the report. Some assumptions inevitably will not materialize, and unanticipated events and circumstances may occur. Therefore, actual results achieved during the period covered by our analysis will necessarily vary from those described in our report, and the variations may be material.

The terms of this engagement are such that we have no obligation to revise the report to reflect events or conditions which occur subsequent to the date of the report. These events or conditions include, without limitation, economic growth trends, governmental actions, additional competitive developments, interest rates, and other market factors. However, we will be available to discuss the necessity for revision in view of changes in the economic or market factors affecting the proposed project.

Our study will not ascertain the legal and regulatory requirements applicable to this project, including zoning, other State and local government regulations, permits, and licenses. No effort will be made to determine the possible effect on this project of present or future federal, state or local legislation, including any environmental or ecological matters.

Tax increment projections are anticipated to be prepared under this engagement for the purpose of estimating the approximate level of increment that could be generated by proposed projects and other properties within the proposed District boundary and from inflationary increases in value. These projections are intended to provide an estimate of the final taxable value of the District for inclusion in the final report and to provide a level of assurance that the increment to be generated would be sufficient to cover estimated Projected Project Costs.

As such, our report and the preliminary projections prepared under this engagement are intended solely for your information, for the purpose of establishing a District, and may be reviewed by private institutional lenders in support of potential debt obligations. These projections should not be relied upon by any other person, firm or corporation, or for any other purposes. Neither the report nor its contents, nor any reference to our Firm, may be included or quoted in any offering circular or registration statement, appraisal, sales brochure, prospectus, loan, or other agreement or document intended for use in obtaining funds from individual investors, without prior written consent.
Appendix II: Proposed Westside URD Boundary

Source: Ada County Assessor; CCDC; City of Boise; SB Friedman
## Appendix III: Revenue Model

### General Model Assumptions
- Adjusted Frozen Taxable Value (TV) [1] $188,818,100
- Annual Inflation [2] 2.0%
- Annual Interest Rate on Fund Balance 1%

### Amendment Area Assumptions
- Most Recent TV Available 2020

### Revenue Model

<table>
<thead>
<tr>
<th>URD Year</th>
<th>Fiscal Year</th>
<th>Historic Revenues (FYs 2002-2019)</th>
<th>Incremental TV from Original URD</th>
<th>Incremental TV from Amendment Area</th>
<th>Incremental TV from New Development</th>
<th>Total Incremental TV</th>
<th>Levy Rate</th>
<th>Incremental Property Tax Revenues</th>
<th>Other Revenues</th>
<th>Projected Revenues (FYs 2020-2026)</th>
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**NOTES ON FOLLOWING PAGE**

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Amendment Area & 1700 W Idaho Development Added
Adjusted Frozen Taxable Value, per CCDC on September 4, 2020.

Assumes a 2.0% annual appreciation across the Original District and Amendment Area.

FY 2020 Taxable Value, per Ada County Assessor data.

Various inputs for Projected Revenues and Projected Costs provided by CCDC. Projections include both the 2021 and 2023 bonds as well as costs paid out of cash flow. CCDC data received 5/29/20, 6/16/20, 7/10/20, 7/16/20 and 8/17/20.

 Assumes the Proposed Amended URD receives its final year of incremental property tax revenue and is dissolved on September 30, 2026.

The Westside URD will receive collections from the 24th and last year of the URD in FY 2026. Note that taxes are collected one year in arrears (e.g. taxes for 2020 are modeled to be collected in FY 2021).

Historic Revenues, Historic Costs and fund balances from FYs 2008-2019 come from CCDC’s Independent Financial Statements. Actual figures for FYs 2003-2007 were unavailable due to changes in accounting detail. In lieu of actuals, Historic Revenues were estimated based on known incremental property taxes for those years, assuming Other Revenues make up the same share of total Historic Revenues observed for FYs 2008-2019. Historic Costs were estimated for the FYs 2003-2006 such that the cumulative fund balance for FY 2007 (Year 5) aligns with the first known fund balance, $2,258,410, in that year.

Current year TV of the Original URD minus Adjusted Frozen TV($138,858,300); annual appreciation of 2.0% is assumed for all properties; the 1100 W. Idaho development is not included after 2020.

Current year TV of the Amendment Area minus TV as of January 1, 2020 ($3,369,800); annual appreciation of 2.0% is assumed for all properties.

Current year TV for 1100 W. Idaho development after deducting its value prior to development; assumes annual appreciation of 2.0% in all years following delivery.

The sum of Incremental TV from (1) the Original URD, (2) the Amendment Area, and (3) New Development.

Incremental TV for the prior year multiplied by the assumed levy rate. The property tax levy rates were provided by CCDC through 2021. The latest available rate is from 2019, 2020 onward are estimates. SB Friedman assumed the three-year average from 2019-2021 is held constant beginning in 2022 through the District’s termination in 2026.

Incremental TV multiplied by the assumed levy rate, collected in the following year. The Feasibility Model includes the Ada County Highway District (ACHD) levy (ACHD Levy) for all parcels. Within the Amendment Area, the ACHD Levy accounts for approximately $1,000 in incremental property tax revenues through FY26.

Includes office lease revenues, interest earnings on the cumulative fund balance of the prior year, and projected transfers from other agencies.

Incremental Property Tax Revenues, plus Other Revenues.
Appendix IV: Projected Costs

| Parcel Acquisition/Redevelopment - Type 5 | $2,000,000 |
| 1024 W. Bannock St. - Hyatt Place - Type 2 | $130,000 |
| 1118 W. Idaho St. - 11th & Idaho Bldg. - Type 2 | $1,100,000 |
| Land Purchase - 117th & Idaho | $650,000 |
| Avery Hotel - PP - Type 2 or Type 3 | $650,000 |
| Parcel Acquisition - Workforce/Missing Middle Housing | $2,500,000 |
| N. 8th St. & W. Washington St. - PP - Type 2 or Type 3 (new URD Boundary) | $1,600,000 |
| 1118 W. Idaho St. - 11th & Idaho Bldg. – Type 2 | $1,100,000 |
| Land Purchase - 117th & Idaho | $650,000 |
| 1024 W. Bannock St. - Hyatt Place - Type 2 | $130,000 |
| 1118 W. Idaho St. - 11th & Idaho Bldg. - Type 2 | $1,100,000 |
| Land Purchase - 117th & Idaho | $650,000 |
| Avery Hotel - PP - Type 2 or Type 3 | $650,000 |
| Parcel Acquisition - Workforce/Missing Middle Housing | $2,500,000 |
| N. 8th St. & W. Washington St. - PP - Type 2 or Type 3 (new URD Boundary) | $1,600,000 |
| 1118 W. Idaho St. - 11th & Idaho Bldg. – Type 2 | $1,100,000 |
| Land Purchase - 117th & Idaho | $650,000 |
| Avery Hotel - PP - Type 2 or Type 3 | $650,000 |
| Parcel Acquisition - Workforce/Missing Middle Housing | $2,500,000 |
| N. 8th St. & W. Washington St. - PP - Type 2 or Type 3 (new URD Boundary) | $1,600,000 |
| 1118 W. Idaho St. - 11th & Idaho Bldg. – Type 2 | $1,100,000 |
| Land Purchase - 117th & Idaho | $650,000 |
| Avery Hotel - PP - Type 2 or Type 3 | $650,000 |
| Parcel Acquisition - Workforce/Missing Middle Housing | $2,500,000 |
| N. 8th St. & W. Washington St. - PP - Type 2 or Type 3 (new URD Boundary) | $1,600,000 |

**ECONOMIC DEVELOPMENT INFRASTRUCTURE PLACEMAKING SPECIAL PROJECTS**

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Source: CCDC; City of Boise; SB Friedman

[1] Costs presented in FY21-FY26 inflated to future value
## Appendix V: Feasibility Model

### General Model Assumptions
- Adjusted Frozen Taxable Value (TV) \([1]\) \$138,858,500
- Annual Inflation \([2]\) 2.0%
- Annual Interest Rate on Fund Balance \(1\%

### Amendment Area Assumptions
- Most Recent TV Available \(2020\)
- 2020 TV \(\$3,369,800\)

### Total Revenue \([4]\)
- Historic Revenues \(\text{FYs 2002-2019}\) \(\$10,137,007\)
- Projected Revenues \(\text{FYs 2020-2026}\) \(\$39,025,620\)
- Total Revenues \(\$59,162,627\)

### Total Expenditures \([5]\)
- Historic Costs \(\text{FYs 2002-2019}\) \(-\$25,040,368\)
- Projected Costs \(\text{FYs 2020-2026}\) \(-\$41,248,514\)
- Total Project Costs \(-\$66,288,881\)

### Notes on Following Page

### Annual Inflation \(2\%

### Annual Interest Rate on Fund Balance \(1\%

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### NOTES ON FOLLOWING PAGE

[1] Amended Area & 1100 W Idaho Development Added

[2] Assumes a 2.0% annual inflation across the Original District and Amendment Area.


[4] Total Revenues include the entire levy rate associated with parcels within the Westside URD.

[5] Various inputs for Projected Revenues and Projected Costs provided by CCDC. Projections include both the 2021 and 2023 bonds as well as costs paid out of cash flow. Costs paid out of Cash Flow are inflated to future years value. CCDC data received 5/29/20, 6/16/20, 7/10/20, 7/16/20 and 8/17/20.

[6] Assumed the Proposed Amended URD receives its final year of incremental property tax revenue and is dissolved in FY 2026.

[7] The Westside URD will receive collections from the 24th and last year of the URD in FY 2026. Note that taxes are collected one year in arrears (e.g. taxes for 2020 are modeled to be collected in FY 2021).

[8] Historic Revenues, Historic Costs and fund balances from FYs 2008-2019 come from CCDC’s Independent Financial Statements. Actual figures for FYs 2003-2007 were unavailable due to changes in accounting detail. In lieu of actuals, Historic Revenues were estimated based on known incremental property taxes for those years, assuming Other Revenues make up the same share of total Historic Revenues observed for FYs 2008-2019. Historic Costs were estimated for the FYs 2003-2006 such that the cumulative fund balance for FY 2007 (Year 5) aligns with the first known fund balance, $2,258,410, in that year.

[9] Aggregated incremental TV projections from (1) the Original URD (not including development), (2) the Amendment Area (not including development), and (3) New Development. TV for FY 2020, per Ada County Assessor’s data, serves as the starting value for Projected Revenues. A single development, 1100 W. Idaho St., fully assessed by FY 2021, is assumed.

[10] Incremental TV for the prior year multiplied by the assumed levy rate. The property tax levy rates were provided by CCDC through 2021. The latest available rate is from 2019, 2020 onward are estimates. SB Friedman assumed the three-year average from 2019-2021 is held constant beginning in 2022 through the District’s termination in 2026.

[11] Incremental TV multiplied by the assumed levy rate, collected in the following year.

[12] Includes office lease revenues, interest earnings on the cumulative fund balance of the prior year, and projected transfers from other agencies.


[14] CCDC’s Projected Costs for FYs 2020-2026, based on CCDC data received 5/29/20, and revised 6/16/20, 7/10/20, 7/16/20 and 8/17/20.

MEMO

TO: Planning and Zoning Commission
FROM: Karla Nelson, Associate Planner
DATE: September 28, 2020
RE: SUB20-00042 / 11304 W Fairview Ave / Withdrawal

PROJECT DESCRIPTION
The applicant requests approval of a preliminary plat for a mixed-use subdivision comprised of 4 buildable lots on 5.09 acres located at 11304 W Fairview Ave in a C-2D (General Commercial with Design Review) zone.

REQUEST
Withdrawal of the application.

ATTACHMENTS
From: Greg Flint
To: Karla Nelson; Jeff Randall
Subject: [External] RE: SUB20-00042
Date: Monday, September 28, 2020 8:47:33 AM
Attachments: image002.png

Karla,

Please withdraw our application for SUB20-00042. We plan to provide the revisions this week for the November 17th City Council meeting.

Thank you.

Greg Flint
Senior Entitlement Director
Larry H. Miller Real Estate
Direct: 801-563-4176
Cell: 970-903-1302
greg.flint@lhm.com
9350 South 150 East, Suite 1000
Sandy, UT 84070

From: Karla Nelson <krnelson@cityofboise.org>
Sent: Thursday, September 24, 2020 4:55 PM
To: Greg Flint <greg.flint@lhm.com>; Jeff Randall <jeffr@awaeng.com>
Subject: SUB20-00042

Greg and Jeff,
It was nice talking with you this afternoon. If you do proceed with a withdrawal we could likely get the original preliminary plat with the revision to City Council on November 17. If you could let me know if you do want to withdraw asap that will be helpful so that I don’t have to fully package up the report for SUB20-00042.

Thanks,
Karla

*City Hall is open with limited staff in the building. My responses may be slightly delayed, but I am still available through email, phone or a scheduled virtual meeting.

Karla Nelson
Assoc. Planner - Subdivision and Current Planning
Planning and Development Services
Office: (208)608-7089
knelson@cityofboise.org
Making Boise the most livable city in the country.
SUB20-00044 / Dallas Harris South Subdivision No. 2

Summary
The applicant requests approval of a preliminary and final plat for a mixed-use subdivision comprised of 4 buildable lots on 42.66 acres in a SP-01 (Harris Ranch Specific Plan) zone.

Prepared By
Nicolette Womack, Associate Planner

Recommendation
Approval with conditions

Reason for the Decision
The proposed preliminary and final plat conforms to the minimum dimensional standards of the SP-01 zone. As conditioned, the plats are in conformance with the subdivision standards of the Development Code, the Comprehensive Plan, and the Harris Ranch Specific Plan.

This report includes information available on the Boise City Website. The entire public record, including additional documents, can be viewed through the P&L Portal.
DALLAS HARRIS SOUTH SUBDIVISION NO. 2
PRELIMINARY PLAT SP01-PHASE 17
LOCATED WITHIN THE NW 1/4 OF SECTION 29, TOWNSHIP 3 NORTH, RANGE 3 EAST
BOISE MERIDIAN, CITY OF BOISE, ADA COUNTY, IDAHO
AUGUST, 2020
TWO-LANE COLLECTOR ROAD (SECTION A-A)

TWO-LANE MIXED USE LOCAL ROAD WITH URBAN SIDEWALK (SECTION B-B)

WARM SPRINGS AVE. (SECTION C-C)
CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS: THAT BARBER VALLEY DEVELOPMENT, INC., AN IDAHO CORPORATION, IS THE OWNER OF THE PROPERTY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED WITHIN THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 3 NORTH, RANGE 3 EAST, BOISE MERIDIAN, CITY OF BOISE, Ada COUNTY, IDAHO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SECTION CORNER COMMON TO SECTIONS 19, 20, 29, AND 30 FROM WHICH THE 1/4 CORNER COMMON TO SECTIONS 20 AND 29 BEARS NORTH 89°35'46" WEST, 2657.50 FEET; THEN, SOUTH 20°46'02" WEST, 888.38 FEET TO THE SOUTHERLY BOUNDARY LINE OF DALLAS HARRIS ESTATE TOWNHOMES SUBDIVISION NO. 1 AS FILED IN BOOK 110 OF PLATS AT PAGES 18260 THROUGH 18266 AND THE REAL POINT OF BEGINNING;

THENCE ON SAID SOUTHERLY BOUNDARY LINE THE FOLLOWING NINE (9) COURSES AND DISTANCES:

THENCE SOUTH 64°00'52" EAST, 65.00 FEET;
THENCE NORTH 25°58'08" EAST, 13.00 FEET;
THENCE SOUTH 64°00'52" EAST, 528.00 FEET;
THENCE SOUTH 25°58'08" EAST, 13.00 FEET;
THENCE SOUTH 64°00'52" EAST, 67.00 FEET;
THENCE NORTH 25°58'08" EAST, 13.00 FEET;
THENCE SOUTH 64°00'52" EAST, 233.00 FEET;
THENCE SOUTH 25°58'08" WEST, 13.00 FEET;
THENCE SOUTH 64°00'52" EAST, 12.00 FEET TO THE EXTERIOR BOUNDARY LINE OF DALLAS HARRIS SOUTH SUBDIVISION NO. 1 AS FILED IN BOOK 110 OF PLATS AT PAGES 18260 THROUGH 18266 AND THE REAL POINT OF BEGINNING;

THENCE ON SAID EXTERIOR BOUNDARY LINE THE FOLLOWING SIXTEEN (16) COURSES AND DISTANCES:

THENCE SOUTH 25°58'08" WEST, 208.32 FEET;
THENCE EAST 64°00'52" WEST, 12.00 FEET;
THENCE SOUTH 25°58'08" WEST, 13.00 FEET;
THENCE NORTH 64°00'52" WEST, 10.29 FEET;
THENCE SOUTH 25°58'08" WEST, 43.00 FEET;
THENCE SOUTH 64°00'52" EAST, 10.61 FEET;
THENCE SOUTH 21°25'36" WEST, 13.04 FEET;
THENCE SOUTH 64°00'52" EAST, 12.04 FEET;
92.80 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 421.50 FEET, A CENTRAL ANGLE OF 131°39'90" AND A LONG CHORD WHICH BEARS SOUTH 14°42'03" WEST, 97.58 FEET;
THENCE SOUTH 08°53'14" WEST, 117.31 FEET;
THENCE NORTH 10°35'45" WEST, 49.54 FEET;
16.47 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF 12°30'07" AND A LONG CHORD WHICH BEARS SOUTH 18°29'23" WEST, 16.41 FEET;
THENCE NORTH 53°10'28" WEST, 6.10 FEET;
THENCE SOUTH 20°27'45" WEST, 10.42 FEET;
THENCE SOUTH 53°10'28" EAST, 4.00 FEET;
12.30 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 56.00 FEET, A CENTRAL ANGLE OF 12°30'07" AND A LONG CHORD WHICH BEARS SOUTH 43°29'25" WEST, 12.28 FEET;
THENCE LEAVING SAID EXTERIOR BOUNDARY LINE, 74.43 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 666.50 FEET, A CENTRAL ANGLE OF 0°23'54" AND A LONG CHORD WHICH BEARS NORTH 68°45'06" WEST, 74.39 FEET;
THENCE NORTH 02°28'16" WEST, 17.65 FEET;
THENCE NORTH 69°03'35" WEST, 2.84 FEET;
THENCE SOUTH 52°57'31" WEST, 15.52 FEET;
THENCE LEAVING SAID EXTERIOR BOUNDARY LINE, 48.01 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 666.50 FEET, A CENTRAL ANGLE OF 0°41'14" AND A LONG CHORD WHICH BEARS NORTH 62°26'16" WEST, 48.60 FEET;
THENCE NORTH 02°03'24" WEST, 203.84 FEET;
THENCE 80.38 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 0°90'61" AND A LONG CHORD WHICH BEARS NORTH 55°57'16" WEST, 60.52 FEET;
THENCE 149.81 FEET ALONG THE ARC OF SAID REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 7,459.03 FEET, A CENTRAL ANGLE OF 0°10'57" AND A LONG CHORD WHICH BEARS NORTH 51°56'36" WEST, 149.60 FEET;
THENCE SOUTH 37°25'55" WEST, 71.50 FEET TO THE NORTH RIGHT-OF-WAY LINE OF E. WARM SPRINGS AVENUE;
THENCE ON SAID NORTH RIGHT-OF-WAY LINE, 437.67 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 7,387.53 FEET, A CENTRAL ANGLE OF 0°23'54" AND A LONG CHORD WHICH BEARS NORTH 54°17'58" WEST, 4.37 FEET;
THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 34°03'10" EAST, 6.00 FEET;
THENCE SOUTH 78°12'36" EAST, 10.29 FEET;
THENCE SOUTH 16.44 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 28.00 FEET, A CENTRAL ANGLE OF 33°36'08" AND A LONG CHORD WHICH BEARS NORTH 42°48'12" EAST, 16.20 FEET;
THENCE NORTH 25°26'08" EAST, 465.08 FEET TO THE REAL POINT OF BEGINNING.

CONTAINING 12.04 ACRES, MORE OR LESS.

IT IS THE INTENTION OF THE UNDERWRITERS TO HEREBY INCLUDE THE ABOVE DESCRIBED PROPERTY IN THIS PLAT AND TO DEED IT TO THE PUBLIC, THE PUBLIC STREETS AND ALLEYS AS SHOWN ON THIS PLAT, THE EASEMENTS AS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, HOWEVER, THE RIGHT TO USE SAID EASEMENTS IS HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS DESIGNED WITHIN THIS PLAT, AND NO PERMANENT STRUCTURES ARE TO BE ERECTED WITHIN THE LINES OF SAID EASEMENTS. ALL LOTS IN THIS PLAT WILL BE ELIGIBLE TO RECEIVE WATER SERVICE FROM AN EXISTING SUZI WATER COMPANY, INC. MAIL LINE LOCATED ADJACENT TO THE SUBJECT SUBDIVISION, AND SUZI WATER COMPANY, INC. HAS AGREED IN WRITING TO SERVE ALL THE LOTS IN THIS SUBDIVISION.

CODY McCAMMON, P.L.S.

CERTIFICATE OF SURVEYOR

L. CODY M. McCAMMON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAFTED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

CODY McCAMMON, P.L.S.

IDAHO NO. 11779

JOB NO. 20-308

SHEET 4 OF 5

P:\022812\20-308\022812-20-308\022812-20-308 sheet4-00008.png 8/24/2020 10:26:36 PM

IDAHOGROUP, LLC

9985 W EMERALD ST.
BOISE, IDAHO 83704
(208) 449-6570

PA7: 924-00008
DALLAS HARRIS SOUTH SUBDIVISION NO. 2

APPROVAL OF ADA COUNTY HIGHWAY DISTRICT
THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE ___ DAY OF __________."

PRESIDENT, A/C

APPROVAL OF CENTRAL DISTRICT HEALTH
SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER OR HIS AGENT LISTING THE CONDITIONS OF APPROVAL. SANITARY RESTRICTIONS MAY BE RE-IMPOSED, IN ACCORDANCE WITH SECTION 50-11326, IDAHO CODE, BY ISSUANCE OF A CERTIFICATION OF DISAPPROVAL.

CENTRAL DISTRICT HEALTH

APPROVAL OF CITY ENGINEER
I, THE UNDERSIGNED BOISE CITY ENGINEER, HEREBY STATE THAT THE RECOMMENDED CONDITIONS OF BOISE CITY HAVE BEEN SATISFIED FOR THIS PLAT.

BOISE CITY ENGINEER

APPROVAL OF CITY COUNCIL
I, THE UNDERSIGNED, CITY CLERK IN AND FOR THE CITY OF BOISE, ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE ___ DAY OF __________, ____, THIS PLAT WAS DILY ACCEPTED AND APPROVED.

CITY CLERK, BOISE, IDAHO

CERTIFICATE OF COUNTY SURVEYOR
I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR, IN AND FOR ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

COUNTY SURVEYOR

CERTIFICATE OF THE COUNTY TREASURER
I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50-1308 DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PLAT HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

DATE
COUNTY TREASURER

COUNTY RECORDER'S CERTIFICATE
STATE OF IDAHO
COUNTY OF ADA
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF BARBER VALLEY DEVELOPMENT, INC. AT ____ MINUTES PAST ____ O'CLOCK _____ M. ON THIS ____ DAY OF __________, ____, IN BOOK ______ OF PLATS AT PAGES ______.

INSTRUMENT NO.
DEPUTY
EX-OFFICIO RECORDER

IDAHO SURVEY GROUP, LLC
JOB NO. 20-308
SHEET 5 OF 5
NOTE: No sidewalk on South side where greenbelt is adjacent.
Two-lane Collector
w/ Urban Sidewalk

NOTE: See Landscape Plans.
BLOCK PROTOTYPE 19A - DESCRIPTION

Block Prototype 19A is a village center block with neighborhood retail, commercial, or residential on the first floor and office or residential above. Primary Facades are located on the East/West streets. All parking and garages are in the center of the block and are accessed off the North/South Streets at the center of the block as shown. The Block may be divided into more buildings keeping the integrity of the primary facades. Block Prototypes 19A,B,C&D may be combined with hRRB approval.

- Location: 1201, 1203, 1205
- Building Type: Convertible to Storefront, Elevated Residential
- Building Height: 60' Maximum
- Building Orientation: All building s, ater, to Face Street
- Parking or Garage Entries: Alley as shown
- First Floor Above Sidewalk: 0' Minimum
- Building Disposition: Street or 300' at Street
- Lot Size: 0.50 Minimum
- Build-in Height from Top of Curb at Street 8: 15'-30' (Plaza Exception)
- Private Outdoor Space for Residential: 30'-35' Minimum (May be Porch or Upper Deck)
- Front Echelon: 3' Maximum
- Side Echelon: 3' Maximum
- Rear Echelon: 3' Maximum
- Ground Level Function: Commercial or Residential
- Upper Level Function: Residential or Commercial

**NOTE:** All sidewalks shall be located outside of ACHD Highways. Public sidewalks shall be located within an easement to be dedicated to, and accepted by the City of Boise. Sidewalks may be allowed in ACHD right of way crossing the Idaho Power Corridor and at pedestrian access locations. Access onto collector roadways shall be designed and constructed to meet ACHD's access polices in effect at the time of development.
BLOCK PROTOTYPE 19B - DESCRIPTION
Block Prototype 19B is a village center block with neighborhood retail, commercial, or residential on the first floor and office or residential above. Primary facades are located on the East/West streets. All parking and garages are in the center of the block and are accessed off the North/South Streets at the center of the block as shown. The block may be divided into more buildings keeping the integrity of the primary facades. Block Prototypes 19A/B/C/D may be combined with HRRB approval.

<table>
<thead>
<tr>
<th>BLOCK PROTOTYPE 19B</th>
<th>SUMMARY</th>
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</thead>
<tbody>
<tr>
<td>Block Density</td>
<td>NA</td>
</tr>
<tr>
<td>Location</td>
<td>3100s, 3200s 3300s</td>
</tr>
<tr>
<td>Frontage Type</td>
<td>Streetfront, Officefront, Convertible to Storefront, Elevated Residential</td>
</tr>
<tr>
<td>Building Height</td>
<td>30' Maximum</td>
</tr>
<tr>
<td>Building Orientation</td>
<td>All pedestrian traffic to sidewalk</td>
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<tr>
<td>Parking Lot or Garage Orientation Entry</td>
<td>Alley as Shown</td>
</tr>
<tr>
<td>First Floor Above Sidewalk</td>
<td>9' Minimum</td>
</tr>
<tr>
<td>Building Disposition</td>
<td>Streetfront or Slope at Street 1</td>
</tr>
<tr>
<td>Lot Size</td>
<td>0.5' Minimum</td>
</tr>
<tr>
<td>Build-to Line Front of Curb at Street</td>
<td>15'-0' (Plaza Exception)</td>
</tr>
<tr>
<td>Interior Side Setback to Adjacent Building</td>
<td>0' Minimum</td>
</tr>
<tr>
<td>Private Outdoor Space for Residential</td>
<td>50.5' Minimum (May be Porch or Upper Deck)</td>
</tr>
<tr>
<td>Front Encroachment</td>
<td>3' Maximum</td>
</tr>
<tr>
<td>Side Encroachment</td>
<td>3' Maximum</td>
</tr>
<tr>
<td>Rear Encroachment</td>
<td>3' Maximum</td>
</tr>
<tr>
<td>Ground Level Function</td>
<td>Commercial or Residential on Street 1</td>
</tr>
<tr>
<td>Upper Level Function</td>
<td>Commercial or Residential</td>
</tr>
</tbody>
</table>

NOTE: All sidewalks shall be located outside of ACHD Right-of-Way. Public sidewalks shall be located within an easement to be dedicated to and accepted by the City of Boise. Sidewalks may be allowed in ACHD Right-of-Way crossing the Halls Power Control and at pedestrian crossing locations. Access onto collector roadways shall be designed and constructed to meet ACHD access policies in effect at the time of development.
BLOCK PROTOTYPE 19C - DESCRIPTION
Block Prototype 19C is a village center block with neighborhood retail, commercial, or residential on the first floor and office or residential above. Primary Facades are located on the East/West streets. All parking and garages are in the center of the block and are accessed off the North/South Streets at the center of the block as shown. Parking lot adjacent to the southern street may only be allowed with HRDB approval. The Block may be divided into more buildings keeping the integrity of the primary facades. Block Prototypes 19ABC&D may be combined with HRDB approval.

<table>
<thead>
<tr>
<th>Block Density</th>
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<tbody>
<tr>
<td>NA</td>
<td>SE7, SE8, SE9, SE10</td>
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<tr>
<td>Frontage Type</td>
<td>Storefront, Officefront, Convertible to Storefront, Elevated Residential</td>
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<tr>
<td>Building Height</td>
<td>60' Maximum</td>
</tr>
<tr>
<td>Building Orientation</td>
<td>All Building Entries to Face Street</td>
</tr>
<tr>
<td>Parking Lot/Garage Orientation Entry</td>
<td>As Shown</td>
</tr>
<tr>
<td>First Floor Above Sidewalk</td>
<td>0' Minimum</td>
</tr>
<tr>
<td>Building Disposition</td>
<td>Storefront or Shop at Street 8</td>
</tr>
<tr>
<td>Lot Size</td>
<td>0'68' Minimum</td>
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<tr>
<td>Build-to Line From Back of Curb at Street 8</td>
<td>15'30' (Plaza Exception)</td>
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<tr>
<td>Interior Side Setback to Adjacent Building</td>
<td>0' Minimum</td>
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<tr>
<td>Private Outdoor Space for Residential</td>
<td>30'30' Minimum (May be Porch or Upper Deck)</td>
</tr>
<tr>
<td>Front Encroachment</td>
<td>3' Maximum</td>
</tr>
<tr>
<td>Side Encroachment</td>
<td>3' Maximum</td>
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<td>Rear Encroachment</td>
<td>3' Maximum</td>
</tr>
<tr>
<td>Ground Level Function</td>
<td>Commercial or Residential on Street 8</td>
</tr>
<tr>
<td>Upper Level Function</td>
<td>Commercial or Residential</td>
</tr>
</tbody>
</table>

NOTE: All sidewalks shall be located outside of ACHD Righthand Way. Public sidewalks shall be located within an easement to be dedicated to and accepted by the City of Boise. Sidewalks may be allowed in ACHD right-of-way crossing the Idaho Power Co. and across the same locations. Access along collector roadways shall be designed and constructed in accordance with ACHD's access policies in effect at the time of development.
BLOCK PROTOTYPE 19D - DESCRIPTION

Block Prototype 19D is a village center block with an 'L-shape' building containing neighborhood retail, commercial, or residential on the first floor and office or residential above. Primary facades are located on the north and east. All parking and garages are in the center of the block and are accessed off the West and South Streets as shown. Parking lot adjacent to the southern street may only be allowed with HRRB approval. The Block may be divided into more buildings keeping the integrity of the primary facades. Block Prototypes 1ABC&D may be combined with HRRB approval.
BLOCK Prototype 20A - Description
Block Prototype 20A is a village center block with neighborhood retail, commercial, or residential on the first floor and office or residential above. Primary facades face the streets. Entrances facing the creek are highly desirable. Buildings facing the Village Green should face the Green with entrances and/or storefronts to create activity. All parking and garages are in the center of the block and are accessed off the southern street aligned with the North/South Street as shown. The Block may be divided into more buildings keeping the integrity of the primary facades facing the streets. Block Prototypes 20ABC may be combined with HRRB approval.

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HARRIS RANCH SPECIFIC PLAN (Amend. 7 (2019)) Page 92
**BLOCK PROTOTYPE 20B—DESCRIPTION**

Block Prototype 20B is a village center block with neighborhood retail, commercial, or residential on the first floor and office or residential above. Primary facades face the streets. Entrances facing the creek are highly desirable. Buildings facing the Village Green should face the Green with entrances and/or storefronts to create activity. All parking and garages are in the center of the block and are accessed off the northern street aligned with the North/South Street, with another to the west, as shown. The Block may be divided into more buildings keeping the integrity of the primary facades facing the streets. Block Prototypes 20ABC may be combined with HRRB approval.

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**NOTE:** Access points shall be reviewed by ACHD and Boise City prior to development.

**NOTE:** All sidewalks shall be located outside of ACHD Right-of-Way. Public sidewalks shall be located within an easement to be dedicated to and accepted by the City of Boise. Sidewalks may be allowed in ACHD right-of-way crossing the Idaho Power Corridor and at other than right-of-way locations. Access onto collector roadway shall be designed and constructed to meet ACHD’s access standards in effect at the time of development.
**Block Prototype 20C - Description**

Block Prototype 20C is a village center block with neighborhood retail, commercial, or residential on the first floor and office or residential above. Primary facades face the streets. Entrances facing the creek are highly desirable. Buildings facing the Village Green should face the Green with entrances and for storefronts to create activity. All parking and garages are in the center of the block and are accessed off the northern street aligned with the North/South Street, with another to the west, as shown. The block may be divided into more buildings keeping the integrity of the primary facades facing the streets. Block Prototypes 20ABC may be combined with HRRB approval.

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**Block Prototype 20C Summary**

<table>
<thead>
<tr>
<th>Block Prototype 20C</th>
<th>Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>S811</td>
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<tr>
<td>Frontage Type</td>
<td>Storefront, Officefront, Convertible to Storefront, Elevated Residential</td>
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<tr>
<td>Building Height</td>
<td>60' Maximum</td>
</tr>
<tr>
<td>Building Orientation</td>
<td>All Building Entrances to Face Street</td>
</tr>
<tr>
<td>Parking Lot or Garage Orientation</td>
<td>As Shown</td>
</tr>
<tr>
<td>First Floor Above Sidewalk</td>
<td>0' Minimum</td>
</tr>
<tr>
<td>Building Disposition</td>
<td>Storefront at Street/SA, Storefront, Officefront or Scoop at Other Streets</td>
</tr>
<tr>
<td>Lot Size</td>
<td>0 SF Minimum</td>
</tr>
<tr>
<td>Front Setback from Back of Sidewalk at Street 1</td>
<td>10' Minimum</td>
</tr>
<tr>
<td>Build to Line From Back of Curb at Street 5A/8</td>
<td>15'-20</td>
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<tr>
<td>Garage Setback From Alley</td>
<td>2' to Garage Door</td>
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<tr>
<td>Interior Side Setback to Adjacent Building</td>
<td>0' Minimum</td>
</tr>
<tr>
<td>Interior Side Setback to Driveway</td>
<td>5' Minimum</td>
</tr>
<tr>
<td>Rear Setback to Building</td>
<td>5' Minimum</td>
</tr>
<tr>
<td>Private Outdoor Space for Residential</td>
<td>50' 8&quot; Minimum (May be Porch or Upper Deck)</td>
</tr>
<tr>
<td>Front Encroachment</td>
<td>3' Maximum</td>
</tr>
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<td>Side Encroachment</td>
<td>3' Maximum</td>
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<tr>
<td>Rear Encroachment</td>
<td>3' Maximum</td>
</tr>
<tr>
<td>Ground Level Function</td>
<td>Commercial or Residential</td>
</tr>
<tr>
<td>Upper Level Function</td>
<td>Commercial or Residential</td>
</tr>
</tbody>
</table>

**Notes:**
- Access points shall be reviewed by ACHD and Boise City prior to development.
- Right-of-Way: Public sidewalks shall be located within an easement to be dedicated to and accepted by the City of Boise. Sidewalks may be allowed in ACHD right-of-way crossing the drain/Power Corridor and at pedestrian ramp locations. Access onto collector roadways shall be designed and constructed to meet ACHD access points as in effect at the time of development.

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HARRIS RANCH SPECIFIC PLAN (Amend.7 (2019))
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Dallas Harris South Subdivision No. 2

Detailed letter of Explanation

August 24, 2020

The Dallas Harris South Subdivision is being submitted for the August 25, 2020 cutoff for Planning and Zoning Hearing in October, scheduling permitting. The application is for preliminary/final plat.

There are 4 blocks within the SP-01 documents that make up the project and are listed as follows:

SE7 – This site is listed as school/mixed use.
SE8 – This site is listed as mixed use commercial/parking.
SE9 – This site is listed as mixed use commercial and has been separated into 2 lots.
SE11 – This site is listed as mixed use commercial.

There are no requested modifications from the SP-01 and the development of each of the listed sites will be developed in accordance with the prototypes list in Volume I of II of the SP-01.

All roadways fronting each of these parcels have either been constructed, or will be constructed with the approval of this preliminary/final plat application process and all roadways will be constructed to the requirements of the SP-01 typical sections and to the requirements of ACHD and the City of Boise.

Sanitary sewer service will be provided by the City of Boise and there is adequate capacity for these improvements.

Domestic Water and irrigation water will be provided by Suez Idaho and there is adequate capacity for the improvements. With recent changes to the lands containing surface water rights, all of these parcels are outside of current permitted properties and an irrigation waiver will be requested, allowing for all irrigation of common areas and street frontages to be provided by Suez, Idaho.

All dry utilities have been stubbed to these properties for the extension of a joint trench to provide power, gas, telephone and data services to each site.
# Subdivision

## Preliminary/Final

### Property Information

<table>
<thead>
<tr>
<th>Street No:</th>
<th>Direction</th>
<th>Street Name:</th>
<th>Street Type:</th>
<th>Unit Type:</th>
<th>Unit No:</th>
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</thead>
<tbody>
<tr>
<td>3850</td>
<td>E</td>
<td>WARM SPRINGS</td>
<td>AVE</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Subdivision Name:**
3N 3E 29

**Parcel Legal Description:**
PAR #3330 OF NW4 SEC 29 & OF, NE4 SEC 30
3N 3E, S0929223202C S0929223258C, S0929223320C S0929443240C, #110130C #110235C

**Zoning District:**
SP-01

**Parcel Number:**
S0929223330

**Additional Parcel Numbers:**

### Applicant Information

**First Name:** (Primary Contact)
David

**Last Name:**
Powell

**Type:**
Applicant

**Company:**
RiveRidge Engineering Company

**Address:**
2447 S. Vista Avenue

**City:**
Boise

**State:**
ID

**Zip:**
83705

**Email:**
dpowell@rvrdg.com

**Main Phone:**
(208) 344-1180

**Cell Phone:**
(208) 830-4654

### Owner Information

**Name:**
BARBER VALLEY DEVELOPMENT INC

**Address:**
4940 E MILL STATION DR  STE 101-B

**City:**
BOISE

**State:**
ID

**Zip:**
83716

**Email:**

**Phone:**

### Project Information

**Project Name:** (if applicable):
Dallas Harris South Subdivision No. 2

**Project Proposal:**
Please provide a brief narrative of your project in the Project Proposal field, and answer all other questions to the best of your ability.

Mixed Use subdivision

### Project Details
Each planning application includes a Required Submittal Checklist. If you do not already have a current checklist, please use the link below to download the correct form for your application.

- [Subdivision Submittal Checklist](#)
By checking this box: ☑

1. The undersigned is the owner of the indicated property or acting as the owner's authorized representative.
2. The undersigned declares that the above provided information is true and accurate, and acknowledges that failure to provide true and accurate information may result in rejection of this application, possible revocation of the permit where wrongfully issued and subject the undersigned to any applicable penalties.
3. The checked box represents a digital signature for all legal purposes as allowed by Idaho Code (Uniform Electronic Transactions Act).

This application was submitted electronically through the Permitting & Licensing Public Portal.

Signed electronically on 8/24/2020, by
Planning Division Project Report

File Number: SUB20-00044
Applicant: Doug Fowler / Barber Valley Development
Property Address: 3850 E Warm Springs Ave.

Public Hearing Date: October 5, 2020
Heard by: Planning and Zoning Commission

Analyst: Nicolette Womack, Associate Planner
Reviewed By: Céline Acord, Current Planning Manager

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Exhibits

Agency Comments
Public Testimony
1. Project Data and Facts

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<thead>
<tr>
<th>Project Data</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicant</strong></td>
</tr>
<tr>
<td><strong>Engineer</strong></td>
</tr>
<tr>
<td><strong>Location of Property</strong></td>
</tr>
<tr>
<td><strong>Size of Property</strong></td>
</tr>
<tr>
<td><strong>Zoning</strong></td>
</tr>
<tr>
<td><strong>Land Use Designation</strong></td>
</tr>
<tr>
<td><strong>Planning Area</strong></td>
</tr>
<tr>
<td><strong>Neighborhood Assoc./Contact</strong></td>
</tr>
<tr>
<td><strong>Procedure</strong></td>
</tr>
</tbody>
</table>

Current Land Use
Vacant Land

Description of Applicant’s Request
Preliminary and Final Plat for a mixed-use subdivision comprised of 4 buildable lots

2. Land Use

Description and Character of Surrounding Area
The property is located within the Harris Ranch Specific Plan Area between Warm Springs Avenue and Parkcenter Boulevard. The surrounding area is generally comprised of townhomes, condominium homes, live/work or mixed-use buildings, as well as vacant land designated for commercial and high-density residential development within the Harris Ranch Specific Plan.

Adjacent Land Uses and Zoning

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Haystack St. then Vacant Land / SP-01</td>
</tr>
<tr>
<td>South</td>
<td>Warm Springs Ave., then Vacant Land &amp; Retention Ponds / SP-01</td>
</tr>
<tr>
<td>East</td>
<td>Millbrook Way, then Vacant Land / SP-01</td>
</tr>
<tr>
<td>West</td>
<td>Barnside Way, then Vacant Land / SP-01</td>
</tr>
</tbody>
</table>

3. Project Proposal
The proposed preliminary and final plat will include four buildable lots for mixed use developments. All of the buildings will be required to comply with the dimensional requirements of the SP-01 zone and the proposed multi-family buildings will require Design Review approval prior to receiving building permits.
4. Development Code (Boise City Code Title 11)

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-03-04.04</td>
<td>Subdivision Plat Specific Procedures</td>
</tr>
<tr>
<td>11-07-03</td>
<td>Off-Street Parking &amp; Loading Standards</td>
</tr>
<tr>
<td>11-09</td>
<td>Subdivision Standards</td>
</tr>
<tr>
<td>11-013-01</td>
<td>Harris Ranch</td>
</tr>
</tbody>
</table>

5. Comprehensive Plan (Blueprint Boise)

<table>
<thead>
<tr>
<th>Blueprint Boise</th>
<th>Goals, Objectives &amp; Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter 2: Citywide Vision &amp; Policies</td>
<td>Goal NAC3.1: Infill Scale &amp; Character</td>
</tr>
<tr>
<td></td>
<td>Goal NAC3.2: Areas of Change &amp; Stability</td>
</tr>
<tr>
<td></td>
<td>Goal CC1.1: Reduce Vehicle Miles Traveled</td>
</tr>
<tr>
<td>Chapter 3: Community Structure &amp; Design</td>
<td>Mixed Use Land Use Category</td>
</tr>
<tr>
<td></td>
<td>Principle GDP-MU.2: Housing</td>
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<tr>
<td></td>
<td>Principle GDP-MU.4: Pedestrian Access and Orientation</td>
</tr>
<tr>
<td></td>
<td>Principle IDP-MU.1: Mix of Uses</td>
</tr>
<tr>
<td>Chapter 4: Barber Valley Planning Area Policies</td>
<td>Goal BV-C2: Connection to New Development</td>
</tr>
</tbody>
</table>

Harris Ranch Specific Plan (Link)

Goals, Objectives & Policies

- Master Plan, Land Use Development Plan, Circulation Plan and Transit Plan

6. Transportation Data

Ada County Highway District (ACHD) approved the project with conditions of approval. The applicant proposes to extend Barnside, Shadywood and Millbrook Way north/south, as well as Haystack and Woodcutter St. east/west. Millbrook Way will include a future roundabout at the intersection with Warm Springs Ave. to be constructed once traffic counts warrant construction. The approval of Block SE5 (Dallas Harris Estates Sub No. 18) included an RRFB (Rapid Rectangular Flashing Beacon) at Warm Springs/Millbrook Way intersection. This allows a safe roadway crossing for increased pedestrian connectivity between the future Town Center, Village Green and existing park.

Warm Springs Avenue is classified as a minor arterial roadway and Barnside Way is classified as a collector roadway. Other than the access specifically approved with this application, direct lot access is prohibited to Warm Springs Ave and Barnside Way and
will be noted on the final plat. Eventually, and if warranted, the Specific Plan has Warm Springs Avenue planned as a 4-lane arterial roadway with 2-lane-wide roundabouts at each intersection. However, it was determined that no improvements to Warm Springs Avenue or the Millbrook/Warm Springs or Barnside/Warm Springs intersections would be needed at this time. ACHD required additional right-of-way be dedicated accommodating the future construction of these dual lane roundabouts. As previously directed by City Council, the Planning Team continues to research the process in which the Specific Plan could be amended to reduce Warm Springs Ave from 5 lanes to 3 lanes between Wise Way and Eckert Rd. In addition, staff was directed to request the roundabouts be reduced from dual lane to single lanes.

Bike Lanes will be constructed along Barnside Way as shown on Right of Way Section #5a. Detached sidewalk, curb and gutter are proposed along Warm Springs Ave on both sides of the daylight creek shown here. Curb, gutter and detached sidewalks will be provided along all adjacent public roadways within the development in compliance with the Circulation Plan of the Harris Ranch Specific Plan.
Conditions of approval will also require the sidewalk be placed within sidewalk easements to Boise City as is standard within Harris Ranch.

7. Analysis
The applicant requests approval of a Preliminary and Final Plat for a mixed-use subdivision comprised of 4 buildable lots on 42.66 acres in a SP-01 (Harris Ranch Specific Plan) zone. All of the buildings will be required to comply with the dimensional requirements of the SP-01 zone and the proposed buildings will require Design Review approval prior to receiving building permits. It’s also important to note that portions of the subject property are within the floodplain, as such a condition of approval requires approval of floodplain permits prior to approval of a building permit.

The Harris Ranch Specific Plan designates the majority of the site as “Mixed-Use Commercial and High-Density Residential”, a portion of Lot 4, Block 1 is designated for
“Public Facilities - Elementary School”. The proposed street layout matches the Circulation Plan for the area and the lot layouts match the corresponding Block Prototypes listed below:

<table>
<thead>
<tr>
<th>Final Plat Number</th>
<th>Block Number</th>
<th>Block Prototypes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Block 2 Lot 1</td>
<td>SE11</td>
<td>20ABC</td>
</tr>
<tr>
<td>Block 3 Lot 1 &amp; 2</td>
<td>SE9</td>
<td>19ABCD</td>
</tr>
<tr>
<td>Block 4 Lot 1</td>
<td>SE7 &amp; 8</td>
<td>CIVIC or 19ABCD</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Streets</th>
<th>ROW Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barnside Way</td>
<td>5a</td>
</tr>
<tr>
<td>Shadywood Way</td>
<td>8</td>
</tr>
<tr>
<td>Millbrook Way</td>
<td>8</td>
</tr>
<tr>
<td>Haystack St.</td>
<td>8</td>
</tr>
<tr>
<td>Woodcutter St.</td>
<td>8</td>
</tr>
<tr>
<td>Warm Springs Ave.</td>
<td>1 &amp; 18</td>
</tr>
</tbody>
</table>

Block 2, Lot 1’s Block Prototypes show a village center block with neighborhood retail, commercial, or residential on the first floor and office or residential above. The primary facades face the streets. Buildings facing the Village Green across Barnside Way to the west should face the Green with entrances and/or storefronts to create activity. All parking and garages are in the center of the block and are accessed off Woodcutter in alignment with the North/South streets. The Block may be divided into more buildings keeping the integrity of the primary facades facing the streets.

Block 3, Lot 1 & 2’s Block Prototypes show a village center block with neighborhood retail, commercial or residential on the first floor and office or residential above. Primary facades are located on Woodcutter and Haystack St. All parking and garages are in the center of the block and accessed off Shadywood and Millbrook Way or, as shown in Block Prototype 19D off Shadywood Way and Woodcutter St. Parking lots adjacent Woodcutter St. may only be allowed with Harris Ranch Review Board approval. The Block may be divided into more buildings keeping the integrity of the primary facades facing the streets.

Block 4, Lot 1’s Block Prototype includes the west portion of the block for a future Elementary School. Additional reviews will be conducted by Boise School District, ACHD and Harris Ranch Review Board with additional opportunities to comment. A traffic impact study will also be required. The east portion of the block includes the same Block Prototypes as Block 3, Lots 1 & 2.

These proposed lot layouts will be compatible with the surrounding area. To the north is land which the Harris Ranch Specific Plan designates for “Mixed-Use Commercial and Medium-High Density Residential”. To the east is land designated for “Mixed-Use Commercial and High-Density Residential”. To the west is the Village Center Development which will include a Farmer’s Market and Restaurant. To the north-east is
land designated “Mixed-Use Village Center”. With the recommended conditions of approval, the Planning Team finds the application to be consistent with the standards for approval.

Concerns have been received on projects adjacent to Warm Springs Ave. from the Barber Valley Neighborhood Association (BVNA) and neighbors. These focus on bicycle infrastructure in the higher density areas near the future elementary school site as well as pedestrian/bike crossings along Warm Springs Ave. in order to access the Greenbelt and the southern subdivisions in Harris Ranch. Specific concerns are with Warm Springs Ave. being expanded in the future to five lanes with dual lane roundabouts. While ACHD has not required the expansion of the roadway or the buildout of any roundabouts with this subdivision, the concern is that this expansion could occur in the future and how the increase of traffic will make it a less than desirable environment for pedestrians and bicyclists, specifically school children. There is also concern that there aren’t adequate bicycle lanes planned in the area. Neighbors believe there should be safer crossings along Warm Springs Ave. and have additional bike lanes planned rather than relying on wider sidewalks as is currently planned.

The Harris Ranch Specific Plan is an approved plan that provides both the neighborhood and developer assurances of what is planned and approved to be built in the area. The Plan was recently amended in 2019 which specifically modified block layout and circulation plans. While the neighborhood concerns are valid, they aren’t specific to this subdivision application but rather with the entire Harris Ranch area. Although bicycle infrastructure and pedestrian safety is of the upmost importance, the concerns would have been best addressed under the context of last year’s Specific Plan modification.

At this time, only a preliminary and final plat is before the Planning and Zoning Commission in order to create the proposed lots and to continue to extend right-of-way. Changes can still occur within the local roadways after build out to accommodate pedestrians and bicycles (i.e. painted bike lanes, candles, remove on-street parking, etc.). This should not delay the platting process. Additionally, as the future school site is planned out, safe routes to school will further prioritize these improvements and will continue this effort specifically to accommodate school children.
9. Recommended Conditions of Approval

Site Specific

1. Compliance with plans and specifications submitted to and on file in the Planning and Development Services Department dated received **August 25, 2020**, except as expressly modified by the following conditions:

2. A Floodplain permit shall be approved prior to approval of building permits.

3. A Design Review permit shall be approved prior to approval of building permits.

4. Curb, gutter and sidewalk shall be provided along all adjacent public roadways in compliance with the Circulation Plan of the *Harris Ranch Specific Plan*.

5. Trees shall be installed or bonded for within the park strips along the adjacent public roadways in compliance with the Landscape Design Guidelines of the *Harris Ranch Specific Plan*.

Agency Requirements

6. The applicant shall comply with the requirements of the Ada County Highway District (**September 25, 2020**).

7. The applicant shall comply with the requirements of the following agencies as identified in their submitted memos:

   a. Boise City Building Department (**September 3, 2020**);
   b. Central District Health Department (**September 18, 2020**);
   c. Independent School District of Boise City (**September 21, 2020**).

8. The applicant shall comply with the requirements of the Boise City Public Works Department (BCPW) for comments received for:

   a. Sewer Irrigation (dated **September 2, 2020**);
   b. Solid Waste (dated **September 1, 2020**);
   c. Street Lights (dated **August 21, 2020**).

Contact BCPW at 208-608-7150 for specific comments or questions. All requirements of the BCPW shall be completed or bonded for prior to submittal of the Final Plat for the signature of the Boise City Engineer.
Subdivision

9. The following notes on the face of the Final Plat shall state:
   a. The development of this property shall be in compliance with the Boise Development Code or as specifically approved by SUB20-00044.
   b. Other than the access specifically approved with this application, direct lot access is prohibited to Warm Springs Ave and Barnside Way.

10. No building permit for the construction of any new structure shall be accepted until the Final Plat has been recorded. If a Non-Building Agreement is approved by Boise City Fire Department, no building permits shall be submitted until a “Satisfaction of Non-Building Agreement” is recorded.

11. A subdivision name shall be approved and reserved by the Ada County Surveyor. Once reserved it shall not be changed unless there is a change in ownership, at which time, the new owner(s) shall submit their new name to the Ada County Engineer for review and reservation. Should a change in name occur, applicant shall submit, in writing, from the Ada County Engineer, the new name to the Department of Planning and Development Services and re-approval by the Council of the “revised” Final Plat shall be required. Developer and/or owner shall submit all items including fees, as required by the Planning and Development Services Department, prior to scheduling the “revised” Final Plat for hearing.

12. Developer shall provide utility easements as required by the public utility providing service.

13. Prior to submitting the Mylar of the Final Plat for the City Engineer’s signature, all the conditions of approval must be satisfied. Approvals must be provided on agency letterhead.

14. The Mylar shall include the following endorsements or certifications. These must be executed prior to submitting the Final Plat for recording with the Ada County Recorder’s Office.
   a. Signatures of owners or dedicators,
   b. Certificate of the Surveyor,
   c. Certificate of the Central District Health Department,
   d. Acceptance of the Commissioners of the Ada County Highway District,
   e. Certificate of the Boise City Engineer,
   f. Certificate of the Boise City Clerk,
   g. Certificate of the Ada County Surveyor, and
   h. Signature of the Ada County Treasurer.
15. Certification by the Boise City Engineer shall be made within two years from date of approval of the Final Plat by the Boise City Council.

16. The developer may submit a request for a time extension, including the appropriate fee, to the Boise City Planning and Development Services Department for processing. Boise City Council may grant time extensions for a period not to exceed one year provided the request is filed, in writing, at least twenty working days prior to the expiration of the first two-year period, or expiration date established thereafter.

   1. If a time extension is granted, the Boise City Council reserves the right to modify and/or add condition(s) to the original preliminary or Final Plat to conform with adopted policies and/or ordinance changes.

   2. The Final Plat shall be recorded with the Ada County Recorder within one year from the date of the Boise City Engineer’s signature. If the Final Plat is not recorded within the one-year time frame it shall be deemed null and void.

17. Covenants, homeowners’ association by-laws or other similar deed restrictions which provide for the use, control and maintenance of all common areas, private streets, shared access and shared parking shall be reviewed and approved by the Boise City Attorney. After recordation of the final plat and CC&R’s, no building permit shall be accepted until a copy of the recorded CC&R’s have been submitted to the Boise City Attorney.

18. Prior to the City Engineer’s Certification of the Final Plat and/or prior to earth disturbing activities, an Erosion and Sediment Control (ESC) permit must be obtained. An ESC plan shall be submitted to the ESC Program Manager for review and approval. No grading or earth disturbing activities may start until an approved ESC permit has been issued.

19. An individual who has attended the Boise City Responsible Person (RP) certification class, or has obtained Interim Certification for the RP shall be identified for this project. A permit will not be issued until such time as the name and certification number of the RP has been provided to Boise City. Contact Erosion Control at 208-608-7100 for more information.

20. The developer shall make arrangements to comply with all requirements of the Boise City Fire Department and verify in one of the following ways:

   1. A letter from the Boise City Fire Department stating all conditions for water, access, and/or other requirements have been satisfied,
   OR

   2. A Non-Building Agreement has been executed and recorded with a note on the face of the Final Plat identifying the instrument number.
“No Parking” signs and curb painting shall be required on streets having width less than 36-feet, back of curb to back of curb. Contact the Boise City Fire Department for sign placement and spacing. Developer may either construct prior to final platting or post bond in the amount of 110% of the estimated costs with the Boise City Planning and Development Services Department.

21. A letter from the appropriate school district is required stating, "The Developer has made arrangements to comply with all requirements of the School District."

22. A letter of acceptance for water service from the utility is required.

23. Developer shall provide a letter from the United States Postal Service stating, "The Developer and/or Owner has received approval for location of mailboxes by the United States Postal Service."

   Contact: Dan Frasier, Postmaster
   770 S. 13th St.
   Boise, ID 83708-0001
   Phone No. (208) 433-4301
   Fax No. (208) 433-4400

24. Correct street names as approved by the Ada County Street Name Committee shall be placed on the plat.

Standard Conditions of Approval

25. Building permit approval is contingent upon the determination that the site is in conformance with the Boise City Subdivision Ordinance. Contact Planning and Development Services at (208) 608-7100 regarding questions pertaining to this condition.

26. All landscaping areas shall be provided with an underground irrigation system. Landscaping shall be maintained according to current accepted industry standards to promote good plant health, and any dead or diseased plants shall be replaced. All landscape areas with shrubs shall have approved mulch, such as bark or soil aid.

27. Swales/retention/detention areas shall not be located along the streets, unless it can be shown that landscaped berms/shrubs will screen the swales.

28. Anyone planting, pruning, removing or trenching/excavating near any tree(s) on ACHD or State right-of-ways must obtain a permit from Boise City Community Forestry at least one (1) week in advance of such work by calling (208) 608-7700. Species shall be selected from the Boise City Tree Selection Guide.

29. Deciduous trees shall be not less than 2" to 2 1/2" inch caliper size at the time of
planting, evergreen trees 5' to 6' in height, and shrubs 1 to 5 gallons, as approved by staff. All plants are to conform to the American Association of Nurseryman Standards in terms of size and quality.

30. Utility services shall be installed underground.

31. An occupancy permit will not be issued by the Planning and Development Services Department until all of these conditions have been met. In the event a condition(s) cannot be met by the desired date of occupancy, the Planning Director will determine whether the condition(s) is bondable or should be completed, and if determined to be bondable, a bond or other surety acceptable to Boise City will be required in the amount of 110% of the value of the condition(s) that is incomplete.

32. All amenities, landscaping, fencing, sidewalks and underground irrigation shall be installed or bonded for prior to the issuance of a building permit. For bonding, the applicant is required to provide a minimum of two bids for the amenities, landscaping materials and the installation. The bond shall be for 110% of the highest bid. For additional information, please call (208) 608-7100.

33. No change in the terms and conditions of this approval shall be valid unless in writing and signed by the applicant or his authorized representative and an authorized representative of Boise City. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon Boise City.

34. Any change by the applicant in the planned use of the property, which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant, or successors of interest, advise Boise City of intent to change the planned use of the property described herein, unless a variance in said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.
1. We have No Objections to this Proposal.

2. We recommend Denial of this Proposal.

3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.

4. We will require more data concerning soil conditions on this Proposal before we can comment.

5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
   - high seasonal ground water
   - bedrock from original grade
   - waste flow characteristics
   - other

6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.

7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.

8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
   - central sewage
   - interim sewage
   - individual sewage
   - community sewage system
   - central water
   - individual water

9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
   - central sewage
   - sewage dry lines
   - community sewage system
   - central water
   - community water

10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.

11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.

12. We will require plans be submitted for a plan review for any:
   - food establishment
   - beverage establishment
   - swimming pools or spas
   - grocery store
   - child care center

13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDH.

14. ______________________________________________________________________________

Reviewed By: ____________________________

Date: 9/14/20
A. Findings of Fact

1. Description of Application: The applicant is requesting approval of a preliminary/final plat application to develop 4 lots for mixed use and an elementary school lot on 12.04 acres. The site is located within the Harris Ranch Specific Area Plan planning area, SP01.

   The applicant’s proposal is consistent with SP01.

2. Description of Adjacent Surrounding Area:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Land Use</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Townhomes</td>
<td>SP01</td>
</tr>
<tr>
<td>South</td>
<td>Mixed Use/High Density Residential</td>
<td>SP01</td>
</tr>
<tr>
<td>East</td>
<td>Mixed Use/High Density Residential</td>
<td>SP01</td>
</tr>
<tr>
<td>West</td>
<td>Mixed Use/High Density Residential</td>
<td>SP01</td>
</tr>
</tbody>
</table>

3. Site History: The ACHD Commission previously reviewed this site as part of the Harris Ranch Specific Area Plan in April of 2007 and part of the Specific Area Plan Modification on October 3, 2012, May 28, 2014 and on March 6, 2019. The requirements of this staff report are consistent with those of the prior action.

4. Adjacent Development: The following developments are pending or underway in the vicinity of the site:
• Haystack Subdivision, a preliminary plat consistent of 2 multi-family lots and 1 common lot on 10.69 acres located directly west of the site and approved by ACHD on April 16, 2020.

• Dallas Harris Estates No. 18, a preliminary plat consisting of 6-multi-family lots and 2 common lots on 7.45 acres located directly east of the site and approved by ACHD on March 11, 2020.

5. **Transit:** There is limited transit service within the SP01 planning area; and transit services are not available within walking distance of this phase of the development.

6. **New Center Lane Miles:** The proposed development includes 0.15 centerline miles of new public road.

7. **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.

8. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):** There are currently no roadways, bridges or intersections in the general vicinity of the project that are currently in the CIP.

   - The Eckert Road and Arrow Junction Drive pedestrian crossing is scheduled in the IFYWP for construction in 2021.

9. **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 Warm Springs Avenue as a Level 2 facility. There are existing 6-foot wide bike lanes on Warm Springs Avenue abutting the site consistent with the BMP.

**B. Traffic Findings for Consideration**

1. **Trip Generation:** The following table includes trip generation rates for anticipated land uses, based on the Institute of Transportation Engineers Trip Generation Manual, 10th edition.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Unit of Measurement</th>
<th>Average Daily Trips</th>
<th>PM Peak Hour Trip Generation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multifamily Housing (1-2 stories)</td>
<td>Per Dwelling Unit</td>
<td>7.32</td>
<td>0.56</td>
</tr>
<tr>
<td>General Office</td>
<td>Per 1,000 square feet</td>
<td>9.74</td>
<td>1.15</td>
</tr>
<tr>
<td>Shopping Center</td>
<td>Per 1,000 square feet</td>
<td>37.75</td>
<td>3.81</td>
</tr>
<tr>
<td>Elementary School</td>
<td>Per 1,000 square feet</td>
<td>19.52</td>
<td>1.37</td>
</tr>
<tr>
<td>High-Turnover (Sit-Down) Restaurant</td>
<td>Per 1,000 Square feet</td>
<td>112.18</td>
<td>9.77</td>
</tr>
<tr>
<td>Food Cart</td>
<td>Food cart</td>
<td>N/A</td>
<td>3.08</td>
</tr>
</tbody>
</table>
2. Future Elementary School
A traffic impact study will be required at the time of the development application submittal for the elementary school consistent with the District’s Traffic Impact Studies policy. As required per Idaho Code 67-6519(3), the traffic impact study for the future elementary school should include a School Checklist.

3. Condition of Area Roadways
Traffic Count is based on Vehicles per hour (VPH)

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Frontage</th>
<th>Functional Classification</th>
<th>PM Peak Hour Traffic Count</th>
<th>PM Peak Hour Level of Service</th>
<th>Existing Plus Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warm Springs Avenue</td>
<td>1,000-feet</td>
<td>Minor Arterial</td>
<td>355</td>
<td>Better than “D”</td>
<td>Better than “D”</td>
</tr>
<tr>
<td>Parkcenter Boulevard</td>
<td>0-feet</td>
<td>Collector</td>
<td>170</td>
<td>Better than “D”</td>
<td>Better than “D”</td>
</tr>
</tbody>
</table>

* Acceptable level of service for a two-lane collector is “D” (425 VPH).
* Acceptable level of service for a two-lane minor arterial is “D” (550 VPH).

1. Average Daily Traffic Count (VDT)
Average daily traffic counts are based on ACHD’s most current traffic counts.

- The average daily traffic count for the Warm Springs Avenue west of Eckert Road was 6,720 on 9/4/19.
- The average daily traffic count for Parkcenter Boulevard east of Perrault Way was 2,751 on 12/20/18.

C. Findings for Consideration

1. Harris Ranch Specific Area Plan (SP01)
On April 10, 2007 the ACHD Commission heard and approved the Harris Ranch Specific Area Plan (SP01) and subsequently on October 3, 2012, May 28, 2014 and March 6, 2019 the ACHD Commission heard and approved modifications to SP01.  The applicant is required to comply with all recommendations and conditions of the Specific Area Plan for each preliminary plat application unless specifically modified in subsequent preliminary plat approvals.  Any modifications to the Harris Ranch Specific Area Plan approved with this application are for this preliminary plat only. No area wide changes to the Specific Area Plan are approved with this application.

2. Traffic Impact Study/Traffic Counts
As part of ACHD’s action on the 2018 SP01 update when parcels abutting Warm Springs Avenue are preliminary platted the applicant is required to provide current roadway segment traffic counts and intersection counts (raw data) for the segment of Warm Springs Avenue abutting the site and the nearest intersection.  Based on the traffic counts submitted to ACHD on February 28, 2020 for the Haystack Subdivision development directly west of the site, no improvements to Warm Springs Avenue or the Wise Way/Warm Springs or Old Hickory/Warm Springs intersections were required to mitigate traffic impacts. Therefore, no improvements should be required for the
intersection of Barnside Way and Warm Springs Avenue and this segment of Warm Springs Avenue abutting the site due to the fact that the traffic conditions on this segment of Warm Springs Avenue have remained the same from when the traffic counts for this segment of Warm Springs Avenue were collected on February 28, 2020.

Staff recommends that the applicant be required to dedicate additional right-of-way at the Millbrook Way/Warm Springs intersection consistent with the template shown as attachment 3 to accommodate the future construction of a dual lane roundabout at the intersection.

3. Warm Springs Avenue
   a. **Existing Conditions:** Warm Springs Avenue is improved with two -12-foot travel lanes and 6-foot bike lanes and no curb, gutter or sidewalk abutting the site. There is 98-feet of right-of-way for Warm Springs Avenue (30-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.
      - **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.

      **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 Warm Springs Avenue is designated in the MSM as a Circulator Arterial with 5-lanes and on-street bike lanes, a 72-foot street section within 98-feet of right-of-way.

c. **Applicant Proposal:** The applicant has proposed to construct vertical curb, gutter, and a 9-foot wide planter strip within the existing right-of-way and construct a 6-foot wide detached concrete sidewalk outside of the right-of-way in an easement to Boise City.

d. **Staff Comments/Recommendations:** The applicant’s proposal exceeds ACHD policy, is consistent with ACHD’s Specific Area Plan requirements, and should be approved, as proposed. The sidewalk should be placed within a sidewalk easement to Boise City.

4. **Barnside Way**

a. **Existing Conditions:** There are no collector roadways within the site. There is one collector roadway, Barnside Way, that stubs to 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.

   **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.

   **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.
c. **Applicant Proposal:** The applicant has proposed to continue Barnside Way into the site to intersect Warm Springs Avenue and construct it as a 49-foot wide street section with two 11-foot wide travel lanes, bike lanes, and 8-foot wide parking lanes on both sides of the roadway, vertical curb, and gutter within 53-feet of right-of-way. The applicant has proposed to construct 15-foot wide attached urban sidewalks and provide 13-foot wide sidewalk easements to Boise City to preserve 2-feet of right-of-way behind the back of curb.

The applicant has proposed to construct standard bulb-outs on Barnside Way at the intersection with Woodcutter Street.

d. **Staff Comments/Recommendations:** The applicant’s proposal to construct the 49-foot wide street section with bike lanes, parking lanes, vertical curb, gutter and sidewalk are consistent with the ACHD’s requirements for the Harris Ranch Specific Area Plan (SP01) and should be approved, as proposed.

The applicant’s proposal to construct the standard bulb-outs at the intersection of Barnside Way and Woodcutter Street should be approved, as proposed. The applicant will be required to provide a minimum of 24-feet of pavement between the bulb-outs at the intersection, as measured from face-of-curb to face-of-curb.

5. **Internal Local Streets (Woodcutter Street and Shadywood Way)**

a. **Existing Conditions:** There are no local streets within the site. There is one local road, Shadywood Way, that stubs to the site’s north property line. There is a local road, Woodcutter Street, that is proposed to stub to the site’s east property line. This stub street is not constructed yet and was approved as part of ACHD’s action on Dallas Harris Estates No. 18 to the east of the site.

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.

   **Reduced Urban Local Street—27-foot Street Section and Right-of-Way Policy:** District Policy 7207.5.2 states that the width of a reduced urban local street shall be 27-feet (back-of-curb to back-of-curb) with curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 41-feet of right-of-way. Unless approved in writing by the land use agency, this street section is not allowed by the City of Kuna and City of Star. In some cases this street width may not accommodate new utilities. A 29-foot street section within 43-feet of right-of-way may be constructed in lieu of a 27-foot street section if the applicant demonstrates that the additional roadway width is necessary to extend the utilities. Although some parking is allowed by the following subsections, the District will further restrict parking on a reduced width...
street if curves or other physical features cause problems, if actual emergency response experience indicates that emergency vehicles may not be able to provide service, or if other safety concerns arise. One of the following three sets of design conditions shall apply.

**Design Condition #1:** Parking is allowed on one side of a reduced width street when all of the following criteria are met:

- The street is in a residential area.
- The developer shall provide written approval from the appropriate fire department or emergency response unit in the jurisdiction.
- The developer shall install NO PARKING signs on one side of the street, as specified by the District and as specified by the appropriate fire department.
- This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 41-feet of right-of-way.
- Traffic volumes on the street shall not exceed 1,000 vehicle trips per day. There shall be no possibility that another street may be connected to it in a manner that would allow more than 1,000 vehicle trips per day.

**Design Condition #2:** Parking is allowed on both sides of a reduced width street when the street layout has the qualities of a road grid system. This provides fire trucks and other emergency vehicles alternate routes of access since the ability to pass another vehicle may be compromised by placement of parked vehicles on both sides of the street. The following criteria shall be met:

- The street is in a residential area.
- The developer shall provide written approval from the appropriate fire department or emergency response unit in the jurisdiction.
- The block length of the street shall not exceed 500-feet, measured between centerlines.
- Traffic volumes on the street are not forecast to exceed 400 vehicle trips per day.
- A minimum of two street connections shall be provided to each end of the street with the reduced width. The two connecting streets shall each connect to the larger street system to provide the intended alternate routes of access. A street system that has one street connection to the larger street network on one end and a loop/circle street on the other end with no outlet shall not be approved.
- This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 41-feet of right-of-way.

**Design Condition #3:** Parking is allowed on both sides of a reduced width residential street with passing pockets that are created when two driveways are constructed near the same property line, where a 50-foot segment will not have on–street parking on the side of the street with the driveways. This provides fire trucks and other vehicles areas to move to the side of the street to allow another vehicle to pass when vehicles are parked on the street. Parking is allowed on both sides of a reduced width street when the following criteria are met:

- The street is in a residential area.
- The developer shall provide written approval from the appropriate fire department or emergency response unit in the jurisdiction.
- Driveway locations are predetermined with curb cuts for the driveways to be installed when the street is constructed. The curb cuts shall be 20-feet wide. Each lot on the street will be paired with an adjacent lot. If there are an odd number of lots, one lot at either end of the street will not be paired. Each pair of lots shall locate its driveway 5-feet from the shared lot line of the pair.
• This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 41-feet of right-of-way.
• The lots cannot abut an alley.
• Traffic volumes on the street are not forecast to exceed 400 vehicle trips per day.

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.

c. Applicant’s Proposal: The applicant has proposed to continue Shadywood Way and Woodcutter Street into the site and construct the roadways as a 39-foot wide local street sections with two 11-foot wide travel lanes, 8-foot wide parking lanes, vertical curb, and gutter within 43-feet of right-of-way. The applicant has proposed to construct 15-foot wide attached urban sidewalks and provide 13-foot wide sidewalk easements to Boise City to preserve 2-feet of right-of-way behind the back of curb.

The applicant has proposed to construct standard bulb-outs at the following intersections:
  • Shadywood Way/Woodcutter Street
  • Woodcutter Street/Barnside Way

d. Staff Comments/Recommendation: The applicant’s proposal to construct the 39-foot wide street section with parking lanes, vertical curb, gutter and sidewalk are consistent with the ACHD’s requirements for the Harris Ranch Specific Area Plan (SP01) and should be approved, as proposed.

The applicant’s proposal to construct standard bulb-outs at the intersections identified above should be approved, as proposed. The applicant will be required to provide a minimum of 24-feet of pavement between the bulb-outs at the intersection, as measured from face-of-curb to face-of-curb.

6. Roadway Offsets
   a. Existing Conditions: There are no roadways within the site.

   b. Policy:

Local Street Intersection Spacing on Minor Arterials: District policy 7205.4.3 states that new local streets should not typically intersect arterials. Local streets should typically intersect collectors. If it is necessary, as determined by ACHD, for a local street to intersect an arterial,
the minimum allowable offset shall be 660-feet as measured from all other existing roadways as identified in Table 1a (7205.4.6).

**Collector Offset Policy:** District policy 7205.4.2 states that the optimum spacing for new signalized collector roadways intersecting minor arterials is one half-mile.

**Local Offset Policy:** District policy 7206.4.5, requires local roadways to align or offset a minimum of 330-feet when intersecting a collector roadway (measured centerline to centerline).

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 has proposed to construct Barnside Way to intersect Warm Springs Avenue 600-feet east of Old Hickory Way. The applicant has also proposed to construct Woodcutter Street to intersect Barnside Way 275-feet south of Haystack Street.

d. **Staff Comments/Recommendations:** The applicant's propose to construct Barnside Way to intersect Warm Springs Avenue 600-feet east of Old Hickory Way and to construct Woodcutter Street to intersect Barnside Way 275-feet south of Haystack Street is consistent SP01 and should be approved, as proposed.

7. **Driveways**

7.1 **Barnside Way**

a. **Existing Conditions:** Barnside Way is not constructed within the site.

b. **Policy:**

   **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 greater than 100 VTD to align or offset a minimum of 245-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 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 has not proposed any driveways onto Barnside Way with this development application.

d. Staff Comments/Recommendations: Future development applications will be subject to the District policies listed above.

7.2 Haystack Street, Woodcutter Street, Millbrook Way and Shadywood Way

a. Existing Conditions: Haystack Street and Millbrook Way abut the site.

b. Policy:
Driveway Location Policy: District policy 7207.4.1 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 or arterial street intersection.

Successive Driveways: District Policy 7207.4.1 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 7207.4.3 states that where vertical curbs are required, residential driveways shall be restricted to a maximum width of 20-feet and may be constructed as curb-cut type driveways.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.4.3, 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.

c. Applicant’s Proposal: The applicant has not proposed any driveways onto Haystack Street, Woodcutter Street, Millbrook Way or Shadywood Way with this development application.

d. Staff Comments/Recommendations: Future development applications will be subject to the District policies listed above.

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.

10. Other Access
Warm Springs Avenue is classified as a minor arterial roadway and Barnside Way is classified as a collector roadway. Direct lot access is prohibited to this roadway unless approved by ACHD in future development applications and should be noted on the final plat.

D. Site Specific Conditions of Approval

1. Dedicate additional right-of-way at the Warm Springs Avenue/Millbrook Way intersection consistent with the template shown on Attachment 3 to accommodate the future construction of a dual lane roundabout at the intersection.

2. Construct vertical curb, gutter, and a 9-foot wide planter strip within the existing right-of-way and a 6-foot wide detached concrete sidewalk outside of the right-of-way in an easement to Boise City on Warm Springs Avenue abutting the site, as proposed.

3. Construct Barnside Way as a 49-foot wide street section with two 11-foot wide travel lanes, bike lanes, and 8-foot wide parking lanes on both sides of the roadway, vertical curb, and gutter within 53-feet of right-of-way, as proposed. Construct 15-foot wide attached urban sidewalks and provide a 13-foot wide sidewalk easement to the City of Boise in order to preserve 2-feet of right-of-way behind the back of curb, as proposed.

4. Construct Shadywood Way and Woodcutter Street as 39-foot wide local street sections with two 11-foot wide travel lanes, 8-foot wide parking lanes, vertical curb, and gutter within 43-feet of right-of-way, as proposed. Construct 15-foot wide attached urban sidewalks and provide a 13-foot wide sidewalk easement to the City of Boise in order to preserve 2-feet of right-of-way behind the back of curb, as proposed.

5. Construct Barnside Way to intersect Warm Springs Avenue 600-feet east of Old Hickory Way, as proposed.

6. Construct Woodcutter Street to intersect Barnside Way 275-feet south of Haystack Street, as proposed.

7. Construct bulb-outs at the following intersections with a minimum pavement width of 24-feet of between the bulb-outs at the intersection; measured from face-of-curb to face-of-curb.
   - Shadywood Way/Woodcutter Street
   - Woodcutter Street/Barnside Way

8. Direct lot access is prohibited to Warm Springs Avenue and Barnside Way unless approved by ACHD in future development applications and should be noted on the final plat.

9. 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.

10. Payment of impact fees is due prior to issuance of a building permit.


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. Roundabout Template
4. Utility Coordinating Council
5. Development Process Checklist
6. Request for Reconsideration Guidelines OR Appeal Guidelines
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 idu.cc.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.
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 11:00 a.m. 2 days 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.
September 3, 2020

PDS Building Department Plan Review:

The subdivision Final plat SUB20-00044 has been reviewed and there are no comments at this time.

Jenny Nelson
Plans Examiner
Planning and Development Services
Office: (208)608-7109
jjnelson@cityofboise.org

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CITY OF BOISE

INTER-DEPARTMENT CORRESPONDENCE

Date: September 2, 2020

To: Planning and Development Services

From: Mike Sheppard, P.E., Civil Engineer II
Public Works Department

Subject: SUB20-00044; 3850 E Warm Springs Ave.; Sewer Irrigation Sub Comments

1. STANDARD IRRIGATION CONDITIONS

   a. Comply with B.C.C. 11-09-04.11 concerning pressure irrigation requirements prior to
      signing of the final plat by the Boise City Engineer.
      1. The owner, person, firm or corporation filing the subdivision plat shall provide a
         pressurized irrigation system. The system must conform to the minimum design
         standards and specifications of Boise City, or of the entity that will operate and
         maintain the system, if that entity has published standards; or
      2. The owner, person, firm or corporation filing the subdivision plat shall provide
         written documentation that a valid waiver of the requirement to provide a pressure
         irrigation system and that Idaho Code 31-3805(1)(a) regarding transfer of water
         rights, has been complied with.

   b. Prior to either commencing construction or signing of the final plat by the Boise City
      Engineer, developer shall:
      1. Submit for approval by the Department of Public Works, construction plans and
         specifications for the pressurized system, stamped by a registered engineer.
      2. Provide written assurance that provisions have been made for ownership, operation,
         and maintenance of the system.
      3. Delineate all necessary irrigation easements on the final plat (B.C.C. 11-09-03.6).

   c. Developer shall provide for an independent inspection of the installation of irrigation
      facilities and written certification by the design or project engineer that the system was
      installed according to the approved plans. In addition, the Department of Public Works must
      be present for the system pressure test and participate in a final inspection.

   d. Developer may construct prior to final platting or bond in the amount of 110% of the
      estimated construction costs based on the approved plans.
e. **Fees:** Developer and/or owner shall pay the current inspection and plan review fees applicable to the proposed subdivision prior to signing of the final plat by the Boise City Engineer (B.C.C. 11-03-03.3.B.).

**Special Conditions:**

### 2. STANDARD SEWER CONDITIONS

**City Subdivision Conditions**

a. Wetline sewers are required (B.C.C. 11-09-04.4., *Required Improvements; Sanitary Sewer*).

1. Plans shall be submitted to and approved by the Boise City Department of Public Works prior to commencing with construction. Developer and/or owner may either construct improvements prior to final platting or execute a performance agreement and provide surety in the amount of 110% of the estimated costs. The developer and/or owner shall coordinate with the Department of Public Works for construction inspection prior to and during construction. Unless otherwise approved by the Public Works Department, all sewer construction shall be completed and accepted within 90 days of plat recordation, or within 30 days of issuance of the first building permit within the subdivision, whichever comes first.

**NOTE:** All bonding shall conform to Boise City Code 1-19, *Surety Bonds*.

2. Developer and/or owner shall pay the current sewer inspection fees for the proposed subdivision prior to signing of the final plat by the Boise City Engineer.

3. Developer and/or owner shall be responsible for repairs of any failures that occur within one (1) year of the project acceptance by the appropriate sewer entity (Boise City Code 11-09-04.2F, *Subdivision Standards; Required Improvements*).

b. Developer and/or owner shall delineate all necessary Boise City sanitary sewer easements on the final plat prior to signing of the final plat by the Boise City Engineer (Boise City Code 11-09-03.6A, *Subdivision Design Standards; Easements*).

c. Developer and/or owner shall comply with all provisions of the Boise City “Sewer Tap” Ordinances.

1. Developer and/or owner may either construct prior to final platting or post bond/agreement in the amount of 110% of the estimated costs. Please contact the Public Works Department for specifications and inspections during construction.

**NOTE:** All bonding shall conform to B.C.C. 11-09-04.2., *Required Improvements; Filing of Plans and Bonding Surety*, which specifies that the improvements to be made shall be done in a time period not to exceed one year from the date of approval of the final plat.
TO: Planning and Development Services
FROM: Evan Carpenter
      Environmental Analyst
      Public Works Department
DATE: 9/1/2020
RE: Solid Waste Comments – SUB20-00044

City of Boise Solid Waste staff has reviewed the application for this project and has no comment on the plat, as no solid waste service features are depicted in the submitted drawings.

Please contact me with any questions at 208-608-7161 or ecarpenter@cityofboise.org.
CITY OF BOISE

INTER-DEPARTMENT CORRESPONDENCE

Date: 31 August 2020

To: Planning and Development Services

From: Tom Marshall, Street Light Program Technician
Public Works Engineering

Subject: Street Light Subdivision Comments
SUB20-00044: 3850 E Warm Springs Ave:

City Subdivision Conditions

a. Developer shall delineate on the face of the final plat a Boise City street light easement, acceptable to the Boise City Department of Public Works, for the purpose of installing and maintaining city-owned street light fixtures, conduit, and wiring lying outside the dedicated public right-of-way (B.C.C. 11-09-03.6.).
b. The Developer shall be required to install, at their expense, street lights in accordance with Boise City Public Works specifications and standards at locations designated by the Public Works Department (B.C.C. 11-09-04.9.). Plans shall be reviewed and approved by the Boise City Public Works Department prior to commencement of construction or bonding.
c. **Fees**: Developer shall pay the current street light inspection and plan review fees on the proposed subdivision (B.C.C. 11-03-03.3.B.).
d. Developer shall not connect, or allow any subcontractor to connect any irrigation timers, decorative lighting, entrance lighting, outlets or other electrical devices to any street lighting circuits. Any and all irrigation timers, decorative lighting, entrance lighting, outlets or other electrical devices shall be connected directly to Idaho Power at an Idaho Power approved location.
e. The street lights shall be installed and accepted by the Boise City Public Works Department at the following locations. Unless otherwise noted, street lights shall be installed at a 25-foot minimum mounting height, Class “A” LED residential fixture (see Street Light Approval Fixtures on the City of Boise website)
i) Light Locations:
   - NEC of Woodcutter & Shadywood
   - NEC of Barnside & Woodcutter
f. If approval for bonding is granted by the Boise City Public Works Department, Developer may bond in the amount of 110% of the estimated street light costs. Street lights shall be installed within 90 days of the issuance of the first building permit in the development, if building permits are obtained prior to completion of street light improvements.

g. As per Idaho Power requirements the lights along following street frontages must be installed on a metered service. Meter service cabinet location to be in the right of way or in a developer designated City Street Light Easement and shall meet the requirements of the Idaho Standards for Public Works Construction, Standard Drawings SD-1125 or SD-1126, and BC-SD-1127, and the Boise City Standard Revisions for ISPWC Division 1102 Street Lights. See Street Light approved fixtures and materials on the City of Boise web page.

h. Developer, engineer, or electrical contractor shall submit a street light plan using the Boise City Street Light Design Check List to public works for approval. Once approved three copies are required.

i. All electrical work must be completed by a licensed journeyman electrician, as per state code to include underground conduit, wire, pole base, light pole, fixture and meter cabinets. The electrician must be present at all inspections and all work shall be performed to the current National Electrical Code.

Special Conditions: meter cabinet will be required on Warm Springs

If you have further questions, please contact Tom Marshall at 208-608-7526

Tom Marshall
Street Light Program Technician
Public Works Engineering
Office: (208)608-7526
tmarshall@cityofboise.org

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RESPONSE TO PLANNING & DEVELOPMENT SERVICES

To: PDSTransmittals@cityofboise.org
From: Lanette Daw, Supervisor, Transportation and Traffic Safety
Date: September 15, 2020
Subject: SUB20-00044 – Dallas Harris South Subdivision No. 2

At the present time, the Developer and/or Owner have made arrangements to comply with all requirements of the Boise School District.

The schools currently assigned to the proposed project area are:

   Elementary School: Riverside
   Junior High School: East
   High School: Timberline

Comments Regarding Traffic Impact: None

Comments Regarding Safe Routes to School Impact: None

If you have any further questions, please feel free to contact this office.
18 September 2020

City of Boise Planning Staff Contact: Nicolette Womack
Via email: nwomack@cityofboise.org
City of Boise Transportation Staff Contacts: Zach Piepmeyer & Karen Gallagher
Via email: zpiepmeyer@cityofboise.org & kgallagher@cityofboise.org

Re: SUB20-00044 / Dallas Harris South Subdivision No. 2: Blocks SE7, SE8, SE9, and SE11

Commissioners,

The Barber Valley Neighborhood Association (BVNA) board supports the referenced preliminary/final plat application in the Harris Ranch area of the City of Boise. We have received neighbor comments and concerns about the traffic circulation plan in this block which will include the new Harris Ranch Elementary School. See graphic below excerpted from the SUB20-00044 application.

The proposed streetscape includes on-street parking on all four sides of the future school site which will offer flexibility in planning when the Boise School District comes forward with their application. The BVNA has a representative on the School District Planning charrette and we encourage the Commissioners to request continued public/BVNA inclusion in this planning process, to ensure all stakeholder considerations are addressed regarding the eventual traffic circulation plan and school drop-off procedures. We would expect the City has reached out to the Boise School District to determine their initial thoughts on this streetscape, as well as their plans for Safe Routes to School in this quickly developing high density community core.
Our neighbors are deeply concerned about the eventual pedestrian and bicycle connectivity in this immediate area and we hope the infrastructure proposed in this application will adequately support future Safe Routes to School, bike/ped connectivity and elementary school traffic circulation.

Barber Valley Neighborhood Association Board

**Officers**
John Mooney Jr, (Wade), President
Steve Moore (Dallas Harris Estates), Vice President
Gary Veasy (River Heights), Secretary
Hank Vincent (East Valley), Treasurer

**Directors**
Larry Crowley (Barber Junction)
Katherine Nice (River Heights)
Dave Reinhart (Barber Station)
Courtney Santillan (Mill District)
Rob Stark (Rim at East Valley)
Katie Swain (River Heights)
Erik Stoermer is appealing the Planning Director’s approval of a hillside permit for the grading associated with a residential addition in an R-1CH (Single-family Residential, with Historic Design Overlay) zone.

Public Notification
Radius notices mailed to properties within 300 feet on: September 18, 2020
Newspaper notification published on: September 18, 2020
Applicant posted notice on site on: September 18, 2020

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This report includes information available on the Boise City Website. The entire public record, including additional documents, can be viewed through the P&L Portal.
Background and Analysis
On April 23, 2018, the Historic Preservation Commission approved a Certificate of Appropriateness (DRH18-00131) for a residential addition at 2115 N Heights Dr in an R-1CH (Single-family Residential, with Historic Design Overlay) zone. A two-year time extension request was granted on June 29, 2020. On August 14, 2020, the Planning Director approved a hillside permit (CFH20-00070) and ADU permit (CAA20-00123). On August 24, 2020, date, an appeal was filed by Erik Stoermer, a neighbor for the hillside permit.

Boise City Code (BCC) 11-03-04.17 ensures that any development proposed for properties with topographical slope exceeding 15% be reviewed for consistency with the Development Code and Blueprint Boise. Hillside development permits may include conditions associated with slope stability, expansion soils, high water table and springs, erosion, or sedimentation as determined by the Planning Director or City Engineer (detailed in BCC 11-07-08).

BCC 11-03-03.9.B establishes the procedures for appeals of administrative decisions. It specifies that the Commission is allowed to consider any evidence, regardless of whether it was presented previously. The appellant provided a brief summary of evidence on August 24, 2020. Their position and the Planning Team’s response is detailed below. It is important to realize the only matter that was before the Planning Director, and is now before the Commission for consideration, is the proposal for a hillside development permit for the grading associated with a residential addition and not the ADU or Historic approvals.

Appeal Grounds and Response:

1. The approval did not include proper due diligence addressing geotechnical concerns.

Response: The appellant argues that the submitted Geotechnical Engineering Report includes geotechnical conditions which can lead to landslide conditions and excludes the engineer’s responsibility for not identifying these conditions within their scope or site investigation. The appellant resides directly uphill of the subject property and after the recent earthquake noticed possible settling foundation cracks on this property.

Public Works review did not find any inconsistencies within the reports. The geotechnical engineer is responsible for determining the suitability of the onsite soils to be developed as indicated in the construction drawings. Public Works estimates this project to have less than 100 cubic yards of fill. This is considered minimal grading and does not pose a significant concern to the potential of flooding, soil stability or erosion. The planning permit provides a conceptual approval of the project with conditions. Final construction/technical details are required to be submitted with the building permit including structural engineering, a site suitability/update letter from the geotechnical engineer, and revisions to the grading and drainage plans as conditioned by Public Works. This is standard procedure with hillside development.
The Planning Director's decision was not made in error as the applicant is revegetating the slope and the geotechnical engineer has conducted onsite soil evaluation of the project site which did not identify any soil issues that would prohibit development. This proposal will enhance the existing landscape and minimize concerns for flooding, soil stability, and erosion.

***

The Planning Team is unable to identify any inconsistencies with BCC 11-03-04.17.B(7), the procedure for approving hillside development permits. A single-family home is an allowed use of the property within the zoning district of R-1C. As the property is deemed a buildable lot, the applicant is entitled to develop the parcel. The proposed development is in compliance with the technical requirements of BCC 11-07-08, and if it complies with all conditions imposed, will not adversely affect other property in the vicinity. If the applicant cannot comply with all of the conditions, the Building Department will not issue a building permit.

**Planning Team Recommendation**

The Planning Team recommends the Commission *deny* the appeal and uphold the August 14, 2020, decision of the Planning Director.
WILDLAND URBAN INTERFACE
1. OPEN A MINIMUM OF 30 MINUTES OF VISIBILITY.
2. WILDLAND URBAN INTERFACE IS TO BE USED IN IMPACT AREAS.
3. RAPID RESPONSE TO BE TAKEN IN IMPACT AREAS.
4. WATER TO BE AVAILABLE FOR IMPACT AREAS.
5. STOP PERMITTING OF STRUCTURES NEAR WILDLAND URBAN INTERFACE.

GENERAL NOTES
1. ALL WINDOWS TO BE USED IN IMPACT AREAS.
2. ALL EXTERIOR WALLS TO BE USED IN IMPACT AREAS.
3. ALL INTERNALLY LOCATED WALLS TO BE USED IN IMPACT AREAS.
4. ALL INTERIOR WALLS TO BE USED IN IMPACT AREAS.
5. ALL EXTERIOR WALLS TO BE USED IN IMPACT AREAS.
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9. ALL INTERIOR WALLS TO BE USED IN IMPACT AREAS.
10. ALL INTERIOR WALLS TO BE USED IN IMPACT AREAS.

Addenda / Revisions
Geotechnical Engineering Report

of

Gates Residence
2115 North Heights Drive
Boise, ID

Prepared for:

Studio L Architecture
2115 North Heights Drive
Boise, ID 83702

MTI File Number B180539g
Ms. Robin Gates  
Studio L Architecture  
2115 North Heights Drive  
Boise, ID 83702  
208-890-0218

Re: Geotechnical Engineering Report  
Gates Residence  
2115 North Heights Drive  
Boise, ID

Dear Ms. Gates:

In compliance with your instructions, MTI has conducted a soils exploration and foundation evaluation for the above referenced development. Fieldwork for this investigation was conducted on 11 April 2018. Data have been analyzed to evaluate pertinent geotechnical conditions. Results of this investigation, together with our recommendations, are to be found in the following report. We have provided a PDF copy for your review and distribution.

Often, questions arise concerning soil conditions because of design and construction details that occur on a project. MTI would be pleased to continue our role as geotechnical engineers during project implementation. Additionally, MTI can provide materials testing and special inspection services during construction of this project. If you will advise us of the appropriate time to discuss these engineering services, we will meet with you at your convenience.

MTI appreciates this opportunity to be of service to you and looks forward to working with you in the future. If you have questions, please call (208) 376-4748.

Respectfully Submitted,

Materials Testing & Inspection

Monica Saculles, P.E.  
Geotechnical Engineer

Reviewed by: Elizabeth Brown, P.E.  
Geotechnical Services Manager
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INTRODUCTION

This report presents results of a geotechnical investigation and analysis in support of data utilized in design of structures as defined in the 2015 International Building Code (IBC). Information in support of groundwater and stormwater issues pertinent to the practice of Civil Engineering is included. Observations and recommendations relevant to the earthwork phase of the project are also presented. Revisions in plans or drawings for the proposed structures from those enumerated in this report should be brought to the attention of the soils engineer to determine whether changes in the provided recommendations are required. Deviations from noted subsurface conditions, if encountered during construction, should also be brought to the attention of the soils engineer.

Project Description

The proposed development is in the northeastern portion of the City of Boise, Ada County, ID, and occupies a portion of the NE¼NE¼ of Section 3, Township 3 North, Range 2 East, Boise Meridian. This project will consist of remodeling an existing residential structure and adding on to the structure on the west side. The structure will be 2-stories tall. In addition, landscape and exterior site improvements are planned, including new retaining walls and additional parking and access areas. The site to be re-developed is approximately 0.21 acre in size. Total settlements are limited to 1 inch. Loads of up to 4,000 pounds per lineal foot for wall footings, and column loads of up to 50,000 pounds were assumed for settlement calculations. MTI has not been informed of the proposed grading plan.

Authorization

Authorization to perform this exploration and analysis was given in the form of a written authorization to proceed from Ms. Robin Gates of Studio L Architecture to Monica Saculles of Materials Testing and Inspection (MTI), on 3 April 2018. Said authorization is subject to terms, conditions, and limitations described in the Professional Services Contract entered into between Studio L Architecture and MTI. Our scope of services for the proposed development has been provided in our proposal dated 3 April 2018 and repeated below.

Purpose

The purpose of this Geotechnical Engineering Report is to determine various soil profile components and their engineering characteristics for use by either design engineers or architects in:

- Preparing or verifying suitability of foundation design and placement
- Preparing site drainage designs
- Indicating issues pertaining to earthwork construction

Scope of Investigation

The scope of this investigation included review of geologic literature and existing available geotechnical studies of the area, visual site reconnaissance of the immediate site, subsurface exploration of the site, field and laboratory testing of materials collected, and engineering analysis and evaluation of foundation materials.
References to outside literature can be found in the Appendix of this report. MTI previously conducted subsurface geotechnical investigations for other projects in the vicinity of the site. Information from the following investigations was used in this report:

- Materials Testing and Inspection, B150064g, Geotechnical Engineering Report, Hanson Residence, Lot 28 Block 1 Somerset Village, 456 Sand Dune Lane, Boise, Idaho, 26 January 2015
- Materials Testing and Inspection, B151161g, Geotechnical Engineering Report, Fergot Residence, Somerset Village, Lot 25 Block 1, 423 Sand Dune Lane, Boise, Idaho, 3 November 2015
- Materials Testing and Inspection, B160506g, Geotechnical Engineering Report, Proposed Club House, 495 Mesa Grande Lane, Boise, Idaho, 29 April 2016
- Materials Testing and Inspection, B161635g, Geotechnical Engineering Report, Proposed Residence, Lot 24 Block 1, Somerset Village, 455 West Sand Dune Lane, Boise, Idaho, 16 December 2016

Warranty and Limiting Conditions

MTI warrants that findings and conclusions contained herein have been formulated in accordance with generally accepted professional engineering practice in the fields of foundation engineering, soil mechanics, and engineering geology only for the site and project described in this report. These engineering methods have been developed to provide the client with information regarding apparent or potential engineering conditions relating to the site within the scope cited above and are necessarily limited to conditions observed at the time of the site visit and research. Field observations and research reported herein are considered sufficient in detail and scope to form a reasonable basis for the purposes cited above.

Limitations

The test pit was limited to a maximum depth of 7.3 feet because of space constraints and the indurated silty sands encountered at depth.

Exclusive Use

This report was prepared for exclusive use of the property owner(s), at the time of the report, and their retained design consultants (“Client”). Conclusions and recommendations presented in this report are based on the agreed-upon scope of work outlined in this report together with the Contract for Professional Services between the Client and Materials Testing and Inspection (“Consultant”). Use or misuse of this report, or reliance upon findings hereof, by parties other than the Client is at their own risk. Neither Client nor Consultant make representation of warranty to such other parties as to accuracy or completeness of this report or suitability of its use by such other parties for purposes whatsoever, known or unknown, to Client or Consultant. Neither Client nor Consultant shall have liability to indemnify or hold harmless third parties for losses incurred by actual or purported use or misuse of this report. No other warranties are implied or expressed.

Report Recommendations are Limited and Subject to Misinterpretation

There is a distinct possibility that conditions may exist that could not be identified within the scope of the investigation or that were not apparent during our site investigation. Findings of this report are limited to data collected from noted explorations advanced and do not account for unidentified fill zones, unsuitable soil types or conditions, and variability in soil moisture and groundwater conditions. To avoid possible misinterpretations of findings, conclusions, and implications of this report, MTI should be retained to explain the report contents to other design professionals as well as construction professionals.
Since actual subsurface conditions on the site can only be verified by earthwork, note that construction recommendations are based on general assumptions from selective observations and selective field exploratory sampling. Upon commencement of construction, such conditions may be identified that require corrective actions, and these required corrective actions may impact the project budget. Therefore, construction recommendations in this report should be considered preliminary, and MTI should be retained to observe actual subsurface conditions during earthwork construction activities to provide additional construction recommendations as needed.

Since geotechnical reports are subject to misinterpretation, do not separate the soil logs from the report. Rather, provide a copy of, or authorize for their use, the complete report to other design professionals or contractors. Locations of exploratory sites referenced within this report should be considered approximate locations only. For more accurate locations, services of a professional land surveyor are recommended. This report is also limited to information available at the time it was prepared. In the event additional information is provided to MTI following publication of our report, it will be forwarded to the client for evaluation in the form received.

Environmental Concerns
Comments in this report concerning either onsite conditions or observations, including soil appearances and odors, are provided as general information. These comments are not intended to describe, quantify, or evaluate environmental concerns or situations. Since personnel, skills, procedures, standards, and equipment differ, a geotechnical investigation report is not intended to substitute for a geoenvironmental investigation or a Phase II/III Environmental Site Assessment. If environmental services are needed, MTI can provide, via a separate contract, those personnel who are trained to investigate and delineate soil and water contamination.

SITE DESCRIPTION

Site Access
Access to the site may be gained via Interstate 184 to 13th Street. Proceed northeast then north on 13th Street approximately 1.2 miles to its intersection with Brumback Street. From this intersection, travel east 0.3 mile to 8th Street. Continue north on 8th Street for 0.1 mile to its intersection with Lemp Street/Heights Drive. The site is located roughly 150 feet northeast of this intersection, on the southeast side of Heights Drive. Presently the site exists as a residence with associated tiered retaining walls. The location is depicted on site map plates included in the Appendix.

Regional Geology
The project site is located within the western Snake River Plain of southwestern Idaho and eastern Oregon. The plain is a northwest trending rift basin, about 45 miles wide and 200 miles long, that developed about 14 million years ago (Ma) and has since been occupied sporadically by large inland lakes. Geologic materials found within and along the plain’s margins reflect volcanic and fluvial/lacustrine sedimentary processes that have led to an accumulation of approximately 1 to 2 km of interbedded volcanic and sedimentary deposits within the plain. Along the margins of the plain, streams that drained the highlands to the north and south provided coarse to fine-grained sediments eroded from granitic and volcanic rocks, respectively. About 2 million years ago the last of the lakes was drained and since that time fluvial erosion and deposition has dominated the evolution of the landscape.
The project site is underlain by “Sandy Alluvium of Side-Stream Valleys and Gulches” as mapped by Othberg and Stanford (1993). Locally, these deposits are composed of medium to coarse sand interbedded with silty fine sand and silt and are mostly derived from weathered granite and reworked Tertiary sediments of the Boise Foothills. The thickness of this unit is variable. Because of the relative youthfulness of these deposits they contain only minor pedogenic clay and calcium carbonate.

**General Site Characteristics**

This proposed development consists of approximately 0.21 acre of relatively flat and level to moderately steep terrain. The existing house and surrounding exterior flatwork is on relatively flat land, with the driveway on the north sloping gradually downward toward Heights Drive. Tiered retaining walls are present along the western property boundary. The yard slopes upwards from the retaining walls to the exterior flatwork surrounding the house. Slopes onsite are roughly 3 feet horizontal to 1 foot vertical (3:1) or shallower. Surficial materials in the test pit consisted of sandy lean clay fills underlain by native silty sand sediments. Vegetation primarily consists of mature trees, shrubs, grass, and other landscaping plants typical of arid to semi-arid environments.

Regional drainage is south and west toward the Boise River. Stormwater drainage for the site is achieved by both sheet runoff and percolation through surficial soils. Runoff predominates for the steeper slopes while percolation prevails across the gently sloping and near level areas. Intermittent off-site stormwater may drain onto the project site from the east. Stormwater drainage collection and retention systems are not in place on the project site and were not noted within the vicinity of the project site.

**Regional Site Climatology and Geochemistry**

According to the Western Regional Climate Center, the average precipitation for the Treasure Valley is on the order of 10 to 12 inches per year, with an annual snowfall of approximately 20 inches and a range from 3 to 49 inches. The monthly mean daily temperatures range from 21°F to 95°F, with daily extremes ranging from -25°F to 111°F. Winds are generally from the northwest or southeast with an annual average wind speed of approximately 9 miles per hour (mph) and a maximum of 62 mph. Soils and sediments in the area are primarily derived from siliceous materials and exhibit low electro-chemical potential for corrosion of metals or concretes. Local aggregates are generally appropriate for Portland cement and lime cement mixtures. Surface water, groundwater, and soils in the region typically have pH levels ranging from 7.2 to 8.2.

**Geoseismic Setting**

Soils on site are classed as Site Class D in accordance with Chapter 20 of the American Society of Civil Engineers (ASCE) publication ASCE/SEI 7-10. Structures constructed on this site should be designed per IBC requirements for such a seismic classification. Our investigation did not reveal hazards resulting from potential earthquake motions including: slope instability, liquefaction, and surface rupture caused by faulting or lateral spreading. Incidence and anticipated acceleration of seismic activity in the area is low.
SOILS EXPLORATION

Exploration and Sampling Procedures

Field exploration conducted to determine engineering characteristics of subsurface materials included a reconnaissance of the project site and investigation by test pit. The test pit site was located in the field by means of a Global Positioning System (GPS) device and is reportedly accurate to within ten feet. Upon completion of investigation, the test pit was backfilled with loose excavated materials. Re-excavation and compaction of the test pit area is required prior to construction of overlying structures.

In addition, samples were obtained from representative soil strata encountered. Samples obtained have been visually classified in the field by professional staff, identified according to test pit number and depth, placed in sealed containers, and transported to our laboratory for additional testing. Subsurface materials have been described in detail on a log provided in the Appendix. Results of field and laboratory tests are also presented in the Appendix. MTI recommends that the log not be used to estimate fill material quantities.

Laboratory Testing Program

Along with our field investigation, a supplemental laboratory testing program was conducted to determine additional pertinent engineering characteristics of subsurface materials necessary in an analysis of anticipated behavior of the proposed structures. Laboratory tests were conducted in accordance with current applicable American Society for Testing and Materials (ASTM) specifications, and results of these tests are to be found on the accompanying logs located in the Appendix. The laboratory testing program for this report included: Atterberg Limits Testing – ASTM D4318 and Grain Size Analysis – ASTM C117/C136.

Soil and Sediment Profile

The profile below represents a generalized interpretation for the project site. Note that on site soils strata, encountered beyond the test pit location, may vary from the individual soil profile presented on the log, which can be found in the Appendix.

Sandy lean clay fill materials were encountered at ground surface. These materials were dark brown, slightly moist, stiff, and contained fine to medium-grained sand. Organic materials were noted throughout these fills, which extended to roughly 1 foot below existing ground surface.

Alternating layers of silty sand and poorly graded sand with silt sediments were noted beneath the surficial fill materials. Silty sands were generally brown to tan to orange-brown, dry to slightly moist, and medium dense to dense. Fine to medium-grained sand was noted throughout, and induration was present in the lower portions of the horizon. Poorly graded sand with silt sediments were classified as yellow-brown to light brown, dry to slightly moist, and medium dense, with fine to medium-grained sand.

During excavation, test pit sidewalls were generally stable. However, moisture contents will affect wall competency with saturated soils having a tendency to readily slough when under load and unsupported.
Volatile Organic Scan

No environmental concerns were identified prior to commencement of the investigation. Therefore, soils obtained during on-site activities were not assessed for volatile organic compounds by portable photoionization detector. Samples obtained during our exploration activities exhibited no odors or discoloration typically associated with this type of contamination. No groundwater was encountered.

SITE HYDROLOGY

Existing surface drainage conditions are defined in the General Site Characteristics section. Information provided in this section is limited to observations made at the time of the investigation. Either regional or local ordinances may require information beyond the scope of this report.

Groundwater

During this field investigation, groundwater was not encountered in the test pit to a depth of 7.3 feet bgs. Soil moistures in the test pit were generally dry to slightly moist throughout. In the vicinity of the project site, groundwater levels are controlled in large part by residential irrigation activity. Maximum groundwater elevations likely occur during the later portion of the irrigation season. During previous investigations performed in January and October 2015 and April and December 2016 within approximately ¼-mile to the east and southeast of the project site, no evidence of groundwater was noted within numerous test pits advanced to depths as great as 17.0 feet bgs.

Based on evidence of this investigation and background knowledge of the area, MTI estimates groundwater depths to remain greater than approximately 15 feet bgs throughout the year. This depth can be confirmed through long-term groundwater monitoring.

Soil Infiltration Rates

Soil permeability, which is a measure of the ability of a soil to transmit a fluid, was not tested in the field. Given the absence of direct measurements, for this report an estimation of infiltration is presented using generally recognized values for each soil type and gradation. Of soils comprising the generalized soil profile for this study, silty sand sediments usually display rates of 4 to 8 inches per hour; though induration may reduce these values to near zero. Poorly graded sand with silt sediments typically exhibit infiltration values in excess of 12 inches per hour. Infiltration testing is generally not required within these sediments because of their free-draining nature.

SLOPES AND SETBACKS

Native slopes approximately 3 feet horizontal to 1 foot vertical (3:1) are relatively common on the residential lot. For structures to be constructed near slopes steeper than 3:1, it is necessary to apply slope setback requirements as outlined in the IBC. No potential slope stability deficiencies were noted during the investigation.
Soils onsite are not sufficiently stable to allow vertical cuts greater than 4 feet to stand for an extended period of time. Soils in the project vicinity are stable at a 2:1 gradient. However, soil types throughout the area are variable, and existing slopes will be dependent upon soil composition. Proposed cut-fill sections constructed from these soils should not be steeper than 2:1. Cut slopes in fine-grained soil are stable on a 1.5:1 slope with respect to mass movement and downslope creep. Fill slopes should be placed and compacted in a controlled manner as detailed in the Structural Fill section of this report. Fills to be constructed on existing slopes steeper than 20 percent (approximately 5:1) should be benched a minimum of 10 feet into competent native soils.

To ensure slope stability with respect to surficial movement and gullyng, cohesive soils should be placed on the face of slopes. This will help limit downslope creep and aid in re-vegetation of slope surfaces. When slopes are steeper than 2:1, soils must be aggressively protected from erosion. More granular soils will require an even greater degree of protection.

Setbacks from constructed slopes should adhere to provisions of Section 1808.7 of the 2015 IBC. Footing loads on soil masses adjacent to slopes must be set back in accordance with the provisions of the IBC. For buildings constructed above slopes steeper than 3:1, the horizontal setback distance from the face of slope to the face of an upslope footing must be no less than ½ the vertical height of the total slope, however, need not exceed 40 feet. Benches or steps in the slope do not modify slope height. For buildings constructed below slopes steeper than 3:1, the horizontal setback distance from the toe of the slope to the face of a downslope structure must be no less than ½ the vertical height of the total slope, however, need not exceed 15 feet.

Retaining walls can be constructed to alter the dimensional parameters of a slope. The top of the retaining wall constitutes the toe of the slope, and slope height is determined from the top of wall. Downslope setback requirements can be reduced to zero if the retaining wall reduces the upslope gradient to 3:1 or flatter. Because upslope setbacks are determined at footing elevation, top of slope setbacks can be managed through the footing depth. In some cases, it may be desirable to use a foundation based on tip bearing piles or caissons to achieve greater footing depths.

**LATERAL EARTH PRESSURES**

Retaining, below-grade, or basement walls will be subject to lateral earth pressures. The magnitude of earth pressure is a function of both type and compaction of backfill behind walls within the “active” zone, and allowable rotation of the top of the wall. The active zone is defined as the wedge of soil between the surface of the wall and a plane inclined 31 degrees from vertical passing through the base of the wall. All clay fills must be completely removed from within the active zone. The following recommendations should be used when dealing with lateral earth pressures on a gravity block: 1) a sliding frictional coefficient of 0.35 is appropriate considering native silty sand (SM) sediments, and 2) a sliding frictional coefficient of 0.45 is appropriate considering native poorly graded sand with silt (SP-SM) sediments and granular structural fill (SP/GP) under typical conditions.
A state of plastic equilibrium is when the subject material is considered to be 1) homogeneous and unbounded and 2) at the point of incipient instability. This state is evaluated on the basis of unit weight, mechanical properties, and the definition of instability. For the purpose of this report, it is assumed that native relatively free draining soils and imported granular fill material will be the materials of concern regarding lateral earth pressures. If other materials are considered for use, MTI must be contacted to provide alternate lateral earth pressure information. Furthermore, changes in natural soil moisture, such as can be imposed by site stormwater systems, can change the values listed below.

Below-grade restrained walls, such as basement walls, should be designed based on at-rest pressures. Active pressures are appropriate under conditions where the wall moves or rotates away from the soil mass at failure. Passive pressures are used for conditions where the wall moves toward the soil mass at failure. Rotation, or lateral movement, of the top of the wall equal to 0.002 times the height of the wall will be necessary for on-site soil backfill to achieve an “active” loading condition. Lateral movement of the top of the wall equal to 0.001 times the height of the wall will be necessary for the “active” pressure condition for imported SP/GP structural backfill.

Retaining Wall Backfill Materials

For lateral earth pressure analysis, MTI anticipates that the soils of interest will be the native silty sand/poorly graded sand with silt (SM/SP-SM) sediments encountered between 1 and 7 feet bgs in the test pit. Clay soils are not suitable for use as backfill on the soil side of walls. For SM/SP-SM soils, the following values are applicable under non-surcharged, drained conditions.

<table>
<thead>
<tr>
<th>Soil Type: Silty Sand/Poorly Graded Sand with Silt</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internal Friction Angle: 30°</td>
</tr>
<tr>
<td>Cohesion: 25 psf</td>
</tr>
<tr>
<td>Natural Void Ratio: 0.6</td>
</tr>
</tbody>
</table>

At rest lateral earth pressure: 67 pcf
Active lateral earth pressure: 45 pcf
Passive lateral earth pressure: 403 pcf

\[K_o = 0.5\]
\[K_a = 0.3\]
\[K_p = 3.0\]

Lateral earth pressure values are in pounds per square foot, per foot of wall (psf/ft). Alternately, the values presented may also be considered as equivalent fluid with units of pounds per cubic foot (pcf).

Imported, compacted, structural material, which is used to backfill the soil side of walls, must demonstrate the following characteristics:
Lateral Earth Pressure Values for Fill Materials

<table>
<thead>
<tr>
<th>Soil Type: Compacted Sandy Gravel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internal Friction Angle: 35°</td>
</tr>
<tr>
<td>Cohesion: NA</td>
</tr>
<tr>
<td>Natural Void Ratio: 0.4</td>
</tr>
<tr>
<td>Dry Unit Weight: 128 pcf</td>
</tr>
<tr>
<td>Buoyant Unit Weight: 83 pcf</td>
</tr>
<tr>
<td>Natural Moisture: 5%</td>
</tr>
<tr>
<td>At rest lateral earth pressure: 57 pcf&lt;sup&gt;1&lt;/sup&gt;</td>
</tr>
<tr>
<td>Active lateral earth pressure: 36 pcf&lt;sup&gt;1&lt;/sup&gt;</td>
</tr>
<tr>
<td>Passive lateral earth pressure: 496 pcf&lt;sup&gt;1&lt;/sup&gt;</td>
</tr>
</tbody>
</table>

<sup>1</sup>Lateral earth pressure values are in pounds per square foot, per foot of wall (psf/ft). Alternately, the values presented may also be considered as equivalent fluid with units of pounds per cubic foot (pcf).

In the case that another material is used for backfill, MTI should be consulted for alternate lateral earth pressure values. Granular structural fill should consist of 4-inch-minus select, clean, granular soil with no more than 30 percent oversize (greater than ¾-inch) material and no more than 5 percent fines (passing the No. 200 sieve). Retaining wall and basement backfill must be placed in accordance with recommendations in the Structural Fill section of this report and must be properly compacted and tested.

Lateral earth pressure values do not incorporate specific factors of safety, and are only applicable for non-surcharged, drained conditions. Factors of safety, if applicable, should be integrated into the structural design of the wall. The preceding values are presented for idealized conditions relating to simple shallow structures. For complex structures, deep structures, or structures with significant perimeter landscaping, a soils engineer should be retained as part of the design team in developing appropriate project design parameters and construction specifications.

Retaining Wall Drainage

MTI recommends that a drainage system be incorporated into the retained soil mass. This can be accomplished by installing wall and toe drains as a part of each soil-supporting wall system. In areas where there is potential for significantly high soil moistures within the supported soil mass, installation of drains within the soil mass is recommended. Particular consideration of roof drain effluent and irrigation water must be made. Further, these drainage systems must be separate from other retaining wall/foundation systems. If the granular structural fill option to reduce lateral pressures is used, a compacted low permeability soil cap is recommended within the upper 2 feet of the surface to limit surface water infiltration behind the walls.

**FOUNDATION AND SLAB DISCUSSION AND RECOMMENDATIONS**

Various foundation types have been considered for support of the proposed structure. Two requirements must be met in the design of foundations. First, the applied bearing stress must be less than the ultimate bearing capacity of foundation soils to maintain stability. Second, total and differential settlement must not exceed an amount that will produce an adverse behavior of the superstructure. Allowable settlement is usually exceeded before bearing capacity considerations become important; thus, allowable bearing pressure is normally controlled by settlement considerations.
Considering subsurface conditions and the proposed construction, it is recommended that the structure be founded upon conventional spread footings and continuous wall footings. Total settlements should not exceed 1 inch if the following design and construction recommendations are observed.

**Foundation Design Recommendations**

Based on data obtained from the site and test results from various laboratory tests performed, MTI recommends the following guidelines for the net allowable soil bearing capacity:

<table>
<thead>
<tr>
<th>Footing Depth</th>
<th>ASTM D1557 Subgrade Compaction</th>
<th>Net Allowable Soil Bearing Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Footings must bear on competent, undisturbed, native silty sand sediments, poorly graded sand with silt sediments, or compacted structural fill. Existing organics and fill materials must be completely removed from below foundation elements.¹ An excavation depth of roughly 1 foot bgs in the vicinity of the test pit should be anticipated to expose proper bearing soils.²</td>
<td>Not Required for Native Soil</td>
<td>2,000 lbs/ft²</td>
</tr>
</tbody>
</table>

¹It will be required for MTI personnel to verify the bearing soil suitability for each structure at the time of construction.
²Depending on the time of year construction takes place, the subgrade soils may be unstable because of high moisture contents. If unstable conditions are encountered, over-excavation and replacement with granular structural fill and/or use of geotextiles may be required.

The net allowable soil bearing capacity recommendations provided above do not take into account overlapping stresses that may occur from existing foundations. Additionally, care should be taken during construction to ensure that existing foundations are not undermined when placing any new structural elements.

Footings should be proportioned to meet either the stated soil bearing capacity or the 2015 IBC minimum requirements. Total settlement should be limited to approximately 1 inch, and differential settlement should be limited to approximately ½ inch. Objectionable soil types encountered at the bottom of footing excavations should be removed and replaced with structural fill. Excessively loose or soft areas that are encountered in the footings subgrade will require over-excavation and backfilling with structural fill. To minimize the effects of slight differential movement that may occur because of variations in the character of supporting soils and seasonal moisture content, MTI recommends continuous footings be suitably reinforced to make them as rigid as possible. For frost protection, the bottom of external footings should be 24 inches below finished grade.

**Crawl Space Recommendations**

Crawl spaces should be designed in a manner that will inhibit water in the crawl space. MTI recommends that roof drains carry stormwater at least 10 feet away from the residence. Grades should be at least 5 percent for a distance of 10 feet away from the residence. In addition, rain gutters should be placed around all sides of the residence, and backfill around stem walls should be placed and compacted in a controlled manner.
Floor, Patio, and Garage Slab-on-Grade

Uncontrolled fill was encountered in the test pit. MTI recommends that these fill materials be excavated to a sufficient depth to expose competent, native soils. MTI personnel must be present during excavation to identify these materials.

Organic, loose, or obviously compressive materials must be removed prior to placement of concrete floors or floor-supporting fill. In addition, the remaining subgrade should be treated in accordance with guidelines presented in the Earthwork section. Areas of excessive yielding should be excavated and backfilled with structural fill. Fill used to increase the elevation of the floor slab should meet requirements detailed in the Structural Fill section. Fill materials must be compacted to a minimum 95 percent of the maximum dry density as determined by ASTM D1557.

A free-draining granular mat (drainage fill course) should be provided below slabs-on-grade. This should be a minimum of 4 inches in thickness and properly compacted. The mat should consist of a sand and gravel mixture, complying with Idaho Standards for Public Works Construction (ISPWC) specifications for ¾-inch (Type 1) crushed aggregate. A moisture-retarder should be placed beneath floor slabs to minimize potential ground moisture effects on moisture-sensitive floor coverings. The moisture-retarder should be at least 15-mil in thickness and have a permeance of less than 0.01 US perms as determined by ASTM E96. Placement of the moisture-retarder will require special consideration with regard to effects on the slab-on-grade and should adhere to recommendations outlined in the ACI 302.1R and ASTM E1745 publications. The granular mat should be compacted to no less than 95 percent of the maximum dry density as determined by ASTM D1557. Upon request, MTI can provide further consultation regarding installation.

CONSTRUCTION CONSIDERATIONS

Recommendations in this report are based upon structural elements of the project being founded on competent, native silty sand sediments, poorly graded sand with silt sediments, or compacted structural fill. Structural areas should be stripped to an elevation that exposes these soil types.

Earthwork

Excessively organic soils, deleterious materials, or disturbed soils generally undergo high volume changes when subjected to loads, which is detrimental to subgrade behavior in the area of pavements, floor slabs, structural fills, and foundations. Mature trees, shrubs, and thick grasses with associated root systems were noted at the time of our investigation. It is recommended that organic or disturbed soils, if encountered, be removed to depths of 1 foot (minimum), and wasted or stockpiled for later use. However, in areas where trees are/were present, deeper excavation depths should be anticipated. Stripping depths should be adjusted in the field to assure that the entire root zone or disturbed zone or topsoil are removed prior to placement and compaction of structural fill materials. Exact removal depths should be determined during grading operations by MTI personnel, and should be based upon subgrade soil type, composition, and firmness or soil stability. If underground storage tanks, underground utilities, wells, or septic systems are discovered during construction activities, they must be decommissioned then removed or abandoned in accordance with governing Federal, State, and local agencies. Excavations developed as the result of such removal must be backfilled with structural fill materials as defined in the Structural Fill section.
MTI should oversee subgrade conditions (i.e., moisture content) as well as placement and compaction of new fill (if required) after native soils are excavated to design grade. Recommendations for structural fill presented in this report can be used to minimize volume changes and differential settlements that are detrimental to the behavior of footings, pavements, and floor slabs. Sufficient density tests should be performed to properly monitor compaction. For structural fill beneath building structures, one in-place density test per lift for every 5,000 square feet is recommended. In parking and driveway areas, this can be decreased to one test per lift for every 10,000 square feet.

Dry Weather

If construction is to be conducted during dry seasonal conditions, many problems associated with soft soils may be avoided. However, some rutting of subgrade soils may be induced by shallow groundwater conditions related to springtime runoff or irrigation activities during late summer through early fall. Solutions to problems associated with soft subgrade soils are outlined in the Soft Subgrade Soils section. Problems may also arise because of lack of moisture in native and fill soils at time of placement. This will require the addition of water to achieve near optimum moisture levels. Low-cohesion soils exposed in excavations may become friable, increasing chances of sloughing or caving. Measures to control excessive dust should be considered as part of the overall health and safety management plan.

Wet Weather

If construction is to be conducted during wet seasonal conditions (commonly from mid-November through May), problems associated with soft soils must be considered as part of the construction plan. During this time of year, fine-grained soils such as silts and clays will become unstable with increased moisture content, and eventually deform or rut. Additionally, constant low temperatures reduce the possibility of drying soils to near optimum conditions.

Soft Subgrade Soils

Shallow fine-grained subgrade soils that are high in moisture content should be expected to pump and rut under construction traffic. During periods of wet weather, construction may become very difficult if not impossible. The following recommendations and options have been included for dealing with soft subgrade conditions:

- Track-mounted vehicles should be used to strip the subgrade of root matter and other deleterious debris. Heavy rubber-tired equipment should be prohibited from operating directly on the native subgrade and areas in which structural fill materials have been placed. Construction traffic should be restricted to designated roadways that do not cross, or cross on a limited basis, proposed roadway or parking areas.
- Soft areas can be over-excavated and replaced with granular structural fill.
- Construction roadways on soft subgrade soils should consist of a minimum 2-foot thickness of large cobbles of 4 to 6 inches in diameter with sufficient sand and fines to fill voids. Construction entrances should consist of a 6-inch thickness of clean, 2-inch minimum, angular drain-rock and must be a minimum of 10 feet wide and 30 to 50 feet long. During the construction process, top dressing of the entrance may be required for maintenance.
Scarification and aeration of subgrade soils can be employed to reduce the moisture content of wet subgrade soils. After stripping is complete, the exposed subgrade should be ripped or disked to a depth of 1½ feet and allowed to air dry for 2 to 4 weeks. Further disking should be performed on a weekly basis to aid the aeration process.

Alternative soil stabilization methods include use of geotextiles, lime, and cement stabilization. MTI is available to provide recommendations and guidelines at your request.

Frozen Subgrade Soils

Prior to placement of structural fill materials or foundation elements, frozen subgrade soils must either be allowed to thaw or be stripped to depths that expose non-frozen soils and wasted or stockpiled for later use. Stockpiled materials must be allowed to thaw and return to near-optimal conditions prior to use as structural fill.

The onsite, shallow clayey and silty fills/soils are susceptible to frost heave during freezing temperatures. For exterior flatwork and other structural elements, adequate drainage away from subgrades is critical. Compaction and use of structural fill will also help to mitigate the potential for frost heave. Complete removal of frost susceptible soils for the full frost depth, followed by replacement with a non-frost susceptible structural fill, can also be used to mitigate the potential for frost heave. MTI is available to provide further guidance/assistance upon request.

Structural Fill

Soils recommended for use as structural fill are those classified as GW, GP, SW, and SP in accordance with the Unified Soil Classification System (USCS) (ASTM D2487). Use of silty soils (USCS designation of GM, SM, and ML) as structural fill may be acceptable. However, use of silty soils (GM, SM, and ML) as structural fill below footings is prohibited. These materials require very high moisture contents for compaction and require a long time to dry out if natural moisture contents are too high and may also be susceptible to frost heave under certain conditions. Therefore, these materials can be quite difficult to work with as moisture content, lift thickness, and compactive effort becomes difficult to control. If silty soil is used for structural fill, lift thicknesses should not exceed 6 inches (loose), and fill material moisture must be closely monitored at both the working elevation and the elevations of materials already placed. Following placement, silty soils must be protected from degradation resulting from construction traffic or subsequent construction.

Recommended granular structural fill materials, those classified as GW, GP, SW, and SP, should consist of a 6-inch minus select, clean, granular soil with no more than 50 percent oversize (greater than ¾-inch) material and no more than 12 percent fines (passing No. 200 sieve). These fill materials should be placed in layers not to exceed 12 inches in loose thickness. Prior to placement of structural fill materials, surfaces must be prepared as outlined in the Construction Considerations section. Structural fill material should be moisture-conditioned to achieve optimum moisture content prior to compaction. For structural fill below footings, areas of compacted backfill must extend outside the perimeter of the footings for a distance equal to the thickness of fill between the bottom of foundation and underlying soils, or 5 feet, whichever is less. All fill materials must be monitored during placement and tested to confirm compaction requirements, outlined below, have been achieved.
Each layer of structural fill must be compacted, as outlined below:

- **Below Structures and Rigid Pavements:** A minimum of 95 percent of the maximum dry density as determined by ASTM D1557.
- **Below Flexible Pavements:** A minimum of 92 percent of the maximum dry density as determined by ASTM D1557 or 95 percent of the maximum dry density as determined by ASTM D698.

The ASTM D1557 test method must be used for samples containing up to 40 percent oversize (greater than ¾-inch) particles. If material contains more than 40 percent but less than 50 percent oversize particles, compaction of fill must be confirmed by proof rolling each lift with a 10-ton vibratory roller (or equivalent) until the maximum density has been achieved. Density testing must be performed after each proof rolling pass until the in-place density test results indicate a drop (or no increase) in the dry density, defined as maximum density or “break over” point. The number of required passes should be used as the requirements on the remainder of fill placement. Material should contain sufficient fines to fill void spaces, and must not contain more than 50 percent oversize particles.

**Backfill of Walls**

Backfill materials must conform to the requirements of structural fill, as defined in this report. For wall heights greater than 2.5 feet, the maximum material size should not exceed 4 inches in diameter. Placing oversized material against rigid surfaces interferes with proper compaction, and can induce excessive point loads on walls. Backfill shall not commence until the wall has gained sufficient strength to resist placement and compaction forces. Further, retaining walls above 2.5 feet in height shall be backfilled in a manner that will limit the potential for damage from compaction methods and/or equipment. It is recommended that only small hand-operated compaction equipment be used for compaction of backfill within a horizontal distance equal to the height of the wall, measured from the back face of the wall.

Backfill should be compacted in accordance with the specifications for structural fill, except in those areas where it is determined that future settlement is not a concern, such as planter areas. In nonstructural areas, backfill must be compacted to a firm and unyielding condition.

**Excavations**

Shallow excavations that do not exceed 4 feet in depth may be constructed with side slopes approaching vertical. Below this depth, it is recommended that slopes be constructed in accordance with Occupational Safety and Health Administration (OSHA) regulations, Section 1926, Subpart P. Based on these regulations, on-site soils are classified as type “C” soil, and as such, excavations within these soils should be constructed at a maximum slope of 1½ feet horizontal to 1 foot vertical (1½:1) for excavations up to 20 feet in height. Excavations in excess of 20 feet will require additional analysis. Note that these slope angles are considered stable for short-term conditions only, and will not be stable for long-term conditions.
During the subsurface exploration, test pit sidewalls generally exhibited little indication of collapse; however, some sloughing of fill materials and native granular sediments from test pit sidewalls was observed. For deep excavations, native granular sediments cannot be expected to remain in position. These materials are prone to failure and may collapse, thereby undermining upper soil layers. This is especially true when excavations approach depths near the water table. Care must be taken to ensure that excavations are properly backfilled in accordance with procedures outlined in this report.

Groundwater Control

Groundwater was not encountered during the investigation and is anticipated to be below the depth of most construction. Special precautions may be required for control of surface runoff and subsurface seepage. It is recommended that runoff be directed away from open excavations. Silty and clayey soils may become soft and pump if subjected to excessive traffic during time of surface runoff. Ponded water in construction areas should be drained through methods such as trenching, sloping, crowning grades, nightly smooth drum rolling, or installing a French drain system. Additionally, temporary or permanent driveway sections should be constructed if extended wet weather is forecasted.

**GENERAL COMMENTS**

Based on the subsurface conditions encountered during this investigation and available information regarding the proposed structures, the site is adequate for the planned construction. When plans and specifications are complete, and if significant changes are made in the character or location of the proposed structure, consultation with MTI must be arranged as supplementary recommendations may be required. Suitability of subgrade soils and compaction of structural fill materials must be verified by MTI personnel prior to placement of structural elements. Additionally, monitoring and testing should be performed to verify that suitable materials are used for structural fill and that proper placement and compaction techniques are utilized.
REFERENCES


## APPENDICES

### ACRONYM LIST

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AASHTO</td>
<td>American Association of State Highway and Transportation Officials</td>
</tr>
<tr>
<td>ACHD</td>
<td>Ada County Highway District</td>
</tr>
<tr>
<td>ACI</td>
<td>American Concrete Institute</td>
</tr>
<tr>
<td>ASCE</td>
<td>American Society of Civil Engineers</td>
</tr>
<tr>
<td>ASTM</td>
<td>American Society for Testing and Materials</td>
</tr>
<tr>
<td>bgs</td>
<td>below ground surface</td>
</tr>
<tr>
<td>CBR</td>
<td>California Bearing Ratio</td>
</tr>
<tr>
<td>D</td>
<td>natural dry unit weight, pcf</td>
</tr>
<tr>
<td>ESAL</td>
<td>Equivalent Single Axle Load</td>
</tr>
<tr>
<td>GS</td>
<td>grab sample</td>
</tr>
<tr>
<td>IBC</td>
<td>International Building Code</td>
</tr>
<tr>
<td>IDEQ</td>
<td>Idaho Department of Environmental Quality</td>
</tr>
<tr>
<td>ISPWC</td>
<td>Idaho Standards for Public Works Construction</td>
</tr>
<tr>
<td>ITD</td>
<td>Idaho Transportation Department</td>
</tr>
<tr>
<td>LL</td>
<td>Liquid Limit</td>
</tr>
<tr>
<td>M</td>
<td>water content</td>
</tr>
<tr>
<td>MSL</td>
<td>mean sea level</td>
</tr>
<tr>
<td>N</td>
<td>Standard &quot;N&quot; penetration: blows per foot, Standard Penetration Test</td>
</tr>
<tr>
<td>NP</td>
<td>nonplastic</td>
</tr>
<tr>
<td>OSHA</td>
<td>Occupational Safety and Health Administration</td>
</tr>
<tr>
<td>PCCP</td>
<td>Portland Cement Concrete Pavement</td>
</tr>
<tr>
<td>PERM</td>
<td>vapor permeability</td>
</tr>
<tr>
<td>PI</td>
<td>Plasticity Index</td>
</tr>
<tr>
<td>PID</td>
<td>photoionization detector</td>
</tr>
<tr>
<td>PVC</td>
<td>polyvinyl chloride</td>
</tr>
<tr>
<td>Qc</td>
<td>cone penetrometer value, unconfined compressive strength, psi</td>
</tr>
<tr>
<td>Qp</td>
<td>Penetrometer value, unconfined compressive strength, tsf</td>
</tr>
<tr>
<td>Qu</td>
<td>Unconfined compressive strength, tsf</td>
</tr>
<tr>
<td>RMR</td>
<td>Rock Mass Rating</td>
</tr>
<tr>
<td>RQD</td>
<td>Rock Quality Designation</td>
</tr>
<tr>
<td>R-Value</td>
<td>Resistance Value</td>
</tr>
<tr>
<td>SPT</td>
<td>Standard Penetration Test (140: pound hammer falling 30 in. on a 2: in. split spoon)</td>
</tr>
<tr>
<td>USCS</td>
<td>Unified Soil Classification System</td>
</tr>
<tr>
<td>USDA</td>
<td>United States Department of Agriculture</td>
</tr>
<tr>
<td>UST</td>
<td>underground storage tank</td>
</tr>
<tr>
<td>V</td>
<td>vane value, ultimate shearing strength, tsf</td>
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### Geotechnical General Notes

#### Relative Density and Consistency Classification

<table>
<thead>
<tr>
<th>Coarse-Grained Soils</th>
<th>SPT Blow Counts (N)</th>
<th>Fine-Grained Soils</th>
<th>SPT Blow Counts (N)</th>
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</thead>
<tbody>
<tr>
<td>Very Loose:</td>
<td>&lt; 4</td>
<td>Very Soft:</td>
<td>&lt; 2</td>
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<tr>
<td>Loose:</td>
<td>4-10</td>
<td>Soft:</td>
<td>2-4</td>
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<tr>
<td>Medium Dense:</td>
<td>10-30</td>
<td>Medium Stiff:</td>
<td>4-8</td>
</tr>
<tr>
<td>Dense:</td>
<td>30-50</td>
<td>Stiff:</td>
<td>8-15</td>
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<tr>
<td>Very Dense:</td>
<td>&gt;50</td>
<td>Very Stiff:</td>
<td>15-30</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hard:</td>
<td>&gt;30</td>
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#### Moisture Content

<table>
<thead>
<tr>
<th>Description</th>
<th>Field Test</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dry</td>
<td>Absence of moisture, dusty, dry to touch</td>
</tr>
<tr>
<td>Moist</td>
<td>Damp but not visible moisture</td>
</tr>
<tr>
<td>Wet</td>
<td>Visible free water, usually soil is below water table</td>
</tr>
</tbody>
</table>

#### Cementation

<table>
<thead>
<tr>
<th>Description</th>
<th>Field Test</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weakly</td>
<td>Crumbles or breaks with handling or slight finger pressure</td>
</tr>
<tr>
<td>Moderately</td>
<td>Crumbles or breaks with considerable finger pressure</td>
</tr>
<tr>
<td>Strongly</td>
<td>Will not crumble or break with finger pressure</td>
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#### Particle Size

<table>
<thead>
<tr>
<th>Description</th>
<th>Symbol</th>
<th>Soil Descriptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boulders: &gt;12 in.</td>
<td>Coarse-Grained Sand: 5 to 0.6 mm</td>
<td>Silts: 0.075 to 0.005 mm</td>
</tr>
<tr>
<td>Cobbles: 12 to 3 in.</td>
<td>Medium-Grained Sand: 0.6 to 0.2 mm</td>
<td>Clays: &lt;0.005 mm</td>
</tr>
<tr>
<td>Gravel: 3 in. to 5 mm</td>
<td>Fine-Grained Sand: 0.2 to 0.075 mm</td>
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</tr>
</tbody>
</table>

#### Unified Soil Classification System

<table>
<thead>
<tr>
<th>Major Divisions</th>
<th>Symbol</th>
<th>Soil Descriptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gravel &amp; Gravelly Soils &lt;50% coarse fraction passes No.4 sieve</td>
<td>GW</td>
<td>Well-graded gravels; gravel/sand mixtures with little or no fines</td>
</tr>
<tr>
<td></td>
<td>GP</td>
<td>Poorly-graded gravels; gravel/sand mixtures with little or no fines</td>
</tr>
<tr>
<td></td>
<td>GM</td>
<td>Silty gravels; poorly-graded gravel/sand/silt mixtures</td>
</tr>
<tr>
<td></td>
<td>GC</td>
<td>Clayey gravels; poorly-graded gravel/sand/clay mixtures</td>
</tr>
<tr>
<td>Sand &amp; Sandy Soils &gt;50% coarse fraction passes No.4 sieve</td>
<td>SW</td>
<td>Well-graded sands; gravelly sands with little or no fines</td>
</tr>
<tr>
<td></td>
<td>SP</td>
<td>Poorly-graded sands; gravelly sands with little or no fines</td>
</tr>
<tr>
<td></td>
<td>SM</td>
<td>Silty sands; poorly-graded sand/gravel/silt mixtures</td>
</tr>
<tr>
<td></td>
<td>SC</td>
<td>Clayey sands; poorly-graded sand/gravel/clay mixtures</td>
</tr>
<tr>
<td>Silts &amp; Clays LL &lt; 50</td>
<td>ML</td>
<td>Inorganic silts; sandy, gravelly or clayey silts</td>
</tr>
<tr>
<td></td>
<td>CL</td>
<td>Lean clays; inorganic, gravelly, sandy, or silty, low to medium-plasticity clays</td>
</tr>
<tr>
<td></td>
<td>OL</td>
<td>Organic, low-plasticity clays and silts</td>
</tr>
<tr>
<td>Silts &amp; Clays LL &gt; 50</td>
<td>MH</td>
<td>Inorganic, elastic silts; sandy, gravelly or clayey elastic silts</td>
</tr>
<tr>
<td></td>
<td>CH</td>
<td>Fat clays; high-plasticity, inorganic clays</td>
</tr>
<tr>
<td></td>
<td>OH</td>
<td>Organic, medium to high-plasticity clays and silts</td>
</tr>
<tr>
<td>Highly Organic Soils</td>
<td>PT</td>
<td>Peat, humus, hydric soils with high organic content</td>
</tr>
</tbody>
</table>
**GEOTECHNICAL INVESTIGATION TEST PIT LOG**

**Test Pit Log #:** TP-1  **Date Advanced:** 11 April 2018  **Logged by:** Clint Wyllie, G.I.T.

**Excavated by:** Struckman’s Backhoe Service  **Location:** See Site Map Plates

**Latitude:** 43.633093  **Longitude:** -116.197057

**Depth to Water Table:** Not Encountered  **Total Depth:** 7.3 Feet bgs

<table>
<thead>
<tr>
<th>Depth (Feet bgs)</th>
<th>Field Description and USCS Soil and Sediment Classification</th>
<th>Sample Type</th>
<th>Sample Depth (Feet bgs)</th>
<th>Qp</th>
<th>Lab Test ID</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.0-0.9</td>
<td>Sandy Lean Clay Fill (CL-FILL): Dark brown, slightly moist, stiff, with fine to medium-grained sand. --Organics noted throughout.</td>
<td></td>
<td></td>
<td>1.25-1.5</td>
<td></td>
</tr>
<tr>
<td>0.9-2.5</td>
<td>Silty Sand (SM): Brown, dry to slightly moist, medium dense, with fine to medium-grained sand.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.5-4.8</td>
<td>Poorly Graded Sand with Silt (SP-SM): Yellow-brown to light brown, dry to slightly moist, medium dense, with fine to medium-grained sand.</td>
<td>GS</td>
<td>2.5-3.0</td>
<td>A</td>
<td></td>
</tr>
<tr>
<td>4.8-7.3</td>
<td>Silty Sand (SM): Tan to orange-brown, dry to slightly moist, medium dense to dense, with fine-grained sand. --Moderate to strong induration encountered throughout. --Refusal met at 7.3 feet bgs because of space constraints and induration.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lab Test ID</th>
<th>M</th>
<th>LL</th>
<th>PI</th>
<th>Sieve Analysis (% passing)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>6.2</td>
<td>NP</td>
<td>NP</td>
<td>#4 100 100 64 14 8.6</td>
</tr>
</tbody>
</table>
Hi Nicolette,

Here are my responses to your email below.

1. I had no intention of adding a kitchen upstairs. Sorry if my drawing wasn't clear. I just wanted a sink and a little "under the counter" refrigerator so we can use it as an office space. I have gone in and deleted everything except the sink. See attached.

2. I have taken a look at this and it can be easily fixed by removing one of the exterior risers from the middle string of steps and add it to the lower string. I am asking that we condition this issue until I submit for a permit. My civil engineer is about a month out due to his workload. I do not want to wait that long to make that minor fix as it will postpone my ADU approval which will push back my permit submittal date.

3. I have gone into the drawings and fixed this issue. I deleted the curb on the back patio saving me 6". I also increased the grade in front of the wall by a few inches keeping it under 6'. If we can add this to the condition, I would appreciate it.

4. I understand the logic of limiting the front door count to one. However, given the fact that the ADU is a daylight basement, the options for its entry are limited. It is impossible to have it on the south or west side due to the grade. That leaves its current location or it could rotate around the north (8th street side). The grade on the north side is raised so that could only work if we dig a stoop down 30" and have a "tunnel" by the door. I feel this option is the least aesthetic. With all of that in mind, I have made sure that the doors don't compete with each other visually. The main level front door is bold and clearly says "front door" while the ADU door will be subtle. I am not sure if this makes any difference to you or not. But, my main door is at a 45-degree angle to the front which also differentiates it from the ADU door.

Thanks.

Robin Gates
I can hold the eplan cases. Would you prefer to email me the new files requested below?

Thank you,

Nicolette Womack
Assoc. Planner, Current Planning & Subdivisions
Planning and Development Services
Office: 208-608-7090 | Fax: 208-384-3753
nwomack@cityofboise.org

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*City Hall is closed to the public until further notice. Email is my preferred form of communication, but I will still be taking phone calls or setting up Teams meetings on a scheduled basis.

From: Nicolette Womack
Sent: Thursday, July 30, 2020 8:41 PM
To: robin gates <rmslabrie@yahoo.com>
Cc: Jason Taylor <JTaylor@cityofboise.org>
Subject: CAA20-00123 & CFH20-00070 2115 N Heights Dr

Robin,

We are very close to being able to approve the application. However, the following needs revised to comply with the associated codes noted below:

1. The Upper Floor includes a third kitchen and full bath. We can approve the primary home on the main floor and ADU on the Lower Floor, but the Upper Floor needs to have the kitchen removed as a third unit is not permitted.

2. The front retaining wall on the north of the home, shown in yellow attached cannot exceed 3’ in exposed height within the 20’ front yard setback.
3. The rear retaining wall on the south of the home, shown in yellow attached cannot exceed 6’ in exposed height within the 15’ rear yard setback.

4. The ADU requirements state only one entrance to the structure is allowed on the front elevation of the proposed ADU unless multiple entrances are already in existence. Can you clarify if one exists?

We issue administrative approvals on Tuesdays and Fridays. Once the plans are revised above, I’ll get the ADU and Hillside approvals and notices out the next available day.

Thank you,

Nicolette Womack
Assoc. Planner, Current Planning & Subdivisions
Planning and Development Services
Office: 208-608-7090 | Fax: 208-384-3753
nwomack@cityofboise.org

Making Boise the most livable city in the country.

*City Hall is closed to the public until further notice. Email is my preferred form of communication, but I will still be taking phone calls or setting up Teams meetings on a scheduled basis.*
### Property Information

#### Address
- **Street Number:** 2115  
- **Prefix:** N  
- **Street Name:** HEIGHTS DR  
- **Subdivision name:** SEC 3 3N 2E  
- **Block:** 0  
- **Lot:** 0  
- **Section:** E3  
- **Township:** 3  
- **Range:** 2  
- **Zoning:** R-1CH  
- **Parcel Number:** S1003110090  
- **Additional Parcel Numbers:**

#### Primary Contact

Who is responsible for receiving e-mail, uploading files and communicating with Boise City?
- [ ] Applicant  
- [ ] Owner

#### Applicant Information
- **First Name:** robin  
- **Last Name:** Gates  
- **Company:**
- **Address:** 2115 Heights Dr  
- **City:** Boise  
- **State:** ID  
- **Zip:** 83702  
- **Email:** rmsglarie@yahoo.com  
- **Phone Number:** (208) 890-0218  
- **Cell:** (208) 890-0218

#### Owner Information

Same as Applicant?  
- [ ] No  
- [x] Yes

(If yes, leave this section blank)
- **First Name:** Robin  
- **Last Name:** Gates  
- **Company:**
- **Address:** 2115 Heights Dr  
- **City:** Boise  
- **State:** ID  
- **Zip:** 83702  
- **Email:**
- **Phone Number:**
- **Cell:**
- **Fax:**
1. Water Issues

A. What are your fire flow requirements? (See International Fire Code):

1750 gpm

B. Number of hydrants (show location on site plan):
Note: Any new hydrants/hydrant piping require Suez Water approval.

Number of Existing: 0
Number of Proposed: 0

C. Is the building "sprinkled"?
Yes ☐ No ☐

D. What volume of water is available? (Contact SUEZ (208) 362-7354):

2000 gpm

The undersigned declares that the above provided information is true and accurate.
The undersigned acknowledges that failure to provide true and accurate information may result in rejection of this application, possible revocation of the permit where wrongfully issued and subject the undersigned any applicable civil and/or criminal penalties.

Agent/Representative Signature: ________________________
Date: ________________________
August 14, 2020

Robin Gates
2115 N. Heights Dr.
Boise, ID 83702
(Emailed: rmslabrie@yahoo.com)

RE: CFH20-00070 / 2115 N. Heights Dr. / Hillside

Dear Ms. Gates,

The Boise City Planning and Development Services Department has completed a review of your plans for a Category II Hillside and Foothills Development Permit for the single-family home and ADU at 2115 N. Heights Dr. Your application has been approved based on the requirements of Boise City Zoning Ordinance, Section 11-03-04.17.B(7), as discussed below.

SUMMARY
This project requires a Category II Hillside Development Application because of the proposed grading, topography, and retaining walls proposed. The grading and drainage plan (by Focus Engineering, dated July 2, 2020) shows a sloped lot where the residence and walls are proposed. The proposed retaining wall is approximately 9’ tall and is located on the driveway to support the patio area. The retaining walls will require structural engineering prior to approval of a building permit. All site drainage will be directed to an onsite drainage system and will be contained onsite.

The geotechnical investigation report (by Materials Testing & Inspection dated April 30, 2018) submitted for this project includes 1 test pit location. The onsite soils consist of mixtures of sand and clay materials. Before any footings or load bearing column pads (interior or exterior) are poured, the soils engineer shall inspect and provide written approval that the foundation subgrade soil conditions are what were indicated in the approved soils report (all compaction testing will be sent to City of Boise before approval of concrete placement). The report concludes that inspection, additional engineering testing, and observations will be required by the geotechnical engineer during construction to complete the evaluation.

BOISE CITY ZONING ORDINANCE (Section 11-03-04-17-B(7))
Hillside development may be approved on the following criteria:
a) **That the proposed development is in compliance with the technical requirements of Section 11-07-08 including those related to grading, drainage, hazardous areas, revegetation, and preservation of outstanding and unique features; and**

**Finding:** The proposed development is in compliance with the technical requirements of the Hillside and Foothills Areas Development Ordinance, including those related to grading, drainage, hazardous areas, revegetation, and preservation of outstanding and unique features.

b) **That the proposed development, if it complies with all conditions imposed, will not adversely affect other property in the vicinity; and**

**Finding:** The proposed development will not adversely affect other property in the vicinity. This is a proposal for construction of a single-family dwelling and ADU which complies with setback and height requirements for the R-1CH (Single Family Residential with Historic Design Review Overlay) zone. The proposal includes retaining walls which are required to comply with Boise City Code. A condition of approval requires the front wall on the north side of the home and the rear wall on the south side of the home shall be revised to comply. The project was also reviewed under DRH18-00131.

c) **That the land itself is capable of the volume and type of development proposed as determined by geological, hydrological and soils engineering analysis; and**

**Finding:** The land is capable of the type of development proposed as determined by the geological, hydrological and soils' engineering analysis and in their opinion the project does not create a potential hazard of flooding, soil instability, fire, or erosion if the geotechnical engineers report is adhered to. All storm water runoff is to remain onsite during and after construction or be conveyed to locations (storm drain system) that will not cause harmful effects to the neighboring property. Additional engineering approvals will be required prior to approval of a building permit (see list below).

The geotechnical investigation report (by Materials Testing & Inspection dated April 30, 2018) submitted for this project includes 1 test pit location. The onsite soils consist of mixtures of sand and clay materials. Before any footings or load bearing column pads (interior or exterior) are poured, the soils engineer shall inspect and provide written approval that the foundation subgrade soil conditions are what were indicated in the approved soils report (all compaction testing will be sent to City of Boise before approval of concrete placement). The report concludes that inspection, additional engineering testing, and observations will be required by the geotechnical engineer during construction to complete the evaluation.

d) **That the project does not create a potential hazard of flooding, soil instability, fire, erosion, etc.**
Finding: The project does not create a potential hazard of flooding, soil instability, fire or erosion if the geotechnical engineers report is adhered to. All storm water runoff is to remain onsite during and after construction or be conveyed to locations (storm drain system) that will not cause harmful effects to the neighboring property. Additional engineering approvals will be required prior to approval of a building permit (see list below).

Finding: That the proposal complies with all requirements of the Zoning Ordinance for foothills gulches including the requirements of this Section 11-07-08 and the Floodway and Floodplain Ordinance.

CONDITIONS OF APPROVAL

1. Construction, use and property development shall be in compliance with the plans and specifications on file with the Boise City Planning and Development Services Department date stamped received on July 16, 2020 and revised plans received on August 10, 2020.

2. Retaining walls shall not exceed three feet in height within the front setback or clear vision triangles. They shall not exceed six feet in any side or rear setbacks. The front wall on the north side of the home and the rear wall on the south side of the home shall be revised to comply.

3. The home shall not exceed 35’ in height, as measured in accordance with Boise City Code.

4. All portions of the home and garage shall be located outside of the required setbacks per the R-1C zoning standards. Comply with the conditions of approval of DRH18-00131.

5. Eaves shall not encroach more than two feet into any required setback.

6. If it is necessary to revise any part of the approved grading plan (by Focus Engineering, dated July 2, 2020) a revised plan shall be submitted to Boise Public Works for review and approval before any changes are made in the field. Occupancy will not be granted if the final grading is not in compliance with an approved grading plan. The following revisions to plan will needed prior to submittal of the building permit:

   a. Seepage bed detail will need to be revised to show an impermeable liner be placed on all sides of the seepage bed. Design engineer should also
lower the seepage bed bottom to at least the crawlspace elevation of the neighbors property.

7. Comply with all recommendations and requirements of the Soils Report (by Materials Testing & Inspection dated April 30, 2018). It is very important that the soils report and grading plan be made available to the excavation contractor. Any personnel doing the excavation or grading must be familiar with the requirements of this report and plan as additional monitoring will be required. The following revisions to report will needed prior to submittal of the building permit:

   a. A site suitability and update letter will need to be submitted with the building permit, so the geotechnical engineer has had a chance to review the updated grading and landscape plans and revise language in the report to use the most current building code references.

8. Before any footings or load bearing column pads (interior or exterior) are poured, the soils engineer shall inspect and provide written approval that the foundation subgrade soil conditions are what were indicated in the approved soils report. The Building Department will not perform a footing/column inspection until after a letter certifying the footing subgrade has been approved by Boise City.

9. The final inspection of the site grading and drainage work shall be done by the design engineer. Written approval shall be submitted to Boise Public Works prior to the issuance of the building final. The approval must include the design and stamped calculations from the design engineer of any retaining walls with a total height (as measured from bottom of footing to top of wall) greater than 4 feet or any wall over 2 feet that is retaining a surcharge. If not previously approved during the building permit process, a resubmittal shall be submitted to the building department prior to construction of the walls.

10. The Contractor must provide temporary erosion protection of all disturbed slopes until the project is successfully revegetated. The intent of this condition is to prevent the transport of eroded materials outside the boundary of this project.

11. All disturbed slopes included in the construction of this project must be stabilized and approved by Public Works before a Final Occupancy Permit is granted. If weather conditions prohibit revegetation/stabilization activities, the contractor shall provide a bond/surety agreement or an irrevocable letter of credit in the amount of 110% of the cost estimated by the project engineer to enable stabilization of the site. Call 208-608-7168 for an inspection.

12. This project falls within the boundaries of the “Foothills”. As such all buildings are required to contain Class A roofs and a 30-foot defensible space on the sides of the properties that border wildlands. Information on naturally fire resistive plant materials can be obtained from the International Fire Code Institute (IFCI) Urban-Wildland Interface Code, The National Fire Protection Association (NFPA) Standard #299, National Forest Service, Boise Interagency Fire Center, Boise.
National Forest, Idaho State Forest Service, Federal Bureau of Land Management (BLM), Boise Parks and Recreation Department Urban Forester, and the Colorado State Forest Service. For additional information call the Boise Fire Department at 208-384-3827.

13. Prior to construction, a permit must be obtained from the Boise City Building Department.

14. No change in the terms and conditions of this approval shall be valid unless in writing and signed by the applicant or his authorized representative, and an authorized representative of the City of Boise. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon the City of Boise.

15. Any change by the applicant in the planned use of the property, which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant or its successors in interest advises the City of its intent to change the planned use of the property described herein unless a variance in said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.

16. Comply with the following agency regulations where applicable by law or judicial decision:
   a. Boise City Public Works Department
   b. Boise City Building Department
   c. Boise City Fire Department

17. Failure to abide by any condition of this Hillside and Foothills Development Permit shall be grounds for revocation by the Boise City Planning and Development Services Department.

18. The applicant/developer shall have thirty-six (36) months from the date of this letter to implement a Hillside and Foothills Development Permit. Within this period, the holder of the permit must acquire construction permits and commence placement of permanent footings and structures on or in the ground. The definition of structures in this context shall refer to the retaining wall.

May we also take this opportunity to inform you that this approval will not take effect until after the appeal period has lapsed. The decision of the Planning Director may be appealed to the Planning and Zoning Commission within ten (10) days from the date of issuance of this decision. All appeals of this permit must be filed by 5:00 P.M., on August 24, 2020. The appeal must be written, accompanied by the appropriate fee, and submitted to the Boise City Planning and Development Services Department prior to the deadline set forth herein. Appeal application forms are available at the Boise City Planning & Development Services Department, 2nd Floor, Boise City Hall, 150 North Capitol Boulevard or online at: http://pds.cityofboise.org/.
If you have any questions, please contact me at (208) 608-7090 or nwomack@cityofboise.org.

Sincerely,

Nicolette C. Womack
Associate Planner, Current Planning & Subdivisions
Boise City Planning & Development Services

cc: Mark Baltes / North End Neighborhood Association / mark@landmark-impressions.com
#106: Application for Appeal  

Fee: $105.00

I (we)  

Erik Stoermer  

hereby appeal the decision of the Boise City:  

☐ Planning & Zoning Commission  
☐ Hearing Examiner  
☐ Design Review Committee  

☐ Historic Preservation Commission  
☐ Planning Director

File Number: CFH20-00070  
Address: 2115 N Heights Dr, Boise, ID

Specific Action Being Appealed:  Hillside Permit for the grading associated with a residential addition

Grounds for Appeal

1. See Attached Appeal Letter

2. 

3. 

4. 

Appeal Contact Person:  Erik Stoermer

Address: 2123 N Heights Dr, Boise, ID 83702

Phone: 847-731-9287  
Email: Erik.Stoermer@gmail.com

Appeals

☐ Appeal of an Administrative Decision to the Planning & Zoning Commission or Design Review Committee (non-refundable fee).

☐ Appeal of a Design Review Committee Decision to the Planning and Zoning Commission.*

☐ Appeal of a Planning & Zoning or Historic Preservation Commission decision to City Council.*

☐ Appeal of a Hearing Examiner decision to City Council.*

*Portion of fee is refundable if appeal is successful.

Notes:

1. If the reasons for the appeal are resolved prior to the appeal hearing, please contact the Planning Staff at 208-608-7100.

2. The only topics which may be discussed during the appeal hearing are the specific reasons for the appeal as stated in the application.

3. Neighborhood groups are encouraged to elect a spokesperson for appeals that are supported by numerous residents of the project to avoid a duplication of testimony.

4. Section 11-3-7.2 of the Zoning Ordinance provides that an appeal to Council may not be withdrawn without the consent of Council.

Signature of Appeellant/Representative:  

Date: 8/24/20

For Staff Use Only:

If the appellant is not the applicant, the applicant must be contacted immediately following the acceptance of this appeal.

Applicant contacted on ________________________________ by ________________________________  

☐ Appeal is by applicant.
Attn: Boise City Planning & Zoning Commission,

I am writing to formally appeal the decision of approval on the construction permit granted for 2115 N Heights Dr Boise ID 83702. The geotechnical study performed mentioned the following:

"Surficial materials in the test pit consisted of sand lean clay filled underlain by native silty and sediments."

"The test pit was limited to a maximum depth of 7.3 feet because of space constraints and the indurated sily sands encountered at depth"

These quotes along with other data create cause for concern that due diligence has not been performed in approving this construction permit. The proposed home will be adding a second floor while retaining a similar footprint will effectively double the force on the soil and could destabilize the hillside and surrounding homes. These are the type of geotechnical conditions that lead to the Alto Via incident. The Alto Via homes referenced below in the Idaho Statesman article and those around them ultimately had to be demolished at a cost to the city and it's taxpayers. The geotechnical study performed specifically excludes responsibility for this type of scenario.

"There is a distinct possibility that conditions may exist that could not be identified within the scope of the investigation of that were not apparent during our site investigations"

We reside at 2123 North Heights Dr and sit directly uphill of the proposed project, after the earthquakes this past spring we have noticed the development of settling foundational cracks.


Best Regards,

Erik Stoermer
July 21, 2020

Nicolette Womack  
PDS – Current Planning

Re: CFH20-00070

Dear Nicolette,

This project is a request to construct a new single-family home in Wildland-Urban Interface Zone A.

The Boise Fire Department has reviewed and can approve the application subject to compliance with all the following code requirements and conditions of approval. Any deviation from this plan is subject to Fire Department approval. Please note that unless stated otherwise, this memo represents the requirements of the International Fire Code (IFC) as adopted and amended by Boise City Code.

Comments:

1. This proposed subdivision is located within Wildland-Urban Interface Zone “A” and Compliance with Boise City Code Section 5-12-66 is required for all structures within this subdivision. Defensible space is the area extending out from any part of the structure, in all directions, up to the property boundary or 30’, whichever is less. Only fire-resistant plant materials are allowed within the defensible space. This precluded the use of hazardous, flammable trees, shrubs and grasses.
   - Additionally, the 5’ area directly around the structure shall be considered a fuel-free area, without combustible mulches, ornamental grasses and other flammable plants or materials.
   - A minimum setback of 30’ from the structure to undeveloped, natural open space is required, and may be increased based on topographical considerations, or other physical features that create a higher risk from wildfire.
   - Outdoor “open flame”, including wood-burning firepits, fireplaces, etc. are not allowed in “Foothills” area.
   (BCC 5-12-62, BCC 5-12-66)

2. A wildfire safety plan is required for this subdivision. A plan shall be submitted and approved prior to approval of the final plat. The plan shall be based on a site-specific wildfire risk assessment that includes considerations of project size, location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistive factors, fire protection systems and equipment, defensible space and vegetation management. A copy of the Wildfire Safety plan will be provided to the Homeowners’ Association (HOA) and will be referenced in the project CCR’s, related to ongoing maintenance...
of open space and for guidance related to the construction of new homes and for all landscaping. (BCC 5-12-66)

3. Fire hydrants, capable of producing the required fire flow, shall be located along approved fire lanes. Fire hydrant spacing shall meet the requirements of IFC table C105.1.1 (IFC 507.3, IFC B105.2, IFC C105).

4. Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1)

General Requirement:
Fire Department required fire hydrants, access, and street identification shall be installed prior to construction or storage of combustible materials on site. Provisions may be made for temporary access and identification measures.

Specific building construction requirements of the International Building Code, International Fire Code and Boise City Code will apply. However, these provisions are best addressed by a licensed Architect at time of building permit application.

Best Regards,

Todd Callahan
Interim Division Chief, Assistant Fire Marshal
Boise Fire Department
tcallahan@cityofboise.org
This project requires a Category II Hillside Development Application because of the proposed grading, topography, and retaining walls proposed. The grading and drainage plan (by Focus Engineering, dated July 2, 2020) shows a sloped lot where the residence and walls are proposed. The proposed retaining wall is approximately 9’ tall and is located on the driveway to support the patio area. The retaining walls will require structural engineering prior to approval of a building permit. All site drainage will be directed to an onsite drainage system and will be contained onsite.

The geotechnical investigation report (by Materials Testing & Inspection dated April 30, 2018) submitted for this project includes 1 test pit location. The onsite soils consist of mixtures of sand and clay materials. Before any footings or load bearing column pads (interior or exterior) are poured, the soils engineer shall inspect and provide written approval that the foundation subgrade soil conditions are what were indicated in the approved soils report (all compaction testing will be sent to City of Boise before approval of concrete placement). The report concludes that inspection, additional engineering testing, and observations will be required by the geotechnical engineer during construction to complete the evaluation.

The land is capable of the type of development proposed as determined by the geological, hydrological and soils’ engineering analysis and in their opinion the project does not create a potential hazard of flooding, soil instability, fire, or erosion if the geotechnical engineers report is adhered to. All storm water runoff is to remain onsite during and after construction or be conveyed to locations (storm drain system) that will not cause harmful effects to the neighboring property. Additional engineering approvals will be required prior to approval of a building permit (see list below).

The proposed development is in compliance with the technical requirements of the Hillside and Foothills Areas Development Ordinance, including those related to grading, drainage, hazardous areas, revegetation, and preservation of outstanding and unique features.
1. If it is necessary to revise any part of the approved grading plan (by Focus Engineering, dated July 2, 2020) a revised plan shall be submitted to Boise Public Works for review and approval before any changes are made in the field. Occupancy will not be granted if the final grading is not in compliance with an approved grading plan. **The following revisions to plan will needed prior to submittal of the building permit:**

   a. Seepage bed detail will need to be revised to show an impermeable liner be placed on all sides of the seepage bed. Design engineer should also lower the seepage bed bottom to at least the crawlspace elevation of the neighbors property.

2. Comply with all recommendations and requirements of the Soils Report (by Materials Testing & Inspection dated April 30, 2018). It is very important that the soils report and grading plan be made available to the excavation contractor. Any personnel doing the excavation or grading must be familiar with the requirements of this report and plan as additional monitoring will be required. The following revisions to report will needed prior to submittal of the building permit:

   a. A site suitability and update letter will need to be submitted with the building permit, so the geotechnical engineer has had a chance to review the updated grading and landscape plans and revise language in the report to use the most current building code references.

3. Before any footings or load bearing column pads (interior or exterior) are poured, the soils engineer shall inspect and provide **written approval** that the foundation subgrade soil conditions are what were indicated in the approved soils report. **The Building Department will not perform a footing/column inspection until after a letter certifying the footing subgrade has been approved by Boise City.**

4. The final inspection of the site grading and drainage work shall be done by the design engineer. Written approval shall be submitted to Boise Public Works prior to the issuance of the building final. The approval must include the design and stamped calculations from the design engineer of any retaining walls with a total height (as measured from bottom of footing to top of wall) greater than 4 feet or any wall over 2 feet that is retaining a surcharge. If not previously approved during the building permit process, a resubmittal shall be submitted to the building department prior to construction of the walls.

5. The Contractor must provide temporary erosion protection of all disturbed slopes until the project is successfully revegetated. The intent of this condition is to prevent the transport of eroded materials outside the boundary of this project.

6. **All disturbed slopes included in the construction of this project must be stabilized and approved by Public Works before a Final Occupancy Permit is granted.**
weather conditions prohibit revegetation/stabilization activities, the contractor shall provide a bond/surety agreement or an irrevocable letter of credit in the amount of 110% of the cost estimated by the project engineer to enable stabilization of the site. **Call 208-608-7168 for an inspection.**

7. This project falls within the boundaries of the “Foothills”. **As such all buildings are required to contain Class A roofs and a 30-foot defensible space on the sides of the properties that border wildlands.** Information on naturally fire resistive plant materials can be obtained from the International Fire Code Institute (IFCI) Urban-Wildland Interface Code, The National Fire Protection Association (NFPA) Standard #299, National Forest Service, Boise Interagency Fire Center, Boise National Forest, Idaho State Forest Service, Federal Bureau of Land Management (BLM), Boise Parks and Recreation Department Urban Forester, and the Colorado State Forest Service. For additional information call the Boise Fire Department at 208-384-3827.
TO: Fire Flow Reviewing Authority

DATE: June 17, 2020

SUBJECT: 2115 N. Heights Dr.

________________________________________

COMMENTS:

Our records indicate the following water pressure and volume at: 2115 N. Heights Dr.:

Flow of 2,000 gpm
At nearest hydrant 1068 on the corner of 8th St. & Lemp St.

________________________________________

This information represents the water system under maximum-day conditions. The pressures and flows are subject to change, however, depending on system demand and changes in system operations. This document shall be attached to the architectural plan sets, both for "Fire Department reviewed" and "Construction Approved" sets. It is provided for uniformity in fire sprinkler design criteria.

If you have further questions or need information on the volume of water for a conditional use application or design review, please feel free to call.

Sincerely,

SUEZ
Summary
The applicant requests a variance to encroach into the street side setback for a proposed addition to an existing single-family home on 0.18 acres in a R-1CH (Single Family Residential with Historic District Overlay) zone.

Prepared By
Nicolette Womack, Associate Planner

Recommendation
Approval

Reason for the Decision
The variance complies with the approval criteria of Boise City Code Section 11-03-04.14 (Variance). There are exceptional circumstances justifying the variance request. Alternative scenarios would have required relocation of an existing concrete basement stairwell. The addition will not adversely affect other property in the vicinity as the new structure will not encroach into the setbacks any further than the existing structure has encroached since 1922. Lastly, the development will not be in conflict with the spirit and intent of the Comprehensive Plan. Goal NE-CCN 1.4&5 call for designing new development to reflect elements of the historic architecture and traditional neighborhood character that exist in the North End by applying the procedures and requirements of the designated Historic Districts. The associated Certificate of Appropriateness (DRH20-00338) verified compliance with the historic architecture of the home, as it is located within the Historic District.

This report includes information available on the Boise City Website. The entire public record, including additional documents, can be viewed through the P&L Portal.
SETBACK INFORMATION

<table>
<thead>
<tr>
<th>ZONE</th>
<th>FRONT SETBACK</th>
<th>REAR SETBACK</th>
<th>SIDE SETBACK - INTERIOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1CH</td>
<td>15 FEET</td>
<td>15 FEET</td>
<td>5 FEET</td>
</tr>
</tbody>
</table>

SITE PLAN LEGEND

- EXISTING CONSTRUCTION TO REMAIN
- EXIST. PAVING TO REMAIN
- EXISTING CONSTRUCTION TO BE REMOVED
- EXIST. PAVING TO BE REMOVED
- NEW CONSTRUCTION
- NEW PAVING

LOT COVERAGE

Lot Size: 8100 sf

EXISTING:
- House: 1506 sf
- Garage: 477 sf
- Covered Patio: 67 sf
- Existing Lot Coverage: 2,050 sf = 25.3%

PROPOSED:
- House: 2099 sf
- Garage: 477 sf
- Covered Patio: 67 sf
- Proposed Lot Coverage: 2643 sf = 32.6%

PROPOSED SITE PLAN

1" = 20'-0"
Lovotti Remodel
1320 N. 5th Street
PO Box 7692 | Boise ID 83702 | Phone: 208-724-6309
Lovotti Remodel
1320 N. 5th Street

A M Y  A L L G E Y E R  C O O K
Architect, Inc.

PO Box 7692 | Boise ID 83702 | Phone: 208-724-6309

Front Elevation
1/8" = 1' - 0"

Rear Elevation
1/8" = 1' - 0"
home to north

home to North west
12 August 2020

RE: 1320 N. 5th Street

Dear Planner,

The owners of the home at 1320 N. 5th Street would like to add on to the side and rear of their home, to create a mud room and master bedroom. Because the existing is located well within the required street-side setback, we are requesting a variance to this setback, in order to connect the mudroom to the existing kitchen.

The existing home sits just 3'-2” from the north property line. The living spaces and kitchen sit on that side of the house. Because of this, there is no way to for the mudroom to tie into the kitchen without encroaching into that setback as well.

We are proposing a much smaller encroachment, with a proposed setback of approximately 8'-2”, which is more than half the required 15’, and is 5’ more than the existing home’s setback. This will allow the mudroom to access the kitchen, while avoiding adjustment of the existing concrete stairway to the basement.

All other required setbacks have been met and we are below the 35% lot coverage limit. There are no height or parking issues. There is no adjacent house on this side, so the variance will have little impact on the neighboring properties. And the project has been approved by the city historic commission under case number DRH20-00338.

If there are any questions, please let us know. Thank you.

Sincerely,

Amy Allgeyer, Architect
Variance

Property Information

<table>
<thead>
<tr>
<th>Street No:</th>
<th>Direction</th>
<th>Street Name:</th>
<th>Street Type:</th>
<th>Unit Type:</th>
<th>Unit No:</th>
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<tbody>
<tr>
<td>1320</td>
<td>N</td>
<td>5TH</td>
<td>ST</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Subdivision Name: RESSEGUIES ADD
Parcel Legal Description: PAR#0130 BL 5 & TRACT EAST/ADJ, RESSEGUIE ADD
Zoning District: R-1CH

Parcel Number: R7406000130
Additional Parcel Numbers: R-1CH PAR#0130 BL 5 & TRACT EAST/ADJ, RESSEGUIE ADD

Applicant Information

First Name: (Primary Contact) Amy
Last Name: Allgeyer
Type: Applicant

Company: Amy Allgeyer Architect Inc.

Address: PO Box 7692
City: Boise
State: ID
Zip: 83707

Email: amy@AACArchitecture.com
Main Phone: (208) 724-6309
Cell Phone: 

Owner Information

Name: LOVOTTI-DITOMASSO FAMILY REVOCABLE TRUST 2/12/1996

Address: 1320 N. 5th Street
City: Boise
State: ID
Zip: 83702

Email: Phone:

Project Information

Project Name: (if applicable): Lovotti Residence

Project Proposal: Please provide a brief narrative of your project in the Project Proposal field, and answer all other questions to the best of your ability.
Create rear addition to existing historically-contributing home. Existing home encroaches into street-side setback, and proposed addition will also need to encroach, to work with home's existing floor plan.

Project Details

Property Information
<table>
<thead>
<tr>
<th><strong>Zoning District:</strong></th>
<th>R-1CH</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Property in Historic District:</strong></td>
<td>YES</td>
</tr>
<tr>
<td><strong>Property In Design Review Zone:</strong></td>
<td>NO</td>
</tr>
<tr>
<td><strong>Property In Hillside:</strong></td>
<td>NO</td>
</tr>
<tr>
<td><strong>Property In Floodplain:</strong></td>
<td>NO</td>
</tr>
<tr>
<td><strong>Flood Zone:</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Wildland Urban Interface (WUI):</strong></td>
<td>NO</td>
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<tr>
<td><strong>WUI Name:</strong></td>
<td>undefined</td>
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<tr>
<td><strong>Airport Influence:</strong></td>
<td>Not in Airport Influence Area</td>
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<tr>
<td><strong>Size of Property:</strong></td>
<td>0.19</td>
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**General**

<table>
<thead>
<tr>
<th><strong>Plans submitted as:</strong></th>
<th>Electronic</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Are you applying for an Administrative Variance:</strong></td>
<td>No</td>
</tr>
<tr>
<td><strong>Have you notified adjacent Property Owners and Occupants:</strong></td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Review Authority:</strong></td>
<td>Administrative</td>
</tr>
</tbody>
</table>

**Variance Type** - Multiple variance types can be submitted within a single application, please check all that apply.

<table>
<thead>
<tr>
<th><strong>Fence Height:</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Fence Variance Description:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Required Height:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Proposed Fence Height:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Sign Variance:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Sign Variance Description:</strong></td>
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<td><strong>Landscape Buffer:</strong></td>
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<td><strong>Landscape Buffer Variance Description:</strong></td>
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<td><strong>Required Landscape Buffer:</strong></td>
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<td><strong>Proposed Landscape Buffer:</strong></td>
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<tr>
<td><strong>Other:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Describe Other:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Setback Encroachments:</strong></td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Setback Encroachment Description:</strong></td>
<td>Proposed addition will encroach into street-side setback because existing home encroaches. Addition must tie into existing kitchen.</td>
</tr>
</tbody>
</table>

**Setbacks** - Please enter the required and proposed Building and/or Parking setbacks within the table below.

<table>
<thead>
<tr>
<th><strong>Proposed Parking Setback:</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Required Parking Setback:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Notes:</strong></td>
<td></td>
</tr>
</tbody>
</table>
Setbacks - Please enter the required and proposed Building and/or Parking setbacks within the row below.

Row 1

<table>
<thead>
<tr>
<th>Location:</th>
<th>Street Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Building Setback:</td>
<td>8' 2&quot;</td>
</tr>
<tr>
<td>Required Building Setback:</td>
<td>15' 0&quot;</td>
</tr>
</tbody>
</table>

This application is for a Variance Application. A Submittal Checklist that lists additional documents is required with the submittal of this application.

- Variance Submittal Checklist

A helpful handout is also available for review and to assist with the application process.

- Variance Handout

By checking this box: ☑

1. The undersigned is the owner of the indicated property or acting as the owner’s authorized representative.
2. The undersigned declares that the above provided information is true and accurate, and acknowledges that failure to provide true and accurate information may result in rejection of this application, possible revocation of the permit where wrongfully issued and subject the undersigned to any applicable penalties.
3. The checked box represents a digital signature for all legal purposes as allowed by Idaho Code (Uniform Electronic Transactions Act).

This application was submitted electronically through the Permitting & Licensing Public Portal.

Signed electronically on 8/24/2020, by
Planning Division Project Report

File Number: CVA20-00043
Applicant: Amy Allgeyer
Property Address: 1320 N 5th St.

Public Hearing Date: October 5, 2020
Heard by: Planning and Zoning Commission

Analyst: Nicolette Womack, Associate Planner
Reviewed By: Céline Acord, Current Planning Manager

Public Notification
Neighborhood meeting conducted on: August 11, 2020
Radius notices mailed to properties within 300 feet on: September 18, 2020
Newspaper notification published on: September 18, 2020
Applicant posted notice on site on: September 18, 2020

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7. Analysis ............................................................................ 4
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Exhibits
Agency Comments
1. Project Data and Facts

<table>
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</tr>
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<td><strong>Procedure</strong></td>
</tr>
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Current Land Use

Single-Family Home

Description of Applicant's Request

A variance to encroach into the street side setback for a proposed addition to an existing single-family home.

2. Land Use

Description and Character of Surrounding Area

The area is mostly single-family residential with detached single-family homes, duplexes and, multi-family apartments within the North End Historic District.

Adjacent Land Uses and Zoning

<table>
<thead>
<tr>
<th>North</th>
<th>Resseguie St., then Single-Family Homes / R-1CH</th>
</tr>
</thead>
<tbody>
<tr>
<td>South</td>
<td>Single-Family Homes / R-1CH</td>
</tr>
<tr>
<td>East</td>
<td>Single-Family Homes / R-1CH</td>
</tr>
<tr>
<td>West</td>
<td>Single-Family Homes &amp; Duplex / R-1CH</td>
</tr>
</tbody>
</table>

History of Previous Actions

| DRH20-00338 | Certificate of Appropriateness for addition - Approved |
3. Project Proposal

Structure(s) Design

<table>
<thead>
<tr>
<th>Existing &amp; Proposed Buildings</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing 2,026 square foot single-family home</td>
<td></td>
</tr>
<tr>
<td>Proposed 593 square foot addition</td>
<td></td>
</tr>
<tr>
<td><strong>Number of Stories</strong></td>
<td></td>
</tr>
<tr>
<td>One story</td>
<td></td>
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</tbody>
</table>

Setbacks

<table>
<thead>
<tr>
<th>Yard</th>
<th>Building</th>
<th>Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Required</td>
<td>Proposed</td>
</tr>
<tr>
<td>Front (5th St.)</td>
<td>15'</td>
<td>10''**</td>
</tr>
<tr>
<td>Side (south)</td>
<td>5'</td>
<td>5'</td>
</tr>
<tr>
<td>Street Side (Resseguie St.)</td>
<td>15'</td>
<td>3'''*</td>
</tr>
<tr>
<td>Rear (east)</td>
<td>15'</td>
<td>82'</td>
</tr>
</tbody>
</table>

* Existing setback, no changes proposed.
** Subject of the variance request.
*** The Development Code allows accessory structures under 500 square feet to have a 3’ side yard and 9’ rear yard setback. Existing setback, no changes proposed.

Parking

Single-family homes are required to provide two off-street parking spaces located outside of the required setbacks. The existing accessory structure provides two off-street parking spaces.

4. Development Code ([Boise City Code Title 11](#))

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-03-04.14</td>
<td>Variance Specific Procedures</td>
</tr>
<tr>
<td>11-04-03</td>
<td>Residential Districts</td>
</tr>
<tr>
<td>11-07-03</td>
<td>Off-Street Parking and Loading Standards</td>
</tr>
</tbody>
</table>

5. Comprehensive Plan ([Blueprint Boise](#))

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Goals, Objectives &amp; Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter 4: Planning Area Policies</td>
<td>Goals NE-CCN 1.4&amp;5</td>
</tr>
</tbody>
</table>
6. Transportation Data
The Ada County Highway District (ACHD) had no site-specific conditions of approval as this modification will have no impact on traffic generated from the single-family home.

7. Analysis
The applicant is requesting a variance to encroach into the street side setback for a proposed addition to an existing single-family home on 0.18 acres in a R-1CH (Single Family Residential with Historic District Overlay) zone. Existing on site is a 2,026 square foot single-family home and a detached accessory structure. The application proposes a 593 square foot addition to the rear and side of the home for a new mud room and master bedroom. The existing home is only 3’ from the property line along Ressegue St., where a 20’ street side setback is required. The proposed addition will be 8’ from the Ressegue St. property line, encroaching less than the existing structure.

Site Plan
As submitted, the proposal complies with the front, rear, and interior side yard setbacks. The structure will not encroach into the setbacks any further than the existing structure previously encroached since 1922. As detailed within the letter of intent, alternative scenarios were explored, however they were unfeasible as it would require the existing concrete basement stairwell to be relocated.

The Planning Team finds the variance supportable as compatibility with the primary structure and adjacent properties was verified by the associated Certificate of Appropriateness (DRH20-00338).
8. Approval Criteria

Variance (Section 11-03-04.14)
A variance may be granted when it is found that:

i. There is either a hardship associated with the property itself or an exceptional circumstance relating to the intended use of the property that is not generally applicable in the district;

There are exceptional circumstances which justify the granting of the variance. Compliance with the street side setback would require relocation of an existing concrete basement stairwell. The new addition will not encroach into the setbacks any further than the existing structure previously encroached since 1922.

ii. Granting of the variance will not be in conflict with the Comprehensive Plan and will not affect a change in zoning; and,

The Comprehensive Plan does not specifically address variances. However, the improvement of this structure addresses several goals and policies within the Comprehensive Plan. Goals NE-CCN 1.4&5 call for designing new development to reflect elements of the historic architecture and traditional neighborhood character that exist in the North End by applying the procedures and requirements of the designated Historic Districts. The associated Certificate of Appropriateness (DRH20-00338) verified compliance with the historic architecture of the home, as it is located within the Historic District.

iii. Granting of the variance will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements of other property owners, or the quiet enjoyment thereof.

The variance will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements of other property owners. The Planning Team cannot identify any adverse impacts on surrounding properties. There are no conflicts with noise or adverse lighting. The new structure will not encroach into the setbacks any further than the existing structure previously encroached since 1922.

9. Recommended Conditions of Approval

Site Specific

1. Compliance with plans and specifications submitted to and on file in the Planning and Development Services Department dated received August 25, 2020, except as expressly modified by the following conditions:
2. This variance allows for the reduction of the street side setback to 8' for the building addition.

3. The applicant shall comply with the requirements of the Boise City Public Works Department (BCPW) in the memos from:
   
   i. Street Lights dated **September 2, 2020**;
   ii. Sewer dated **September 1, 2020**;

Contact BCPW at 208-384-3900 for specific comments or questions.

**Standard Conditions of Approval**

4. This approval does not exempt the applicant from compliance with all local, state, and federal regulations where applicable by law or judicial decision.

5. Vision Triangles, as defined under Section 11-012-03 of the Boise City Code, shall remain clear of sight obstructions.

6. Any outside lighting shall be reflected away from adjacent property and streets. The illumination level of all light fixtures shall not exceed two (2) footcandles as measured one (1) foot above the ground at property lines shared with residentially zoned or used parcels.

7. No change in the terms and conditions of this approval shall be valid unless in writing and signed by the applicant or his authorized representative and an authorized representative of Boise City. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon Boise City.

8. An Occupancy Permit will not be issued by the Planning and Development Services Department until all of these conditions have been met. In the event a condition(s) cannot be met by the desired date of occupancy, the Planning Director will determine whether the condition(s) is bondable or should be completed, and if determined to be bondable, a bond or other surety acceptable to Boise City will be required in the amount of 110% of the value of the condition(s) that is incomplete.

9. Any change by the applicant in the planned use of the property, which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant, or successors of interest, advise Boise City of intent to change the planned use of the property described herein, unless a variance in said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.
10. Failure to abide by any condition of this approval shall be grounds for revocation by the Boise City Planning and Zoning Commission.

11. This permit shall be valid for a period not to exceed 24 months from the date of approval by the Planning and Zoning Commission. Within this period, the holder of the permit must acquire construction permits and commence placement of permanent footings and structures on or in the ground.

12. Prior to the expiration of this variance, the Commission may, upon written request by the holder, grant a two-year time extension. A maximum of two (2) extensions may be granted.

13. To reduce the noise impact of construction on nearby residential properties, all exterior construction activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. for Saturday and Sunday. Low noise impact activities such as surveying, layout and weather protection may be performed at any time. After each floor of the structure or building is enclosed with exterior walls and windows, interior construction of the enclosed floors can be performed at any time.
connection to central sewer is required. Sanitary sewers are available onsite.

Prior to granting of final sewer construction plan approval, all requirements by Boise City Planning and Development Services must be met.

If you have any further questions, please contact Mike Sheppard at 608-7504.
CITY OF BOISE

INTER-DEPARTMENT CORRESPONDENCE

Date: 2 September 2020

To: Planning and Development Services

From: Tom Marshall, Street Light Program Technician
      Public Works Engineering

Subject: Street Light Comments
        CVA20-00043: 1320 N 5th St.

No comment.

If you have any questions, contact Tom Marshall at 208-608-7526 or tmarshall@cityofboise.org.

Tom Marshall
Street Light Program Technician
Public Works Engineering
Office: (208)608-7526
tmarshall@cityofboise.org

Making Boise the most livable city in the country.
SOS20-00026 / Sawtooth Land Surveying LLC

Summary
The applicant requests a waiver to the Subdivision Ordinance requirement to construct sidewalk as part of a Property Line Adjustment located at 9798 W. Arnold Road in a R-1C (Single Family Residential) zone.

Prepared By
David Moser, Associate Planner

Recommendation
Denial

Reason for the Decision
The waiver request does not comply with the approval criteria of B.C.C. Section 11-09-05.1.E (Waivers). The requirement for constructing a new sidewalk on Arnold Road would not result in a substantial hardship. Granting of the waiver would diminish the quality of the neighborhood by not providing a safe place for pedestrians to walk. The construction of the sidewalk along Arnold Road as required by City of Boise will reduce the distance pedestrians will have to travel without a sidewalk. It will connect into the existing sidewalks abutting the site and expand the existing street improvements along Arnold Road. There are several Comprehensive Plan Policies that support and encourage the construction of sidewalks. Principle GDP-N.1(a) encourages a continuous network of sidewalks, bicycle, and pedestrian paths, and roadways to connect different areas of neighborhoods. Principle GDP-N.1(d) calls for working with neighborhood residents to improve connectivity in established neighborhoods where sidewalks are absent or incomplete. Policy CC7.1(a) encourages walking for a wide variety of trips by adding sidewalk connections and requiring sidewalks as part of development approvals.

This report includes information available on the Boise City Website. The entire public record, including additional documents, can be viewed through Permitting & Licensing Portal.
Zoning Map

Subject Property
Arnold Road
9665 W Arnold Rd

Packet Pg. 260

Image capture: Aug 2019 © 2020 Google

Garden City, Idaho

Google

Street View
Garden City, Idaho

Google

Street View

https://www.google.com/maps/@43.687593,-116.3050823,3a,75y,322.28h,73.95t/data=!3m6!1e1!3m4!1st1a_NDI/G5Zzq9B6VvSdlbg!2e0!7i16384!8i8192
RAN D ALL  ACRES  S UB D IVISION  N o. 8
P ART  oF  S EC. 14, T. 4 N, R. 11 E, B.M.  A DA  C OUNTY  I D AHO
S URVEY  B Y  J. L. H OFFMANN  &  C. C. F ISKE  C ONSULTING  E NGINES  B OISE  I D AHO

RECEIVED
AUG 19 2020
PLANNING DEPT.
SUBDIVISIONS

SCALE 1"=200'
Lot corners marked by 1/4" steel pins
Street intersections and boundaries marked by 1/4" steel pins

Attachment: PZ_Project Report_October 5, 2020_SOS20-00026 (SOS20-00026 / Sawtooth Land Surveying)
August 7, 2020

The legal description of 9798 Arnold Rd Boise Idaho 83714  
Lot 21 & 22 Block 1 of Randall Acres Subdivision #8  
Ada County primary parcel #R7334190206  
Section 14 Township 1E Range 4 N
August 7, 2020

City of Boise Planning & Development Services

To whom it may concern:

My name is Kathleen Cunningham. We have owned the 1.377 acres at 9798 Arnold Rd in Boise since 1978. Prior to my husband’s passing in 2011 the property was two separate lots, lot 21 & lot 22, just as it was on the 1951 plot map for the Randall Subdivision #8. After Boise annexed us, I had the two lots combined so I could get the homeowners exemption on both lots in order to help with the property taxes. I am not subdividing my property and not making it into separate lots for sale.

What I want is for my son and daughter-in-law to have 0.287 acres of my property located on the SW corner of the property as noted on the attached copy of the site plan/record of survey prepared by Sawtooth Land Surveying so they can build a home. The SW portion is 120 feet from a sidewalk to the East at 9698 W Arnold Rd and 1,320 feet from a sidewalk to the West at 10272 W Arnold Rd. The SE portion of my property that is adjacent to the neighbor’s sidewalk will stay as it is now. The 0.287 parcel is not adjacent to the neighbor’s sidewalk at 9698 W Arnold Rd.

I realize that by doing the minor land split it puts me in a situation where you can require me to put in 240 feet of sidewalk which goes along the entire front of my property before the minor land split can be granted. That would entail moving the ditch, trees and fencing in addition to the sidewalk. I am asking you to waive that condition because of the financial hardship it would put upon me.

I am a retired widow and live on the income from my social security. It would be an extreme financial hardship for me to construct 240 feet of engineered sidewalk, move and redo the irrigation ditch, remove trees and move and rebuild the fence. If you do not waive these requirements for the minor land split it would be an extreme financial hardship on me to have to come up with and spend tens of thousands of dollars.

It is especially important to me to have my son and daughter-in-law live close to me as I grow older. I will continue to live in the existing home that I have lived in for 42 years.

I sincerely appreciate your consideration in this matter.

Regards,

Kathleen A Cunningham

RECEIVED
AUG 19 2020
PLANNING DEPT. SUBDIVISIONS
Wyzer of Subdivision
Ordinance Application

New! Type data directly into our forms.
Note: Be sure to print this form before closing it or you will lose your data. This form cannot be saved to your computer.

**Property Information**

<table>
<thead>
<tr>
<th>Address: Street Number: 9798</th>
<th>Prefix: West</th>
<th>Street Name: Arnold Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivision: Randall Acres Sub. #8</td>
<td>Block: 1</td>
<td>Lot: 21</td>
</tr>
<tr>
<td>Section: 14</td>
<td>Township: 4N</td>
<td>Range: 1E</td>
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<tr>
<td>Primary Parcel Number: 7334190206</td>
<td>Additional Parcels:</td>
<td></td>
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**Applicant Information**

<table>
<thead>
<tr>
<th>First Name: Josh</th>
<th>Last Name: Beach</th>
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<tbody>
<tr>
<td>Company: Sawtooth Land Surveying, LLC</td>
<td>Phone: 2083693642</td>
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<tr>
<td>Address: 2030 S. Washington Avenue</td>
<td>City: Emmett</td>
</tr>
<tr>
<td>State: ID</td>
<td>Zip: 83617</td>
</tr>
<tr>
<td>E-mail: <a href="mailto:josh@sawtoothls.com">josh@sawtoothls.com</a></td>
<td>Cell: 2083693642</td>
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<tr>
<td>Fax:</td>
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**Agent/Representative Information**

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<td>City: Emmett</td>
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<td>Zip: 83617</td>
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<tr>
<td>E-mail: <a href="mailto:JOSH@SAWTOOTHLS.COM">JOSH@SAWTOOTHLS.COM</a></td>
<td>Cell:</td>
</tr>
<tr>
<td>Fax:</td>
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</table>

**Role Type:**
- Surveyor
- Land Developer
- Engineer
- Architect
- Other

**Owner Information**

<table>
<thead>
<tr>
<th>Same as Applicant?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Name:</td>
<td>Kathleen</td>
<td></td>
</tr>
<tr>
<td>Company:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Address: 9798 W. Arnold Road</td>
<td>City: Boise</td>
<td></td>
</tr>
<tr>
<td>State: ID</td>
<td>Zip: 83714</td>
<td></td>
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<tr>
<td>E-mail: <a href="mailto:josh@sawtoothls.com">josh@sawtoothls.com</a></td>
<td>Cell: 2089410877</td>
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<tr>
<td>Fax:</td>
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**Attachment:** PZ_Project Report.October.5, 2020_SOS20-00026 (SOS20-00026 / Sawtooth Land Surveying LLC)

www.cityofboise.org/pds

City of Boise Planning & Development Services
P.O. Box 500 • 150 N. Capitol Blvd • Boise, Idaho 83701-0500
Phone 208/384 3830 • Fax 208/384 3814 • TDD/TTY 800/337 3529
1. **Associated Subdivision/Condominium Name:** ROS20-00060

2. **Please list all sections of the Subdivision Ordinance to be waived:** 11-9-02(1)(B)(f), Specifically the requirement to

---

**Submittal Checklist**

- Completed Waiver of Subdivision Ordinance Application #204
- Documentation explaining the reason(s) for the request, including the hardship to justify the waiver. Also, please include any other materials that may help to demonstrate the relief sought by this request.
- Legal description of property. (Not applicable if submitted with a subdivision plat)
- Scaled drawing showing the property affected by the requested waiver. (Not applicable if submitted with a subdivision plat)
- Vicinity Map of the property and surrounding area. (Map must show at least 600' beyond property drawn at a scale of 1"=300' or larger.)
- Processing fee.

---

**The following items must be submitted with this application:**
Completed Waiver of Subdivision Ordinance Checklist and all required documents, maps and fees.

---

Applicant/Representative Signature

---

Date: 8-14-20
Planning Division Project Report

File Number: SOS20-00026
Applicant: Sawtooth Land Surveying LLC
Property Address: 9798 W. Arnold Road

Public Hearing Date: October 5, 2020
Heard by: Planning and Zoning Commission

Analyst: David Moser, Associate Planner
Reviewed By: Céline Acord, Current Planning Manager

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7. Recommendation ................................................................. 5

Exhibits
Agency Comments

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<td><strong>Procedure</strong></td>
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**Current Land Use**

Single-Family Home

**Description of Applicant’s Request**

A Waiver to the Subdivision Ordinance requirement to construct sidewalk as part of a Property Line Adjustment.

2. Land Use

**Description and Character of Surrounding Area**

The area is comprised mostly of detached single-family homes.

**Adjacent Land Uses and Zoning**

<table>
<thead>
<tr>
<th>North</th>
<th>Optimist Youth Sports Complex / A-1 (Open Land)</th>
</tr>
</thead>
<tbody>
<tr>
<td>South</td>
<td>Arnold Road then Single-Family Dwellings / R-1C</td>
</tr>
<tr>
<td>East</td>
<td>Single-Family Dwelling / R-1C</td>
</tr>
<tr>
<td>West</td>
<td>Single-Family Dwelling / R-1C</td>
</tr>
</tbody>
</table>

**History of Previous Actions**

| ROS20-00060      | Property Line Adjustment – Approved with conditions to construct sidewalk along Arnold Road abutting the site. |
3. Development Code *(Boise City Code Title 11)*

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-09-02</td>
<td>Records of Survey</td>
</tr>
<tr>
<td>11-09-05</td>
<td>Modifications and Waivers</td>
</tr>
</tbody>
</table>

4. Comprehensive Plan *(Blueprint Boise)*

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<th>Chapter</th>
<th>Goals, Objectives &amp; Policies</th>
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</thead>
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<tr>
<td>Chapter 2: Citywide Vision and Policies</td>
<td>Policy CC7.1(a)</td>
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<tr>
<td></td>
<td>Policy CC7.1(b)</td>
</tr>
<tr>
<td>Chapter 3: Community Structure and Design</td>
<td>Principle GDP-N.1(a)</td>
</tr>
<tr>
<td></td>
<td>Principle GDP-N.1(d)</td>
</tr>
</tbody>
</table>

5. Agency Comments

The Ada County Highway District (ACHD) stated they have no comments with this sidewalk waiver request application. However, the ACHD did comment on the associated record of survey and detailed the location of where the sidewalk should be constructed if required by the City of Boise.

6. Analysis

On June 23, 2020, the applicant submitted a Property Line Adjustment (ROS20-00060) to create two buildable parcels at 9798 W Arnold Road, which is not currently improved with sidewalk, curb and gutter as it abuts the subject property. Section 11-09-02.1.B(1)(f) of the Development Code states: "Sidewalks shall be installed if sidewalk exists on adjoining property. If the property line adjustment is not creating additional buildable parcels or adjusting lines for substandard lots, a waiver or variation may be granted by the Director based upon site-specific conditions." As such, a condition of approval within the Property Line Adjustment required the applicant construct sidewalk abutting the subject property prior to the Planning Director’s signature of the Mylar.

On August 19, 2020, the applicant requested a waiver to not install sidewalk.
Section 11-09-05.1.E of the Development Code allows the Planning & Zoning Commission to issue a waiver of the requirements to install street improvements when it is required for a Record of Survey provided the property is of such unusual size or shape or is surrounded by such developments or has unusual conditions that the strict application of these regulations would result in substantial hardship or inequity. In addition, a waiver may be granted so the applicant may develop the property in a reasonable manner, provided the quality of the development is not diminished and the public welfare and the interests of the City are protected, the general intent and spirit of these regulations are preserved and conformity to the Comprehensive Plan is assured. As such, the applicant identified several justifications for the waiver request. These include the cost of sidewalk construction, the relocation of the irrigation ditch, the removal on the existing fencing and the loss of trees. The sidewalk placement and the relocation of the irrigation facility would be similar to what occurred on the adjacent property to the east. The photographs below show the existing sidewalk and irrigation box on the adjacent property and irrigation ditch on the subject property. The requested street and irrigation improvements would connect into these existing facilities on the adjacent site. In addition, the sidewalk improvements could result in the loss four trees onsite.
The Planning Team cannot find where the requirement to install sidewalk along Arnold Road would result in a hardship. The abutting property to the east was recently subdivided with a minor land division (ROS17-00059) in 2017 and sidewalks were installed as part of this record of survey. In addition, full street improvements (curb, gutter and sidewalk) were required with the other developments to the south and east along Arnold Road and Ulmer Street. Granting of the waiver of sidewalk requirements would diminish the quality of the neighborhood by not providing a safe place for pedestrians to walk.

The construction of sidewalk along Arnold Road will connect into the existing pedestrian improvements adjacent to the east of the site. There are several Comprehensive Plan Policies that support and encourage the construction of sidewalks. Principle GDP-N.1(a) encourages a continuous network of sidewalks, bicycle, and pedestrian paths, and roadways to connect different areas of neighborhoods. Principle GDP-N.1(d) calls for working with neighborhood residents to improve connectivity in established neighborhoods where sidewalks are absent or incomplete. Policy CC7.1(a) encourages walking for a wide variety of trips by adding sidewalk connections and requiring sidewalks as part of development approvals.

7. Recommendation
The Planning Team recommends denial of the request to waive sidewalk requirements.
July 14, 2020

To: Sawtooth Land Surveying, LLC (via email)
    Joshua Beach
    2030 S Washington Avenue
    Emmett, ID 83617

Subject: BOI20-0290/ ROS20-00060
   9798 W Arnold Road
   Minor Land Division to create 2 residential lots

A. Findings of Fact

1. Improvements – Arnold Road

   a. Existing Conditions: Arnold Road is improved with 2-travel lanes, 25-feet of
      pavement, and no curb, gutter or sidewalk abutting the site. There is 50-feet of
      right-of-way for Arnold Road (25-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 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.

      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.

c. **Staff Comments/Recommendations:**
ACHD does not require frontage improvements for this type of development application.

- If the City of Boise requires roadway improvements as part of this application, the applicant should construct Arnold Road as a 33-foot street section with curb, gutter, and 5-foot wide concrete sidewalk and tie into existing conditions to the east. The applicant should submit engineered drawings to ACHD for review and approval prior to construction.

- If only sidewalk is required by the City of Boise, ACHD will require it to be placed in the ultimate location for a detached sidewalk, assuming a future 33-foot street section. The 5-foot wide concrete sidewalk should be located a minimum of 16.5-feet from the centerline of the street (measured from centerline to front face of sidewalk). If the sidewalk is located behind the existing right-of-way line, the applicant should provide a sidewalk easement. The applicant should submit engineered drawings to ACHD for review and approval prior to construction.

2. **Driveways – Arnold Road**
   a. **Existing Conditions:** There is an existing improved driveway onto Arnold Road located approximately 80-feet east of the west property line.

   b. **Policy**
   **Successive Driveways:** District Policy 7207.4.1 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 Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.4.3, 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.

   c. **Staff Comments/Recommendations:** The applicant has not indicated any additional driveways as part of this application. The existing driveway is approved.
If, an additional driveway is necessary to serve the additional lot, then the applicant should be required to pave the driveway its full width and at least 30-feet into the site from the edge of pavement of Arnold Road.

B. Site Specific Conditions of Approval for Driveways
1. If an additional driveway onto Arnold Road is necessary to serve the additional lot, pave the driveway its full width and at least 30-feet into the site from the edge of pavement of Arnold Road.
2. Submit engineered drawings to ACHD Development Services for review and approval prior to construction. If there are no frontage improvements required by ACHD or the City of Boise, the applicant may submit a Driveway Approach Permit in lieu of engineered drawings prior for construction of the driveway(s).
3. A Traffic Impact Fee may be assessed by ACHD and will be due prior to issuance of a building permit. Please contact the ACHD Planner for information regarding impact fees.
4. Comply with the Standard Conditions of Approval as noted below.

C. Site Specific Conditions of Approval for Roadway Improvements, if required by the City of Boise
1. If the City of Boise requires roadway improvements as part of this application, the applicant shall construct Arnold Road as a 33-foot street section with curb, gutter, and 5-foot wide concrete sidewalk and tie into existing improvements to the east.
2. If only sidewalk is required by the City of Boise, ACHD will require it to be placed in the ultimate location for a detached sidewalk, assuming a future 33-foot street section. The 5-foot wide concrete sidewalk should be located a minimum of 16.5-feet from the centerline of the street (measured from centerline to front face of sidewalk). If the sidewalk is located behind the existing right-of-way line, the applicant should provide a sidewalk easement.
3. Submit engineering drawings for the frontage improvements to ACHD Development Services for review and approval prior to construction.
4. A Traffic Impact Fee may be assessed by ACHD and will be due prior to issuance of a building permit. Please contact the ACHD Planner for information regarding impact fees.
5. Comply with the Standard Conditions of Approval as noted below.

D. Traffic Information
Trip Generation
This development is estimated to generate 9 additional vehicle trips per day (9 existing); and 1 additional vehicle trips per hour in the PM peak hour (1 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 10th edition.

Condition of Area Roadways: Traffic Count is based on Vehicles per hour (VPH)

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Frontage</th>
<th>Functional Classification</th>
<th>PM Peak Hour Traffic Count</th>
<th>PM Peak Hour Level of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Horseshoe Bend Road (2/3 lanes)</td>
<td>0-feet</td>
<td>Collector</td>
<td>415</td>
<td>Better than “D”</td>
</tr>
<tr>
<td>Arnold Road</td>
<td>240-feet</td>
<td>Local</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Ada County Highway District • 3775 Adams Street • Garden City, ID • 83714 • PH 208-387-6100 • FX 345-7650 • www.achdidaho.org
* Acceptable level of service for a two-lane collector is “D” (425 VPH).
* Acceptable level of service for a three-lane collector is “D” (530 VPH).

**Average Daily Traffic Count (VDT):** Average daily traffic counts are based on ACHD’s most current traffic counts
- The average daily traffic count for Horseshoe Bend Road south of Hill Road was 7,527 on 10/10/2018.
- There are no current traffic counts for Arnold Road.

**E. Attachments**
1. Vicinity Map
2. Site Plan
3. Standard Conditions of Approval
4. Appeal Guidelines
If you have any questions, please feel free to contact me at (208) 387-6171.

Sincerely,

*Stacey Yarrington*

Stacey Yarrington  
Planner III  
Development Services  

cc:  
Project File  
City of Boise
Hi David,
ACHD does not have any comments on this application.
Thanks,

Stacey Yarrington
Planner III
Ada County Highway District
PH: 208.387.6171 (direct)

Development & Technical Services is now located at 1301 N Orchard Street, Ste. 200
Upon development of the property, connection to central sanitary sewer is required for each lot. Sewers are available in W. Arnold Road.

Prior to granting of final sewer construction plan approval, all requirements by Boise City Planning and Development Services must be met.

If you have any further questions, please contact Mike Sheppard at 608-7504.
Date: 2 September 2020

To: Planning and Development Services

From: Tom Marshall, Street Light Program Technician
Public Works Engineering

Subject: Street Light Comments
SOS20-00026: 9798 W Arnold Rd.

No comment.

If you have any questions, contact Tom Marshall at 208-608-7526 or tmarshall@cityofboise.org.
CVA20-00035 / Marks Land Surveying, LLC

Summary
Variance to the rear yard setback for an existing single-family home on 0.28 acres located at 1801 S Leadville Ave. in an R-2 (Medium Density Residential) zone.

Prepared By
Kevin Holmes, Associate Planner

Recommendation
Denial

Reason for the Decision
The proposal does not comply with Boise City Development Code Section 11-03-04.14 (Variance). The existence of a public utility easement on the property is not unique to this property. In addition, the circumstances related to the sewer easement do not limit the buildable area of the proposed lot below what is found throughout the neighborhood on similar sized lots. This is new construction and the design of the proposed duplex could be modified to meet the Development Code where no variance would be necessary. Approval of this variance may create a precedence for neighboring properties, which may also be considered materially detrimental to the public health, safety or welfare, or injurious to the property or improvements of other property owners or the quiet enjoyment thereof.

Granting of the variance is in conflict with the Comprehensive Plan which encourages the use of complementary setbacks as part of infill and redevelopment projects to ensure compatibility with the surrounding homes (Principles IDP-N.1 & IDP-N.2).

This report includes information available on the Boise City Website. The entire public record, including additional documents, can be viewed through the Permitting and Licensing Portal.
Vicinity Map
SITE RECAP

TOTAL PARCEL AREA: 14,815 SQ. FT. (0.34 ACRES)

CITY ZONING: R-2

SETBACK INFORMATION:
- FRONT SETBACK: 20'
- SIDE SETBACK: 5'
- REAR SETBACK: 15'

SITE Recap

N89°57'50"W 148.35'
79.85'

WILLIAMS STREET

EXISTING BUILDING TO BE REMOVED

20'-0" (FRONT SETBACK)
5'-0" (SIDE SETBACK)
15'-0" (REAR SETBACK)

PROPOSED DUPLEX
(1,877 S.F.)

5'-0" (SIDE SETBACK)
10'-0" (REAR SETBACK)

PARCEL A
0.15 ACRES
6,805 S.F.

PARCEL B
0.18 ACRES
8,010 S.F.

S LEADVILLE AVENUE
June 30, 2020

Boise City Planning & Zoning
150 N. Capitol Blvd.
Boise, Idaho 83701-0500

RE: Rear Setback Variance

To whom it may concern:

Matthew Solomon and Natasha Desai are the owners of the parcel at 1801 S. Leadville Avenue. They are applying for a Property Line Adjustment as shown on the attached drawing. Parcel A is incumbered by a city sewer line which is approximately 16’ east of the west property line. This sewer line is limiting the buildable area for Parcel A. As shown on the attached drawing, Parcel A will have a 20-foot side setback on the west and a 5-foot side setback on the east. Parcel B would need to have a 10-foot rear setback for this configuration to work. The owners are seeking a rear yard setback variance reducing the setback from 15’ to 10’ on the new Parcel B. Reducing the rear setback of Parcel B would allow for a buildable Parcel A.

If you have any questions or need additional information regarding this Variance, please contact my office.

Best regards,

Colleen Marks, LS
Property Information

Address
Street Number: 1801
Prefix: S
Street Name: LEADVILLE AVE
Subdivision name: LONDONERS 1ST SUB
Block: 54
Lot: 1
Section: 14
Township: 3
Range: 2
Zoning: R-2
Parcel Number: R5315002820
Additional Parcel Numbers:

Primary Contact
Who is responsible for receiving e-mail, uploading files and communicating with Boise City?
○ Agent/Representative  ○ Applicant  ○ Owner

Applicant Information
First Name: MATTHEW SOLOMON
Last Name: NATASHA DESAI
Company:
Address: 2400 SCOUT RD.
City: OAKLAND
State: CA
Zip: 94611
E-mail: mattso@gmail.com
Phone Number: (510) 368-1612
Cell: Fax:

Agent/Representative Information
Role Type: ○ Architect  ○ Land Developer  ○ Engineer  ○ Contractor  ○ Other
First Name: COLLEEN
Last Name: MARKS
Company: Marks Land Surveying LLC
Address: 2995 N. Cole Road Ste. 240
City: Boise
State: ID
Zip: 83704
E-mail: cmarks@markslandsurveying.com
Phone Number: (208) 378-7703
Cell: Fax:

Owner Information
Same as Applicant?  ○ No  ○ Yes  (If yes, leave this section blank)
First Name:
Last Name:
Company:
Address:
City:
State:
Zip:
E-mail:
Phone Number:
Cell:
Fax:
4. This application is a request to construct, add or change the use of the property as follows:  
PROPERTY LINE ADJUSTMENT TO CREATE AN EAST & WEST PARCEL

5. Size of Property:  
0.34 Acres

6. What Ordinance standards are you requesting a variance from:  
REAR YARD SETBACK

7. What special circumstances or conditions apply to the land or use which do not generally apply to other lands or uses in the same zone or vicinity?  
CITY SEWER LINE RUNS ALONG WEST 20’ OF PARCEL

8. Why is a variance necessary for the enjoyment of your rights as a property owner?  
TO MAXIMIZE THE BUILDING ENVELOPE OF THE WEST PARCEL WHICH IS ENCUMBERED BY A SEWER LINE ALONG WEST 20’

9. Explain why this variance will not adversely affect the health, safety, or general welfare of the persons residing or working in the vicinity of the property.  
HAS NO IMPACT TO SURROUNDING PROPERTIES

10. Explain any hardships associated with the property that were not the result of your own actions or were not known to you prior to the purchase or development of the property.

11. Adjacent property information:  
<table>
<thead>
<tr>
<th>Building types and/or uses</th>
<th>Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>North: RESIDENTIAL</td>
<td>North:</td>
</tr>
<tr>
<td>South: RESIDENTIAL</td>
<td>South:</td>
</tr>
<tr>
<td>East: RESIDENTIAL</td>
<td>East:</td>
</tr>
<tr>
<td>West: COMMERCIAL</td>
<td>West:</td>
</tr>
</tbody>
</table>

12. Any additional comments?

The undersigned declares that the above provided information is true and accurate. The undersigned acknowledges that failure to provide true and accurate information may result in rejection of this application, possible revocation of the permit where wrongfully issued and subject the undersigned any applicable civil and/or criminal penalties.

Agent/Representative Signature:  

Date:  

Attachment: PZ_Project Report_October 5, 2020_CVA20-00035 (CVA20-00035 / Marks Land Surveying, LLC)
Planning Division Project Report

File Number: CVA20-00035
Applicant: Marks Land Surveying, LLC
Property Address: 1801 S Leadville Ave

Public Hearing Date: October 5, 2020
Heard by: Planning and Zoning Commission
Analyst: Kevin Holmes, Associate Planner
Reviewed By: Céline Acord, Current Planning Manager

Public Notification
Neighborhood meeting conducted on: July 27, 2020
Radius notices mailed to properties within 300 feet on: September 18, 2020
Newspaper notification published on: September 18, 2020
Applicant posted notice on site on: September 15, 2020

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1. Project Data and Facts .......................................................... 2
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3. Project Proposal ................................................................. 3
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5. Comprehensive Plan ............................................................ 3
6. Transportation Data ............................................................. 4
7. Analysis ........................................................................... 4
8. Approval Criteria ............................................................... 5
1. Project Data and Facts

<table>
<thead>
<tr>
<th>Project Data</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner</td>
<td>Matthew Solomon &amp; Natasha Desai</td>
</tr>
<tr>
<td>Location of Property</td>
<td>1801 S Leadville Ave</td>
</tr>
<tr>
<td>Size of Property</td>
<td>0.28 acres</td>
</tr>
<tr>
<td>Zoning</td>
<td>R-2 (Medium Density Residential)</td>
</tr>
<tr>
<td>Land Use Designation</td>
<td>Compact</td>
</tr>
<tr>
<td>Planning Area</td>
<td>Southeast</td>
</tr>
<tr>
<td>Neighborhood Assoc./Contact</td>
<td>Southeast / Fred Fritchman</td>
</tr>
<tr>
<td>Procedure</td>
<td>The Planning and Zoning Commission renders a final decision that can be appealed to City Council.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Current Land Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family home with an accessory dwelling unit.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description of Applicant's Request</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A variance to encroach 5-feet into the rear yard setback for an existing single-family home related to a proposed property line adjustment and new construction of a duplex.</td>
<td></td>
</tr>
</tbody>
</table>

2. Land Use

<table>
<thead>
<tr>
<th>Description and Character of Surrounding Area</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The area consists of detached single-family homes, townhomes, and duplexes. The Broadway and Boise Ave Community Activity Center lies approximately 600 feet to the southwest.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Adjacent Land Uses and Zoning</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>W Williams St, then Single-Family Dwellings / R-2</td>
</tr>
<tr>
<td>South</td>
<td>Single-Family Dwelling / R-2</td>
</tr>
<tr>
<td>East</td>
<td>S Leadville Ave, then Attached Single-Family Dwellings / R-2</td>
</tr>
<tr>
<td>West</td>
<td>Duplex and Parking Associated with Commercial Uses / R-2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>History of Previous Actions</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Special Considerations</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td></td>
</tr>
</tbody>
</table>
3. Project Proposal

Structure(s) Design

<table>
<thead>
<tr>
<th>Number and Proposed Use of Buildings</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Existing:</strong> 2,674-square foot single-family home with an accessory dwelling unit and attached garage.</td>
</tr>
<tr>
<td><strong>Proposed:</strong> 1,877-square foot duplex with two single-car garages and surface parking.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of Stories / Maximum Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Both the existing home and proposed duplex are two-stories in height and under the 35-foot maximum height allowed.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fencing</th>
</tr>
</thead>
<tbody>
<tr>
<td>A 6-foot tall wood fence surrounds the existing backyard.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>The existing single-family home has a two-car garage. The proposed duplex is to have two single-car garages and two surface parking spaces.</td>
</tr>
</tbody>
</table>

Setbacks (Single-Family Home)

<table>
<thead>
<tr>
<th>Yard</th>
<th>Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front (Leadville Ave)</td>
<td>15’ living / 20’ garage</td>
<td>30’</td>
</tr>
<tr>
<td>Street Side (Williams St)</td>
<td>15’ living / 20’ garage</td>
<td>6’ (existing, not to change)</td>
</tr>
<tr>
<td>Side (south)</td>
<td>5’</td>
<td>20’</td>
</tr>
<tr>
<td>Rear (west)</td>
<td>15’</td>
<td>10’*</td>
</tr>
</tbody>
</table>

*Subject of the variance request.

4. Development Code (Boise City Code Title 11)

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-03-04.14</td>
<td>Variance</td>
</tr>
<tr>
<td>11-04-03</td>
<td>Residential Districts</td>
</tr>
<tr>
<td>11-06-03.1.B</td>
<td>Duplex Design Standards</td>
</tr>
<tr>
<td>11-09-01.1.B</td>
<td>Property Line Adjustment</td>
</tr>
</tbody>
</table>

5. Comprehensive Plan (Blueprint Boise)

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Goals, Objectives &amp; Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter 3: Community Structure and Design</td>
<td>Principle IDP-N.1</td>
</tr>
<tr>
<td></td>
<td>Principle IDP-N.2</td>
</tr>
</tbody>
</table>
6. Transportation Data
The Ada County Highway District (ACHD) had no comments as this request is internal to the site and will not affect the established traffic patterns.

7. Analysis
The applicant is requesting a variance for an existing single-family home to encroach into the rear yard setback in relation to a proposed property line adjustment and the construction of a duplex on 0.28 acres located at 1801 S Leadville Ave in an R-2 (Medium Density Residential) zone. The subject property consists of four original lots of record, the applicant plans to adjust one of these property lines to create two buildable parcels through a property line adjustment application in the future. As shown in the site plan below, the goal of the applicant is to construct a new duplex on the western parcel while retaining the existing home to the east.

Due to the size and design of the desired duplex, this conceptual plan proposes the adjusted property line to be 10-feet from the existing home. This is 5-feet closer than the 15-feet required by the Development Code for a rear-yard setback in the R-2 zone. The applicant identifies a 20-foot wide sewer easement along the western property line as a characteristic of the site creating an undue hardship and thus justifying the variance.
The Planning Team cannot identify a hardship or exceptional circumstance associated with the property. This is new construction and redevelopment on a property which can support two parcels exceeding all the minimum dimensional standards of the zone.

<table>
<thead>
<tr>
<th>Minimum Standards of R-2</th>
<th>Lot Area</th>
<th>Average Lot Width</th>
<th>Buildable Envelope</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5,000 square-feet</td>
<td>50-feet Minimum</td>
<td>2,800 square-feet</td>
</tr>
</tbody>
</table>

Public utility easements are found throughout the City on residential properties and this particular easement does not create a buildable envelope smaller than is found on many properties in this neighborhood, as shown in the above table. The size and design of the desired duplex is driving the need for a variance, not any characteristics of the site. With the submitted site plan, it is not the sewer easement that is constraining but rather the dimensions needed for backup space out of the garages (22-feet) and landscape buffer to neighboring property (5-feet). Reducing the width of the duplex by 5-feet would eliminate the necessity for a variance. In addition, there is 5-feet of buildable space outside of setbacks to the north and 11-feet to the south which would allow a comparable sized duplex to be built.

Approval of this variance may set a precedence and encourage other redeveloping properties to seek variances rather than design homes which fit inside the established dimensional standards of a zoning district.

In conclusion, the Planning Team is recommending **denial** of the application. In order to obtain approval, the Planning Team recommends the applicant adjust the property line to a location which complies with all setbacks and revise the design of the duplex to fit within the associated building envelope. As outlined below, the project does not comply with the findings required for approval of a variance.

**8. Approval Criteria**

**Variance (Section 11-03-04.14)**
A variance may be granted when it is found that:

i. There is either a hardship associated with the property itself or an exceptional circumstance relating to the intended use of the property that is not generally applicable in the district;

The Planning Team cannot identify a hardship or exceptional circumstance associated with the property that is not generally applicable in the district. The applicant argues that there is 20-foot sewer easement along the western property line which creates an undue hardship. Public utility easements are found throughout the City on residential properties and this particular easement does not create a
buildable envelope smaller than is found on many properties in this neighborhood. Should the property line be adjusted so no variance is required, a 43-foot by 70-foot building envelope exists, allowing a 3,010 square-foot building footprint. This is comparable to any lot in the R-2 zoning district which meets the minimum dimensional standards (5,000 square-foot area and width of 50-feet) which would have a 40-foot by 70-foot building envelope.

ii. **Granting of the variance will not be in conflict with the Comprehensive Plan and will not affect a change in zoning; and,**

Granting of the variance is in conflict with the Comprehensive Plan which encourages the use of complementary setbacks as part of infill and redevelopment projects to ensure compatibility with the surrounding homes (Principles IDP-N.1 & Principle IDP-N.2). The design can be modified to meet the Development Code and no longer require a variance.

iii. **Granting of the variance will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements of other property owners, or the quiet enjoyment thereof.**

The variance may be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements of other property owners or the quiet enjoyment thereof. As proposed, the new duplex would be only 15’ from the rear of the existing single-family home, less than envisioned for rear yards the R-2 zoning district. Without the requested variance, an adequate building envelope exists on this property to still accommodate a duplex of the size envisioned by the applicant. Approval of this variance may set a precedence and encourage other redeveloping properties to seek variances rather than design homes which fit inside the established dimensional standards of the zone.
CUP20-00031 / Darigold, Inc.

Summary
The applicant is requesting a conditional use permit for a height exception for three boiler stacks associated with an existing milk processing and bottling facility on 5.94 acres located at 618 N Allumbaugh Street in a M-1D (Light Industrial with Design Review) zone.

Prepared By
Ethan Mansfield, Associate Planner

Recommendation
Approval with conditions

Reason for the Decision
The request for a height exception to install 3 boiler stacks complies with the approval criteria of a Conditional Use Permit (Boise City Code Section 11-03-04.6). The expansion reflects the uses and character of the existing neighborhood. The boiler stacks are not a departure from the milk processing and bottling use that has existed on site since 1933; and this use is allowed in the M-1D zone. The new boiler stack would not exceed the height of a previously permitted storage tank that currently exists on the northwest corner of the site. Comments received from other agencies suggest that the expansion will not place an undue burden on transportation and other public facilities. With a conditional use permit allowing a height exception for three boiler stacks, the site is large enough to accommodate the expansion. The existing use and previously-approved expansion are allowed uses and meet all the dimensional requirements within the M-1D zone. The taller stacks will not adversely affect other property in the vicinity. Increasing the height of the boiler stacks will not increase the level of noise nor amount of smell emanating from the facility above what currently exists or is permitted by right. The proposed use is in compliance with and supports the goals, objectives, and principles of the Comprehensive Plan. The expansion of the milk processing and bottling facility is supported by Principle EC3.1. In addition, the purpose of the increased stack height is to comply with Idaho Department of Environmental Quality’s control measures necessary to protect the region’s air quality (Goal ES1.3).

This report includes information available on the Boise City Website. The entire public record, including additional documents, can be viewed through Boise’s Permitting & Licensing Portal.
Detailed Letter of Explanation

Project Summary
This project is located at 618 N. Allumbaugh St. parcel number R1009000210. Darigold, Inc. is proposing to modify the facility by installing new low NOx burners in two existing boilers and extending their discharge stacks vertically from 43 ft. and 38 ft. total height to both stacks being 72 ft. total height from finished grade level. One stack is 24 inches in diameter and the other stack is 20 inches in diameter. The height of both stacks would be the same as 3 tall milk silos that were installed in 2010 and are located immediately to the North of the boiler stacks. The boilers produce emissions associated with natural gas combustion and extending the stacks is necessary to better disperse those emissions. The increased dispersion reduces the potential for exposure in areas around the plant (i.e. roadways and sidewalks) ensuring that all Idaho air regulations are satisfied. Also, Darigold is adding a new boiler that will have a stack height of 62 ft. and 28 inches in diameter and is located on the southeast side of the processing facility (as shown in the included diagram). There is a large plant expansion project occurring at the same time which has already gone through design review and obtained necessary building permits, etc., this is specifically to address the stack heights.

Background and Reason for the Project
The Darigold Boise facility is a milk processing and bottling facility that operates 24 hours per day, 365 days per year and is located at 618 N. Allumbaugh St. in Ada County. Process steam and hot water are supplied by boilers, all of which are fired on natural gas. Ada County is designated as an attainment area for all criteria air pollutants. Land use in the area is a mix of light-moderate industrial, commercial, residential, metropolitan natural, and undeveloped.

Darigold is proposing to modify the Boise facility by adding a natural gas boiler, ten (10) small air heaters, and a sanitary bottle filler. The boiler and air heaters produce emissions associated with natural gas combustion. The filler is sanitized with hydrogen peroxide (H₂O₂), and exhausts outside the building. This new equipment raises the total facility air emissions above exempted levels. Therefore, the entire facility will, for the first time be required to have an air permit (PTC). The post-project facility wide potential to emit (PTE), as well as an analysis of which pollutants must undergo an ambient air quality compliance demonstration was calculated and their dispersion into the air around the facility was modelled to demonstrate all emissions to be below National Air Quality Standards.

Idaho Department of Environmental Quality (DEQ) is the state agency delegated by the federal government to issue air quality permits in Idaho. Permits are required by the federal Clean Air Act and set the conditions under which facilities that generate air pollution may operate. The purpose of permits is to ensure compliance with all state and federal air pollution control rules, which are designed to protect public health and the environment.

Air quality dispersion modeling is used to estimate concentrations of pollutants that new (or existing) emissions sources may emit. Idaho requires air modeling to demonstrate compliance with the National Ambient Air Quality Standards (NAAQS), toxic air pollutant (TAP) standards, and Prevention of Significant Deterioration (PSD) increments. The Environmental Protection Agency (EPA) is responsible for promoting the use of modeling procedures to fit the form of the 1-hour probabilistic National Ambient Air Quality Standards (NAAQS) for NO₂ and for SO₂.

Dispersion modeling plays a central role in the U.S. air quality management regulatory program. It is used in assessing air quality impacts for federal, regional, state, and local permitting and relies on EPA models and guidance to do...
so. Currently, permit applications require the use of model methodologies, while EPA simultaneously uses those models to complete impact studies in support of regulatory programs.

The National Ambient Air Quality Standards (NAAQS) for NO₂ and SO₂ promulgated in 2010 are probabilistic in form as follows:

- 1-hr NO₂ NAAQS of 100 ppb, based on 98th-percentile of the annual distribution of daily maximum 1-hr values
- 1-hr SO₂ NAAQS of 75 ppb, based on 99th-percentile of the annual distribution of daily maximum 1-hr values

These 1-hour standards are quite stringent compared to the previous NAAQS for these pollutants, which had an annual averaging period for NO₂ and 3-hour, 24-hour and annual averaging periods for SO₂.

To assist regulated entities and regulatory agencies in demonstrating compliance with these standards through dispersion modeling, regulated entities can apply “creative methods” that are deemed acceptable and within the bounds of reasonable and representative source characterizations, following EPA and state guidance, and demonstrating environmental compliance. Once such method allows that if several similar emission units are located at a facility and the combined results of their individual modeled impacts occur at the same locations, some emission unit stacks may be raised, lowered, moved, or any combination thereof to spatially stratify modeled impact locations of the individual emission units and lower maximum modeled concentrations to demonstrate environmental compliance.

To that end, to achieve and demonstrate environmental compliance with air emissions from new and existing equipment it is necessary to raise the stacks of the 3 previously mentioned boilers above the 55 ft. ceiling.

Sincerely,

Scott Algate
Sr. Environmental Compliance Manager
Proposed raised boiler stacks approximate elevation.
Proposed raised boiler stacks approximate elevation
New Stacks on existing boilers concept picture.
Location of boiler stacks the height of which are being raised.

Location of new boiler stack.
Conditional Use

Conditional Use Permit

Property Information

<table>
<thead>
<tr>
<th>Street No:</th>
<th>Direction:</th>
<th>Street Name:</th>
<th>Street Type:</th>
<th>Unit Type:</th>
<th>Unit No:</th>
</tr>
</thead>
<tbody>
<tr>
<td>618</td>
<td>N</td>
<td>ALLUMBAUGH</td>
<td>ST</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Subdivision Name: BOECKS SUB

Parcel Legal Description: PAR #0210 POR LOTS 1 & 2, BOECKS SUB, PAR I & III R/S 8608, #0202-C #0222-C

Zoning District: M-1D

Parcel Number: R1009000210

Additional Parcel Numbers: M-1D

Agent/Representative Information

First Name: (Primary Contact) Scott

Last Name: Algate

Type: Onsite Contact

Company: Darigold, Inc.

Address: 618 Allumbaugh St.

City: Boise

State: ID

Zip: 83704

Email: scott.algate@darigold.com

Main Phone: (208) 420-1193

Cell Phone: (208) 420-1193

Owner Information

Name: DARIGOLD INC

Address: PO BOX 80627

City: SEATTLE

State: WA

Zip: 98108

Email: Phone:

Project Information

Project Name: (if applicable): Darigold Boiler Stacks

Project Proposal: Please provide a brief narrative of your project in the Project Proposal field, and answer all other questions to the best of your ability.

Conditional Use Permit to install 3 boiler stacks in excess of the 55 ft. ceiling.

Project Details

General
### Plans Submitted:
Electronic

### Is this a modification?:
No

### Case Number Being Modified:

### Review Authority:
Planning & Zoning Commission

### Existing Use:

### Phased Project:
No

### Explain Any Project Phases:

### Property Information

<table>
<thead>
<tr>
<th>Zoning District:</th>
<th>M-1D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property in Historic District:</td>
<td>NO</td>
</tr>
<tr>
<td>Property In Design Review Zone:</td>
<td>YES</td>
</tr>
<tr>
<td>Property In Hillside:</td>
<td>NO</td>
</tr>
<tr>
<td>Property In Floodplain:</td>
<td>NO</td>
</tr>
<tr>
<td>Flood Zone:</td>
<td>N/A</td>
</tr>
<tr>
<td>Wildland Urban Interface (WUI):</td>
<td>NO</td>
</tr>
<tr>
<td>WUI Name:</td>
<td>undefined</td>
</tr>
<tr>
<td>Airport Influence:</td>
<td>Not in Airport Influence Area</td>
</tr>
<tr>
<td>Size of Property:</td>
<td>6.04</td>
</tr>
<tr>
<td>Irrigation ditches or canals on or adjacent to property:</td>
<td>Yes</td>
</tr>
<tr>
<td>Overhead powerlines or utility lines on or adjacent to the property:</td>
<td>Yes</td>
</tr>
</tbody>
</table>

### Please describe and give the location of any hazards on the property. Hazards include canals, hazardous material spills, and soil or water contamination.:

### Child Care

<table>
<thead>
<tr>
<th>Does this project include Child Care:</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of children:</td>
<td></td>
</tr>
<tr>
<td>Indoor Child Care Area:</td>
<td></td>
</tr>
<tr>
<td>Outdoor Child Care Area:</td>
<td></td>
</tr>
</tbody>
</table>

### Total Existing Structures

<table>
<thead>
<tr>
<th>Number of Existing Structures:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Sq Ft:</td>
<td></td>
</tr>
</tbody>
</table>

### Explain Existing Structures to Remain:

<table>
<thead>
<tr>
<th>Height to Midline:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Height to Eave:</td>
<td></td>
</tr>
<tr>
<td>Height to Peak:</td>
<td></td>
</tr>
<tr>
<td>Height to Parapet:</td>
<td></td>
</tr>
</tbody>
</table>

### Existing Square Feet - Provide the square footage of any existing buildings by floor.

<table>
<thead>
<tr>
<th>Building ID:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Floor:</td>
<td></td>
</tr>
<tr>
<td><strong>Gross Square Feet:</strong></td>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
<td>--</td>
</tr>
<tr>
<td><strong>Use:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Number of Seats:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Notes:</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Existing Bedrooms And Units**

| **Total Number of Existing Units:** |  |
| **Number of Bedrooms:** |  |
| **Total Number of Existing Units to Remain:** |  |
| **Number of Units:** |  |
| **Notes:** |  |

**Total Proposed Structures**

| **Number of Proposed Structures:** | 3 |
| **Gross Sq Ft:** |  |
| **Number of Stories:** |  |
| **Height to Midline:** |  |
| **Height to Eave:** |  |
| **Height to Parapet:** |  |

**Proposed Square Feet** - Provide the square footage of any existing buildings by floor.

| **Building ID:** |  |
| **Floor:** |  |
| **Gross Square Feet:** |  |
| **Use:** |  |
| **Number of Seats:** |  |
| **Notes:** |  |

**Proposed Materials**

| **Type:** |  |
| **Materials:** |  |
| **Colors:** |  |
| **Notes:** |  |

**Proposed Bedrooms And Units**

| **Number of Bedrooms:** |  |
| **Total Number of Proposed Units:** |  |
| **Number of Units:** |  |
| **Notes:** |  |

**Project Setbacks** - Provide the required and proposed setbacks for Buildings and Parking on all sides of the property.

| **Location:** |  |
| **Proposed Building Setback:** |  |
| **Required Building Setback:** |  |
| **Proposed Parking Setback:** |  |

**Required Parking Setback:**

**Notes:**

**Parking** - If you are requesting shared parking or a parking reduction, you must submit a survey of persons using and working on the premises and any additional information demonstrating that use by the regular employees and visitors to the premises will require fewer off-street parking spaces than required by the Zoning Ordinance.

<table>
<thead>
<tr>
<th>Does this project include shared parking?</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of shared spaces:</td>
<td></td>
</tr>
<tr>
<td>Type:</td>
<td></td>
</tr>
<tr>
<td>Does this project include assigned or reserved parking?</td>
<td>No</td>
</tr>
<tr>
<td>Number of assigned or reserved spaces:</td>
<td></td>
</tr>
<tr>
<td>Proposed Spaces:</td>
<td></td>
</tr>
<tr>
<td>Does this project include parking reduction?</td>
<td>No</td>
</tr>
<tr>
<td>Number of spaces reduced from required:</td>
<td></td>
</tr>
<tr>
<td>Required Spaces:</td>
<td></td>
</tr>
<tr>
<td>Does this project include off-site parking?</td>
<td>No</td>
</tr>
<tr>
<td>Notes:</td>
<td></td>
</tr>
<tr>
<td>Number of off-site parking spaces:</td>
<td></td>
</tr>
</tbody>
</table>

**Fence** - Indicate where any proposed or existing fences are on the property.

| Existing or Proposed:                   |    |
| Location:                               |    |
| Type:                                   |    |
| Height:                                 |    |
| Notes:                                  |    |

**Fire Prevention**

| Fire Flow:                              |    |
| Is the building sprinklered?:           | Yes|
| Number of Existing Hydrants:            |    |
| Number of Proposed Hydrants:            |    |

**Public Works**

| On-Site Stormwater Retention Method:    | Shallow injection wells |
| Number of Street Lights:               |    |

**Mechanical Units** - Use this table to list the type and location of any mechanical units included in the project.

| Unit Location:                         |    |
| Type:                                  |    |
| Number of Units:                       |    |
| Height:                                |    |
| Proposed Screen Method:                |    |
| Notes:                                 |    |
Enclosures - Please list each standard enclosure and associated dimensions. Garages, indoor rooms, and non-enclosed alley access do not count as enclosures.

<table>
<thead>
<tr>
<th>Enclosure ID:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interior Enclosure Width:</td>
</tr>
<tr>
<td>Interior Enclosure Depth:</td>
</tr>
</tbody>
</table>

Solid Waste And Recycling - To receive solid waste/recycling service, access requirements must be met. The Solid Waste Design Standards can be found here: Service Location Design Standards Policy. Please provide the project details below. If assistance is needed, contact City of Boise Materials Management staff at (208) 608-7555 or (208) 608-7161.

<table>
<thead>
<tr>
<th>Service Type:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Receptacle Type:</td>
</tr>
<tr>
<td>In Standard Enclosure:</td>
</tr>
<tr>
<td>Enclosure ID:</td>
</tr>
<tr>
<td>Max. Number of Trash Receptacles:</td>
</tr>
</tbody>
</table>

Existing Structures

Row 1

<table>
<thead>
<tr>
<th>Building ID:</th>
<th>Processing Plant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Stories:</td>
<td>2</td>
</tr>
<tr>
<td>Notes:</td>
<td>various levels to the plant, silos, cooling towers, etc.</td>
</tr>
</tbody>
</table>

Proposed Structures

Row 1

<table>
<thead>
<tr>
<th>Building ID:</th>
<th>Boiler stack 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Height to Peak:</td>
<td>72' 0&quot;</td>
</tr>
<tr>
<td>Notes:</td>
<td>Boiler stack 72 ft. high</td>
</tr>
</tbody>
</table>

Row 2

<table>
<thead>
<tr>
<th>Building ID:</th>
<th>Boiler stack 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Height to Peak:</td>
<td>72' 0&quot;</td>
</tr>
<tr>
<td>Notes:</td>
<td>Boiler stack 72 ft. high</td>
</tr>
</tbody>
</table>

Row 3

<table>
<thead>
<tr>
<th>Building ID:</th>
<th>Boiler stack 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Height to Peak:</td>
<td>62' 0&quot;</td>
</tr>
<tr>
<td>Notes:</td>
<td>boiler stack 62 ft. high</td>
</tr>
</tbody>
</table>

Each planning application includes a Required Submittal Checklist. If you do not already have a current checklist, please use the links below to download the correct form for your application.

- Conditional Use Submittal Checklist
By checking this box: ☑

1. The undersigned is the owner of the indicated property or acting as the owner's authorized representative.
2. The undersigned declares that the above provided information is true and accurate, and acknowledges that failure to provide true and accurate information may result in rejection of this application, possible revocation of the permit where wrongfully issued and subject the undersigned to any applicable penalties.
3. The checked box represents a digital signature for all legal purposes as allowed by Idaho Code (Uniform Electronic Transactions Act).

This application was submitted electronically through the Permitting & Licensing Public Portal.

Signed electronically on 8/18/2020, by
Planning Division Project Report

File Number: CUP20-00031
Applicant: Darigold, Inc.
Property Address: 618 N Allumbaugh St

Public Hearing Date: October 5, 2020
Heard by: Planning & Zoning Commission

Analyst: Ethan Mansfield, Associate Planner
Reviewed By: Céline Acord, Current Planning Manager

Public Notification
Neighborhood meeting conducted on: July 30, 2020
300-foot radius notice mailed on: September 18, 2020
Newspaper notification published on: September 18, 2020
Applicant posted notice on site on: September 16, 2020

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3. Project Proposal ............................................................................................................. 3
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6. Transportation Data ........................................................................................................ 4
7. Analysis .......................................................................................................................... 4
8. Approval Criteria ............................................................................................................ 5
9. Recommended Conditions of Approval ......................................................................... 7

Exhibits
Agency Comments
1. Project Data and Facts

<table>
<thead>
<tr>
<th>Project Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner</td>
</tr>
<tr>
<td>Applicant</td>
</tr>
<tr>
<td>Location of Property</td>
</tr>
<tr>
<td>Size of Property</td>
</tr>
<tr>
<td>Zoning</td>
</tr>
<tr>
<td>Land Use Designation</td>
</tr>
<tr>
<td>Planning Area</td>
</tr>
<tr>
<td>Neighborhood Assoc./Contact</td>
</tr>
</tbody>
</table>

Procedure
The Planning and Zoning Commission renders a final decision that can be appealed to City Council.

Current Land Use
A milk processing and bottling facility with associated parking and loading areas.

Description of Applicant's Request
The applicant is requesting a conditional use permit for a height exception for two 72' boiler stacks and one 62' boiler stacks associated with an existing milk processing and bottling facility on 5.94 acres in a M-1D (Light Industrial with Design Review) zone. This is part of a larger expansion permitted by DRH18-00482.

2. Land Use

Description and Character of Surrounding Area
The neighborhood surrounding the site is a mix of industrial, office, multi-family residential, and attached single-family residential. The site is located about 200 feet southeast of I-184.

Adjacent Land Uses and Zoning

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Fairmont Street, then medical office and ambulance storage / L-OD (Limited Office with Design Review) and M-1D</td>
</tr>
<tr>
<td>South</td>
<td>Two-story multi-family residential / L-OD</td>
</tr>
<tr>
<td>East</td>
<td>Raymond Street, then medical office and townhouses / L-OD and R-2 (Medium-Density Residential)</td>
</tr>
<tr>
<td>West</td>
<td>Allumbaugh Street, then warehouse and shop / R-2</td>
</tr>
</tbody>
</table>
3. Project Proposal
The applicant proposes to replace two existing boiler stacks with two stacks that are 72'-tall and to construct a new boiler stack that is 62'-tall.

Structure(s) Design

<table>
<thead>
<tr>
<th>Existing Structures</th>
<th>Proposed Structures</th>
</tr>
</thead>
<tbody>
<tr>
<td>84,300 square-foot milk processing and bottling facility, including a 72'-tall storage tank</td>
<td>Two 72'-tall boiler stacks and one 62'-tall boiler stack</td>
</tr>
</tbody>
</table>

Maximum Height Allowed (M-1D zone)
55'

Proposed Structure Height
72' and 62'

Setbacks
The footprints of the existing structures will remain unchanged as a result of this application.
4. Development Code *(Boise City Code Title 11)*

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-03-04.06</td>
<td>Specific Procedures for Conditional Use Permit</td>
</tr>
<tr>
<td>11-04-01.3A</td>
<td>General Standards, Height Exceptions</td>
</tr>
<tr>
<td>11-04-06</td>
<td>Industrial Districts</td>
</tr>
</tbody>
</table>

5. Comprehensive Plan *(Blueprint Boise)*

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Goals, Objectives &amp; Policies</th>
</tr>
</thead>
</table>
| Chapter 2: Citywide Vision & Policies | Principle ES1.3: Regional Awareness  
Principle EC3.1: Support Existing Businesses |

6. Transportation Data

Comments received from ACHD suggest no impact to existing traffic as a result of the increased boiler stack height. The comment’s specified no site-specific conditions of approval and that no impact fee was required.

7. Analysis

The applicant is requesting a conditional use permit for a height exception for two 72'-tall boiler stacks and one 62'-tall boiler stacks associated with an existing milk processing and bottling facility on 5.94 acres in a M-1D (Light Industrial with Design Review) zone. The M-1D zone limits the height of structures to 55 feet, unless a conditional use permit for a height exception is approved. Two stacks – one standing 38'-tall and one at 43'-tall – on the northwest corner of the site will be replaced by two 72'-tall stacks. A new 62'-tall stack will be constructed on the southern portion of the existing building.
The installation of the new boiler stacks is associated with the addition of a new bottling line permitted in 2019 (DRH18-00248; BLD19-02442; BLD20-00477) which required the installation of a natural gas boiler, 10 small air heaters, and a sanitary bottle-filler. The addition of the milk bottling line and the boilers themselves are allowed by right in the M-1D zone. At issue here is simply the height of the stacks constructed to support the bottling line. The installation of the new bottling equipment will raise the facility’s emissions above levels exempted by the Idaho Department of Environmental Quality (IDEQ). To obtain a permit from IDEQ, the processing facility must comply with State and Federal air quality and environmental standards. As outlined in the applicant’s letter of intent, boiler stacks may be placed at different heights to meet these modeling criteria. Thus, the applicant proposes heights of 72’ and 62’ to meet IDEQ standards.

The height of the two tallest stacks will not exceed the height of the highest point on the existing structure, a storage tank. In addition, these stacks will be located near the silo, on the northwestern corner of the plant and away from the residential uses to the south and east. The shorter stack will be located near the southern edge of the existing structure. While this is closer to the two-story multi-family residential buildings to the south, the stack will have no impact to those residents, as the bottom 24 feet of the stack will be part of the existing building and the residential structures will remain over 100 feet from the stack. Between this and the mature trees that line the site’s southern boundary, the nearest residents may not even be able to see the new stacks from their homes. Similarly, each of the three stacks will be located on the opposite end of a permitted addition (BLD20-00477) from the townhomes to the east, which will further shield the prominence of the stacks from nearby neighbors. Increasing the height of the boiler stacks will not increase the level of noise nor amount of smell emanating from the facility above what currently exists or is permitted by right.

With the below approval criteria and conditions, the Planning Team supports the use and recommends that the Planning & Zoning Commission approve the request.

8. Approval Criteria

Conditional Use Permit (11-03-04.6)

i. The location is compatible to other uses in the general neighborhood:

The proposed expansion reflects the uses and character of the existing neighborhood. The boiler stacks are not a departure from the milk processing and bottling use that has existed on site since 1933; and this use is allowed in the M-1D zone. The new bottling line and boilers associated with the height exception request were approved via DRH18-00482. The proposed boiler stack would not exceed the height of a previously permitted storage tank that currently exists on the northwest corner of the site.
ii. **The proposed use will not place an undue burden on transportation and other public facilities in the vicinity:**

Comments received from other agencies suggest that the expansion will not place an undue burden on transportation and other public facilities. Boise City Public Works expressed no concerns with the additional stack height. ACHD confirmed that there will be no impact to traffic as a result of the increased stack height. The facility is located well outside the airport’s area of influence; thus, the stacks will not inhibit airport operations. The project also satisfies IDEQ standards for air quality monitoring, alleviating air quality concerns.

iii. **The site is large enough to accommodate the proposed use and all yards, open spaces, pathways, walls, fences, parking, loading, landscaping, and such other features as are required by this Code:**

With a conditional use permit allowing a height exception for three boiler stacks, the site is large enough to accommodate the proposed expansion. The existing use and approved expansion are allowed uses in the M-1D zone and have been permitted via Design Review (DRH18-00482) and building permits (BLD19-02442; BLD20-00447).

iv. **The proposed use, if it complies with all conditions imposed, will not adversely affect other property of the vicinity:**

The proposed use will not adversely affect other property in the vicinity. The height of the two tallest stacks will not exceed the height of the highest point on the existing structure, a storage tank. In addition, these stacks will be located near the storage tank, on the northwestern corner of the plant and away from the residential uses to the south and east. The shorter stack will be located near the southern edge of the existing structure. While this is closer to the multi-family residential to the south, the stack will have almost no impact to those residents, as the bottom 24 feet of the stack will be part of the existing building. Between this and the mature trees that line the site’s southern boundary, the nearest residents may not even be able to see the new stacks from their homes. Similarly, each of the three stacks will be located on the opposite end of a permitted addition (DRH18-00482; BLD19-02442; BLD20-00477), which will further shield the prominence of the stacks from nearby neighbors to the east. Increasing the height of the boiler stacks will not increase the level of noise nor amount of smell emanating from the facility above what currently exists or is permitted by right.

v. **The proposed use is in compliance with the Comprehensive Plan.**

The proposed use is in compliance with and supports the goals, objectives, and principles of the Comprehensive Plan. The expansion of the milk processing and bottling facility is supported by Principle EC3.1, which calls for supporting the expansion of existing businesses. By allowing the increased stack heights, the City is
coordinating with IDEQ support control measures necessary to protect the region’s air quality (Goal ES1.3).

9. Recommended Conditions of Approval

Site Specific

1. Compliance with plans and specifications submitted to and on file in the Planning and Development Services Department dated received **August 24, 2020** except as expressly modified by the following conditions:

2. The applicant shall comply with the requirements of the following agencies:
   a. Boise City Fire Department,
   b. Boise City Public Works
      i. per the Solid Waste memo dated **August 31, 2020**
      ii. per the Streetlight memo dated **September 1, 2020**,
      iii. per the Drainage memo dated **September 1, 2020**,
      iv. per the Pretreatment memo dated **September 3, 2020**,
      v. per the Sewer memo dated **September 1, 2020**.
   c. Boise City Building Department, and
   d. Ada County Highway District, report dated **September 18, 2020**.

Standard Conditions of Approval

3. This approval does not exempt the applicant from compliance with all local, state, and federal regulations where applicable by law or judicial decision.

4. Vision Triangles, as defined under Section 11-012-03 of the Boise City Code, shall remain clear of sight obstructions.

5. No change in the terms and conditions of this approval shall be valid unless in writing and signed by the applicant or their authorized representative and an authorized representative of Boise City. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon Boise City.

6. An Occupancy Permit will not be issued by the Planning and Development Services Department until all of these conditions have been met. In the event a condition(s) cannot be met by the desired date of occupancy, the Planning Director will determine whether the condition(s) is bondable or should be completed, and if determined to be bondable, a bond or other surety acceptable to Boise City will be required in the amount of 110% of the value of the condition(s) that is incomplete.
7. Any change by the applicant in the planned use of the property, which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant, or successors of interest, advise Boise City of intent to change the planned use of the property described herein, unless a variance in said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.

8. Failure to abide by any condition of this approval shall be grounds for revocation by the Boise City Planning and Zoning Commission.

9. This permit shall be valid for a period not to exceed 24 months from the date of approval by the Planning and Zoning Commission. Within this period, the holder of the permit must acquire construction permits and commence placement of permanent footings and structures on or in the ground.

10. Prior to the expiration of this permit, the Commission may, upon written request by the holder, grant a two-year time extension. A maximum of two (2) extensions may be granted.

11. To reduce the noise impact of construction on nearby residential properties, all exterior construction activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. for Saturday and Sunday. Low noise impact activities such as surveying, layout and weather protection may be performed at any time. After the structure is enclosed with exterior walls and windows, interior construction of the enclosed floors can be performed at any time.
September 18, 2020

To: Scott Algate  
Darigold, Inc.  
618 N. Allumbaugh Street  
Boise, ID 83704

Subject: BOI20-0375/ CUP20-00031  
618 N. Allumbaugh Street  
Install Boiler Stacks

In response to your request for comment, the Ada County Highway District (ACHD) staff has reviewed the submitted application and site plan for the item referenced above. It has been determined that ACHD has no site specific conditions of approval for this application.

There is No Impact Fee Due for this application and an ACHD inspection is not required.

If you have any questions, please feel free to contact me at (208) 387-6132.

Sincerely,

McKenna Roan  
Intern  
Development Services

cc: City of Boise (Ethan Mansfield), via email
To: Planning and Development Services

From: Brian Murphy, Drainage Coordinator
Public Works

Subject: CUP20-00031; Drainage/Stormwater Comments

A drainage plan must be submitted and approved by Public Works prior to issuance of a building permit.

If you have any further questions contact Brian Murphy, 384-3752.
To: Planning and Development Services

From: Brian Feather, Pretreatment Environmental Tech, 208-608-7147
Public Works

Subject: CUP20-00031; address; Pretreatment Comments

Public Works, Pretreatment offers NO COMMENT.
Date: September 1, 2020

To: Planning and Development Services

From: Mike Sheppard P.E., Civil Engineer II
Public Works Department

Subject: CUP20-00031; 618 N. Allumbaugh Street; Sewer Comments

Project is located in the West Boise Sewer District.

If you have any further questions, please contact Mike Sheppard at 608-7504.
MEMO

TO: Planning and Development Services
FROM: Randi Walkins
       Environmental Analyst
       Public Works Department
DATE: 8/31/2020
RE: Solid Waste Comments – CUP20-00031

City of Boise Solid Waste staff has reviewed the application for this project and has the following comment(s):

City of Boise Solid Waste staff has reviewed the application for this project and has no comments. Solid waste is OK as planned.

The link below provides information regarding trash enclosure design and location requirements:

https://www.cityofboise.org/media/7186/commercialenclosurerequirements.pdf

Please contact me with any questions at 208-608-7555 or rwalkins@cityofboise.org.
INTER-DEPARTMENT
CORRESPONDENCE

Date: 1 September 2020

To: Planning and Development Services

From: Tom Marshall, Street Light Program Technician
Public Works Engineering

Subject: Street Light Comments
CUP20-00031: 618 N Allumbaugh St.

No comment.

If you have any questions, contact Tom Marshall at 208-608-7526 or tmarshall@cityofboise.org.

Tom Marshall
Street Light Program Technician
Public Works Engineering
Office: (208)608-7526
tmmarshall@cityofboise.org

Making Boise the most livable city in the country.
TO: Planning and Zoning Commission
FROM: Ethan Mansfield, Associate Planner
DATE: September 28, 2020
RE: CUP20-00035 / 2655 S Broadway Avenue

PROJECT DESCRIPTION
Conditional use permit for a tire wholesale and retail center located on 7.98 acres at 2655 S Broadway Avenue in a C-2D (General Commercial with Design Review) zone.

REQUEST
Withdrawal of the application.

ATTACHMENTS
Dear Ethan,

Traffic related issues (easement) and narrow path are big concerns for us. While we were feeling struggled how manage these issues, we have learned that building requires a costly roof replacement. Morale went down, accordingly we withdrawn our offer from the Shopko building. After months of efforts, we all feel upset. Now, we need to look for other alternatives.

We apricate your help and support during the process. Please let us know if we need to send an official withdraw letter or do anything related with permit request and upcoming meeting.

Best Regards,

Murat Gocay
CTO
Taskmaster Components
muratgocay@taskmasterproducts.com
P: 903-804-0257
www.taskmasterproducts.com
CUP20-00033 / McAlvain Companies, Inc.

Summary
Conditional use permit to build a new 7,200 square foot structure for a martial arts studio on a 0.66 acre vacant lot at 2351 S Apple St in an R-2D (Medium Density Residential with Design Review Overlay) zone.

Prepared By
Crystal Rain, Associate Planner

Recommendation
Approval with conditions

Reason for the Decision
The martial arts training studio is classified as a Private Commercial School and complies with the approval criteria of B.C.C. Section 11-03-04.6.C(7)(a) (Conditional Use Permit). It is compatible with adjacent uses as it is located within an existing shopping center that is surrounded by a mix of uses including retail, commercial and residential. According to comments from other agencies, the use will not place an undue burden on transportation or other public facilities in the vicinity nor will it have an adverse effect on other properties. There is adequate vehicular and pedestrian access to and from the site and ample parking due to the shared parking arrangement for the business center. Furthermore, there are several bus stops along Apple Street that are available for employees and patrons of the facility. The proposal is also in compliance with Blueprint Boise in that it is providing a local service within walking distance of adjacent neighborhood within a designated Neighborhood Activity Center (Goal SE-CCN 1.1).

This report includes information available on the Boise City Website. The entire public record, including additional documents, can be viewed through the Permitting and Licensing Portal.
Zoning Map Legend

- Project parcel
- Boise Zoning Designation

- A-1
- C-1
- C-2
- C-3
- C-4
- L-O
- N-O
- R-1B
- R-1C
- R-2
- R-3

Attachment: PZ_Project Report_October 5, 2020_CUP20-00033 (CUP20-00033 / McAlvain Companies)
August 24, 2020

Boise City Planning & Zoning
150 N. Capitol Blvd.
P.O. Box 500
Boise, ID 83701-0500

To Whom It May Concern,

Please accept this Conditional Use Permit Application Submittal for a new Martial Arts Studio space to be located on a 0.66 acre lot in the Southeast Neighborhood Association, specifically located at 2351 S. Apple St., Boise, Idaho (Parcel Number: R8226820080). The building consists of approximately 7,200 square feet for the education of Martial Arts disciplines.

The proposed design is intended to maximize visibility from Apple Street to the existing businesses adjacent to this space without impeding with their already limited parking capacity. This building will enhance the neighborhood for many years to come.

Thank you for your positive consideration of this Conditional Use Application.

Sincerely,

Nate Heintzman
Project Manager
MARTIAL ARTS STUDIO
2351 S APPLE ST. BOISE ID, 83706
LOT #08 BLOCK #01 SURREY CROSSING BOISE, ID

First Floor Plan

SCALE: 1/8" = 1'-0"

Main Training Room
MENS LOCKER
WOMENS LOCKER
STORAGE & JANITOR
KIDS
OFFICE
OFFICE

TRAVEL TRAFFIC PATHS

WORKOUT MATS BY OWNER (6'-6 3/4" x 3'-3 3/8") TYP.

BENCH SEATING w/ CUBBIE SPACE UNDERNEATH

STAFF

OFFICE

3,500 SF
1,500 SF

OFFICE

ENTRY

LOCKERS

LOCKERS

TRAINING ROOM 2

STAFF

KIDS

OFFICE

STORAGE & JANITOR

WOMENS LOCKER

MENS LOCKER

(Main Training Area)

3.7.a Packet Pg. 338

Attachment: PZ_Project Report_October 5, 2020_CUP20-00033  (CUP20-00033 / McAlvain Companies)
### DECIDUOUS TREES

<table>
<thead>
<tr>
<th>Botanical / Common Name</th>
<th>Size</th>
<th>Mature HxW</th>
<th>Class</th>
<th>Qty</th>
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<tbody>
<tr>
<td>Acer griseum <code>Paperbark Maple</code></td>
<td>2&quot; CAL. B&amp;B</td>
<td>25<code>X15</code></td>
<td>CLASS I</td>
<td>1</td>
</tr>
<tr>
<td>Gleditsia triacanthos <code>Skyline</code></td>
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<td>Malus <code>Spring Snow</code></td>
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<td>Malus X <code>Prairifire</code></td>
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<td>CLASS I</td>
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### EVERGREEN TREES

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<tr>
<td>Cedrus deodara <code>Fuchs deodar Cedar</code></td>
<td>6<code>-8</code> B&amp;B</td>
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### EXISTING TREES

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<td>Existing Tree To Be Removed</td>
<td>Existing Varies</td>
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<tr>
<td>Existing Tree To Remain</td>
<td>Existing Varies</td>
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### SHRUBS

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<tr>
<th>Botanical / Common Name</th>
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<th>Qty</th>
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<tbody>
<tr>
<td>Caryopteris x clandonensis <code>Blue Mist</code></td>
<td>2 GAL.</td>
<td>19</td>
</tr>
<tr>
<td>Hydrangea paniculata <code>LimeLight</code></td>
<td>2 GAL.</td>
<td>6</td>
</tr>
<tr>
<td>Juniperus scopulorum <code>Blue Arrow</code></td>
<td>6<code>-8</code> B&amp;B</td>
<td>3</td>
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<tr>
<td>Rosa X <code>Double Knockout</code> (Red)</td>
<td>2 GAL.</td>
<td>10</td>
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### GRASSES

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<th>Botanical / Common Name</th>
<th>Size</th>
<th>Qty</th>
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<tr>
<td>Bouteloua gracilis <code>Blonde Ambition</code></td>
<td>1 GAL.</td>
<td>17</td>
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<tr>
<td>Calamagrostis x acutiflora <code>Karl Foerster</code></td>
<td>1 GAL.</td>
<td>35</td>
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<tr>
<td>MISCANTHUS SINENSIS <code>Morning Light</code></td>
<td>1 GAL.</td>
<td>7</td>
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<tr>
<td>Schizachyrium scoparium <code>Standing Ovation</code></td>
<td>1 GAL.</td>
<td>23</td>
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### PERENNIALS

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<th>Qty</th>
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<tr>
<td>Hemerocallis x <code>Stella de Oro</code></td>
<td>1 GAL.</td>
<td>18</td>
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<tr>
<td>Rudbeckia fulgida <code>Goldstrum</code></td>
<td>1 GAL.</td>
<td>29</td>
</tr>
<tr>
<td>Salvia nemorosa <code>May Night</code></td>
<td>1 GAL.</td>
<td>31</td>
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### OTHER

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<th>Botanical / Common Name</th>
<th>Cont.</th>
<th>Qty</th>
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<tr>
<td>Existing Shrubs and Perennials To Remain</td>
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<td>2,513</td>
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### FOUNDATION SHRUB CALCULATIONS

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<th>REQUIRED</th>
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<td>Total Shrub Plantings Req. and Prvd.</td>
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<td>74</td>
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### TREE MITIGATION CALCULATIONS

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<th></th>
<th>REQUIRED</th>
<th>PROVIDED</th>
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<tbody>
<tr>
<td>Total Mitigation Req. and Prvd.</td>
<td>14</td>
<td>14</td>
</tr>
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</table>

### GENERAL LANDSCAPE NOTES

1. The site is located near a water source. Care should be taken to ensure proper drainage and protection of the water source.

2. The planting area is adjacent to a busy road. Consider using barriers or plantings to reduce noise and pollution from the road.

3. The area is subject to periodic flooding. Ensure that the selected plants are drought-tolerant and can withstand flooding conditions.

4. The site is adjacent to a sensitive wetland area. Ensure that the selected plants do not create a habitat for invasive species.

### TREE PROTECTION NOTES

1. Tree staking and support must be installed according to the manufacturer's instructions.

2. Ensure that the selected plants do not cause root competition or damage to the tree roots.

3. The area is subject to strong winds. Consider using windbreaks or other protective measures to protect the trees.

### GENERAL IRRIGATION NOTES

1. Irrigation systems must be properly designed and installed to ensure efficient water usage and proper plant growth.

2. Ensure that the selected plants are compatible with the available irrigation systems.

### KEY NOTES (TYPICAL)

1. Planting and staking details must be clearly marked on site.

2. Ensure that all plant materials are properly identified and labeled.

3. Tree protection and support details must be clearly marked on site.

4. Irrigation systems must be properly designed and installed to ensure efficient water usage and proper plant growth.

5. Additional notes and specifications may be required by the local authorities or the site owner.
SITE IMAGES

North East Corner

North West Corner
South East Corner

South West Corner
Conditional Use Permit

Conditional Use

Property Information

<table>
<thead>
<tr>
<th>Street No:</th>
<th>Direction:</th>
<th>Street Name:</th>
<th>Street Type:</th>
<th>Unit Type:</th>
<th>Unit No:</th>
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<tbody>
<tr>
<td>2351</td>
<td>S</td>
<td>APPLE</td>
<td>ST</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Subdivision Name: SURREY CROSSING SUB

Parcel Legal Description: LOT 08 BLK 01, SURREY CROSSING SUB

Zoning District: R-2D

Parcel Number: R8226820080

Additional Parcel Numbers:

Agent/Representative Information

First Name: Tammie
Last Name: Newman
Type: Authorized Representative
Company: McLvain Companies, Inc.

Address: 5559 W. Gowen Rd.
City: Boise
State: ID
Zip: 83709

Email: tammien@mclvaine.com
Main Phone: (208) 908-5978

First Name: Pete
Last Name: Rockwell
Type: Design Professional
Company: Glancey Rockwell & Associates

Address: 1257 W. River St. Ste. 110
City: Boise
State: ID
Zip: 83702

Email: prockwell@grboise.com
Main Phone: (208) 345-0566

Applicant Information

Packet Pg. 343
First Name: Nate  Last Name: Heintzman  Type: Applicant

Company: Glancey Rockwell & Associates

Address: 1257 W. River St. Ste. 110  City: Boise  State: ID  Zip: 83702

Email: nheintzman@grboise.com  Main Phone: (208) 345-0566  Cell Phone:

Owner Information

Name: CARRIAGE CROSSING SHOPPING CENTER NORTH LLC

Address: 17 E WINCHESTER ST STE 200  City: MURRAY  State: UT  Zip: 84107

Email:  Phone:

Project Information

Project Name: (if applicable):
Martial Arts Studio

Project Proposal: Please provide a brief narrative of your project in the Project Proposal field, and answer all other questions to the best of your ability.

The planned development is a Taekwando martial arts studio. This is a stand-alone building of approximately 7,200 sf to be located in the vacant lot at the Carriage Crossing commercial center.

Project Details

General

Plans Submitted: Electronic
Is this a modification?: No
Case Number Being Modified:
Review Authority: Planning & Zoning Commission
Existing Use: Vacant Lot
Phased Project: No

Property Information

Zoning District: R-2D
Property in Historic District: NO
Property In Design Review Zone: YES
Property In Hillside: NO
Property In Floodplain: NO
Flood Zone: N/A
Wildland Urban Interface (WUI): NO
<table>
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<tr>
<th>WUI Name:</th>
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<tbody>
<tr>
<td>Airport Influence:</td>
<td>Not in Airport Influence Area</td>
</tr>
<tr>
<td>Size of Property:</td>
<td>0.66</td>
</tr>
<tr>
<td>Irrigation ditches or canals on or adjacent to property:</td>
<td>No</td>
</tr>
<tr>
<td>Overhead powerlines or utility lines on or adjacent to the property:</td>
<td>Yes</td>
</tr>
<tr>
<td>Please describe and give the location of any hazards on the property. Hazards include canals, hazardous material spills, and soil or water contamination.:</td>
<td>NA</td>
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**Child Care**

<table>
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<tr>
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<tbody>
<tr>
<td>Number of children:</td>
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<tr>
<td>Indoor Child Care Area:</td>
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<tr>
<td>Outdoor Child Care Area:</td>
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**Total Existing Structures**

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<tbody>
<tr>
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<td>Gross Sq Ft:</td>
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<td>Explain Existing Structures to Remain:</td>
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<tr>
<td>Height to Midline:</td>
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<tr>
<td>Height to Eave:</td>
<td></td>
</tr>
<tr>
<td>Height to Peak:</td>
<td></td>
</tr>
<tr>
<td>Height to Parapet:</td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td></td>
</tr>
</tbody>
</table>

**Existing Square Feet** - Provide the square footage of any existing buildings by floor.

<table>
<thead>
<tr>
<th>Building ID:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Floor:</td>
<td></td>
</tr>
<tr>
<td>Gross Square Feet:</td>
<td></td>
</tr>
<tr>
<td>Use:</td>
<td></td>
</tr>
<tr>
<td>Number of Seats:</td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td></td>
</tr>
</tbody>
</table>

**Existing Bedrooms And Units**

<table>
<thead>
<tr>
<th>Total Number of Existing Units:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Bedrooms:</td>
<td></td>
</tr>
<tr>
<td>Total Number of Existing Units to Remain:</td>
<td>0</td>
</tr>
<tr>
<td>Number of Units:</td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td></td>
</tr>
</tbody>
</table>

**Total Proposed Structures**

| Number of Proposed Structures: | 1     |
### Proposed Square Feet
- Provide the square footage of any existing buildings by floor.

<table>
<thead>
<tr>
<th>Building ID:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Floor:</td>
<td></td>
</tr>
<tr>
<td>Gross Square Feet:</td>
<td></td>
</tr>
<tr>
<td>Use:</td>
<td></td>
</tr>
<tr>
<td>Number of Seats:</td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td></td>
</tr>
</tbody>
</table>

### Proposed Materials
| Notes: |   |

### Proposed Bedrooms And Units

<table>
<thead>
<tr>
<th>Number of Bedrooms:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number of Proposed Units:</td>
<td></td>
</tr>
<tr>
<td>Number of Units:</td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td></td>
</tr>
</tbody>
</table>

### Parking
- If you are requesting shared parking or a parking reduction, you must submit a survey of persons using and working on the premises and any additional information demonstrating that use by the regular employees and visitors to the premises will require fewer off-street parking spaces than required by the Zoning Ordinance.

| Does this project include shared parking?: | No |
| Number of shared spaces: |   |
| Does this project include assigned or reserved parking?: | No |
| Number of assigned or reserved spaces: |   |
| Does this project include parking reduction?: | No |
| Number of spaces reduced from required: |   |
| Does this project include off-site parking?: | No |
| Notes: |   |
| Number of off-site parking spaces: |   |

### Fence
- Indicate where any proposed or existing fences are on the property.

| Existing or Proposed: |   |
| Location: |   |
| Type: |   |
| Height: |   |
| Notes: |   |

### Fire Prevention

| Fire Flow: | 2000 |
| Is the building sprinklered?: | Yes |
| Number of Existing Hydrants: | 1 |
| Number of Proposed Hydrants: | 0 |
### Proposed Structures

<table>
<thead>
<tr>
<th>Building ID</th>
<th>2351</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Sq Ft</td>
<td>7205</td>
</tr>
<tr>
<td>Number of Stories</td>
<td>1</td>
</tr>
<tr>
<td>Height to Midline</td>
<td>16’ 0”</td>
</tr>
<tr>
<td>Height to Peak</td>
<td>26’ 0”</td>
</tr>
<tr>
<td>Height to Parapet</td>
<td>20’ 0”</td>
</tr>
<tr>
<td>Notes</td>
<td>Parapet varies</td>
</tr>
</tbody>
</table>

### Public Works

**On-Site Stormwater Retention Method:** Retain stormwater on-site.

### Mechanical Units

- Use this table to list the type and location of any mechanical units included in the project.

<table>
<thead>
<tr>
<th>Unit Location</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Type</td>
<td></td>
</tr>
<tr>
<td>Number of Units</td>
<td></td>
</tr>
<tr>
<td>Height</td>
<td></td>
</tr>
<tr>
<td>Proposed Screen Method</td>
<td></td>
</tr>
<tr>
<td>Notes</td>
<td></td>
</tr>
</tbody>
</table>

### Enclosures

- Please list each standard enclosure and associated dimensions. Garages, indoor waste rooms, and non-enclosed alley access do not count as enclosures.

<table>
<thead>
<tr>
<th>Interior Enclosure Width</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Interior Enclosure Depth</td>
<td></td>
</tr>
</tbody>
</table>

### Solid Waste And Recycling

- To receive solid waste/recycling service, access requirements must be met. The Solid Waste Design Standards can be found here: [Service Location Design Standards Policy](https://example.com). Please provide the project details below. If assistance is needed, contact City of Boise Materials Management staff at (208) 608-7555 or (208) 608-7161.

<table>
<thead>
<tr>
<th>Max. Number of Trash Receptacles</th>
<th></th>
</tr>
</thead>
</table>
### Proposed Materials

<table>
<thead>
<tr>
<th>Row 1</th>
<th>Type:</th>
<th>Walls</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Materials:</td>
<td>Stucco</td>
</tr>
<tr>
<td></td>
<td>Colors:</td>
<td>Tan/Light Brown</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Row 2</th>
<th>Type:</th>
<th>Windows/Doors</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Materials:</td>
<td>Insulated Tinted Glazing in Bronze Anodized Aluminum Frames</td>
</tr>
<tr>
<td></td>
<td>Colors:</td>
<td>Bronze</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Row 3</th>
<th>Type:</th>
<th>Roof</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Materials:</td>
<td>TPO Membrane</td>
</tr>
<tr>
<td></td>
<td>Colors:</td>
<td>White</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Row 4</th>
<th>Type:</th>
<th>Walls</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Materials:</td>
<td>Brick at wall base</td>
</tr>
<tr>
<td></td>
<td>Colors:</td>
<td>Standard/Match adjacent brick material</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Row 5</th>
<th>Type:</th>
<th>Walls</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Materials:</td>
<td>Stone at entry columns</td>
</tr>
<tr>
<td></td>
<td>Colors:</td>
<td>Natural Earth Tones</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Row 6</th>
<th>Type:</th>
<th>Canopy/Awnings</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Materials:</td>
<td>Aluminum</td>
</tr>
<tr>
<td></td>
<td>Colors:</td>
<td>Bronze to match windows</td>
</tr>
<tr>
<td>Row</td>
<td>Location</td>
<td>Proposed Building Setback</td>
</tr>
<tr>
<td>-------</td>
<td>----------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>1</td>
<td>Street Side</td>
<td>20' 0&quot;</td>
</tr>
<tr>
<td>2</td>
<td>Front</td>
<td>20' 0&quot;</td>
</tr>
<tr>
<td>3</td>
<td>Rear</td>
<td>20' 0&quot;</td>
</tr>
<tr>
<td>4</td>
<td>Side</td>
<td>20' 0&quot;</td>
</tr>
</tbody>
</table>
Parking - Provide the number of required and proposed ADA Accessible, Bicycle, Compact and Standard Vehicle parking spaces.

<table>
<thead>
<tr>
<th>Row</th>
<th>Type</th>
<th>Proposed Spaces</th>
<th>Required Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Vehicle</td>
<td>27</td>
<td>20</td>
</tr>
<tr>
<td>2</td>
<td>Accessible</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
<td>Bike</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>

Enclosures - Please list each standard enclosure and associated dimensions. Garages, indoor waste rooms, and non-enclosed alley access do not count as enclosures.

<table>
<thead>
<tr>
<th>Enclosure ID</th>
<th>Utilizing Existing Enclosure</th>
</tr>
</thead>
</table>

Solid Waste And Recycling - To receive solid waste/recycling service, access requirements must be met. The Solid Waste Design Standards can be found here: Service Location Design Standards Policy. Please provide the project details below. If assistance is needed, contact City of Boise Materials Management staff at (208) 608-7555 or (208) 608-7161.

<table>
<thead>
<tr>
<th>Service Type</th>
<th>Trash</th>
</tr>
</thead>
<tbody>
<tr>
<td>Receptacle Type</td>
<td>8 yd Dumpster</td>
</tr>
<tr>
<td>In Standard Enclosure</td>
<td>Yes</td>
</tr>
<tr>
<td>Enclosure ID</td>
<td>Utilizing Existing Receptacle</td>
</tr>
</tbody>
</table>

Each planning application includes a Required Submittal Checklist. If you do not already have a current checklist, please use the links below to download the correct form for your application.

- Conditional Use Submittal Checklist

By checking this box: ☑️

1. The undersigned is the owner of the indicated property or acting as the owner's authorized representative.
2. The undersigned declares that the above provided information is true and accurate, and acknowledges that failure to provide true and accurate information may result in rejection of this application, possible revocation of the permit where wrongfully issued and subject the undersigned to any applicable penalties.
3. The checked box represents a digital signature for all legal purposes as allowed by Idaho Code (Uniform Electronic Transactions Act).

This application was submitted electronically through the Permitting & Licensing Public Portal.

Signed electronically on 8/24/2020, by
Planning Division Project Report

File Number CUP20-00033
Applicant Nate Heintzman / Glancey Rockwell & Associates
Property Address 2351 S Apple St.

Public Hearing Date October 5, 2020
Heard by Planning and Zoning Commission

Analyst Crystal Rain, Associate Planner
Reviewed By Céline Acord, Current Planning Manager

Public Notification
Neighborhood meeting conducted on: August 13, 2020
Radius notices mailed to properties within 300 feet on: July 30, 2020
Newspaper notification published on: September 18, 2020
Applicant posted notice on site on: September 16, 2020

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9. Recommended Conditions of Approval ......................................... 7

Exhibits
Agency Comments
1. Project Data and Facts

<table>
<thead>
<tr>
<th>Project Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner</td>
</tr>
<tr>
<td>Architect/Representative</td>
</tr>
<tr>
<td>Location of Property</td>
</tr>
<tr>
<td>Size of Property</td>
</tr>
<tr>
<td>Zoning</td>
</tr>
<tr>
<td>Land Use Designation</td>
</tr>
<tr>
<td>Planning Area</td>
</tr>
<tr>
<td>Neighborhood Assoc./Contact</td>
</tr>
<tr>
<td>Procedure</td>
</tr>
</tbody>
</table>

Current Land Use
Vacant

Description of Applicant’s Request
Conditional use permit to build a new 7,200 square foot martial arts studio on a vacant lot.

2. Land Use

Description and Character of Surrounding Area
The site is on Apple St between Boise Ave and Parkcenter Blvd and is within the “Boise Avenue–Apple Street Neighborhood Activity Center.” Various commercial uses line Apple Street with single-family and multi-family residential uses in neighborhoods to the west.

Adjacent Land Uses and Zoning

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Retail and Office / R-2D and L-OD/DA (Limited Office with Design Review and a Development Agreement)</td>
</tr>
<tr>
<td>South</td>
<td>Retail / R-2D and C-1D (Neighborhood Commercial with Design Review)</td>
</tr>
<tr>
<td>East</td>
<td>Apple St, then Retail / C-2 (General Commercial) and C-3D/DA (Service Commercial with Design Review and a Development Agreement)</td>
</tr>
<tr>
<td>West</td>
<td>Retail and Apartments / R-2D</td>
</tr>
</tbody>
</table>

History of Previous Actions

| CU-65-89 | Conditional Use Permit to construct 264 units with 20% commercial exception consisting of 3.88 acres - Approved |
3. Project Proposal

Structure(s) Design

<table>
<thead>
<tr>
<th>Proposed Buildings</th>
</tr>
</thead>
<tbody>
<tr>
<td>7,200 square foot building on vacant lot</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of Stories</th>
</tr>
</thead>
<tbody>
<tr>
<td>One story</td>
</tr>
</tbody>
</table>

Setbacks

<table>
<thead>
<tr>
<th>Yard</th>
<th>Building Required</th>
<th>Building Proposed</th>
<th>Parking Required</th>
<th>Parking Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front (Apple St.)</td>
<td>20'</td>
<td>21'4&quot;</td>
<td>20'</td>
<td>20'+</td>
</tr>
<tr>
<td>Side (north)</td>
<td>5'</td>
<td>69'</td>
<td>5'</td>
<td>9'</td>
</tr>
<tr>
<td>Side (Private street)</td>
<td>5'</td>
<td>31'</td>
<td>5'</td>
<td>12'</td>
</tr>
<tr>
<td>Rear (west)</td>
<td>15'</td>
<td>42'</td>
<td>15'</td>
<td>18'</td>
</tr>
</tbody>
</table>

Parking

<table>
<thead>
<tr>
<th>Required*</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total parking spaces:</td>
<td>11</td>
</tr>
<tr>
<td>Accessible spaces:</td>
<td>2</td>
</tr>
<tr>
<td>Compact spaces allowed:</td>
<td>4</td>
</tr>
<tr>
<td>Bicycle parking spaces:</td>
<td>1</td>
</tr>
<tr>
<td>Parking reduction requested?</td>
<td>No</td>
</tr>
</tbody>
</table>

*Required parking calculated from requirements listed for Private Commercial School use
**According to 11-07-03.1(4), the number of off-street parking spaces shall not exceed 1.75 times that which is required

4. Development Code ([Boise City Code Title 11](#))

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-03-04.06</td>
<td>Conditional Use Permit Specific Procedures</td>
</tr>
<tr>
<td>11-04-03</td>
<td>Residential Districts</td>
</tr>
<tr>
<td>11-06-01.05</td>
<td>Table of Allowed Uses</td>
</tr>
<tr>
<td>11-07-03</td>
<td>Off-Street Parking and Loading Standards</td>
</tr>
</tbody>
</table>
5. Comprehensive Plan *(Blueprint Boise)*

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Goals, Objectives &amp; Policies</th>
</tr>
</thead>
</table>
| Chapter 2: Citywide Vision & Policies | Goal SHCC 11: Promote Active Living and Healthy Lifestyles  
Goal CC1.1: Reduce Vehicle Miles Traveled |
| Chapter 3: Community Structure & Design | Principle IDP-MU.1: Mix of Uses  
Principle IDP-MU.3: Renovation of Existing Activity Centers |
| Chapter 4: Planning Area Policies | Goal SE-CCN 1.1: Designated Activity Centers |

6. Transportation Data

The Ada County Highway District (ACHD) reviewed the application and has determined no site-specific conditions or improvements are required to the adjacent street. This development is estimated to generate 25 additional vehicle trips per hour in the PM peak hour, based on the *Institute of Transportation Engineers Trip Generation Manual, 10th edition*.

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Frontage</th>
<th>Functional Classification</th>
<th>PM Peak Hour Traffic Count</th>
<th>PM Peak Hour Level of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apple St</td>
<td>145-feet</td>
<td>Minor Arterial</td>
<td>634</td>
<td>Better than “E”</td>
</tr>
</tbody>
</table>

* Acceptable level of service for a five-lane minor arterial is “E” (1,540 VPH).  
** The average daily traffic count for Apple Street south of Parkcenter Boulevard was 11,924 on 10/10/2018.

7. Analysis

The applicant is requesting a conditional use permit to build a 7,200 square foot studio for a martial arts facility on a vacant lot located at 2351 S Apple St in an R-2D (Medium Density Residential with Design Review) zone. The building will be located within the Carriage Crossing Shopping Center and is grouped with two other previously developed retail parcels. These parcels were developed as part of a large residential project in 1989, when it and the surrounding area was zoned R-2. The approval included a 20% exception for commercial use of 3.88 acres and includes the existing shopping center.

The martial arts studio will provide private instruction in the education of martial arts disciplines. The facility will include large class instruction spaces, changing rooms, and offices to support class schedules and operations. Class sizes will be limited to 30 students and will not negatively impact other properties in the vicinity as it will be located within an existing shopping center with a mix of uses. The facility will be located within the Boise Ave–Apple Street Neighborhood Activity Center which is intended to provide a mix of services and amenities to adjacent neighborhoods (Goal SE-CCN 1.1).
The three parcels currently share a total of 56 parking spaces as well as two vehicular access points, one to Apple St and one to a private road through a cross access and parking easement, which also outlines maintenance obligations. The applicant proposes to build an additional 29 parking spaces. Parking requirements for the private commercial school use is one parking space per three students. The maximum class size will be 30 students with one instructor bringing the required amount to 11. According to 11-07-03.1(4), the number of off-street parking spaces shall not exceed 1.75 times that which is required, thus the maximum parking for this use is 20. However, when considering the long-term suitability of this development in this location, a different viewpoint may provide a more efficient assessment of acceptable parking. This is a new 7,200 square foot structure in an established shopping center. Typical uses in a location like this – such as office, retail, or even commercial shopping center itself – use the rate of 1 required parking space per 300 square feet. At 7,200 square feet, that would elevate the parking minimum to 24 spaces, suggesting the proposed 29 spaces to be more aligned with the continued appropriateness of the site and overall use of the existing shopping center.

The proposed site development meets all required setbacks and height limits. The building is oriented to the street with parking behind and to the side as desired by the Citywide Design Standards. The building has been designed to be compatible with the existing structures in the shopping center. Windows, architectural features, and the main entrance face the street, creating an appealing street presence. Initial comments from the Design Review team have indicated the proposed site plan to be acceptable. The project is still conditioned to go through Design Review to ensure uniformity in development across the City and compatibility with surrounding commercial structures.

8. Approval Criteria
Conditional Use Permit (11-03-04.6.C(7)(a))

i. **The location is compatible to other uses in the general neighborhood:**

The use of the property is compatible with the general neighborhood. The proposed martial arts studio will provide a service at a convenient location for residents who live in the surrounding area. The use will be within walking distance of many retail and office uses making it convenient for nearby residents utilizing the studio. The martial arts studio will have beneficial impacts on surrounding properties as it will be located on a formerly vacant lot.

ii. **The proposed use will not place an undue burden on transportation and other public facilities in the vicinity:**

Comments received from public agencies confirm the proposed use will not place an undue burden on the transportation system or other services in the vicinity. Further, there are several bus stops along Apple St less than ¼-mile from the site. Boise City Public Works and ACHD issued standard conditions of approval.

iii. **The site is large enough to accommodate the proposed use and all yards, open spaces, pathways, walls, fences, parking, loading, landscaping, and such other features as are required by this Code:**

The site is large enough to accommodate the proposed use and meets the required setbacks of the R-2 zone. Vehicular stacking should be minimal due to two different access points to Apple St and multiple service drives within the center. The applicant proposes to add 29 additional parking spaces which is a reasonable amount when considering what is suitable for the longevity of the site and the shared uses contained within the existing shopping center. The applicant plans to landscape the setback areas along Apple and the private street with shrubs and trees. Parking lot layout and pedestrian infrastructure should prevent any stacking issues or pedestrian conflicts. Another condition of approval will require the applicant to receive Design Review approval to ensure consistency with Citywide Design Guidelines.

iv. **The proposed use, if it complies with all conditions imposed, will not adversely affect other property of the vicinity:**

The proposed use will not adversely affect other property in the vicinity. The martial arts studio will be located on a vacant lot surrounded by existing retail and office uses as well as medium and low density residential. Traffic associated with the use will be minimal as the applicant proposed to have a maximum of 30 students plus an instructor at a time. Also, there is adequate parking spaces and two vehicular access points that should avoid any stacking or pedestrian conflicts between classes.

v. **The proposed use is in compliance with the Comprehensive Plan.**
The use is supported by the Comprehensive Plan as the proposed location is within the “Boise Avenue–Apple Neighborhood Activity Center.” Goal SE-CCN 1.1 encourages providing a range of commercial and employment options to serve the Southeast and to promote the availability of local services within walking distance of residential neighborhoods. With the adjacent multi-family complex as well as the surrounding detached single-family residential dwellings, the martial arts studio use provides an additional local service and recreational opportunity. The infill development of the vacant lot supports Principle IDP-MU.1 and Goal CC1.1 by integrating a broad mix of uses near compact development, thus reducing vehicle miles traveled.

9. Recommended Conditions of Approval

Site Specific

1. Compliance with plans and specifications submitted to and on file in the Planning and Development Services Department dated received August 25, 2020, and:
   a. Updated Building Elevations received September 11,
   b. Cross Access Agreement received September 14,
   c. Updated Site Plan and Affidavit of Legal Interest received September 15,
   d. Applicant Clarification received September 18, 2020 except as expressly modified by the following conditions:

2. No signs were reviewed in this analysis. Any signage associated with this project will require a separate sign permit.

3. The applicant shall be required to go through Design Review and comply with all associated conditions.

4. The applicant shall comply with the requirements of the Boise City Public Works Department (BCPW) in the memos from:
   i. Drainage/Stormwater dated September 1, 2020;
   ii. Street Lights dated September 1, 2020;
   iii. Sewer dated September 1, 2020;

Contact BCPW at 208-384-3900 for specific comments or questions.

5. The applicant shall comply with the requirements of the memo from Ada County Drainage District No. 3 dated September 9, 2020.
Standard Conditions of Approval

1. This approval does not exempt the applicant from compliance with all local, state, and federal regulations where applicable by law or judicial decision.

2. Vision Triangles, as defined under Section 11-012-03 of the Boise City Code, shall remain clear of sight obstructions.

3. Any outside lighting shall be reflected away from adjacent property and streets. The illumination level of all light fixtures shall not exceed two (2) footcandles as measured one (1) foot above the ground at property lines shared with residentially zoned or used parcels.

4. No change in the terms and conditions of this approval shall be valid unless in writing and signed by the applicant or an authorized representative and an authorized representative of Boise City. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon Boise City.

5. An Occupancy Permit will not be issued by the Planning and Development Services Department until all of these conditions have been met. In the event a condition(s) cannot be met by the desired date of occupancy, the Planning Director will determine whether the condition(s) is bondable or should be completed, and if determined to be bondable, a bond or other surety acceptable to Boise City will be required in the amount of 110% of the value of the condition(s) that is incomplete.

6. Any change by the applicant in the planned use of the property, which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant, or successors of interest, advise Boise City of intent to change the planned use of the property described herein, unless a variance in said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.

7. Failure to abide by any condition of this approval shall be grounds for revocation by the Boise City Planning and Zoning Commission.

8. This permit shall be valid for a period not to exceed 24 months from the date of approval by the Planning and Zoning Commission. Within this period, the holder of the permit must acquire construction permits and commence placement of permanent footings and structures on or in the ground.

9. Prior to the expiration of this conditional use permit, the Commission may, upon written request by the holder, grant a two-year time extension. A maximum of two (2) extensions may be granted.
10. To reduce the noise impact of construction on nearby residential properties, all exterior construction activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. for Saturday and Sunday. Low noise impact activities such as surveying, layout and weather protection may be performed at any time. After each floor of the structure or building is enclosed with exterior walls and windows, interior construction of the enclosed floors can be performed at any time.
To: Planning and Development Services

From: Brian Murphy, Drainage Coordinator
Public Works

Subject: CUP20-00033; Drainage/Stormwater Comments

A drainage plan must be submitted and approved by Public Works prior to issuance of a building permit.

If you have any further questions contact Brian Murphy, 384-3752.
Date: 1 September 2020

To: Planning and Development Services

From: Tom Marshall, Street Light Program Technician
Public Works Engineering

Subject: Street Light Comments
CUP20-00033: 2351 S Apple St.

No comment.

If you have any questions, contact Tom Marshall at 208-608-7526 or tmarshall@cityofboise.org.
Date: September 1, 2020

To: Planning and Development Services

From: Mike Sheppard P.E., Civil Engineer II
Public Works Department

Subject: CUP20-00033; 2351 S. Apple Street; Sewer Comments

Connection to central sewer is required. It appears that this lot currently is not served by an existing sewer service. Sewer easement may be required from adjacent property owner for sewer service connection.

Prior to granting of final sewer construction plan approval, all requirements by Boise City Planning and Development Services must be met.

If you have any further questions, please contact Mike Sheppard at 608-7504.
City of Boise Solid Waste staff has reviewed the application for this project and has the following comment(s):

City of Boise Solid Waste staff has reviewed the application for this project and has no comments. Solid waste is OK as planned.

The link below provides information regarding trash enclosure design and location requirements:

https://www.cityofboise.org/media/7186/commercialenclosurerequirements.pdf

Please contact me with any questions at 208-608-7555 or rwalkins@cityofboise.org.
September 9, 2020

BOISE CITY PLANNING &
DEVELOPMENT DEPARTMENT
150 North Capitol Boulevard
Boise, Idaho 83701-0500

RE: CUP20-00033
2351 S. Apple Street

Ladies and Gentlemen:

The above-referenced application to construct a new martial arts studio at the above-referenced location has been received in this office. This law firm represents the interests of Ada County Drainage District No. 3 (the “District”). The project site lies within the District’s boundaries.

All drainage must be retained on site. This property is also subject to a recorded drainage agreement.

The District is responsible for ensuring that its system complies with conditions of a National Pollution Discharge Elimination System (“NPDES”) permit issued by the Environmental Protection Agency to the District and other co-permittees, with regard to the quality of storm water runoff.

Approval of any proposed development is based upon the following conditions. Any proposed development must meet the storm water requirements of “ACHD” (if proposal is for a residential subdivision), or Boise City (if the proposal is for commercial, industrial, multi-family housing, or residential with private streets). This includes any and all requirements pertaining to on-site water detention, water quality treatment, and operation and maintenance. The project may also require a permit from the United States Army Corps of Engineers under their Section 404 permit program. If the work requires a permit from the Corps, the applicant will need to obtain their approval before starting work.
These requirements are outlined in the ACHD Policy Manual and the Boise City Storm Water Management and Discharge Control Ordinance, the Boise City Storm Water Design Standards Manual, and the Boise City Operation and Maintenance Guidance document.

The objectives of these requirements are to adequately control the quantity and quality of storm water runoff into the District’s system and public waters. Compliance with these requirements will also address discharge limitations of “no net increase” in sediment and bacteria, required by the Lower Boise River Total Maximum Daily Load and the Idaho Department of Environmental Quality’s “no net increase” policy.

Additionally, the District must be notified of any conditions that result in a significant change to the quantity or quality of the storm water runoff from this site.

If you have any questions or comment concerning the above, please feel free to contact me. Thank you for your assistance.

Very truly yours,

ELAM & BURKE
A Professional Association

Ryan P. Armbruster

RPA/ksk

c: District Commissioners
   Steve Sweet
   Dean Callen

4845-0802-1194, v. 1
September 18, 2020

To: Nate Heintzman, via email
Glancey Rockwell and Associates
1257 W. River Street, Suite #110
Boise, ID 83702

Subject: BOI20-0374/ CUP20-00033
2351 S. Apple Street
Martial Arts Studio

The Ada County Highway District (ACHD) has reviewed the submitted application for the application referenced above and has determined that there are no improvements required to the adjacent street(s).

The applicant shall be required to:

1. Pay a traffic impact fee. If applicable, a traffic impact fee may be assessed by ACHD and will be due prior to the issuance of a building permit by the lead agency. This is a separate review process and it is the applicant’s responsibility to submit plans directly to ACHD.

2. Comply with all ACHD Policies and ACHD Standard Conditions of Approval for any improvements or work in the right-of-way.

3. Obtain a permit for any work in the right-of-way prior to the construction, repair, or installation of any roadway improvements (curb, gutter, sidewalk, pavement widening, driveways, culverts, etc.).
Traffic Information

This development is estimated to generate 25 additional vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 10th edition.

Condition of Area Roadways:
Traffic Count is based on Vehicles per hour (VPH)

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Frontage</th>
<th>Functional Classification</th>
<th>PM Peak Hour Traffic Count</th>
<th>PM Peak Hour Level of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apple Street</td>
<td>145-feet</td>
<td>Minor Arterial</td>
<td>634</td>
<td>Better than “E”</td>
</tr>
</tbody>
</table>

* Acceptable level of service for a five-lane minor arterial is “E” (1,540 VPH).

Average Daily Traffic Count (VDT):
Average daily traffic counts are based on ACHD’s most current traffic counts

- The average daily traffic count for Apple Street south of Parkcenter Boulevard was 11,924 on 10/10/2018.

If you have any questions, please feel free to contact me at (208) 387-6132.

Sincerely,

McKenna Roan
Intern
Development Services

cc: City of Boise (Crystal Rain), via email
    Glancey Rockwell and Associates (Pete Rockwell), via email
    McLvain Companies (Tammie Newman), via email
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, 7203.6, 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.
CUP20-00034 / National Image

Summary
The applicant requests a conditional use permit for an electronic message display, free-standing sign associated with an existing elementary school located at 5015 N Pierce Park Ln in a R-1C (Single Family Residential) zone.

Prepared By
Crystal Rain, Associate Planner

Recommendation
Approval with conditions

Reason for the Decision
The request is consistent with Boise City Code and meets the approval criteria for a Conditional Use Permit (11-03-04.6.C(7)(a)). The electronic message display (EMD) is compatible with the general neighborhood as it was designed to be complimentary to the existing development on the parcel. It will be located within a large landscaped area at the main entrance to an existing elementary school in the northeast corner of the lot. The EMD will not negatively impact surrounding properties as it will occupy only 10.9 square feet on a sign which meets the height, sign area, and setback requirements of the zone. The faces of the sign are directed north and south and the EMD will be separated from the nearest residential building to the west by approximately 80 feet. As conditioned, the sign will be required to comply with all EMD lighting and display standards as well as free-standing sign requirements. No comments or concerns from commenting agencies indicate the sign will not place an undue burden on transportation or other public facilities in the vicinity. The proposed EMD is in compliance with the Comprehensive Plan as Principle GDP-C/E.3 calls for signs to be integrated into the overall character of the development and the proposed sign will be integrated with the overall character of the existing school.

This report includes information available on the Boise City Website. The entire public record, including additional documents, can be viewed through the Permitting and Licensing Portal.
August 3rd, 2020

Dear Resident,

Planning and Development Services
Boise City Hall
150 N. Capitol Boulevard
Boise, ID 83701

RE: Conditional Use Permit.
Pierce Park Elementary EMC for Monument
5015 N. Pierce Park Ln Boise, Idaho

We are proposing an EMC for the new Pierce Park Elementary monument sign for the property at 5015 N. Pierce Park Ln Boise, ID 83714. The proposed new monument will include a top cabinet illuminated with the Pierce Park Panther Logo. An EMC (electronic message center) will sit below the top cabinet. The EMC will be used to advertise any important items, events, and dates beneficial to faculty, parents and students. This proposed monument is 6ft tall and the EMC will only cover 32% of the overall monument, which is in line with the city of Boise sign code. The monument design intent was to incorporate the aesthetics of the new Pierce Park elementary.

We hereby request that an exception be granted, to be able to have an EMC on this brand new pylon.

We appreciate your time and efforts on this project. Please do let us know if there are any questions or concerns regarding this request.

Best Regards,

Danny Pardee
Image National Signs, Inc
It is the intent and purpose of this color rendering to provide a basic color representation of your sign finish and color. However, digital media and printed colors will vary from actual paint finish and color. Existing painted surfaces will have a perceptible difference in shade and sheen from your sign finish. Providing a sample of the paint you wish to match or a Matthews paint color formula will minimize the differences.
It is the intent and purpose of this color rendering to provide a basic color representation of your sign finish and color. However, digital media and printed colors will vary from actual paint finish and color. Existing painted surfaces will have a perceptible difference in shade and sheen from your sign finish. Providing a sample of the paint you wish to match or a Matthews paint color formula will minimize the differences.

© 2019 image national inc. This design is an original work of authorship by Image National, Inc. (image) which owns the rights thereto, as (a) a copyright as a work of authorship, (b) as a trade name and/or service mark, (c) to license and/or distribute copies of the design; c) distribute copies of the design by sale or other transfer of ownership; and d) display the design publicly.

U.S. & P.R. - All signs conform to UL-48/2161 (labeled accordingly) & must comply with UL-41.1 install procedures. Canada - all signs must be CAS compliant. This sign is intended to be installed in accordance with requirements of Article 600 of the National Electrical Code and/or applicable local codes. This includes proper grounding and bonding of the sign.

Client: Pierce Park Elementary
Site: 5015 N. Pierce Park Ln.
Boise, Idaho 83714

Design Number: INT-0057-19
File Name: Pierce Park Elementary-Boise ID-R8-072920

Date: 07/29/20
Designer: Diane K
Account Manager: Mike Dardis

Client's Address Numbers: 4" FCO - WHITE
3" x 3'-7" CONCRETE PAD

NIGHT VIEW

NEW MONUMENT
SCALE: 1/2" = 1'
OVERALL SIZE: 6' X 5'-7"
SQ/FT: 33.5

EMC
2' 1" x 5' 3"
SQ/FT: 10.9
(32% OF OVERALL SIGN)

ILLUMINATED LED CABINET
SIZE: 20" X 5'-3"
SQ/FT: 8.75
POLYCARBONATE FACE WITH 3M-3630-158 BRIGHT VIOLET WITH WEEDED OUT WHITE
1" RETAINERS PAINTED TO MATCH VINYL COLOR

BOTTOM CABINET - POLE COVER
SIZE: 21" X 4'-4"
APPROX SQ/FT: 7.58
ALUMINUM PAINTED DARK GRAY
RETURNS: 12" - DARK GRAY
2" REVEAL BETWEEN CABINETS AND TOP - ALUMINUM PAINTED LIGHT GRAY
ADDRESS NUMBERS: 4" FCO - WHITE
3" CONCRETE PAD

POLYCARBONATE FACE WITH 3M-3630-158 BRIGHT VIOLET WITH WEEDED OUT WHITE
1" RETAINERS PAINTED TO MATCH VINYL COLOR
### Conditional Use Permit

**Conditional Use**

---

#### Property Information

<table>
<thead>
<tr>
<th>Street No:</th>
<th>Direction:</th>
<th>Street Name:</th>
<th>Street Type:</th>
<th>Unit Type:</th>
<th>Unit No:</th>
</tr>
</thead>
<tbody>
<tr>
<td>5015</td>
<td>N</td>
<td>PIERCE PARK</td>
<td>LN</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Subdivision Name:** JENSEN NELS F TRACT  
**Parcel Legal Description:** PAR #0051 OF, JENSEN NELS F TRACT, #0050-C #336001-C  
**Zoning District:** R-1C

**Parcel Number:** R4615520051  
**Additional Parcel Numbers:**

---

#### Agent/Representative Information

<table>
<thead>
<tr>
<th>First Name:</th>
<th>Last Name:</th>
<th>Type:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Danny</td>
<td>Pardee</td>
<td>Authorized Representative</td>
</tr>
</tbody>
</table>

**Company:** Image National

**Address:**  
16265 Star Rd  
Nampa  
ID  
83687

**Email:** danny.pardee@imagenational.com

**Main Phone:** (208) 287-1929  
**Cell Phone:** (208) 830-5875

---

#### Applicant Information

<table>
<thead>
<tr>
<th>First Name: (Primary Contact)</th>
<th>Last Name:</th>
<th>Type:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Danny</td>
<td>Pardee</td>
<td>Applicant</td>
</tr>
</tbody>
</table>

**Company:** Image National

**Address:**  
16265 Star Rd  
Nampa  
ID  
83687

**Email:** danny.pardee@imagenational.com

**Main Phone:** (208) 287-1929  
**Cell Phone:** (208) 830-5875

---

**Attachment:** PZ_Project Report_October 5, 2020_CUP20-00034 (CUP20-00034 / Image National)
Owner Information
Name: BOISE INDEPENDENT SCHOOL DISTRICT
Address: 8169 W VICTORY RD
City: BOISE
State: ID
Zip: 83709
Email: Coby.Dennis@boiseschools.org
Phone: 

Project Information
Project Name: (if applicable): Pierce Park EMC Monument
Project Proposal: Please provide a brief narrative of your project in the Project Proposal field, and answer all other questions to the best of your ability.
Adding Electronic Message boards to the monument for Pierce Park Elementary

Project Details
General
Plans Submitted: Electronic
Is this a modification?: No
Case Number Being Modified:
Review Authority: Planning & Zoning Commission
Existing Use:
Phased Project: No
Explain Any Project Phases:

Property Information
Zoning District: R-1C
Property in Historic District: NO
Property In Design Review Zone: NO
Property In Hillside: NO
Property In Floodplain: NO
Flood Zone: N/A
Wildland Urban Interface (WUI): NO
WUI Name: undefined
Airport Influence: Not in Airport Influence Area
Size of Property: 6.13
Irrigation ditches or canals on or adjacent to property: No
Overhead powerlines or utility lines on or adjacent to the property: No
Please describe and give the location of any hazards on the property. Hazards include canals, hazardous material spills, and soil or water contamination.: It is a school zone
### Child Care

<table>
<thead>
<tr>
<th>Does this project include Child Care:</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of children:</td>
<td></td>
</tr>
<tr>
<td>Indoor Child Care Area:</td>
<td></td>
</tr>
<tr>
<td>Outdoor Child Care Area:</td>
<td></td>
</tr>
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</table>

#### Total Existing Structures

<table>
<thead>
<tr>
<th>Building ID:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Existing Structures:</td>
<td>0</td>
</tr>
<tr>
<td>Gross Sq Ft:</td>
<td></td>
</tr>
<tr>
<td>Number of Stories:</td>
<td></td>
</tr>
</tbody>
</table>

#### Explain Existing Structures to Remain:

<table>
<thead>
<tr>
<th>Height to Midline:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Height to Eave:</td>
<td></td>
</tr>
<tr>
<td>Height to Peak:</td>
<td></td>
</tr>
<tr>
<td>Height to Parapet:</td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td></td>
</tr>
</tbody>
</table>

#### Existing Square Feet - Provide the square footage of any existing buildings by floor.

<table>
<thead>
<tr>
<th>Building ID:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Floor:</td>
<td></td>
</tr>
<tr>
<td>Gross Square Feet:</td>
<td></td>
</tr>
<tr>
<td>Use:</td>
<td></td>
</tr>
<tr>
<td>Number of Seats:</td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td></td>
</tr>
</tbody>
</table>

#### Existing Bedrooms And Units

<table>
<thead>
<tr>
<th>Total Number of Existing Units:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Bedrooms:</td>
<td></td>
</tr>
<tr>
<td>Total Number of Existing Units to Remain:</td>
<td></td>
</tr>
<tr>
<td>Number of Units:</td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td></td>
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</tbody>
</table>

#### Total Proposed Structures

<table>
<thead>
<tr>
<th>Building ID:</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Number of Proposed Structures:</td>
<td>1</td>
</tr>
<tr>
<td>Gross Sq Ft:</td>
<td></td>
</tr>
</tbody>
</table>

#### Proposed Square Feet - Provide the square footage of any existing buildings by floor.

<table>
<thead>
<tr>
<th>Building ID:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Floor:</td>
<td></td>
</tr>
<tr>
<td>Gross Square Feet:</td>
<td></td>
</tr>
<tr>
<td>Use:</td>
<td></td>
</tr>
<tr>
<td>Number of Seats:</td>
<td></td>
</tr>
<tr>
<td>Notes:</td>
<td></td>
</tr>
</tbody>
</table>
### Proposed Materials

<table>
<thead>
<tr>
<th>Colors:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notes:</td>
</tr>
</tbody>
</table>

### Proposed Bedrooms And Units

<table>
<thead>
<tr>
<th>Number of Bedrooms:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number of Proposed Units:</td>
</tr>
<tr>
<td>Number of Units:</td>
</tr>
<tr>
<td>Notes:</td>
</tr>
</tbody>
</table>

### Project Setbacks - Provide the required and proposed setbacks for Buildings and Parking on all sides of the property.

<table>
<thead>
<tr>
<th>Location:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Building Setback:</td>
</tr>
<tr>
<td>Required Building Setback:</td>
</tr>
<tr>
<td>Proposed Parking Setback:</td>
</tr>
<tr>
<td>Required Parking Setback:</td>
</tr>
<tr>
<td>Notes:</td>
</tr>
</tbody>
</table>

### Parking - If you are requesting shared parking or a parking reduction, you must submit a survey of persons using and working on the premises and any additional information demonstrating that use by the regular employees and visitors to the premises will require fewer off-street parking spaces than required by the Zoning Ordinance.

| Does this project include shared parking?: | No |
| Number of shared spaces: |  
| Type: |  
| Does this project include assigned or reserved parking?: | No |
| Number of assigned or reserved spaces: |  
| Proposed Spaces: |  
| Does this project include parking reduction?: | No |
| Number of spaces reduced from required: |  
| Required Spaces: |  
| Does this project include off-site parking?: | No |
| Number of off-site parking spaces: |  
| Notes: |  

### Fence - Indicate where any proposed or existing fences are on the property.

| Existing or Proposed: |  
| Location: |  
| Type: |  
| Height: |  
| Notes: |  

### Fire Prevention

| Fire Flow: |  

---

**Proposed Structures**

<table>
<thead>
<tr>
<th>Number of Stories:</th>
<th>0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Height to Midline:</td>
<td>6' 0&quot;</td>
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<tr>
<td>Height to Eave:</td>
<td>6' 0&quot;</td>
</tr>
<tr>
<td>Height to Peak:</td>
<td>6' 0&quot;</td>
</tr>
<tr>
<td>Height to Parapet:</td>
<td>6' 0&quot;</td>
</tr>
<tr>
<td>Notes:</td>
<td>This is a Monument Sign</td>
</tr>
</tbody>
</table>

**Proposed Materials**

<table>
<thead>
<tr>
<th>Type:</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Materials:</td>
<td>Acrylic and Aluminum</td>
</tr>
</tbody>
</table>
Each planning application includes a Required Submittal Checklist. If you do not already have a current checklist, please use the links below to download the correct form for your application.

- Conditional Use Submittal Checklist

By checking this box: ☑

1. The undersigned is the owner of the indicated property or acting as the owner's authorized representative.
2. The undersigned declares that the above provided information is true and accurate, and acknowledges that failure to provide true and accurate information may result in rejection of this application, possible revocation of the permit where wrongfully issued and subject the undersigned to any applicable penalties.
3. The checked box represents a digital signature for all legal purposes as allowed by Idaho Code (Uniform Electronic Transactions Act).

This application was submitted electronically through the Permitting & Licensing Public Portal.

Signed electronically on 8/25/2020, by
Planning Division Project Report

File Number                  CUP20-00034
Applicant                    Danny Pardee / National Image
Property Address             5015 N Pierce Park Ln

Public Hearing Date          October 5, 2020
Heard by                     Planning and Zoning Commission

Analyst                      Crystal Rain, Associate Planner
Reviewed By                  Céline Acord, Current Planning Manager

Public Notification

Neighborhood meeting conducted on: August 13, 2020
Radius notices mailed to properties within 300 feet on: August 3, 2019
Newspaper notification published on: September 18, 2019
Applicant posted notice on site on: September 20, 2020

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6. Transportation Data.......................................................................................................................................... 3
7. Analysis................................................................................................................................................................ 4
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Exhibits

Agency Comments
1. Project Data and Facts

<table>
<thead>
<tr>
<th>Project Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner</td>
</tr>
<tr>
<td>Architect/Representative</td>
</tr>
<tr>
<td>Location of Property</td>
</tr>
<tr>
<td>Size of Property</td>
</tr>
<tr>
<td>Zoning</td>
</tr>
<tr>
<td>Land Use Designation</td>
</tr>
<tr>
<td>Planning Area</td>
</tr>
<tr>
<td>Neighborhood Assoc./Contact</td>
</tr>
<tr>
<td>Procedure</td>
</tr>
</tbody>
</table>

Current Land Use
Pierce Park Elementary School

Description of Applicant’s Request
A conditional use permit for an electronic message display sign.

2. Land Use

Description and Character of Surrounding Area
The property is located in a residential neighborhood approximately 0.25 miles north of State Street, on the west side of N Pierce Park Lane between W Castle Drive and West Elmer Street. Detached single family homes surround the site to the north, south and west, and a child care center is located across Pierce Park Lane to the east.

Adjacent Land Uses and Zoning

| North                        | Single Family Residential / R-1C |
| South                       | Single Family Residential, then Multi-family Units / R-1C and R-2 (Medium-Density Residential) |
| East                        | Pierce Park Ln, then Child Care Center and Single Family Residential / R-1C |
| West                        | Single Family Residential / R-1C |

History of Previous Actions

<table>
<thead>
<tr>
<th>Year</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1935</td>
<td>Pierce Park Elementary school built.</td>
</tr>
<tr>
<td>CUP18-00072</td>
<td>Conditional use permit for a new elementary school on a 6.4-acre site located in an R-1C zone. – <strong>Approved with conditions</strong></td>
</tr>
</tbody>
</table>
3. Project Proposal

Structure(s) Design

<table>
<thead>
<tr>
<th>Number and Proposed Type of Signs</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>One free-standing monument sign which will include an electronic message display</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Maximum Sign Height</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>6 feet tall</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sign Area</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>33.5 square feet (6’ X 5’7&quot;) with the EMD covering 10.09 square feet (2’1” X 5’3&quot;)</td>
<td></td>
</tr>
</tbody>
</table>

Setbacks

Free-standing signs require a 5 foot front and side setback in residential zones. They are also required to be placed outside of any vision triangles. The proposed sign meets these requirements.

4. Development Code (Boise City Code Title 11)

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-03-04.6</td>
<td>Conditional Use Permit</td>
</tr>
<tr>
<td>11-04-03</td>
<td>Residential Districts</td>
</tr>
<tr>
<td>11-10-04.1.B</td>
<td>Free-Standing Signs, Accessory On-Premise</td>
</tr>
<tr>
<td>11-10-05.6</td>
<td>Electronic Message Displays</td>
</tr>
</tbody>
</table>

5. Comprehensive Plan (Blueprint Boise)

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Goals, Objectives &amp; Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter 3: Community Structure and Design</td>
<td>Principle GDP-C/E.3 Site Planning Principle GDP-C/E.4 Relationship to Surrounding Development</td>
</tr>
<tr>
<td>Chapter 5: Action Plan</td>
<td>Action CEA-1: Promote Schools as Neighborhood Centers</td>
</tr>
</tbody>
</table>

6. Transportation Data

The requested use is for a sign that will not generate additional trips, as such the Ada County Highway District (ACHD) did not comment on the proposal. The use on site which generates trips is the existing elementary school which was accounted for at the time it was permitted. The EMD sign will be located outside of the public right-of-way and clear vision triangles.
7. Analysis

The applicant is requesting a conditional use permit for an electronic message display (EMD) sign located at 5015 N Pierce Park Ln in a R-1C (Single Family Residential) zone. The installation of the new sign is associated with the complete replacement of the original Pierce Park Elementary School building, originally constructed in 1935.

Figure 1: Vicinity Map

The proposed new monument sign will include a top cabinet illuminated with the Pierce Park Panther Logo. An EMD will sit below the top cabinet. The EMD will be used to advertise important items, events, and dates. This contributes to Action CEA-1 of the Comprehensive Plan in promoting schools as neighborhood centers. The proposed sign will be 6 feet tall and contains 33.5 square feet of sign area. The proposed EMD would cover 32% (10.9 square feet) of the sign, while 50% coverage is allowed. The proposed sign is located near the intersection of two collector roadways. An existing sign is already located on the front of the lot. Code requires only one free-standing sign allowed per street frontage. A condition of approval will be added requiring only one free-standing sign will be allowed.
The sign will be located within a large landscaped area in the northeast corner of the site and will comply with the height, sign area, and setback requirements of the zone. The EMD will not negatively impact surrounding properties as the nearest residential building is over 80 feet away to the east, across a two-lane roadway, and does not face the home. Just south of that home is a child care center. To the north, the closest home is over 100 feet away. Landscaping is planned along the lot boundary and will act as a buffer from any residual light. The nearest structures to the west are over 770 feet away and 250 feet away to the south.

In line with Principle GDP-C/E.4, the applicant has utilized siting, orientation, and design to mitigate lighting and other impacts on surrounding uses. The sign will be located entirely outside of the public right-of-way and will not be within any clear vision triangles. A sign permit will be required prior to installation, and the sign will be required to comply with the EMD lighting and display standards as well as the free-standing sign requirements of the Boise City Code and have been included as recommended conditions of approval.

8. Approval Criteria

Conditional Use Permit (11-03-04.6.C(7)(a))

1. The location is compatible to other uses in the general neighborhood:
Located near an intersection of two collector streets, the proposed EMD is compatible with the general neighborhood. One of the closest structures is a childcare center. The proposed EMD sign will be well separated from residential properties and will provide important items, events, and dates relevant to the neighborhood. The sign will be located within a large landscaped area near the northeast corner of the site.

ii. The proposed use will not place an undue burden on transportation and other public facilities in the vicinity;

Comments received from public agencies confirm the proposed use will not place an undue burden on the transportation system or other services in the vicinity. ACHD and Boise City Public Works provided no comments or site-specific conditions of approval. The proposed sign will be located outside of the public right-of-way and will not be within a clear vision triangle. A condition of approval will require the applicant to comply with the requirements of the Boise City Building Department.

iii. The site is large enough to accommodate the proposed use and all yards, open spaces, pathways, walls, fences, parking, loading, landscaping, and such other features as are required by this Code;

The site is large enough to accommodate the proposed use. The proposed EMD will be included on a free-standing sign that complies with all setback and dimensional standards of the zone. The EMD will occupy less than 50% of the total sign area, as allowed by code, and will be conditioned to comply with all EMD requirements of the Boise City Code. A sign permit will be required prior to the installation of the sign.

iv. The proposed use, if it complies with all conditions imposed, will not adversely affect other property of the vicinity;

The proposed EMD will not negatively impact surrounding properties. To the north, the closest home is over 100 feet away. Landscaping has been approved along the lot boundary and will act as a buffer from any residual light. The EMD should have little impact on properties to the south or west as the nearest homes are over 200 feet away. The only structure directly facing the sign is a single family home 80 feet to the east. The faces of the proposed EMD will point north and south, mitigating negative impacts. The proposed EMD will only occupy a 10.9 square foot space on the proposed sign and will be required to comply with the EMD lighting and display standards of the Code which are designed to mitigate negative impacts on surrounding properties.

v. The proposed use is in compliance with the Comprehensive Plan.

The proposed EMD is in compliance with the Comprehensive Plan as Principle GDP-C/E.3 calls for signs to be integrated into the overall character of the development.
and the proposed sign will integrate well with the site. The sign will be located within a large landscaped area at the front northeast corner of the site and will include materials and colors that are complementary to the existing school. As the sign will be a source of relevant neighborhood information, the EMD supports Action CEA-1 in promoting schools as neighborhood centers.

9. Recommended Conditions of Approval

Site Specific

1. Compliance with plans and specifications submitted to and on file in the Planning and Development Services Department dated received August 27, 2020, with additional correspondence received September 8; except as expressly modified the following conditions:

2. The sign shall be located outside of the clear vision triangle of the driveway access on Pierce Park Ln.

3. Comply with the conditions of approval of CUP18-00072.

4. The sign shall not exceed 6 feet in height from the finished grade.

5. Code requires only one free-standing sign allowed per street frontage. No other free-standing signs are permitted.

6. The sign shall comply with all Electronic Message Display requirements of the Boise City Code (BCC 11-10-05.6).

7. The applicant shall obtain a sign permit from Boise City Planning & Development Services and comply with the requirements of the Boise City Building Department.

Standard Conditions of Approval

8. This approval does not exempt the applicant from compliance with all local, state, and federal regulations where applicable by law or judicial decision.

9. Vision Triangles, as defined under Section 11-012-03 of the Boise City Code, shall remain clear of sight obstructions.

10. All landscaping areas shall be provided with an underground irrigation system. Landscaping shall be maintained according to current accepted industry standards to promote good plant health, and any dead or diseased plants shall be replaced. All landscape areas with shrubs shall have approved mulch such as bark or soil aid.
11. In compliance with Boise City Code, anyone planting, pruning, removing or trenching/excavating near any tree(s) on ACHD or State right-of-ways must obtain a permit from Boise City Community Forestry at least one (1) week in advance of such work by calling 208-608-7700. Species shall be selected from the Boise City Tree Selection Guide.

12. No change in the terms and conditions of this approval shall be valid unless in writing and signed by the applicant or an authorized representative and an authorized representative of Boise City. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon Boise City.

13. Any change by the applicant in the planned use of the property, which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant, or successors of interest, advise Boise City of intent to change the planned use of the property described herein, unless a variance in said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.

14. Failure to abide by any condition of this approval shall be grounds for revocation by the Boise City Planning and Zoning Commission.

15. This permit shall be valid for a period not to exceed 24 months from the date of approval by the Planning and Zoning Commission. Within this period, the holder of the permit must acquire construction permits and commence placement of permanent footings and structures on or in the ground.

16. Prior to the expiration of this conditional use permit, the Commission may, upon written request by the holder, grant a two-year time extension. A maximum of two (2) extensions may be granted.
CITY OF BOISE

INTER-DEPARTMENT CORRESPONDENCE

Date: 2 September 2020

To: Planning and Development Services

From: Tom Marshall, Street Light Program Technician
Public Works Engineering

Subject: Street Light Comments
CUP20-00034: 5015 N Pierce Park Ln.

No comment.

If you have any questions, contact Tom Marshall at 208-608-7526 or tmarshall@cityofboise.org.

Tom Marshall
Street Light Program Technician
Public Works Engineering
Office: (208)608-7526
tmarshall@cityofboise.org

Making Boise the most livable city in the country.