

CAR13-00010 / JSO VENTURES, LLC

Location: 7000 E. Columbia Road

REZONE 21.19 ACRES FROM A-1 (OPEN LAND) TO R-1C (SINGLE-FAMILY RESIDENTIAL 8 DWELLING UNITS.ACRE)

SUB13-00022 / BONNEVILLE POINT SUBDIVISION

Location: 7000 E. Columbia Road

PRELIMINARY SUBDIVISION PLAT FOR DETACHED SINGLE FAMILY DWELLINGS WITH 82 BUILDABLE LOTS AND SIX COMMON LOTS. THE SITE IS LOCATED ON THE NORTH SIDE OF EAST COLUMBIA ROAD APPROXIMATELY 2 MILES EAST OF SOUTH TECHNOLOGY WAY.

Susan Riggs – Planning was not aware of any opposition to this application. Would the Commission like to hear from the person on the sign-up sheet first to see what their concerns might be or hear the project report?

Commissioner Story – Let's just keep it brief. We can hear from them and gather their opposition. Let's have a quick overview of two minutes and then let the applicant speak. We have a couple of people who would like to testify.

Susan Riggs – This is a rezone for 21.19 acres located 7000 E. Columbia Road from R-1A (Open Land) to R-1C (Single Family Residential) and a subdivision plat for 82 buildable lots and six common lots. Two motions will be required tonight on this application. They are both recommendations to the City Council. Current Planning recommends approval of the rezone and subdivision. The site is designated Planned Community on the Land Use Map. It is located in the Southeast Planning Area. The planned community classification provides for all zoning designation on the site. Although the policies of the Comprehensive Plan suggest a Master Plan for the E. Columbia area, the majority of the surrounding area is owned by Micron or JR Simplot and is comprised of several hundred acres, if not thousands of acres of land. It's these larger project parcels the Master Plan is intended for. The site is surrounded by BLM (Bureau of Land Management) land as well. The rezone will result in the development of a residential subdivision with six common lots.

The subdivision meets all of the dimensional standards for the R-1C zone. Public streets are proposed as well as five foot wide detached sidewalks with an eight foot wide landscape strip within the subdivision and along Columbia Road. As required, a 30' wide landscape common lot is proposed adjacent to E. Columbia Road, a Collector roadway.

This site provides connectivity to the parcels to the west and east. There are 2 stub streets here to the west; and 1 to the east. There are two pedestrian pathways on the east side of the parcel and a recommended condition of approval requires a pedestrian pathway along the north going to the BLM land. The proposed R-1C subdivision will be consistent with the 31-lot Sunnyridge Subdivision which is zoned R-1C and is located directly southwest of the site. This is a photo of Sunnyridge Subdivision. It has R-1C zoning. Paintedridge Subdivision is zoned R-A and is located in Ada County and has a density of 81 units per acre, comprised of 179 lots and is located half a mile west of the site.

Development of the site is estimated to generate 770 additional vehicle trips per day (10 existing); 81 additional vehicle trips per hour in the PM peak hour. Columbia Road is operating at an acceptable level of service "D". Current Planning staff is in the process of developing a Master Plan for the future development of East Columbia Road, which would involve collector roadways and connectivity to adjacent parcels. Here are some quick site photos. This is the driveway for the residence. Here is the single-family home east of the property and a view from the actual home on the site looking at the Sunnyridge Subdivision.

Kent Brown (Applicant) – We're still in agreement with the conditions of approval. If Susan could put up that street I'd like to change the direction. She got confused like I do sometimes. The two stub streets on our left hand side, those are to the west of the Simplot property. To the north of us is the BLM property. We have a micro path to the Oregon Trail on the east side of us, then we have one stub street to the east and that orientates you to where in the world that's at.

Commissioner Morrison – The two things I was curious about I'm going to ask both you and staff. Regarding the study plans that appeared in this staff report, Susan you mentioned that's an ongoing study. Is there anything more we could know about that because when I looked at the Comprehensive Plan it was a hatched area? It was a Planned Urban Development and I when looked at the application there was a very small area that didn't seem to have a whole lot of land to go along with it. The diagrams that have been submitted appeared to indicate a plodding concept for a planner. I'm going to ask the applicant, were you aware of this plan?

Kent Brown – Back in the boom time I brought in developments in this area and we were told we had to have 100 acres. We made a request to try to do that. Part of the difficulty is the holdings by JR Simplot and Micron in that area makes it kind of hard to make that happen. They did move forward with Paintedridge and Sunnyvale developments. There was a decision made to try to keep a gridded pattern, so we expected that connectivity that we provided in the design. That was about all the discussion we had with our submittal.

Commissioner Morrison – I'll go back to Susan. Susan is any of this information available to the folks who live out in that area so they could participate more accurately in the hatched Planned Urban Development Area? It comes to quite a bit of land.

Susan Riggs – We were actually just starting this process and Kent Brown is correct in that the majority of the land holdings are owned by Micron and JR Simplot. It is these larger land owners who will be the ones that will have to get the ball rolling on a Master Development Plan. City Council has asked us to put together a map that would indicate the existing and proposed collector, arterial and local street grid. This map is conceptual only and is intended to depict a basic network of roads. A different layout could result from a more formal master planning process. At that time we'll have a better idea and I'm sure there will probably be some work sessions with the community in the area to work on things like this. With this smaller 21 acre parcel it's hard to Master Plan. The 90 acres to the west is JR Simplot's land, we can't create a Master Plan without their involvement.

Commissioner Morrison – I understand, thank you. One of the things I noticed in this plan is something that keeps cropping up that we have to deal with which is the dead-end street that doesn't have a turnaround. It seems there's going to be connection to the adjacent parcel. With the subdivision as its proposed right now, are there any sorts of agreements in place with the adjacent land owners that will carry on those throughways that are planned, but right now terminate the property lines?

Kent Brown – The requirements from the highway district is to put up signs that says the street is to be extended in the future. Those are the only requirements that take place anywhere in the valley for those kind of things.

Commissioner Meyer – I have a question for staff. I'm curious when we have parcels of land like this come up that are actually not zoned yet for anything, how do we come up with the density? Is it being applied to them? Is it from the developer who brings the development in and wants this density, or is it something we're looking at in the bigger picture?

Susan Riggs – The proposed rezone is from A-1 (1 DU/acre) to R-1C (8 DU/acre). The Comprehensive Plan identifies 3.5 dwelling units per acre as the acceptable range for development in this area. The proposed zone is within the anticipated density for the area and allows R-1C lot sizes and setbacks. The density proposed is 3.89 dwelling units per acre, which is consistent with what the Comprehensive Plan calls out for this area. As such, the R-1C zone is an appropriate zone for this subdivision in terms of the density they are proposing.

Kent Brown – We got that zoning from a pre-application meeting with the City, understanding it's a planned community and at the end of everywhere because we have BLM to the north and Ada County property to the east that our micro paths go to. The next five acres over from us on the east is abutted by Ada County and BLM land. On the north side of Columbia we're kind of at the end of the world as any development can take place in that area.

Commissioner Danley – My question is a very specific question and hopefully it's an appropriate one. My question is, this is the Oregon Trail territory and is also sage brush, rattle snakes and coyotes but there's been a lot of landscaping that's being talked about with this particular application. I'm curious if you can talk about that a little bit. What are your thoughts there?

Kent Brown – We've tried to limit the amount of landscaping in the development. My clients are also involved in the Sunnyside and Paintedridge developments on the other side. Some of those lots were a little smaller. They had alley loading. They've tried to create another market type by having a little bit larger lots with bigger backyards and felt that would be another market type to offer. We feel very strongly this development will move forward because it's what the building teams are asking for in this area. One of the things I do on the side is track residential building development in Ada County and this area, even in the downturn, it had good activity and has continued to grow. They just recently opened up Paintedridge and the building is beginning. Builders are having a hard time finding developments that are open for builders because the bigger builders are taking most of the lots and that's an enticement for this area.

It reminds me of Columbia Village when I worked at the City and it was all sage brush. I saw the similar thing when I was approving Columbia Village subs as a staff person for the City.

PUBLIC TESTIMONY

Brandy Wilson – I'm here tonight on behalf of the Ada County Parks and Open Space Advisory Board. I'd just like to thank staff and the applicant for accepting our conditions regarding the fencing. I wanted to point out that those pathways to the Ada County property have been recommended to all be fenced off for now. We don't have a Master Plan yet for the Oregon Trail. We're working with BLM on that. At this point we would prefer that for this dense of a development, everybody access through the established trailheads with interpretive signage, rather than just having it be everybody's backyards. That is why we have requested the fencing condition and we're very happy that has been accepted. If you have any questions for me, I would stand for them but otherwise I will let you get onto the people who indicated they had opposition to the project.

Commissioner Morrison – Brandy, you might know this. I ride my mountain bike out there a lot. Is that where the big crab hornet infestation is? They kill me every time I go out there.

Brandy Wilson - You may have noticed there's ground hornet. There's been some dumping out there and what we'd really like to do is create a plan for managing that Oregon Trail area that encourages people to respect and use the area properly before we allow a lot of access. Yes, I admit we do have some work to do out there. The BLM has work to do out there and we haven't been able to get to that yet.

Commissioner Gillespie – It seems to me this isn't the only case like this we've had where we have this parcel, it's in this unclaimed area and it's a very uniform subdivision. There's no clustering, there's no community open space, there's nothing I would call functionally advanced in terms of the things we've asked Harris Ranch to do, or other developers. The argument seems to be this is a small development and there's all this stuff around it that we can't deal with right now. So, it's almost like we're putting the entire burden of adding that stuff on the next set of developers. I just have some concerns about that, about how that works. There are no alleys, and there are no amenities that will eventually be in this area. That's my general comment and concern about this.

Commissioner Story – Do you have questions, or are you just commenting at this point.

Commissioner Gillespie – I'd be interested in asking staff and the developer why they didn't think about some of those other more functionally advanced issues in submitting their design.

Commissioner Story – I think we're good Brandy, thank you. The applicant is going to get another five minutes to talk so thanks for bringing all of this to our attention.

Wendy Wendrowski – I live on a southeast parcel across Columbia Road about 300 yards away from the parcel you guys are talking about. We live in one of 8 single-family homes at the very end of Columbia Road. None of those 8 houses have been discussed. There are 2 subdivisions that are currently in the works closer to the west, we are to the east.

Our initial complaint is we received no notice this was development. I know it's a surprise to staff that they didn't know of any objection to this. My guess is because they didn't notify any of the 8 home owners. The only notice we had was a sign at the end of the driveway of the parcel they're talking about which we just happen to be walking by one day. That's the reason we had any notice. We haven't had any time to review the report and we are prepared at this point to give you some overall concerns, many of which the commissioners have brought up themselves. There has been no meeting of the neighbors because we had no notice. Our overall concerns are the existing road, Columbia Road. Columbia Road is an approximately 5 mile long, a 2 lane road that essentially dead ends. It leads from Micron, passes Micron and then goes back 5 miles. Regarding the road conditions, in the report we noticed ACHD said there would be no impact. That's mind boggling. Three years ago there were 10 houses back there. Now we've got a 170 house subdivision up the road, another hundred plus subdivision and now they're talking about another 80 house subdivision. You went from about 10 cars a day to 770, I think I heard. There is no way that cannot impact the road, even with the minimum subdivision construction we've had over the last years, the road is destroyed. All the developers are required to do is fix the road immediately in front of their subdivision so we've got about 100 yards of really nice sidewalk and they fixed the edges, then the rest of the road with all this traffic on it is being severely impacted. There's no way that Columbia Road in its present condition can handle the projected amount of traffic. As indicated, this is a dead-end road, one way in, one way out, 5 miles long. It is surrounded by sage brush and it is a huge fire area. You put this number of houses at the end of a dead-end road, there's no way to get in or out. We have enough issues right now with fire impact with the fire trucks being able to get back there on a 2 lane road. If you add houses it would be next to impossible.

There are serious safety issues on the road with the increase in the amount of traffic. The Road can't handle the number of cars that are on it currently, let alone adding hundreds more. The speed of the cars is an issue that hasn't been brought up.

Commissioner Story – You bring some good valid points. One of the hard parts to chair is to make sure everybody has the same amount of time to speak.

Wendy Wendrowski – Sorry, I didn't hear the warnings.

Commissioner Story – That's fine. You bring some valid points and I think there might be some questions from the commissioners.

Commissioner Morrison – It is my understanding that there is construction going on in other subdivisions out there right now.

Wendy Wendrowski – There are 2 subdivisions that are currently being built. I think the report said about a half a mile to the west of this planned subdivision. It is already projected to be around 300 houses and now we're talking about adding another 80.

Commissioner Story – Regarding the question about notice, I'm guessing, and staff can please verify about notice being sent out here and what was sent out.

Susan Riggs – The applicant is outside of the 300-foot radius requirement.

Commissioner Story – City Code notices within 300 feet and I'm guessing in this part of Boise 300 feet just doesn't go very far. The good thing is there was signage on the property so you did see that and were able to come. I agree with your concern that you didn't get noticed in time but in this situation it just doesn't work very well.

REBUTTAL

Kent Brown – Commissioner Gillespie spoke about open space. In the other two developments my clients have done in this area they have provided some open space. The expense is very great for pool and lawn and so forth when you're not using surface water to have those open spaces. We've tried to encourage drought tolerance landscaping we could put along most of our areas. View that with the lawn sizes and the lot sizes we have. We may see swimming pools in some of the backyards of the people that are there. They will have a little bit bigger lawns instead of open spaces in this development at least that is the approach we've taken. Regarding the fire issues brought up by Wendy, we have specific conditions under WUI for wildlife and wildfire safety. We have to do a WUI plan for all three of those subdivisions out there, whether they are in the County or the City. Columbia Road is like any of our road systems, until you have some activity on them, improvements will not be made. As more development takes place, the improvements will be made to the road. My clients have brought water and sewer out to this area and they are trying to take advantage of the expenses they had in bringing the sewer all the way from Micron out to here.

PUBLIC HEARING CLOSED

Commissioner Danley – I have a couple of things. I don't have a huge heartburn with the project but there are a couple of things I think are very valid. I do agree if I'm looking at this in the future and I'm looking at a subdivision and there's not going to be much to do for kids. They're going to be there and yes, there's going to be some height issues and there's going to be (inaudible). I don't see a lot of amenities. In that perspective I'd like to see some personally. I think it would be better served if there were some more activity spaces. The other part I think is more concerning is that yes, I get the letter of the law with respect to the 300-foot zone, but I don't know if that's necessarily the spirit of the intent. I guess where I would stand is I'd like to see some effort made to have discussion with, even though there aren't too many neighbors around, at least have a dialogue and see what kind of things can be done. Columbia Road for example, it is what it is. You can't go any further, it's a dead-end. Its five miles but there might be some things that could come out of that dialogue. I would encourage you to have them.

Commissioner Demarest – I want to weigh in, it's not something I don't think we can make this decision on, but I do want to weigh in on that 300-foot part of the Boise Ordinance. It seems to me it's weighted against the people who live in rural type areas.

There seems to be something inherently problematic about it. Again, I don't think there's anything we can do about that, but I think it's important we take note of that.

Commissioner Story – I would have to concur.

COMMISSIONER MEYER MOVED TO RECOMMEND TO CITY COUNCIL APPROVAL OF CAR13-00010 WITH ALL CONDITIONS.

COMMISSIONER DEMAREST SECONDED THE MOTION.

Commissioner Meyer – I want to say to the developer and I know the folks out there that feel like they are being impacted by it, but we are growing as a community. We do need places for people to continue to have the good quality of life or a place to start their families. I think in working with staff we can come up with the best way to build these neighborhoods. I understand you're kind of bordered by some things you don't have a lot of control over. I would encourage all of you to continue working with neighbors and the neighborhood associations where you have that opportunity and staff to really try to come up with the best possible solutions. I would also agree with my fellow commissioners about the fact that maybe as staff we should review the rural notice requirements because I agree 300 feet is probably not going to work in most cases.

Commissioner Bradbury – When we're asked to consider a change in the zoning classification we have a number of criteria we're supposed to take into account. The first one is whether or not it complies with the Comprehensive Plan and what I heard tonight is that it does comply. That is the proposed zoning classification. The other criteria we must take into account is whether or not the zone change will provide and maintain sufficient transportation and other facilities and not adversely impact the delivery of services by any political subdivision providing services. And although we've heard that perhaps the road network out there isn't particularly good, the highway district did review the application and approved it finding the road is sufficient for those purposes.

The other criteria we must think about is whether the zone change would maintain and preserve compatibility of surrounding zoning and development. Although, there's quite a bit of undeveloped land in the vicinity, there is also land which is developing and some that has developed which is consistent with the use proposed by the applicant. If you just look at the criteria, it appears it meets it. I tend to agree with Commissioner Gillespie about some of the downsizing or piecemeal development. It would be great if we could Master Plan all areas of the City. Unfortunately, unless all the property owners come to us with an application at the same time we get kind of stuck with having to apply the Ordinances as they exist. It appears to be, with the question before us, the zone classification; it appears that it does comply.

Commissioner Morrison – I also agree, pursuant to the Comprehensive Plan, this area is planned for future residential and the change in zoning from Open Space to residential which is

R-1C and is relatively low density which is appropriate. I think we should make that recommendation to City Council.

Commissioner Danley – I recognize there is clearly a motion on the table and I'm not sure procedurally how this would work. I guess my take on it is that we need to recognize this is a change of sorts of live style, if you will, for the folks who live out there. This is a big difference, right? I mean this is going from clearly a rural environment to a much more urban environment. I really don't have a major heartburn with the project. I see things are heading in that direction and I get that. Having said that I think having a dialogue with the folks who were not told about the development needs to occur. I'm not sure there is a motion I need to make, or wait for the vote to occur or how that goes procedurally.

Commissioner Story – You bring up a good point. Procedurally, what's happened is we have a motion and a second on the table. What will happen is we'll need to vote on that motion and second. During discussion you did the right thing. It seems like you're leaning towards a deferral so the applicant and the neighbors can get together and chat about it a little bit.

ROLL CALL VOTE

COMMISSIONER MEYER	AYE
COMMISSIONER DEMAREST	AYE
COMMISSIONER DANLEY	NAY
COMMISSIONER BRADBURY	AYE
COMMISSIONER MORRISON	AYE
COMMISSIONER GILLESPIE	AYE
COMMISSIONER STORY	AYE

SIX IN FAVOR ONE AGAINST. MOTION CARRIES.

COMMISSIONER DEMAREST MOVED TO RECOMMEND APPROVAL TO CITY COUNCIL FOR SUB13-00022.

COMMISSIONER MEYER SECONDED THE MOTION

ROLL CALL VOTE

COMMISSIONER DEMAREST	AYE
COMMISSIONER MEYER	AYE
COMMISSIONER GILLESPIE	NAY
COMMISSIONER MORRISON	NAY
COMMISSIONER BRADBURY	AYE
COMMISSIONER DANLEY	NAY
COMMISSIONER STORY	AYE

FOUR IN FAVOR, THREE AGAINST. MOTION CARRIES.