



Derick O'Neill
Director

Boise City Hall
150 N. Capitol Boulevard

Mailing Address
P. O. Box 500
Boise, Idaho 83701-0500

Phone
208/384-3830

Fax
208/384-3814

TDD/TTY
800/377-3529

Web
www.cityofboise.org/pds

Mayor
David H. Bieter

City Council
President
Maryanne Jordan

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Lauren McLean
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Planning & Development Services

November 3, 2015

Andrea Allen
Gym Stars Gymnastics
11365 W. Franklin Rd.
Boise, ID 83709
Andrea.allen13@yahoo.com
(sent via email)

Re: CUP15-00081 / 11915 W. Executive Drive

Dear Ms. Allen:

This letter is to inform you of the action taken by the Boise City Planning and Zoning Commission on your request of approval of a special exception to use 5,000 square feet of existing building space as a gymnastics training facility. The 1.47 acre site is located in an M-1D (Light Industrial with Design Review) zone.

The Boise City Planning and Zoning Commission, at their meeting on **November 2, 2015, recommended** to the Mayor and Boise City Council **approval** of the request based on the attached Reasons for the Decision.

This application will be considered by the Boise City Council to establish a public hearing date. You will be notified of the established hearing date.

If you have any questions, please contact me at (208) 384-4412.

Sincerely,

Brent Moore

Brent Moore
Associate Planner
Boise City Planning and Development Services

BM/wm

cc: Patrick McKeegan / PMA Inc. / pat.pma.boise@gmail.com (sent via email)
Candice Hartman / Thornton Oliver Keller/Owner Representative / candice@tokcommercial.com (sent via email)
West Bench Neighborhood Association / Attn: Lee Welch / lee.welch@urs.com (sent via email)

Reason for the Decision

The Boise City Code did not anticipate that an indoor recreational facility could be an appropriate use in the M-1 zone. This use is well suited to an industrial area since its main requirement is a large open floor plan and higher ceilings to accommodate gymnastics equipment. Additionally, the existing building will maintain the appearance of an industrial building and can easily be converted back to an industrial use in the future. The business will produce an equal or lesser impact than other allowed uses in the M-1 zone, such as auto repair, light manufacturing, and storage. ACHD responded that no street improvements would be required as part of this application and that E. Executive Drive would continue to function at an acceptable level of service. The site is large enough to accommodate the use and required parking. While the proposed use would be allowed in a commercial zone, commercial spaces generally do not provide the open floor plan and high ceilings required for the proposed gymnastics facility. The proposed use is in compliance with the Comprehensive Plan. Under the *Industrial Land Use Category*, Health Clubs are listed as a Secondary Use which can be allowed in industrial areas provided they do not function as a primary use. The use will not function as a primary use as the proposed gymnastics facility will occupy only 5,000 square feet of the existing 21,500 square foot building. The remainder of the building will continue to be occupied by light industrial uses.

Recommended Conditions of Approval

Site Specific

1. Compliance with plans and specifications on file with Boise City Planning and Development Services Department received **September 28, 2015** except as expressly modified by the following conditions:
2. Two bicycle parking spaces shall be provided.
3. The applicant shall obtain an Idaho Licensed Architect and submit Tenant Improvement plans to the Boise City Building Department prior to occupancy being allowed for the space.
4. This project is in a Design Review District, and any future exterior changes are subject to review and approval by the Design Review Team.

Agency Comments

5. The applicant shall comply with the requirements of the Ada County Highway District (ACHD) dated **October 12, 2015**.
6. Comply with all conditions of the Boise City Public Works Department dated **September 30, 2015**.

7. Comply with all conditions of the Boise City Fire Department. Contact Romeo Gervais at (208) 570-6567 with any questions regarding fire requirements.

Standard Conditions of Approval

8. All parking area and driveways shall be paved and shall be designed and laid out to conform to the minimum standards required by the Boise City Zoning Ordinance.
9. All lighting shall be designed and located so as to prevent glare or direct light from falling onto adjoining properties or streets. The illumination of all light fixtures shall not exceed two footcandles as measured one foot above the ground at property lines shared with residentially zoned or used parcels.
10. This approval does not include approval of any signage. A separate Sign Permit will be required from the Boise City Planning and Development Services Department prior to installation of sign(s).
11. The City Council may revoke or modify, upon notice and hearing, a special exception for the breach or violation of any condition or limitation of such permit.
12. This special exception shall become void if not utilized within 18 months of issuance, or if the authorized use is abandoned for more than a period of 6 months.
13. A special exception shall be non-transferable through assignment, sale or other means of conveyance without written acknowledgement by the assignee, purchaser or conveyee in writing or agreement to be bound by conditions which were set forth in the approval of the application pursuant to Section 11-03-04.13.
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 Boise City. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon Boise City.
15. Any change by the applicant in the planned use of the property shall require compliance with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time.