

CITY OF BOISE
PLANNING & ZONING COMMISSION MEETING

MINUTES • February 8, 2016

City Hall – Council Chambers

6:00PM

FINAL

COMMISSION MEMBERS PRESENT

- ☒ Rich Demarest, Chair
- ☐ Milt Gillespie, Vice-Chair
- ☒ Stephen Bradbury
- ☒ Douglas Gibson
- ☒ Jennifer Stevens
- ☒ Tamara Ansotegui
- ☒ Garrett Richardson (Student)

PDS MEMBERS PRESENT

Scott Spjute, Cody Riddle, Ted Vanegas, Brent Moore, Susan Riggs, Todd Tucker, Brianna McNall, Eunice Ortero, Whitney Montgomery and Amanda Schaus (Legal).

I. CONSENT AGENDA

CUP15-00094 / A to Z Sprinklers and Landscape, Inc

Location: 9635 W. Halstead Drive

SPECIAL EXCEPTION TO OPERATE A LANDSCAPE AND IRRIGATION BUSINESS ON A ONE ACRE PARCEL LOCATED IN AN A-1 (OPEN LAND) ZONE. Ted Vanegas

The applicant is present and in agreement with the terms and conditions of the project report. There is no opposition to this item.

CUP15-00104 / Ted Buck

Location: 8650 W. Fairview Avenue

CONDITIONAL USE PERMIT TO OPERATE AN ELEMENTARY SCHOOL WITHIN AN EXISTING CHURCH BUILDING LOCATED IN A C-2D (GENERAL COMMERCIAL WITH DESIGN REVIEW) ZONE. Ted Vanegas

The applicant is present and in agreement with the terms and conditions of the project report. There is no opposition to this item.

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ZOA15-00007 / City of Boise

AMENDMENT REVISING TABLE 11-06-01 OF THE DEVELOPMENT CODE TO PERMIT INDOOR RECREATIONAL USES SUCH AS HEALTH CLUBS OR SIMILAR USES WITHIN AN EXISTING BUILDING IN THE M-1D (LIGHT INDUSTRIAL WITH DESIGN REVIEW) ZONE.

Susan Riggs

The applicant is present and in agreement with the terms and conditions of the project report. There is no opposition to this item.

JANUARY 4, 2016 MEETING MINUTES

JANUARY 11, 2016 MEETING MINUTES

MOTION: COMMISSIONER BRADBURY MOVED TO APPROVE THE CONSENT AGENDA WITH THE FOLLOWING ITEMS: CUP15-00094; CUP15-00104; ZOA15-00007 AND MEETING MINUTES FROM JANUARY 4, 2016 & JANUARY 11, 2016.

SECONDER: COMMISSIONER GIBSON

ALL IN FAVOR, NONE OPPOSED, MOTION CARRIES.

II. RECONSIDERATION AGENDA

CAR15-00032 / Leaf Greenhouse, LLC

Location: 2124 S. Longmont Avenue & 2134 S. Longmont Avenue

REZONE OF 0.51 ACRES FROM R-1C (SINGLE FAMILY RESIDENTIAL-8 UNITS/ACRE) TO R-1M (RESIDENTIAL TOWN LOT-17 UNITS/ACRE). David Moser

PUD15-00026 / Leaf Greenhouse, LLC

Location: 2124 S. Longmont Avenue & 2134 S. Longmont Avenue

CONDITIONAL USE PERMIT FOR A 7-UNIT PLANNED RESIDENTIAL DEVELOPMENT COMPRISED OF DETACHED SINGLE-FAMILY HOMES. THE 0.51 ACRE SITE IS LOCATED IN A PROPOSED R-1M (RESIDENTIAL TOWN LOT) ZONE. David Moser

SUB15-00060 / New Leaf Subdivision

Location: 2124 S. Longmont Avenue & 2134 S. Longmont Avenue

PRELIMINARY AND FINAL PLAT FOR A RESIDENTIAL SUBDIVISION COMPRISED OF 7 BUILDABLE LOTS ON 0.51 ACRES LOCATED IN A PROPOSED R-1M (RESIDENTIAL TOWN LOT) ZONE. David Moser

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MOTION: COMMISSIONER BRADBURY MOVED TO APPROVE THE RECONSIDERATION OF ITEMS CAR15-00032, PUD15-00026 & SUB15-00060 SCHEDULED TO BE HEARD AT HEARING DATE OF MARCH 7, 2016.

SECONDER: COMMISSIONER GIBSON

ALL IN FAVOR, NONE OPPOSED, MOTION CARRIES.

III. REGULAR AGENDA

CUP15-00105 / New Heights Christian Fellowship

Location: 9950 W. Ustick Road

CONDITIONAL USE PERMIT TO OPERATE A CHILDCARE FACILITY WITH OVER 20 CHILDREN WITHIN AN EXISTING BUILDING LOCATED IN AN R-1C (SINGLE FAMILY RESIDENTIAL) ZONE. Brent Moore

APPLICANT TESTIMONY

Teresa Perkinson (9950 W. Ustick Road)

NO NEIGHBORHOOD ASSOCIATION TESTIMONY

PUBLIC TESTIMONY

David Latham (9935 W. Sussex Drive): Spoke in opposition to CUP15-00105.

Patricia Harris (3269 N. Jullion Street): Spoke in opposition to CUP15-00105.

APPLICANT REBUTTAL

Mike Laskowski (9950 W. Ustick Road) | Executive Pastor at New Heights Christian Fellowship

PUBLIC TESTIMONY CLOSED

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MOTION: COMMISSIONER BRADBURY MOVED TO APPROVE CUP15-00105 IN ACCORDANCE WITH THE PROJECT REPORT AND CONDITIONS OF APPROVAL THEREIN

SECONDER: COMMISSIONER STEVENS

ALL IN FAVOR, NONE OPPOSED, MOTION CARRIES.

CFH15-00062 / JUB Engineers

Location: [3050 N. Lancaster Drive](#)

HILLSIDE DEVELOPMENT PERMIT FOR THE GRADING ASSOCIATED WITH A 10 LOT SUBDIVISION ON 8.32 ACRES LOCATED IN R-1B (SINGLE FAMILY RESIDENTIAL) AND A-2 (OPEN LAND) ZONES. [Cody Riddle](#)

SUB15-00066 / Magal Subdivision

Location: [3050 N. Lancaster Drive](#)

PRELIMINARY PLAT FOR A RESIDENTIAL SUBDIVISION COMPRISED OF 9 BUILDABLE AND 1 COMMON LOT ON 8.32 ACRES LOCATED IN R-1B (SINGLE FAMILY RESIDENTIAL) AND A-2 (OPEN LAND) ZONES. [Cody Riddle](#)

Cody Riddle (City of Boise): Mr. Chairman, Commissioners, this application is a hillside development permit and preliminary plat associated with a subdivision comprised of 9 detached single-family homes. The 8 acre site is located at the northern terminus of Lancaster Drive, as you can see here, about a half mile north/west of the Hill Road and Harrison Boulevard intersection. The property is comprised of three parcels, primarily zoned R-1B and then a small portion, as you can see, is zoned A-2 or open land. Single family homes are an allowed use in both zones. The existing zoning would potentially allow up to 25 homes on the property and that's based on zoning that was established with annexation in 1979. The project includes 9 buildable lots with the smallest one being just over 15,000 square feet. The minimum lot size in the R-1B is 9,000 square feet. The project also includes one common lot of approximately two acres with a current proposal to donate that back to the City; that includes the majority of the property that is zoned A-2. This is significant as you're considering things this evening and it will allow for permanent public access from the end of Lancaster to the Foothills trail system to the north. That property to the north is already owned by Boise City, the Hillside to Hollow Reserve. The applicant has had preliminary discussion with the Parks Department and they have expressed interest in acquiring that parcel; their brief comments were included in your packet this evening. Now, there is a possibility that that acquisition could fall through and we have included conditions to insure that the parcel remains open space and that public access is maintained if that happens.

As previously mentioned, the applicant is not proposing a rezone this evening. All lots conform to the dimensional standards of the existing zoning and this is an allowed use of the land. The only discretionary approval sought this evening is the hillside development permit. That's due to the fact that portions of the site do exceed 15 percent in slope. The purpose of the hillside ordinance is to guide development in a

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manner that's consistent with Blueprint Boise. As you can see, this site is designated suburban and buildable on the land use map and the project is consistent with the vision for both. The applicant did provide a detailed slope analysis that breaks the property down into three categories. The two lightest shades of green indicate slopes of less than 25 percent and the darker green are areas that exceed that threshold. Consistent with ordinance requirements that illustrates that majority of the project is contained on slopes of less than 25 percent.

You will hear opposition to the proposal this evening. That opposition is focused on traffic, grading and drainage, fire, street lights and then access to the Foothills. I believe you will also hear discussion on various policy guidance. Again, this is an allowed use of the property based on existing zoning and it's that hillside permit that's discretionary this evening. The density and use of the property as a residential subdivision really isn't the key question for you this evening. As outlined in your report, we believe the project complies with the applicable standards you can see on the screen. While this subdivision is an allowed use we would like to acknowledge and briefly discuss some of those concerns. Regarding traffic, the project was approved by the Ada County Highway District on December 10, 2015. The fact that the project is substantially lower in density than what is allowed mitigates many potential impacts. The traffic generated by 9 homes is minimal or approximately 86 trips per day with 9 of those occurring during the PM peak. Neighbors have cited issues with the intersection of Lancaster and Hill Road. That situation is not being created by the project and can't really be mitigated by it as it's an offsite situation. However, the percentage of traffic generated from this project is quite minimal in terms of overall numbers that this intersection sees. Obviously, if rezoning or a conditional use permit was requested to maximize the number of units, this would be an entirely different situation. However, the applicant did include a follow up detailed traffic study that addresses this intersection specifically. Regarding fire, the Fire Department approved the project on January 13, 2016. The new road and new construction comply with fire code which includes compliance with the Wildland Urban Interface Standards. The project will require defensible space, noncombustible materials and homes that are more than 150 feet from the road will be fire sprinkled. Representatives from the Fire Department are here this evening. Regarding street lights, given the limited length of the new street Public Works is not requiring any additional lights for this short segment of street, so there's no impacts there. Regarding grading, draining and storm water, the project has been reviewed in detail by Public Works engineers. Their preliminary review confirms the project will not negatively impact surrounding properties and they did include conditions that need to be met or followed up on prior to any construction. One specific condition is that a community drainage system be provided vs., as originally suggested, drainage systems for individual lots. They have also required that additional study be provided to make sure crawl spaces and basements downhill aren't negatively impacted by this project. Similar to fire, there are representatives from Public Works here this evening if you have technical questions for them.

Regarding access to the Foothills, currently the public does access the Foothills through the property, but it's simply private property. If developed with even one or two homes, that access could be fenced off entirely. So again, the donation of that two acre parcel is significant. Obviously the details of just how that access works will need to be worked out with Parks, but we did include conditions to ensure that access be maintained if the acquisition falls through.

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I believe that addresses our analysis of the project briefly. As outlined in the report we believe the hillside permit is consistent with the findings required for approval. We've also concluded that the preliminary plat is in conformance with development code and Blueprint Boise. I believe you will likely hear a host of policy discussion this evening, and we don't want to downplay that for a second, but it's important that we remember that the property is zoned for the proposed use as residential subdivision, the applicant is not asking for any exceptions, waivers or variances and the project meets all dimensional standards of the existing zoning. So based on that, we are recommending approval of both requests this evening. Thank you.

Chairman Demarest: Thank you. Okay, the applicant? If you would state your name and address clearly for the record and then we'll talk about timing.

APPLICANT TESTIMONY

Lisa Bachman | J.U.B Engineers (250 S. Beachwood Ave. Suite 201): Tonight we have some engineers to answer any technical questions that we have and we also have land use attorney Deb Nelson as well as the developer Thomas Coleman so that we can answer any questions.

Chairman Demarest: You're allowed up to 20 minutes; can we start with 10 and see how we go? Let's start with ten first.

Lisa Bachman | J.U.B Engineers (250 S. Beachwood Ave. Suite 201): Sure, let's start with that. Thank you, I think that will be pretty easy to do. I would like to thank staff in being very thorough in his presentation, he covered a lot of points that I planned on doing so I'll try to make it brief. Just a little overview and background, as staff has indicated we are agreeable to all of the conditions of approval. We have gone through the letters from the neighbors and we provided a written response, which should be included in your packets, that we submitted last week and so I'm going to go over a couple of those tonight. Like I said, we are agreeable to the conditions as presented. A few points I guess about how we arrived at the design of our development. As you can see by the maps this is the last piece of developable land off of Lancaster so we wanted do it right, we want it to fit in with the neighborhood and also provide that permanent public access to the Foothills that doesn't currently exist. When we first started looking at this development, we started with about 20 lots just because of the allowable density with the zoning in place, but we took that down to about 10 lots, actually 10 lots total when we went to the neighborhood meeting and we didn't have an open space lot included, so I think a lot of the concerns were stemmed off of the fact that we didn't have any open space and people were concerned about that trail access. So again we went back to the drawing board, revisited the site and included that open space lot and reduced it down to nine single family lots. So right now we're at 1.08 dwelling units per acre, we could develop up to 2.88 dwelling units per acre, so that's more than double than what we're proposing. The area surrounding the project is also zoned R-1B with mid-sized lots.

Again, one of the most exciting pieces of this development is the open space and working with the developer, I feel that he's been very generous in offering up that access. It's been a pleasure working with him and coordinating that and then also working with the Parks and Recreation staff. We haven't decided on all of the details and how that will all pan out, but we have offered to donate that 2.15 acre lot to the

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City of Boise. Again, I just want to reiterate and as staff has pointed out, currently there's no public access to the Foothills, this property kind of blocks it off so we're happy to open that up through the extension of Lancaster Drive as well as providing the open space lot.

So now I'm just going to kind of walk through a little bit of our written response and just reiterate just a few points. Starting off, a lot of the neighbors were concerned about technical analysis and reports and those kinds of concerns. We did provide all of the required reports and engineering analysis and we went above and beyond. We did a traffic analysis and also provided the fire safety plan earlier than normally required so that we could address those concerns. Just to make you familiar a little bit with the street section that we're proposing, some of that was a concern of the neighbors with the parking, we're proposing a reduced street section of 29 feet within 42 feet of right-of-way; we will be proposing sidewalks on both sides of the street. This has been approved by ACHD. With the reduced street section there would be parking only on one side which makes a lot of sense for this development because on the east side there's just two lots, two buildable lots, and that would have a shared driveway and then the four lots on the west would be the side that we would allow parking and then the three lots to the north would also have a shared driveway. So, that's why proposed a reduced street section. Another reason is that it reduces the disturbance to the ground and the improvements that we're going to be building as part of this subdivision, being sensitive to the Foothills area. So, a little bit about the traffic analysis. Again, even though we weren't required to do it we took a look at it, had a traffic engineer evaluate the area, look at level of service, average daily traffic and also in looking at the site distance at the intersection of Lancaster and Hill Road. So, it found that Lancaster and Hill Road will remain safe with the development. The ACHD report states that Hill Road is operating at a level of service F, so I could see how that would concern a lot of folks, but I would like to point out that that has to do with the segment and the traffic on Hill Road as it stands, not necessarily the intersection with Lancaster and Hill Road. So what we did to get a true picture of how this development would impact the neighborhood is we took manual counts during PM traffic times and evaluated that. The intersection is operating at a level of service C and it would continue to do so with the proposed development. It is an acceptable level of service for a collector, local intersection. The impact of the 9 homes is less than one second of a delay during the peak hour; extremely minimal. Also, the traffic analysis considered the north side townhomes, 20 townhomes coming into the area; we included that in our analysis and that less than one second includes that impact as well. So again, we feel that the traffic will be minimal and hopefully we can put some folk's minds at ease that we took a look at that. As far as average daily traffic you'll notice in ACHD's report the counts were from 2003. So again, we estimated what the traffic would be on Lancaster, taking the peak hour count and then getting a percentage from that, we would be below the 1,000 trips per day and on this type of road we would be allowed 2,500 per ACHD's standards. So again, were well below the threshold for average daily traffic on a local road. So site distance was another concern that neighbors were concerned about. So what it considers is intersection geometry and speed limit. So as you approach Hill Road on Lancaster Drive the view to the west is actually unobstructed for about 500 feet. In a 30MPH area, you have to have a minimum of 330 feet clear distance. In making matters a little bit better, not saying their great, but a little bit better for this area, the road is on a fairly straight tangent so that makes the site distance a little, I guess less worse, or better in that area.

So I just wanted to address a couple other points. We submitted a fire safety plan; we are proposing buffers around the structures, restrictions on fire prone landscaping and vegetation management. The

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revegetation plan also calls for hydro seeding of native grasses and sagebrush that would all be replaced within one year of construction. So these measures will protect the proposed subdivision and will add a protective barrier between the existing neighborhood and Foothills. The Boise Fire Department memorandum states that no structure may be more than 600 feet from a fire hydrant. As such, we have proposed two fire hydrants within our development that meets that standard. A little bit about slope analysis as staff had pointed out we will be located predominantly on slopes of less than 25 percent. The technical reports demonstrate that the improvements are designed and located in a way that minimizes hazards and adverse effects on safety and stability. It shows that each lot has enough buildable area to be developed and one thing too that I wanted to point out to the neighbors is that as each lot develops the land owner will be required to go through another process where neighbors will be notified and be able to give input on the individual building permits. So that's another step in the hillside ordinance where the neighbors can give input. Drainage, all drainage will be retained on site as required through a community drainage system and then as staff has pointed out we did include, well Public Works staff included and we agreed to an extra step precaution that we will be taking to protect surrounding properties by looking at the impacts of the proposed homes on downstream properties. Again, street lighting as well, we had one street light I believe located at the end of the cul-de-sac initially when we had our Public Works session and through discussions with Public Works and staff, they're amenable to leaving that light out since it fits within the context of the existing neighborhood with no lighting. So just real quick in closing I'll try to make my time here, just a couple of points I want to end on. So this development as conditioned will not create any adverse impacts on other properties in the vicinity, we believe the developer has gone above and beyond to make this a high quality development and address neighbors' concerns. It minimizes and is a nice infill to the neighborhood, minimizes impacts with minimal number of lots, no street lights, minimal traffic as we have demonstrated in our technical analysis, it creates public access that currently doesn't exist, to me that's the really exciting piece of this, the project is technically sound, we've demonstrated that through our technical reports, we meet numerous goals of the comp plan and I will stand for any questions.

Chairman Demarest: Okay, so we went about a little over 10 minutes, right? We want to make sure that the neighborhood association gets equal time when it's their turn. So are there questions from the Commissioners for either the staff or the applicant?

Commissioner Bradbury: Mr. Chairman, I think I just have one question and actually the image we have on the screen is exactly the one I was hoping would be there. Cody, it appears that some of the building pads and the proposed roadway will encroach, or propose to encroach into areas of slopes in excess of 25% and I know that in your staff report you point out that the building pads are predominately on slopes of less than 25%. Are these minor encroachments that are being proposed here? Is that acceptable under City's code?

Cody Riddle: Mr. Chairman, Commissioner Bradbury, certainly. The ordinance includes a list of environmental factors that should be avoided, but that can be encroached upon with adequate engineering. In all hillside developments there are segments of roadway, or maybe a building pad or driveway that get into minor areas of slope exceeding 25%. It's very minimal in this case and I guess to be fair the building pads that are shown, the applicant team kind of went above and beyond in showing those and that they're only proposing to grade the subdivision infrastructure, not the extension of that street, they were simply

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showing the pads or homes could be constructed without encroaching much into that 25%. Each individual home will require a separate hillside development permit in the future.

Commissioner Bradbury: Thank you.

Chairman Demarest: Other questions from the Commissioners?

Commissioner Gibson: Mr. Chairman, a question for the applicant, also using this same exhibit. Currently the historical pedestrian path or access to the Foothills trail is basically right between 6 and 7. Your open space, as part of the agreement with the City, would there be some sort of process to physically construct the trail connection or, I know it seems like a rather odd question, but the site plan that we had earlier Cody that you can actually see the context, if you could kind of go back to that one right there, where the R is on project, see that little light, buff colored line, that's the historical trail that residents have been using to accesses and kind of over where the JECT is, that's your open space, so if you put in your cul-de-sac, individuals will basically now go down into the gully across a couple of arroyos and then back up the grade. Is that something that you've considered? So even though you're donating this space that you know some sort of improvement may have to be made to make it workable for the connection?

Lisa Bachman | J.U.B Engineers (250 S. Beachwood Ave. Suite 201): Good question Commissioner Gibson. So, we did look at this and talked to Parks and Recreation staff about how to handle that trail connection. One thing I do want to reiterate is that currently that trail is on private property that isn't being blocked off, so by opening it up to the roadway and also providing that lot, you know, we can certainly work with the City to determine the best location for a trail connection. I looked at it briefly before I came today with an engineer, we pulled it up, and the trail would need to jog down quite a bit to the east from where it's currently located, but then it could connect back up, I think we measured about 350 feet or so, so really it's not too far of a jog to be able to go to the east and then back up to the north and connect to the existing trail.

Commissioner Gibson: Thank you.

Chairman Demarest: Further questions for either the applicant or staff?

Commissioner Stevens: Mr. Chairman, a couple of questions for staff. If I'm not mistaken the hillside development permit is triggered, the requirement for it is triggered by slopes above 15%, isn't that correct?

Cody Riddle: Mr. Chairman, Commissioner Stevens, that's correct.

Commissioner Stevens: Okay, so can you just explain to me why we're talking so much about the 25% as opposed to the 15%?

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Cody Riddle: Mr. Chairman, Commissioner Stevens that does get confusing. 15% is the threshold where the permit is required, 25% is within the ordinance itself, it talks about trying to avoid slopes of 25% or greater.

Commissioner Stevens: Thank you, I just wanted that on the record and wanted it for clarification. The other questions that I have, I'm going to put a bunch of them together and this is in anticipation of some of the public testimony and things that we saw in our packet, there were several people who were concerned about the fact that there hadn't been either a drainage or a fire plan that they had actually had been able to see prior to sort of coming here tonight. I just want to understand process wise, at one point does the public get to see and/or comment on that, or do they not get that opportunity once the conditions are sort of in place and if the Commission and then the City Council approves it, it's sort of a done deal, if you could just explain that process?

Cody Riddle: Mr. Chairman, Commissioner Stevens the application materials included a hydrology report, geotechnical report, soils report, the ordinance and the process is structured in a way where they submit preliminary data, preliminary reports depending on the outcome this evening and ultimately at Council. They come back then with final reports before a final plat is signed. So the public had an opportunity to comment on some of those preliminary reports. Regarding fire, the ordinance requires a fire safety plan be approved prior to preliminary plat approval. That preliminary plat approval doesn't occur until the City Council hearing. The applicant has submitted it already, it's often that we don't see that until somewhere in between the Planning Commission, City Council hearing, so we have that plan, fire has approved it and there's still an opportunity to comment on that before the City Council hearing.

Commissioner Stevens: And if I could just follow up Mr. Chair?

Chairman Demarest: Sure.

Commissioner Stevens: A final follow-up on that, with regard to the drainage plan, it did actually change in order to meet the conditions that staff had put on that with regard to the community drainage plan, is that correct?

Cody Riddle: Mr. Chairman, Commissioner Stevens that's correct, that was the applicant's response to conditions or comments from Public Works.

Commissioner Stevens: Thank you.

Chairman Demarest: Further discussion or questions I should say? Hearing none thank you both. Alright, we're going to turn it over to public testimony, but we're going to begin with the representative from the Central Foothills Neighborhood Association, is that person here this evening? Ma'am if you could state your name and address for the record, then we'll talk about timing. The applicant had a little bit over 10 minutes, lets round it up to 11, how about that to be fair?

NEIGHBORHOOD ASSOCIATION TESTIMONY

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Joanie Fauci (2944 Hillway Drive) | Central Foothills Neighborhood Association: Thank you for this opportunity to testify. The Central Foothills Neighborhood Association was formed 10 years ago; this was in response to a development proposal in the Hillside to the Hollow area. Our neighborhood envisioned a better purpose in preserving this area to contribute to the overall livability of Boise vs. development. We were supportive and extremely pleased when the City of Boise purchased the nearly 260 acres of open space, Hillside to the Hollow, providing outstanding recreational opportunities in the Boise Foothills. The acquisition of this property for public use is especially valued by CFNA as it lies within our boundaries and so many of our neighbors use it on a regular basis. With the land trust of the Treasure Valley's purchase of roughly 60 acres adjacent, together it created a unique and closed in open space with trail connections in an area that is enormously popular, enhancing the health of our community and continuing the great legacy of the Foothills levy. CFNA would like to preserve the remaining areas of Hillside to the Hollow as open space. Our most desired outcome of the current situation is for the Boise Foothills, LLC to donate or sell these 8 acres to the City of Boise to increase the Hillside to the Hollow Reserve and to complete what was started in 2013. In lieu of this, we offer these alternative proposals. One or more of the upper three lots could be purchased or donated for a trailhead with parking. Only one house be built where the upper three lots are proposed and that one home be situated less than 150 feet from the road. There appears to be a flat enough spot at the lower end of lot 5 for a home site. Only the three homes with no grades over 15% be allowed. Those are lots 1, 4 and the new 5. Assuming some of the development will be approved we have the following concerns. Fire, possibly the greatest concern in our neighborhood is fire. Last summer another development project started a fire nearby, the Quail Point fire. It was incredibly fortunate that no one was injured, or no homes burned. Although the fire was mostly subdued by air, Boise and BLM Fire trucks were on the ground working to contain it further. Previously we have experienced two fires in the 32nd Street area. There is now a fire gate at the end of Ussery Street that allows Boise and BLM Fire trucks access to that section of the Hillside to the Hollow Reserve. Lancaster Drive is another access point for fire trucks. We ask that a fire gate similar to Ussery Street be placed at the end of Lancaster with access to the old two track road system for fire protection. CFNA has worked diligently over the last 10 years to become a certified fire wise neighborhood and we continue to collaboratively work together to keep this designation. Having homes beyond over 150 feet from the roadway is not a fire wise way to build homes. We do not think the Boise City fire code should allow homes more than 150 feet from a roadway in the foot lands, wild land urban interface. We request modifying the code to account for this. The Boise Fire Department has, through the wildfire safety plan required the contractor to take necessary precautions during elevated fire danger days. We appreciate this requirement in the interest of public safety and welfare, but we also expect the contractor to be held accountable for any fires that they may start. The contractors who started the fire last summer were not held accountable for starting that fire. Traffic and safety, this is another area of great issue, but I will not go into it here, I expect others will speak to it in their testimony. Storm water, when it rains, we have water. Engineering that has gone into storm water flow in our area works well. One of the drainages on Lancaster never works, but the one on Hill Road and Lancaster appears capable of handling it all. We hope that this subdivision storm water drainage plan will be adequate to protect the existing homes on Lancaster. Grading, it appears that there will be some cut and/or fill. We know that the City of Boise engineering staff allow some amount of cut and/or fill, but we don't how much. What is the criteria used to determine how much cut and/or fill is allowed? Six of the nine home sites are partially on slopes that are over 15%, three of those have some areas greater than 25%. Also, portions of the cul-de-sac and one of the proposed private drives are on slopes greater than 15%. We believe that slopes in excess of 25%

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should not be compromised by cut and/or fill in keeping with the spirit of the Hillside and Foothills Development Standards. We ask that one of the alternatives mentioned earlier or another one which the developer may propose be considered rather than the existing plan. Several homes in our area have experienced structural issues due to cut and/or fill, soil stability, erosion or sprinkler problems. Two homes on North Mountain Way had to remove their decks, fix major foundation cracks and then install a new deck. One home on Hillway had to remove its deck and has yet to replace it, they may never. Another on Hillway has had continual erosion problems every time it rains and this is the newest home on the street that cost over \$700,000. We request that any sites approved for homes have the building envelope clearly defined on the appropriate maps. No setback waiver should be allowed, all defensible space, ignition zone and fuel free zones be adhered to plus the additional conditions as spelled out by the Planning and Public Works staff. We appreciate all of the recommended conditions proposed by staff. However, as this application is only for the roadway, we ask that all neighbors from 2926 Hillway on the west side of Hillway, those are all off Rideway, all of Lancaster and all of the east side North Mountain and anyone else who testifies tonight, or who has submitted comments be notified as each of the home site applications are submitted, not just the neighbors within 300 feet and not after the home has already been approved. We would like the ability to comment early in the process. Open space, we all love our open space. We are extremely happy that so much of our backyard is preserved. We thank the developer for offering to add even more acreage to the current Hillside to the Hollow Reserve. With that said, we hope to ensure that the trail access from Lancaster is preserved. We would like to see the trail access clearly designated on all maps, at this point it is not obvious. Two potential access points are on the east side of the road starting just beyond the proposed shared driveway or off the end of the cul-de-sac in its current location, especially if the upper three homes are allowed. I, along with other CFNA board members and neighbors, have attended many hearings with the City of Boise and ACHD this past year. There is a common theme mentioned by citizen testifiers regarding that discord between the City of Boise and the Ada County Highway District. Hearings related to Foothills developments stress the discord between the Foothills Ordinance, the Foothills Policy Plan and the Hillside/Foothills Development Standards among others. It is very frustrating for the public or developers to testify in a meaningful way. Even Commissioner Stevens needed to ask for clarification earlier. I am asking now and I will continue to ask the City and ACHD to work on cooperation and enforceability of their plans. I would like thank the Planning, Public Works, Fire and Legal staff for all of their assistance. They have been professional and helpful. The developer has also been cooperative. We appreciate that he has already addressed most of the issues raised in the written comments. In summary, we feel that the best option here is for the DBSI Boise Foothills LLC to donate or sell the 8 acres at the end of Lancaster to the City of Boise to increase the Hillside to the Hollow Reserve and for it to be developed into an official trailhead. If a deal cannot be reached, the next best option is for no homes to be allowed more than 150 feet from the roadway. This is a fire safety issue in an area very at risk for fire. We request notification of each home application for oversight purposes and we would like to see a fire gate at the end of Lancaster to allow Boise and BLM fire trucks access to the reserve during a wildfire. Comprehensive Planning includes engagement with neighbors from the very beginning and throughout the process. We value the relationships we have developed over the years and working with key community partners such as the City of Boise. Thank you for your consideration of our concerns and comments.

Chairman Demarest: Thank you. Okay, we've got six people signed up; actually the first person was the person who just testified so I think she's had her time as the neighborhood rep. So we're going to go

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down the list, if you didn't have a chance to sign up, don't worry about it we will certainly give you that time, but let's start with the sign-up sheet. First person on the sign-up sheet is Tim Kesinger. Just a reminder that everybody gets three minutes; it'll be timed right up here.

PUBLIC TESTIMONY

Tim Kesinger (3126 Hillway Dr.): Can the written comments that I had wished to give tonight be presented?

Chairman Demarest: Yes we will put them into the record.

Tim Kessinger (3126 Hillway Dr.) | Provided Exhibit 1: Okay. The theme of my presentation is the deception that we're hearing about this plan and I commented on it in my written comments already, but I hear it again tonight. One of the deceptions is, well two of the easy ones is the access point. We're to be given a gift of an access point; the law says you can't block access to the property beyond it. In this case it's the open space; you cannot block it by law so it's no gift. The 2.15 acres that are to be granted cannot be developed. If he's going to build a house on an A-2 zoned property the rest of it has to remain open unless he wants to put a park or some other R-1B use that's compatible. The other deception is about the slopes, 25% slopes, the rule is you're to avoid slope areas and that's not the slope, that's the area of slopes and if you look at this, it's a development between slopes, 25% slopes. Not only are they not avoiding it, they are actually putting their building pads on the brink of it and in order to put it on the brink they're actually, if they didn't push the dirt it would be an overhanging building pad and so they're having to construct in order to just make it a building pad on the brink of a 25% slope. Then after that, is what is it to be when it's done? What are you going to do with that slope when you've got a house that's on the brink, are you going to put in a backyard at that point? You're not. You're going to cut that slope away and you're going to build a house to the bottom, and in this case the bottom is 30 feet vertical. You can't do anything else. The slope is intended in this proposal to be eliminated when they're supposed to be avoiding the entire area. Those are the deceptions there.

Chairman Demarest: Okay, thank you. It'll become part of the official record. Thank you, sir. Next person on the sign-up sheet is Delia Dante. I don't see that person standing up, next person looks like Michelle Cooper. You're going to pass? Okay. Jim Mairs.

Jim Mairs (3007 Ridgeway Dr.): Commissioners, thank you very much for this opportunity to talk to you all a little bit about our neighborhood. My biggest concern, I think Cody here has done a good job, the developer has been cooperative, but I don't get a global sense of how this all works. We have a traffic issue at the bottom of Lancaster, we have a large development going in which you've heard about, we have a roundabout going in at 36th Street which is incomplete. So how is this all going to factor together? That's my concern. I also agree with the community Foothills Association assessment, I think there are some compromises that could be made here, but I still don't see how the whole thing works together. The fire concern, my backyard is huge, the slopes are steep and I would say at this time of year when there's ice and snow a driveway built at that kind of slope is going to be serious to get up and down. I don't know if any of you have had the chance to walk up there and see what it looks like, but in that canyon there's very little sunshine and it's dark a lot of the day so I kind of wonder about the viability of the lots that are

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down in the canyon. I do appreciate the accommodations that the developer has brought, I think they're good suggestions, I appreciate the process that you all have gone through and they have all gone through and your staff has gone through, but I look at this thing, is it a contribution to the kind of Boise that we want? This is the last piece there, it's a small piece, it's a difficult and expensive piece to develop and I would suggest that we at least look at this from a broader perspective, not from the sense of 9 homes, but the sense that you've got a roundabout, you've got another large development, you've got a small development, that is the last piece. Thank you very much.

David Meyer (2934 Hillway Dr.): Mr. Chairman, Commissioners, I am a 25 year resident of this neighborhood and I would like to share my experience living there. I believe that the new road and subsequent development proposed by DBSI, LLC should not be approved and instead these 8 acres would better serve the community as a continuous part of the surrounding Hillside to Hollow Reserve. The project creates three problems, soil erosion, access and fire. Erosion is the big one. This is not your grandma's backyard, these 25% slopes can be easily slid down in a dry summer day in a cardboard box, I can attest to that from my children in my own experience. The responsibility for the developer as assumed is for the roadway storm system and community drainage system, but ultimately it is the homeowners that will pay. I am one of those. 23 years ago I spent \$15,000, \$17,000 on a retaining wall in my backyard to protect it and ten years went out and the lot next door was deemed buildable. Two engineering studies, City of Boise approved, and as you've heard about 5 years ago she noticed her porch sliding down the hill. The building pad probably didn't move, it's relatively flat just like these are, but it's too steep. This soil moves, when it rains it moves and the other example around corner you already heard about, it's a brand new house, brand new engineering, the backyard is moving. My second concern is access, the developers say that this is going to increase access, but I don't quite follow the logic, they've proposed the narrowest allowable road and a 10% grade and if the local homeowners wish to park in front of their house, I don't see where the parking is actually increased and the accessibility to the public is actually increased, it's going to be very difficult to park there. Finally, these Foothills burn. Last August we had a fire in the Hillside to Hollow Reserve that was caused by a construction crew and ultimately the citizens of Boise paid for putting that fire out. As you know, we have strong, westerly winds here; we might not be as lucky next time. I'm east of this site and so I'm personally concerned that I will bear the cost of fire if it does in fact happen. DBSI benefits from the road improvement and the sale of these lots, but I feel that they do not share in the responsibility and ongoing costs that development of this area will create. This 8 acres, rightfully belongs in the Hillside to Hollow Reserve and I encourage the Commissioners to ensure that this open space remains open to everyone. Thank you.

James Wong (3088 N. Mountain Rd.): Good evening Commissioners, I live adjacent to this development parcel. I come to speak to you today about some of the points that have already been raised, particularly one of my concerns as you see in the letter that I have included, it spends a little bit of time on the concerns about traffic safety and in the terms of traffic safety, I wish that Ada County Highway District would have stepped up and had done their responsibility and provide another office traffic study. Here the developer and you as a Commission are being asked to rely on a developer provided and sponsored traffic study which was occurred on one day and did not have a period of time which most traffic studies are covering and the implications for that is a single day of February 1st is not taking in consideration the bike and pedestrian traffic that occur on a typical day in the summer which is fairly heavy, it does not take into account the effected detour traffic volume that is current right now because of

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construction and the planning going on around 36th street. It makes an absolute false statement that you can arrive at the Hill Road and Lancaster intersection and not go into the bike lane to make an eastbound turn, you have to get there, line of site is obstructed. What all of this sums up is that the traffic study should be dismissed out of hand and Ada County Highway District should do their job to provide a current traffic study. They said Hill Road is a level of service F, not surprising that the engineer that the developer hired is a level of service C. Furthermore, grading, hydrology, cut and fills have not been adequately defined. We're looking at a project that right now is being largely talked about hypothetically, you are asked to evaluate this project on basically a road that's being developed, all those perceived building pads are purely hypothetical. This is a project where 90% of this project is still unknown and you are being asked to approve that. We as adjacent homeowners are very concerned about fire safety, hydrology and drainage because we don't know, and none of us know, as these individual building pads as they develop, what the impacts are going to be at each one of those steps. This is not a regular subdivision. Put on your critical thinking hats and really think through the fact that this has different characteristics, this is a steep hilly terrain, there is drainage that is going to occur and it has impacts and even so there might be swells and drainage basins, it's not going to resolve some of the situations to come off that, it's still unknown.

Eunice Ortega (City of Boise): Time

Pat Perry (2901 N. Lancaster): I'm on the corner of North Mountain and Lancaster. In November I put this notebook at the trailhead and just wanted to see how many people would sign it and what their ages were and how often they went up our street into the hillside and three pages, single spaced were filled up within about two days. We've lived there over 30 years and this is from my tender side, I sit out and watch and look out my window at all of the variety of people that go up that street, Lancaster into the hillside. They are old people like me, and I'm probably one of the oldest in my neighborhood, young people, children, people that come from the north end of Boise and come across Hill Road and come up into the Foothills. I have loved the fact that you can walk up that Lancaster and you can see the Foothills, it makes me sad to think that that will be blocked with houses where you wouldn't be able to see the Foothills. I was excited when the levy passed to get more money for buying land through the City, but the timing was a little off a little bit because I was hoping the City would buy those acres and I hope that they still can, I hope this project is defeated or whatever the right term is because I've lived in Boise, I was born in Boise, we need to have access to the Foothills and this is a lovely way to go up into them, it's not difficult so older people and younger people can access, and also just one other thing and I don't know the details on this, but when we bought our house, in the backyard is a ditch that had to be there and we asked about it and they said, well, that they had a big flood that came down from the hills and it knocked all of the fences down and so they had to have along our area of Lancaster that came down from the hills, we had to have this kind of ditch built. Well I don't know when that happened, but if it happened it could happen again with the water. One other thing, the traffic is getting horrible on Lancaster to Hill Road, you can hardly get on there, the children catch their bus down at the corner, it's dark and don't kid yourself with the condominiums that are going to be built on Hill Road plus other developments and Hill Road is a bike access, people use it all the time, it's pretty narrow and to think that we're going to have more traffic. Anyway, thanks for listening.

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David Rizzio (2831 N. Lancaster): I live next door, across the street from Pat who just spoke so I'm on the corner of Mountain View and North Lancaster. We just purchased the home; we fell in love with the area having access to those Foothills. We have a young son, 10 months old, we're looking for him having safety in the neighborhood, being able to ride their bikes like the other kids, but sitting there at home working out of my home office some days people turn that corner so fast that it's just scary for everyone in the neighborhood, my dog just died Monday from it. There's no stop sign on that corner for one thing, so what's going to happen in the future with more cars coming down the hill? What people don't realize going down the hill is that they don't need to hit the gas, but people hit the gas and their hitting 30, 40 mph before they hit the bottom of the hill. So my major concern is the safety and the people driving, and other than that how many more construction people will be driving up and down these roads every day? Some of the people I see going around these corners fast are the construction people working up the hill, the delivery drivers, it's not the people that live there, but the people that just use it for access whether its for their business. Some of the other concerns are also like Pat mentioned which is the water, we have a retention hole in our backyard with a grate and my backyard is wet as it is and there's not any rain going on, so what's going to happen if we have some type of big storm or a flood that happened before? That's about mainly it, I didn't need much of your time, just want to say that safety, it's very important to me right now with my 10 month old son and having more cars going up and down that hill, it's very dangerous and the site view, whether they say it's 500 feet or not, that site view is around a corner, come down Lancaster and as Mr. Wong stated you have to pull into the bike lane to take a left turn. One thing we'd like to see if this does get approved, which I hope it doesn't, maybe some red flashing lights like they have on Harrison. Hill Road is much more busier than Harrison, but I tell you what those small streets, they have that access to cross. Thank you.

Randy Eardley (2734 Terrace Way): I just have a couple of brief points, one I would like to second what Mr. Wong said and the neighborhood association; I agree with all of that especially the traffic and if I'm not mistaken in the opening presentation, I think she cited some numbers from 2003, statistics, and that was 16 years ago and I hope that wasn't true, but if that is then I would encourage like Mr. Wong, we have an actual traffic study done. Secondly, I appreciate the fact that the City code requires those three top houses to have sprinklers because of their distance from the road and that does a lot to protect the structures, it doesn't do anything to protect the hillsides around it and what concerns me about this is your blocking off any access up into the Foothills for fire traffic. Those are my only points, I am no stranger to fire and that to me is one of the most concerning elements of this proposal. Thank you.

Chris Welcker (3102 N. Mountain Rd.): Comments I wanted to make about the donation of the land that is the two acres they cannot build on because of the zoning. The original proposal included a house there that they were told by staff that they couldn't do that without a rezoning and that wasn't really going to happen. What I would propose is instead of donating the land that you can't fit a parking lot on and it goes off to the side as one of the Commissioners questioned earlier, is donate one of the other lots where you actually could build parking; we're talking about access to the Foothills, but for many of the people that don't live in the neighborhood they drive up, they park and then they go access the Foothills. The current situation is going to create conflict between the homeowners on the west side of this street who use some of the on street parking and people who want to access the Foothills who come out of the other neighborhoods. Number two, a comment was made by the developer's agent about public input. When a Foothills building permit goes up there is no upfront public input to that process. I talked to Cody about

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that on Friday, the 300 foot neighbors are only notified after it is approved. That's different than a subdivision hillside permit so that's again, getting back to Joanie's point of getting more input into that process or at least notify more of the neighbors after that's been approved because I think there's only a limited window in which to appeal. Three, in terms of the fire plan I was really happy to see them put in a fire plan so that we could actually see what shape that would take, but one of the lines is that they would take necessary precautions in an event of a red flag alert, I think that's a little lax. When we did have that fire, Quail Point Fire that was not a red flag day, that was just a really hot August day. Saying it only has to take precautions during a red flag day ignores all of the other days in the summer where fire danger is extreme. As far as the intersection down at Lancaster and Hill, I don't know about the 500 foot site lines that they were mentioning because again you do need to pull pass the stop sign all the way into the bike lane in order to make that left hand turn, but the 500 foot site lines definitely do not apply to the bikes that are in that bike lane, that may apply to the cars that are driving at you, but the bikes, I've had to back out of that intersection several times because I've been into the bike lane and had to get out of their way. I'm sure many of the neighbors have. Another issue that wasn't addressed in the traffic study they presented, which I also appreciated that they did, is the issue of the roundabout impact. The roundabout going in at 36th and Hill Road will close down all of the gaps that we would be expecting to see from the current stop light that we had; it's going to be harder to take a left and then those townhouses are going to take up most of those slots of the gaps in traffic. That's all I had, thank you very much.

Dr. George Lewis (2860 Lancaster): I live across the street from the Perry's and the other people that spoke earlier. You know, I've walked this area, I've been about every square yard of that place for 30 years so I know that ground pretty well, I didn't think those lots, 1, 2, 3 and 4 were even buildable. The reason that road is so narrow is that ridge is narrow, there's hardly room for a regular road to build those lots, they will be over the overhang. I spend a lot of time on lots 10 and 9 and I can tell you in spring time that ground is wet, it's soft loamy soil and it's like real spongy when you're walking. One of the concerns that I have in my house when we first moved there, there was pipe in my house that would take water from the house above that delivered the water to house below. They also had a pipe that continued to run water down below. I'm concerned that they're going to put a road, they're going to put in homes with lawns, and right now there's sandy soil, there's vegetation that absorbs the water very nicely, that's going to be replaced with asphalt, it's going to be replaced with backyards that don't absorb water. My concern is that I'm going to get that water that their water control is going into my backyard, or in my basement, or in the house below me. I think lots 1, 2, 3 and 4 are virtually unbuildable lots and 5, 6, and 7, that's the best part of this land. I agree I wish this could go to the City; this is a wonderful access to that hillside property. The space that they would like to donate, if you look at the view of the actually space that's here where the trails are, that space is inaccessible; it's very difficult to get to that area. I've crisscrossed every part of that and it's really hard to reach. To get that, it's a real steep slope to go down; it would be again a very steep slope to go up. Someone was asking about people of age, I think it would illuminate their ability to access that property. So, that's all I have to say, thank you for your time.

APPLICANT REBUTTAL

Lisa Bachman | J.U.B Engineers (250 S. Beachwood Ave. Suite 201): Thank you Chairman and Commissioners. I'll do my best, there might be a few items that we need to defer to the engineers on, but I'll go through each of these issues. So, I'll just go down the list. The request for donating the 8.32 acres

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or purchasing-we did propose the purchase option to the Parks and Recreation Department. I believe we didn't hear back on that issue as to seeing if the City would be interested in that.

Fire was another concern, like I said we've provided a fire safety plan. If we want better language other than a red flag day we can work with the Boise Fire Department to improve that language in our fire safety plan. They indicated that they are a certified fire wise neighborhood, certainly this neighborhood would be happy to join in in that designation and because in the fire safety plan we've identified a lot of those protocols to follow.

Contractors being held accountable, I would just like to point out, and also the drainage and disturbance, the amount of disturbance is going to be minimal with the subdivision improvements. We're going to build the road, the drainage and extend services in; it's going to be minimal. We've done a reduced street section, we're not going to be going in there and building a subdivision and grading pads like you would normally see with a regular subdivision and as staff has indicated, each lot will come in for another process, neighbors will be notified, I would defer to staff if they would like to increase that notification boundary to include additional individuals, we don't have an issue with that either way. A lot of people mention the 15% slope; the shared driveways are below the 15% slope so we meet that requirement for both the roadway and the shared driveways. Setbacks was another concern and the gully in the subdivision so the City staff did recommend a condition that we increase our setbacks off of that and we've actually laid it out to make sure that we can meet that so we'll have greater setbacks from that channel along the west side of the property.

Some people made reference to the open space lot not being a gift to the City, or that it can't be developed. Actually, we originally did have that as a buildable lot; there are some areas that can be built in on that lot. If we would have rezoned it, we would have proposed more lots on that area. As far as the traffic concerns and 36th Street roundabout, a lot of people are going well, with that in place how's that going to impact Lancaster and Hill Road? Typically with trip distribution it subsides after about a half mile after going through the intersection and 36th Street is about 1.3 miles from Lancaster and Hill Road. So, the impacts of that roundabout will be fairly minimal on that intersection.

A lot of concerns were brought up about the drainage system, that's one reason why Public Works staff required a community drainage system and we've updated our hydrology report to include that. Traffic safety, again, Ada County Highway District did not require that, it takes a lot larger development to do that. We do understand that this is a unique subdivision, that's why we provided all of the required engineering reports, and we feel like we've addressed everything in that. There was a question about the 2003 traffic count, I might have misspoke on my presentation, but what I referenced is that was Ada County Highway District's number, that was the latest count that they had and that's why we went out and did new counts to look at that average daily traffic on Lancaster. That's pretty much it, if there's anything I missed that you would like clarification on let me know and we can bring the engineers up to talk about it.

Chairman Demarest: Thank you, ma'am. Okay, so we're going to close this portion and it now is before the Commissioners to render a decision. We've got two decisions to make, one is actually an approval, the hillside permit is an approval, it's a Commission level decision, and the other one is a

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recommendation to City Council. So I think we should start with the first one, the hillside permit, although it's really up to the Commissioners. Commissioners, what is your pleasure?

PUBLIC TESTIMONY CLOSED

MOTION: **COMMISSIONER BRADBURY MOVED TO APPROVE CFH15-00062 IN ACCORDANCE WITH THE PROJECT REPORT AND CONDITIONS OF APPROVAL THEREIN**

SECONDER: **COMMISSIONER STEVENS**

MOTION: **COMMISSIONER BRADBURY MOVED TO RECOMMEND APPROVE OF ITEM SUB15-00066 TO THE CITY COUNCIL IN ACCORDANCE WITH THE PROJECT REPORT AND CONDITIONS OF APPROVAL THEREIN**

SECONDER: **COMMISSIONER STEVENS**

Chairman Demarest: Discussion?

Commissioner Bradbury: Mr. Chairman, obviously this project has generated a fair amount of interest in the neighborhood and that's reasonable to expect. The reason that I made the motion the way I did is because as staff has pointed out this proposal meets all of the criteria of the City's code for purposes of subdivision development and it meets all of the criteria under the Foothills Ordinance for a foothills permit. With respect to the issues that have been raised, the fire protection being one, there are at least two conditions of approval contained in the staff report that requires that this development comply with the City's code for the wildland urban interface area and require Boise Fire Department approval. So, the applicant and all of the home builders are going to have to meet the requirements for fire protection and fire safety. Similarly, there are conditions of approval requiring that the applicant and each of the individual home builders out there to comply with all of the City's ordinances regarding storm water drainage and meet all of the technical requirements of the City's code and I guess that would go with the grading as well. Traffic and transportation I have to say I found kind of interesting because I was a little concerned about the dearth of information that we were provided from the Highway District, we really didn't get much help and so I tend to agree with those who have been a little critical of the Highway District because we didn't get much help with that, but the applicant took on that task and provided a traffic impact study, a traffic analysis that indicated that the roadways do in fact meet the requirements and can handle the traffic and that the intersection at Lancaster and Hill Road, for better or worse, operates at a level of service C which is an acceptable level of service. By the way, the gentleman who prepared that traffic analysis is very experienced and a competent transportation professional and his work is, I have not heard any credible criticisms of the work that that particular professional does. Finally, with respect to the open space, yeah we all like to keep open space, but we all have to remember also that this particular piece of property is a privately owned property and that owner could, in the absence of some other rights being in existence for access, could theoretically close that off to anybody and everybody except anybody who actually has a legal right to go across it. So I think in the end even though

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it kind of feels like that something is being taking away, there's actually, if this project gets approved, there will actually be legal public access across that property which in fact is a legal improvement. I rambled longer than I really intended to, but I kind of wanted to address the major issues. Those are my thoughts.

Chairman Demarest: Thank you, Commissioner. Further discussion?

Commissioner Stevens: Mr. Chairman. I will second everything my fellow Commissioner just said and I'll add a couple of things. I hate to see building in the Foothills, I'm not going to lie to any of you, my heart is with every single person who talked tonight. I use the Foothills all the time, I love them and you know I would like, like every one of you to not see any more building up there, but our job as a City is a little more complicated than that and that's one of the hard things about sitting in this position, in my opinion, is having to make decisions that doesn't put the City in a position of jeopardy, I guess is the best way that I can put it, and it's very clear that there is private property right here. Frankly, I think the developer should be commended for not maximizing what they could have done on this property; the zoning allows for a lot more than what we're seeing here and I think we need to at least, I feel that I need to recognize the compromises that have been made here and I think what we see in front of us is in fact a compromise application in many, many ways. The traffic, I agree with my fellow Commission Bradbury that it's exasperating and I wish that there was something that we could do for it. I will say that putting parking and putting parking access to a trailhead there is not going to help your traffic problem and so you know I think it is a benefit that that public access is going to continue in a legal way and I think Commissioner Bradbury is correct that we see an improvement here. I guess I would hesitate to put parking up there that's going to draw attention to that trailhead that eventually, will hopefully exist for access to Highlands to the Hollow. One last thing on the erosion issue and to the soils, I've studied a lot of Foothills development over the years and I know that we do have active landslides particularly in the east Foothills and I don't doubt that the anecdotal evidence that you all came up with tonight with regard to your neighbors various problems is true, but at the same time we have a Public Works Department that has told us in a study, and they're engineers, I am not, that the soils here can support this, and so I feel bound to listen to what my Public Works Department tells me and trust that the engineers and that the people, the developers, have studied this adequately and that the soils can in fact support this. So for those reasons I will be supporting the application tonight.

Chairman Demarest: Thank you. Further discussion?

Commissioner Gibson: Mr. Chairman, I'm going to be voting in support of the motion as well, but I did want to go on the record that I believe that not having a street light at the cul-de-sac is not a wise decision, I consider that an attractive nuisance and as such, one other item specific to the cul-de-sac and parking and the minimum turnaround radius, if that area is utilized for public access to the Foothills worst case scenario it's an August afternoon and you've got people who are up there and the cul-de-sac is parked in, people are parking illegally, fire apparatus needs a particular turning radius and so anytime you have an instance where you have two uses at one spot, first in line, first in time type of scenario, so that concerns me, not so much so that I would vote against it, I appreciate that Public Works has vetted out the engineering. I know JUB engineering, I hear personally they are a qualified, competent engineering group and secondly, the geotechnical analysis which will be provided for the building department for each

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particular building lot will be thoroughly analyzed, it's in the developer's best interest to not have buildings slide down the foothills from a legal point of view and a reputation point of view as well. Finally, I also agree that building in the Foothills is not what I like, but my personally opinion does not overcome the demonstrative property rights of a legal owner and for an area that, according to staff was rezoned back in the late 1970's and to date has been left fallow. So, I just wanted to go on the record for that as well, so I will be voting for the motion.

Chairman Demarest: Further discussion?

Commissioner Ansotegui: I too will be recommending approval of this development and I don't need to add too much to some of the eloquent statements my fellow Commissioners have made, but as much as we dislike seeing new development in the Foothills, in order to maintain a certain amount of open space we do have to develop where we can and this particular parcel lends itself as a kind of infill development that is contiguous with existing development. We have to trust the technical documents that we've received and I would also like to commend the developer and working with the community on this one.

Chairman Demarest: Thank you. Further discussion? I'm going to weigh in just briefly and quote from one of our criteria before making a decision, particularly with a hillside development permit and read item "d" under that code, *that the project does not create a potential hazard of flooding, soil instability, fire erosion* and then there's even the word etc., Right there, right? I'm not sure what that means, but I think that the reason that there is a Planning & Zoning Commission is when we get to stand between developers and citizens and so to me it's not quite so clear. I think the neighbors have in fact made a fairly compelling case that at least two of those areas are problematic, particularly soil instability and erosion, and I'm going to vote no on the motion and even put into the record that they could cite two or three of the public testimonies testifiers cited current problem in fact with some soil instability, so I'll vote no for that reason. Any further discussion? Okay, so we've got a motion that's seconded to approve, so all those in favor of the motion that's been seconded, please signify by saying aye? All those not in favor?

4 IN FAVOR, 1 OPPOSED (COMMISSIONER DEMAREST), MOTION CARRIES.

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CPA15-00008 / Pleasant Valley South, LLC

AMENDMENT TO POLICY SW-CCN 2.5 OF THE COMPREHENSIVE PLAN TO REMOVE BOTH THE AREA AND DENSITY LIMITS ON RESIDENTIAL DEVELOPMENT NORTH OF THE FUTURE LAKE HAZEL ROAD EXTENSION IN THE RESERVE PLANNED COMMUNITY AREA.

Todd Tucker

CAR15-00029 / Pleasant Valley South, LLC

Location: 6298 S. Cole Road

REZONE OF APPROXIMATELY 601 ACRES FROM A-2 (OPEN LAND) TO SP-03 (SYRINGA VALLEY SPECIFIC PLAN). THE NEW ZONE WILL INCLUDE A NUMBER OF SUBDISTRICTS WITH A RANGE OF USE ALLOWANCES AND DIMENSIONAL STANDARDS. Todd Tucker

SUB15-00055 / Kirsten Subdivision

Location: 6298 S. Cole Road

PRELIMINARY PLAT FOR A RESIDENTIAL SUBDIVISION COMPRISED OF 453 BUILDABLE AND 41 COMMON LOTS ON APPROXIMATELY 101 ACRES IN A PROPOSED SP-03 (SYRINGA VALLEY SPECIFIC PLAN) ZONE. Todd Tucker

COMMISSIONER BRADBURY RECUSED HIMSELF

Todd Tucker (City of Boise): Good evening Mr. Chairman and members of the Commission. This presentation is for the Syringa Valley Development which is located in southwest Boise. The project is a large, 600 acre mixed use project located on the east side of Cole Road where Lake Hazel Road intersects.

This presentation will cover 3 items this evening, a Comprehensive Plan Amendment, a Rezone to designate the property as a Specific Plan, and a preliminary plat for a residential subdivision. I will explain each of these applications within the presentation, but first I thought it would be go through a little bit of the history on this property.

The subject property was annexed into the City of Boise in 2007. The property was zoned A-2. The A-2 zone is a holding zone typically given to property that is annexed without a development plan. The property was given a land use designation of Planned Community. There are several Comprehensive Plan policies specific to the development of this property. In the Comprehensive Plan this area is identified as “The Reserve”. Recommendations were specifically given as to how and where certain land uses were to be located. In addition, specific densities were provided for different areas of the property, which leads us to the first application which is a Comprehensive Plan Amendment.

The Comprehensive Plan limits residential development north of Lake Hazel, or the future extension of Lake Hazel, to the 65 acres located in the northwest corner. It further limits the density within this area to 3 dwelling units per acre. These restrictions were placed on the property because of concerns expressed by the Airport related to noise from the jets used at Gowen Field when the property was annexed. The airport has recently conducted an update to the previous sound study and has indicated that they do not have the same level of concern now as they did in 2007. As such, the applicant is requesting to increase

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the area allowed for residential development to approximately 100 acres with a density of approximately 4.5 dwelling units per acre.

The second application for discussion is the Rezone from A-2 to a Specific Plan. Specific Plans are a tool used to create new zoning regulations for unique areas and developments where other conventional zoning mechanisms cannot achieve the desired results. Some existing specific plans that you know about are the Harris Ranch Specific Plan and the Barber Valley Specific Plan located in southeast Boise. The specific plan was designed to comply with the Comprehensive Plan policies that are specific to this area referred to as “The Reserve” in the Comprehensive Plan. I will just briefly now run through some of the components of the Specific Plan.

So as you can see majority of the development is a fairly low dense residential development, everything in yellow is a fairly low density residential development. The plan does propose to have two schools located on site, a large 50 acre site has been purchased by the school district for a high school and a smaller 10 acre site is anticipated for an elementary school and the school district has indicated that they need both of those. A 10 acre site for a public park is located within the development and this has been worked out with the Parks Department, they would like that park centrally located and that’s where it’s been located. There are two neighborhood commercial centers in the property. One is located south of Lake Hazel centrally located to the development; it’ll have kind of an urban village feel, something very similar to Hyde Park or Bown Crossing area. This is a little bit larger neighborhood commercial area, there’s also a business campus located north of that, all of these things were specifically called out in the Comprehensive Plan, things that needed to be located within the development and where they needed to be located. There will be a pedestrian pathway along the canal here that traverses through the western side of the property with other paths through the property to get you to the park. Lake Hazel Road will be improved with a 10 foot wide multi-use pathway on both the north and the south sides of the road as well as bike lanes on Lake Hazel. So those are a few components of the specific plan.

I just wanted to talk briefly about one aspect of the Specific Plan and that is the Urban Village in the center of the project on the south side of Lake Hazel. This satisfies the requirement to have a neighborhood commercial center south of Lake Hazel. It will provide a nice place for the residents of the area and students at the high school to meet for lunch time or other times of the day. It’s centrally located and it’s near the high school, and city park, it’s near the elementary school and we feel it will be a great asset to this community.

The Planning Team feels that the Specific Plan that has been submitted and as presented is a great start. It follows many of the recommendations of the Comprehensive Plan for this area. However, there are still some of the finer details that need some improvement and some greater review. Some of those items are the future alignment of Orchard Street, a more environmentally friendly way to handle storm water runoff, a xierascape landscape palate due to the lack of irrigation water rights in the area, and the potential for block prototypes to further identify how development will look in the sub-districts. As such, we are recommending a conceptual approval of the Specific Plan and will work with the applicant to further refine the details that still need to be addressed.

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The Kirsten Subdivision is a residential development with 422 buildable lots, and 20 common lots. It will have a total of 452 dwelling units as 10 of the lots will be improved with multi-family buildings. The subdivision has a great network of detached sidewalks and micro-paths through the open space lots. There is a nice mix of product types with larger lots located in the northwest corner that match the existing lots to the north. Smaller traditional front loaded lots and alley loaded lots are centrally located and spread throughout the development and then multi-family lots are located at the southeast corner of the property. The vehicular and pedestrian connectivity is excellent within the subdivision.

As you know from the project report and the late correspondence memo there are some concerns from the neighborhood regarding this development. Their concerns center mainly around 4 topics. The density, or just the sheer number of homes being proposed, how this development will be impacted by the Airport, water, specifically how this development will affect the existing private wells in the area, and traffic. I will address each one of these concerns now.

As previously mentioned the Comprehensive Plan has specific densities identified for this property. The applicant is requesting to construct 452 dwelling units north of Lake Hazel at the northwest corner of the overall development. The Comprehensive Plan placed a density cap of 6 dwelling units per acre south of Lake Hazel. The property located south of Lake Hazel is approximately 370 acres. At 6 units per acre that is 2,220 dwelling units. I just wanted to clarify or point out that that number was established in 2007 when the property was annexed into the City and when we placed these specific Comprehensive Plan policies within the Comprehensive Plan. The developer is not requesting to change that number south of Lake Hazel from the 6 dwelling units per acre gross that is specifically called out in the Comprehensive Plan.

The majority of the development is located within what is known as the Airport Influence Area “A”. This area does not restrict density, but does require buildings to provide a sound level reduction of 25 decibels. A small portion of the development is located within area “B” which is at the north/east corner of the project and this area in the specific plan is identified as industrial, which is good because area “B” doesn’t not allow for residential development within it and there is no residential development proposed for this area.

In 2015 the Airport commissioned an update to the sound study to determine what impacts there may be if the mission at Gowen Field changes and louder aircraft are brought to Boise. You can see the subject property is located here, in green in the south/west portion of the map and you can see that it is located in airport influence area “A”. It’s hard to see, but I did change the map to the 2020 updated map. So on this map, this is the 2020 Noise Exposure Map and it was completed using F-15 jets, which are much louder aircraft than what’s at Gowen Field right now. As you can see there really is no change to the impacts to this property as far as the airport is concerned with the airport area of influence being in “A” or changing that and I can toggle back and forth between these two. You can see a slight change around the airport, but for the most part it doesn’t change at all for this property. There are some that disagree with the study that was conducted and performed, but that is the documentation that we have, this is the study that was performed and this is the documentation that was provided to us showing that there is no change to the impacts that would happen to this property.

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Suez water or what was previously known as United Water does have main lines currently located within Cole Road that will service this property. They recently extended a new secondary line through this property. The water provided to this area of the City comes from three existing wells located out on Amex road and it's difficult to see on this but Amex Road is out here and I talked with a gentleman at United Water that said there's three wells located out there now, that's where the water comes from, they're not proposing any new wells and they indicated that this development should not be a drain on the system or should not impact those private wells. I reached out to United Water or Suez to see if they would provide someone to come and be at this hearing, they indicated that they might I'm not sure if they're here or not, but that's the comments that they provided to us. They did not provide us written comments, only verbal comments on the phone. We transmitted this application to Department of Water Resources as well and they provided no comments. We take no comments as an indication of that there is not a concern if they didn't comment to us.

Finally, I think the item of most concern is traffic. A full ACHD report was included in the Project Report you received. The analysis covered the Specific Plan as a whole as well as the Kirsten Subdivision. As you can see the traffic counts for Cole Road and Lake Hazel in this area are within the acceptable thresholds except for a mile section of Cole Road from Victory to Amity. That section is listed as "F" although all of the other ones are within their thresholds. However, when this happens the Highway District, I believe it's their policy is they defer to the intersections and see how the intersections handle traffic. If you'll notice the table below, the intersections are currently functioning below capacity. Those intersections will continue to function below capacity until the 171st home is constructed. You can see in that that their threshold is .9 or less, the existing volume to capacity ratio for that intersection at 170 is functioning at .90 which is compliant within their thresholds. At 171 it pushes over that amount and as such, the Highway District has placed a condition of approval stating that before the 171st home gets built within this specific plan, that they have to construct Lake Hazel and Orchard extension to provide a secondary access out of here.

At the January 27th ACHD hearing where they approved, or recommended approval of this project, the ACHD Commission gave two specific, very specific recommendations to the City of Boise. The City of Boise currently owns the parcel directly north of where the public right-of-way ends for the future Orchard extension. This right-of-way here would be the Orchard extension that comes up here. Currently Orchard is over here, there's some discussion or some talk about realigning it over to this location. So, this would be the extension of Orchard Road. So this property shown in blue is currently owned by Boise City. ACHD would like for the City of Boise to grant the developer a temporary easement over our property for construction vehicle traffic. Ultimately this will be the decision of the City Council and we are currently working on the issue internally to present all of the options to the Council at this time. In general the planning team is not opposed to that, we think it's probably a good idea, there are just some details that need to be worked out on where that is to be located, how wide is it to be, things like that. So, we're working on that to present all of those options to the City Council. The second request is to re-evaluate our roadway and intersection prioritization list to emphasize projects in the southwest area of town. This is another item that will ultimately be decided by the Council with a recommendation from the Planning & Development Services Transportation team, and they are currently working on that list and working on the presentation they will provide to the City Council to formulate that list which will ultimately be transmitted or given to the Highway District.

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The Planning Team makes the following recommendations for this project. The Comprehensive Plan CPA15-00008, we recommend approval of that. The rezone from A-2 to a specific plan, CAR15-00028, the planning team recommends conceptual approval and within the conditions of approval we've listed some specific things that we would like to see addressed as we continue to work with the applicant. Those are Orchard Street alignment, block prototypes, xeriscaping landscape palate, permeable paving options, mix of product type requirements, mix of use requirements, phasing plan for the schools, parks and pathways; I've talked with both the school district and the Parks Department, they have no specific time tables now for either the high school or the elementary school, that'll be development driven and as well as the Parks Department, I have spoken with the Parks Department to see if they have a time table of when they foresee that park being greened up and fully functioning and that's also development driven as well. So, it'll be determined how fast the development goes, is when those uses will be needed. As far as the subdivision goes, SUB15-000055, the preliminary plat, we recommend approval of that as well. Basically we've tried to; we felt that the developer did a great job of presenting kind of the bones of the specific plan. We recognize that this is a large area and it takes a lot of work to get it done right but we also recognize the time table that they have to get development started out there so we can get some of these improvements going and so we've tried to work this so that we can get a conceptual approval and they can get going on that very first subdivision and then we have some time to work through the other issues. A cap of 170 building permits is going to take a while, those aren't going to be built in a year, it's going to take a while to happen which gives us a lot of time to work with the developer and make those changes that we see and any changes that the Planning & Zoning Commission would like to suggest. This is by no means the end of the list, if you have other things that you would like to see added to the list for us to work on, we recommend that you provide those to us so that we can get those things discussed and get working on those. That really concludes my presentation, you probably can't read this but it is the review criteria for the two applications, a Comprehensive Plan Amendment and then also a rezone. A rezone to a specific plan has a little bit different criteria than just a general rezone and so I've listed those. If you can't read them, if you have your code it's 11-05-06.7.A. So, that concludes my presentation.

Chairman Demarest: Todd I've got one quick question for you. I think we might have a typo, which is somewhat insignificant, but for clarity sake it looks like the CAR15 you had 28 up there, we've got 29.

Todd Tucker: 29, sorry.

Chairman Demarest: 29? Okay good, just for clarity sake. Thank you. We're going to hear from the applicant at this point.

APPLICANT TESTIMONY

Kent Brown (3161 E. Springwood Meridian, ID): I would like to thank the staff. We've had numerous meetings with them and numerous revisions to try to, as Todd called it, to get the bones for this. I've been doing development in this valley, I've worked 9 years for the City of Boise, was over land development at one time for the subdivision portion of it and had never have had this kind of project where you're doing the zoning and everything else. I think a lot of people when they look at these 600 acres they kind of believe that we had all of this freedom to do this, but realistically with the goals that are called out in the

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reserve there's over 20 some goals that we had to meet. Todd has done a really good job of explaining, but what's in yellow or what's in yellow and highlighted in red is the Syringa portion of the reserve. You can see Lake Hazel being extended through the site; it's intended for Lake Hazel to continue to the east and eventually come out at Isaac Canyon and then Orchard Road to continue to the north and extend up to the freeway and there's a realignment study that ACHD did and the City of Boise participated in that. Our southerly boundary is Columbia Road so realistically we're 600 acres; a square mile is generally 640 acres. For you to move forward you're supposed to approve that we've met the intent of the plan. Todd has called out many of those items in the northeast corner as the business park that is called out in the Comp Plan to be there. There are two neighborhood centers, one in the north side of Lake Hazel Road and then the urban village in the center. It calls out that we have a variety of housing types and lot sizes and yet that we keep the lower portion in the density of 6 units per acre. It is really specific about where the parks are supposed to be located and where the streets are adjacent to them and all of these things had to be taken into consideration as we move forward with doing that layout and design. The boundary of the reserve is called out in the text and it talks about it going all the way over to Pleasant Valley to the east. If you look at the screen, what's kind of highlighted in brown to the east, that's where Pleasant Valley is and the map and the text are different. So, technically depending on legal which one overrides, there's a potential I guess that more of the reserve could be done to the east, but specifically with what we're doing we have a majority of it, we have about 40 acres that is out on our side of it. What's highlighted above the map calls that area out as a part of the reserve also and so we showed that. We're supposed to establish mix use and a business campus. So, we have the business campus located on the north and that makes sense when we have the industrial area that is up there and those type of uses. We're trying to be mindful of what the airport wants and not trying to show any residential uses there. The airport study made a huge change in what we're proposing to do. It calls for a higher density along the south side of Lake Hazel Road and that's why we have that medium density zone. It talks about everything being pedestrian friendly and a lot of pedestrian activity. We put names on each one of these sections to make it easier as we wrote the verbiage to be talking about a specific area so that we could meet the goals that is called out. Each one of those, like Kestrel and Lanner Falcon, Peregrine, those are roughly 40 acres, they're about 1,200 foot block lengths both north and south and we only have three acres points to Lake Hazel Road as it functions as an arterial. The business campus, it talks about what types of uses can be used there. The business uses are generally non regional; it's specific in there that they don't want regional department store type things. It calls for auto service, warehouse, storage, very similar to what's in the manufacturing and industrial zones. It does allow for health clubs and those kinds of things and then having the neighborhood village to the south with restaurants and so forth makes that support those types of uses. It calls for limiting the density on the north side. Originally in an original layout that was before the Commission and the Council back in 2007, Lake Hazel Road curved and so and it was moved up to the north a little bit. It had an arch in an older version of that and so the residential portion was 65 acres in total. When we moved it down through different versions of the plan and the airport came in and said that they would allow us to put residential anywhere on the north side we looked at increasing the density to the east of the high school site, but at the same time we figured the people that are there along Cole and the people in the South Fork Subdivision had an anticipation at the time of annexation that we would only have three units per acre, so we left that 20 acres in that configuration so that we limited that access. Here's a plan of the Kirsten Subdivision, that 100 acres, it's color coded, what you see in purple is considered estate lots. The ones along and backup to the South Fork Subdivision are 130 feet deep. They are the same or greater than the sizes that are in South Fork. The densities go smaller as you move to the

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south and east and closer to Umatilla which is on our easterly boundary, that's called out to be a collector road between us and the high school. So, no front on housing would be on there. There's connected paths that are through there and this ends up being a prototype of how those other low density sections will develop in the future. On the south side there are specific things that we are supposed to do. It called out that we were supposed to have two neighborhood centers on the south side of Lake Hazel Road, but with speaking with the Highway District, they said that because the high school is in there and on the north side that they prefer that we put a neighborhood center on that side to keep the high school kids from meandering across the road to those areas. Umatilla is the one where the urban village lines up and that's a controlled intersection. Obviously, Orchard would be a controlled intersection also so that you have lights to get people across. I felt that it was safer and then it made a lot more sense for that urban village or that neighborhood pedestrian center to be on the north helping to support the business campus that was also there. Safe routes to school were also talked about. If you look they can cross there on Umatilla through a controlled intersection and then Todd's presentation he talked about that we have a 10 foot path on both sides of Lake Hazel Road. The subdivision, if we go back one more, you can see the common areas that run north and south that funnel that development so that people can have access to that 10 foot pathway that is along Lake Hazel Road on the north. They could come out onto Cole, go on sidewalks and then cross at the Cole/Lake Hazel intersection and either go on either side of that 10 foot path also. There is also a 10 foot path that's along the New York Canal on the backside of those lots in the south/west corner there of the subdivision. It calls for us to have a mixture of housing types and then greater density around the park. The medium density is called out in the plan to be 10 to 20 units and the medium density zone as recommended by staff would do that along Lake Hazel. It is intended for that to be where the more intense uses are and the roadway having that arterial, Lake Hazel being, and then going less as you come down. Here's an example of how that might work. Lake Hazel along the very north that's off the screen, 350 feet in is that back road that's there; you have office and apartment uses that would be in that medium density zone. Then as you come south we would have single-family with density. The park would be off the screen and in the right hand corner. It calls for next to the park to have higher density. This is moving in that direction, you can see that having a little more intense uses on the other side of the street from there. We thought that it would be a good idea instead of with the park having a parking lot like you see on the school site there that having the on street parallel parking would be a good idea. It also slows the traffic that is next to the park. It calls for a pathway to be located between the school and the park and the specific plan also calls that the park be located on a street that has two sides. So, there wasn't a lot of flexibility, but overall putting this park in the center helps create a more pedestrian friendly environment. Also, it calls for the density to decrease as we get to the southerly boundary down by Columbia Road and having 6 units per acre for the entire area south. So, in the detailed plan, Red Tail and Snowy Falcon call for the density to reduce to the 5 units per acre as called out in the plan. So you have a progression on this side that the other slide shows, higher intense uses closer to Lake Hazel that help create a buffer for the single-family developments as you go further south. The pathway, as Todd called out, there's a 10 foot pathway along the New York Canal, that's a really nice space. Here is a slide of how we envision that. Block lengths, reasonable block lengths are called out. As I stated earlier these 40 acre sections are 1,200 square feet. At 1,200 feet if you use the Kirsten development as a prototype and you break those blocks down then you're not getting blocks that are greater than 500, 600 feet is what they end up being consistently. We have detached sidewalks through the development. We've asked for reduced street widths on all of the locals. As I stated before, you basically have 50 acres on either side of that center road. That center road is Cheyenne and this prototype

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allows you to see how these 40 acre sections can be broken up and the emphasis is for the new urbanism to take place with a variety of housing types. The multi-family located in the southeast corner is right there along a collector. That works in, it allows us to bring some of that density up a little bit higher, but at the same time it fits into the neighborhood.

Chairman Demarest: Mr. Brown, you're down to about 5 minutes, that's the last 5.

Kent Brown (3161 E. Springwood Meridian, ID): Yes, I saw that. It calls out for open space along the New York Canal, we showed you that plan with a connecting path that would come back over to the parks. It says that those could be turned over to the Park's Department. We've been working with the Park's Department when we donated the park site. This is the slide that I really wanted to get to, we basically have a 30 foot section that is outside the New York Canal's easement, then you have 25 feet that's in the New York Canal easement, in between the two would be a fence and then you have a variety of distances because of the slope of the canal. They require 25 feet at the bottom of the toe of the slope, so that area could end up being 70 to 80 feet wide. When you look at the entire distance that that goes, it creates a really nice walking area with that pathway there along that westerly boundary of the entire subdivision. Our intent along Lake Hazel Road is to have the two 10 foot pathways inside our area and then instead of ACHD requiring a sidewalk as a part of their street section and having us build two, we would just build the 10 foot path in that buffering area. Whether its behind subdivided lots that are in Kirsten or whether they're up next to office and commercial or apartments it creates that inner connectivity that the new urbanism plan desires. Here's the information that I spoke about the park and what was required, having it on two sides for the pathway in-between. Airport influence, Todd covered that in great length, the only part that we have that's in influence "B" is the industrial, that would be allowed without the plan to have that in there. Anything in "A" is allowed to have residential. Our street network system, as we progress we're going to have a series of traffic studies and the traffic studies are going to determine the sizes of these roads. We're calling out that we have a minor collector on the south side of Orchard, over here on the right hand side of the screen, up to where it connects to Lake Hazel. We are showing a portion of it being a collector going north next to the high school in between the two developments. Those street sections are three lanes. The rest of those we're calling out to be 36 foot back to back but if a traffic study says that they need to be greater than they can have the ability to be increased. All of the infrastructure, the sewer, the water are all located over here on the west side and so the development is going to start next to Lake Hazel after we finish the 100 acres of the Kirsten Subdivision and then it's going to swing south/east, is how that will go. Overall that's a 30 year period of time. Since I have so much time left, I'm going to hurry to the Kirsten Subdivision. The only thing that we really had an issue with is in the staff report for the Highway District they called us to be a temporary access point. The planning staff has asked for that to be permanent right-of-way. If done, talking with Highway District staff, you've put me in a position where I can't comply. They do not want that access to remain. The problem that I see and it's a problem that I saw when we were first dealing with this development is that I have this high school and nothing against Chairman Richardson here, but high school kids are going to go wherever and if they have that connection over here they're going to cut through that if they think that it's a little faster than going to the stop light and down to Lake Hazel Road. We have straight streets that this new urbanism requires and having that connection, to me, is going to create havoc in that neighborhood, long term.

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Chairman Demarest: Mr. Brown, your time is up and that's the full 20 minutes. Okay if you would stay right there and have Todd come back up, let's see if we have some questions from the Commissioners. Commissioners?

Chairman Gibson: Mr. Chairman, I have a whole list of questions so I'll try not to belabor it. First question is specific to sewer capacity; I didn't necessarily hear that as part of staff's presentation, could you give us a little bit of background on sewer capacity, direction, etc.?

Todd Tucker: Chairman Demarest, Commissioner Gibson, this project was transmitted to the Public Works Department who reviewed it; this is in the Boise City Sewer District. Currently there is sewer available in Cole Road and the new section of Lake Hazel that was connected, it used to terminate further to the west of Cole Road, it has since been brought and connected to Cole Road. That enabled sewer to be brought and installed along that section of that road and tied into Cole Road which would provide service to this property. So, the Public Works Department has been working with the developer. I believe there is an existing lift station located in the South Fork Subdivision which would be at the northwest corner of this property. I believe the Public Works Department is working to do away with that one and there may be a new lift station, a more powerful one, for lack of a better term, put in with this development. Public Works Department is working with the developer and has indicated that they are working through that, but they did not indicate any issues or concerns with capacity.

Chairman Gibson: Thank you. A follow up question specific to the extension of Lake Hazel over the New York Canal; I know canal right-of-way issues have been problematic, has the developer, and you could speak to this as well, have you entered into an agreement with the New York Canal company to build a bridge for Lake Hazel over that property?

Todd Tucker: The Highway District has purchased that property so the section of road, if you could switch it back to the staff podium, so this little section of property right here, it's hard to see, maybe I've got a better slide. So, Lake Hazel right now, that right-of-way is currently owned by the Highway District, it's obviously owned by them further to the west, this piece of property right here is also owned by the Highway District. So as far as the easement or getting it over the canal that will have to be worked out with the New York Canal company, the developer and the Highway District, but that will occur, but the Highway District does own that property now.

Commissioner Gibson: A follow up question. What process has been utilized to consult ITD on the capacity of the Orchard/I-84 on ramp/off ramp? I know it was recently completed knowing that this is a 20 year project or so; at final build out will Orchard be meeting that capacity?

Todd Tucker: Our transportation team and the Highway District have been working on an Orchard realignment plan for quite some time. As far as the details of how ITD would be affected, I'm not sure if they've weighed in on that, I would hope that they have been involved with that discussion and that planning effort. We transmit these applications to them and they did not provide us with comments.

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Commissioner Gibson: One final question specific to bike lanes and onsite circulation. The intent would be that this would be connected to the bike grid for the City of Boise so residents could ride to downtown and the greenbelt, etc.?

Todd Tucker: Correct. We've talked about Lake Hazel will be improved with the 10 foot wide pathways on both the north and south side of the road as well as bike lanes. I believe there is an intermittent bike lane system to the west of this on Lake Hazel, but it would connect eventually with Orchard heading into downtown. So yes it would be a goal to have this be not only a pedestrian, but a bike friendly community and provide options for people to get to the development and get out of the development.

Commission Gibson: Thank you.

Chairman Demarest: Further questions for either the applicant or staff?

Commissioner Stevens: Mr. Chairman, could you help me understand, Todd, the authority that we have as a City Commission to require anything above and beyond what ACHD has required with regard to some of these connections, particularly the alignment of Orchard and the extension of Lake Hazel?

Todd Tucker: Sure. Chairman Demarest, Commissioner Stevens, we have a memorandum of understanding with the Highway District, they provide us with comments, I believe that that understanding is that we cannot require less of what they require, but we can require more than what they require. Many times we see this where the City desires, I think you had an item even today where it was up for reconsideration where the Highway District did not require paving of an alley, but the City wanted that paving of an alley and you put a condition on which was above and beyond what the Highway District required. So that would be the same in this situation. You can require more, just not less.

Commissioner Stevens: Great. I think you may have sort of touched on this in your very great presentation, which actually anticipated several of my questions which was great, I wanted to know, last week we had a great presentation from some of staff regarding a new transportation planning document and I was just hoping that you could in sort of a general way explain to us if or when that gets approved how the policies that are in that plan will be implemented in this place where we basically have fresh ground and we could be doing some really fabulous things with regard to that transportation network in addition to the connections that we're seeing on the plan in front of us, I'm thinking more about the infrastructure issues, like the green streets and some of that. So, if you could just touch on that that would be helpful.

Todd Tucker: Sure, Commissioner Stevens, this application was submitted quite some time ago last year. We've been working on it, reviewing it while that Transportation Action Plan has been in review and in process as well, which hasn't been adopted yet, but moving forward I think we would look very closely at that. Some of the things, one of the reasons why we as a planning team wanted to just give a conceptual approval for this so that some of those issues we can work out later. We think there are some great options out there for managing storm water, different than typical ways that we've seen it done, that's going to be an effort that's probably going to be in concert with the Highway District on seeing how we're going to handle some of those issues, but definitely looking forward we are anxious with fresh

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ground, a blank slate to get some of that implemented and I think that this is a great opportunity to use some of those options. One of the things that they're proposing, if you'll notice on the plan right up at Lake Hazel in this block section, they're proposing a retention pond area where a lot of the storm water would be funneled into this area and then could be reused later for irrigation. This property doesn't have irrigation rights right now, they are working on getting some of those water rights, but they don't have them so that's one of the things that we're interested in seeing is how can we handle storm water differently so that we could reuse it. How can we come up with a xierascape landscape for maybe the common areas, or even implement those as an incentive to some of the homeowners to not have just a bunch of green lawns that's using a lot of water, but how can we incorporate some of those new urbanism and energy efficient programs into this development? That's why we need a little bit more time to work on that.

Commissioner Stevens: One final follow up, I think, and that is, I guess the idea of a conceptual approval, again this is sort of a clarification question, but by providing only a conceptual approval, what does that permit the developer to do that they wouldn't be able to do or vice versa with just a flat out approval.

Todd Tucker: Commissioner Stevens, a flat out approval of the whole thing would approve it as is, as it was submitted, and I think we all kind of recognize that it needs a little bit more refinement. What our goal was, was to, the developer has a need to get started on that first phase which would be the Kirsten Subdivision and even the first phase of that first phase the Highway District referred to it as phase 1a that would be, basically be the 170 building permits. At 171, the Highway District is going to require a new traffic impact study to determine what those 171 homes has done to the traffic infrastructure in the area. Like Kent said, a lot of the roads that they're calling out as collectors or locals as development occurs it may be that those don't need to be collectors, or maybe some of the local roads need to be collectors and so multiple traffic studies will be required as this project moves on down the line which is the same that happened with Harris Ranch, they've done multiple traffic studies and that will happen with this. Basically, our goal was to get them started on the project so that we could get some of this infrastructure in place and we can get moving on down the road as far as getting these very needed connections in the area. We will hear a lot of testimony tonight about the need for Lake Hazel and Orchard to be connected now. The Highway District has said that the thresholds that they have, that the numbers that they're working with, they can get 170 and not go over that. So, our goal was to get them started on the project so that then we could get some of this infrastructure going and get some of these needed infrastructures in place.

Commissioner Stevens: Thank you.

Chairman Demarest: Further questions?

Commissioner Richardson: Mr. Chair, I have some questions for the applicant. So, will this all be constructed in specific phases or more of just like a slow, gradual development of the whole project?

Kent Brown: It will be done in phases. As we discussed with the Highway District, for example, the 170 lots of Kirsten most likely could take 5 years, we'll do 30 to 40 lots at a time. We need to get out to

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Cheyenne to be able to have a location where we could enter in with a development agreement and build two lanes out to Gowen Road. By that time, if it does take 5 years, most of the items that were on ACHD's Capitol Improvement Plan will be done. Part of this even taking place, we are the ones that purchased the right-of-way, including the right-of-way where the bridge goes for ACHD and then they have since purchased it from us. Those 23 acres is a huge step in them being able to do what I think most of these people behind me want to have happen. They want Lake Hazel Road and the connection to Gowen done so that people could get out of southwest Boise. That couldn't have taken place; we were over a year and a half with state lands trying to negotiate with them to purchase that strip of right-of-way that is that finger that is showing off in some of those drawings, as Todd has shown, to make that happen. That's a part of that phasing.

Commissioner Richardson: I have a question Todd. How many lanes will Lake Hazel be or will that be determined in future traffic studies.

Todd Tucker: Commissioner Richardson, it'll be an arterial roadway, so I think it's planned to be a 7 lane arterial if I understand the Highway District's report.

Kent Brown: We have 96 feet of right-of-way.

Chairman Demarest: Commissioners, any more questions?

Commissioner Gibson: Quick question for the developer. One of the homeowners who submitted a letter to the Commission wanted to ensure that a deed, or some notice was placed on the deed for the property that the residents knew that they were near an airport or near the airport. Is that something that this is a requirement that that be recorded on the plat that it runs with that they're in that impact area "B"?

Todd Tucker: It's actually area of impact "A" that they're within. Yes, the airport requires what's known as an avigation easement and that avigation easement is noted on, generally on the deeds and there's a note placed on the plat there as well.

Commissioner Gibson: Okay, thank you.

Kent Brown: The entire Columbia Village has it on it and most of southwest Boise does to.

Commissioner Gibson: Thank you.

Chairman Demarest: Further questions? I have a follow up questions, it's actually Commissioner Stevens' next question. It's a process question, is after the conceptual approval, which we're working on tonight, what assurance is there for the public that they're going to get a chance to weigh in on those finer details that are coming down later on.

Todd Tucker: Mr. Chairman, it would be a new application. So it requires an amendment to the ordinance, so there will be an ordinance tied with this and there's an adopted narrative that goes along with the specific plan as well. So, there will be an amendment to those documents required and that

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requires notification just like all of our public hearings notifications, signs posted on the property, has to come before the Planning & Zoning Commission, has to go back before the City Council; so there will be multiple hearings on that. I guess the assurance would be there's a condition of approval that says basically, that beyond the 170 they've got to do that. If they want to build more than 170 homes, they would have to do this.

Chairman Demarest: Thank you. Any last questions? Gentleman, thank you. So, we do not have a neighborhood association however, don't worry, Ms. Bermansolo I already know you're coming, so we do have a neighboring neighborhood association, that's Southwest Ada County Alliance, and we think it's the right thing to do to give them equal time as we would a neighborhood association. With that said, Ms. Bermansolo if you could come in under the 20 minutes, I think everybody here would probably appreciate that. Let's start from 10, it'll go from there.

NEIGHBORHOOD ASSOCIATION TESTIMONY

Betty Bermansolo | Southwest Ada County Alliance (1970 Canyon Arrow): I'm here on behalf of the Southwest Ada County Alliance and I thank you for allowing us to comment on the three items before you. Southwest Ada County Alliance east boundary includes Cole Road. I would like to ask if there is a representative from the Highway District here tonight. I think in understanding what came out of the recommendation that followed the hearing on January 27th, I understood one thing and that was that with approval to this project that the Highway District also recommended after hearing the testimony and after looking at some of the findings that came out of the staff report that were disturbing, that they requested that the recommendation go forward to this body, that before any construction go forward with Kirsten that there be construction of a two lane easement for construction traffic from Orchard to Kirsten, that Cole Road reached capacity by looking at the findings from the staff report and I would like to go there. The Southwest Ada County Alliance requests that the Boise Commissioners consider the following ACHD report findings, staff report findings, prior to sending any recommendation to the Boise City Council regarding these three items. Number one, ACHD staff report titled Syringa Valley specific area plan, attachment three, complete traffic study summary year 2013, existing conditions stated, in quotes "a review of historical crash data indicates that there were a significant number of crashes at the South Cole Road/South Victory intersection over the last five years." Number two; ACHD staff report related to the Southwest Ada County Alliance, that trips at this intersection are within 74 trips per day before arriving at level of service "F", currently. Staff indicated that this number could vary between 10 to 20 percent on any given day. Number three; there is no relief planned for improving the Cole/Victory interchange to handle more traffic until 2020. Number four; the ACHD staff report states, page 5, in quotes, "when a roadway or intersection is at or above an acceptable level of service, policy requires that improvements be made to mitigate the additional traffic to be generated by the development." "Typically staff recommends improvements to mitigate the impacts, or that the developer waits until ACHD makes improvements." "However, given the cost associated with widening Cole Road", and the staff report goes on to state, in quotes, "staff recommends a modification of district policy, 7106.4.1 level of service standards for Cole Road from Amity Road to Victory Road." Now that was startling to me because it says that we can't accommodate what the developer wants to do unless we change the policy that corresponds to level of service "F". Number five; ACHD staff indicates that level of service "F" is imminent, crashes have no doubt increased since 2013 at Cole and Victory, but solely to allow the developer to begin construction,

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ACHD policy has to be modified. So in light of these discrepancies in the ACHD staff report, it makes affording all three times difficult for the Southwest Ada County Alliance. Essentially we don't feel that the infrastructure is in place to begin construction without the recommendation that was made by the Highway Commissioners, January 27th. Regardless of what staff put in front of them they agreed after hearing testimony that the infrastructure was just not in place to further burden the Cole and Victory intersection, number one. Also, there are other indications that you're going to hear tonight that Hollilynn is burdened and there just has to be more mitigation before there's any construction of Kirsten. The Southwest Ada County Alliance asks that given these findings and ACHD's recommendation to the City that no construction begin on the Kirsten Subdivision until the Orchard interchange is completed for two lanes to serve construction needs of the developer without further burdening Cole Road neighbors. This be the recommendation that was advanced by the Highway Commissioners unanimously to Boise City Planning & Zoning on January 27th. We ask that this be the decision of the Boise Planning and Zoning Commission and forwarded to City Council as well. Finally, specifically the Southwest Ada County Alliance would like to know why Mr. Tucker has not changed his findings to accommodate the recommendation that the Highway District Commissioners placed before the City. It was a recommendation and the Southwest Ada County Alliance feels that infrastructure is more important than getting the construction phase started and it should be foremost that the City look at the people that live out there, that travel those roads, and some of that is overlooked in ACHD findings and I think those folks created enough concern from the Highway District Commissioners to have them want to put a very strong recommendation that that easement be in place before we have construction trucks going up and down Cole and Victory to service this subdivision. It serves nobody's interest except the developer and it's a very bad way for Boise City to expand in the southwest and I think that's why our group really feels that the infrastructure is key to the attractive elements that are in this project, they may be very attractive once completed, but there's going to be so much bitter resentment, and maybe some safety issues that are going to go by the wayside if that easement is not placed number one on the docket. That's what I ask this Commission to send forward.

Chairman Demarest: Thank you, ma'am. Okay, so we're going to go to the public testimony now. Remember everybody gets three minutes, if you would state your name and address clearly, I will just go down the sign-up sheet. Just like before we will give everybody their three minutes even if you didn't have a chance to sign up. So the first person on the sign-up sheet is Richard Kaylor.

PUBLIC TESTIMONY

Richard Kaylor (7355 W. Ring Perch Drive): Good evening, Cole Road south of Victory is only two lanes. There are four churches on it and when a car is waiting for opposing traffic to clear to turn left it backs up traffic behind it. Traffic has been heavy and has increased since the Lake Hazel extension was opened. Some say more traffic has increased on Cole Road south of the Lake Hazel extension than north at the Lake Hazel extension, but that is not true. Phase 1a, Kirsten Subdivision, with 170 single family lots will add 1,770 vehicle trips per day. ACHD said that in 2017, traffic on Cole Road segment between Amity and Victory Road will not be acceptable. In 2025, segments of Cole Road from Amity to Desert Avenue and from Amity to Victory Road are expected to exceed acceptable levels of service threshold. Under 2035, total traffic conditions all segments of Cole Road between Lake Hazel and Overland Road are expected to exceed acceptable levels of service thresholds. Airport noise; we live in South Fork

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Subdivision zoned R-1 in the county, just north of the planned development and we are in an airport avigation easement, airport influence area “B” subject to noise level of up to 70 day/night level average, but no one told us that when we were buying our home. An avigation easement is the right to the use of real property for the purpose of aircraft over flights and related noise, vibrations and other effects caused by aircraft operations. An avigation easement is a permanent incumbent of the land. I wonder if new homeowners in Syringa Subdivision will be told this. They are in an avigation easement, airport influence area “A”, noise levels of up to 65 day/night level. Airport avigation easement causes homeowners to lose many rights, such as limits on noise, dropping of oil, fuel and debris on property, ability of airport personnel to come on the property and planes to fly low overhead. All new residential development is subject to avigation easement and required to meet the sound attenuation standards of a minimum noise level of 25 decibels. Boise City Planning and Zoning Commission, January 8, 2016, page 16, last fall when Boise City held hearings on the Boise Airport they said they would acquire that land south of the airport would not be developed because of noise in the area.

Phil VanSickle (6228 S. Latigo Drive): Good evening Commissioners, I’m a member of a group we formed called the Citizens Alliance of Southwest Ada County and my neighbor who lives across the street, Chris, will be submitting a bunch of petitions later on tonight. What we would like to see is the completion of Orchard to Lake Hazel Road extension before the first home is even built. We would like this to be a condition of acceptance of the Syringa Valley and Kirsten Subdivision plans. ACHD insists that Cole Road exceeds the acceptable level of service standards. ACHD’s traffic studies only look at the data from the PM peak hours and not the AM rush hour. We believe that this is a severely flawed approach. Since the Lake Hazel Road has been connected to Cole, traffic has significantly increased. After 7:00 AM traffic is usually bumper to bumper past Amity all the way to Victory; throw a little ice on the road or some snow it could be 30 minutes before you hit the I-84 connector. Ask anyone who lives in this corner of southwest Ada County and has to drive Cole Road every morning. If the road is acceptable, I believe they would strongly disagree. Many of these people back here were at the ACHD Commissioner’s meeting on January 27th. Now I’m not putting words in people’s mouths, this is on video, it’s a matter of public record, ACHD Commissioner Hanson says we have choices to use commuter ride and many of us do, but many of us have jobs that are not compatible with this option. ACHD Commissioner Baker says the City of Boise wants congestion. I ask you, do you really want congestion? Is that acceptable? I don’t think so. You know, I read up a little bit on Mayor Bieter because I don’t vote in the City of Boise, I live in the County, and Mayor Bieter was elected on the promise to make Boise the most livable City in the country and this is a great area to live in. I’ve lived in eight different states, I love living here. I believe that you should make your decisions tonight in keeping with the promise of Mayor Bieter. Connect the roads first, then build. Thank you.

Douglas Pogue (6954 Hollilynn Drive): I live to the south; it doesn’t show up on any of the maps in the presentations that were shown. First thing I want to say is good presentation, we saw it twice, it was awesome and it’s thought out except for the connections. It can’t, in my mind, be a planned community unless it’s planned. Looking at it in an island, that’s great, I like the little raised views with all the trees and whatnot, but you’ve got to get there and out of there. Come up on Hollilynn at 7 in the morning, you cannot believe the amount of traffic that is there and a lot of it is becoming from what these folks are telling us in the very beginning here, the ones that live to the north, and people change direction, they get tired of heading down to Overland, they go up to Hollilynn over to Pleasant Valley and back down. Now I

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wasn't at the ACHD Commission meeting, but as I understand it and they've attested to it, it's a flawed study. They've also used a study, I believe from 2013 because they were not compelled to use the one that was done in January of 2015. What do we have to do to compel them to use that one? Those counters were in front of my house. I know that road is over capacity, plain and simple, at this point, not with 170 extra homes. Do the right thing. Build those roads first and it's not beyond precedence to have that required. It happened out at Harris Ranch, they started to build that, they said, whoa put the brakes on until Parkcenter Road bridge, 25 million bucks and your developer had to put that in, you guys had to put that in first before it was allowed, before anymore development was allowed. That's what needs to happen now. The precedent is there, the City of Boise and the Ada County Highway District required that bridge to go in before the development could move forward and because of the pressure that was on Warm Springs Road. So, it's there, what's the rush also? I'm not going to bring up the water, I'm going to leave that to some other folks here, but that is a big concern and to say that we got no comment from United Water so that means green light? That's pretty goofy. It feels like we're being hoodwinked between the Ada County Highway District not using the most current study and then what we're hearing from United Water and the way the gentleman hasn't even updated what he has given to you as facts that came out of the Ada County Highway District meeting.

Doug Hackler (5755 Hollilynn Drive): Would it be possible to have an exhibit up from earlier? There was one that was in this set of slides that had vicinity on the bottom that was a zoomed out view. We have a serious problem on Hollilynn Drive. Current traffic on south Boise roads with the additions of relatively new building in South Hill, South Fork and Creek Wood is well beyond the existing capacity of the roads in south Boise. Other than Victory, there's only one connection going west from Cole, that's Hollilynn. Despite ACHD's collection of millions of dollars in south Boise impact fees, no roadway has been constructed or approved to solve this problem; it has not been addressed. We read that your current Boise Planning & Zoning recommendation to approve these proposals is based on quote, "no commenting agency has indicated that the specific plan will place a burden on the public infrastructure in the area." We believe that Boise Planning and Zoning has been severely mislead and should reconsider the recommendation due to the fact that the fatally flawed opinion of ACHD totally lacks consideration of any of the Hollilynn residences directly affected by the proposed development. Cole Road south is not a through street; it does not go through. All Cole Road south traffic to pleasant Valley goes down Hollilynn. Hollilynn is a twisty, narrow, only 21 feet wide residential street; it's one of those itty bitty streets that you see on the development that's been proposed. It doesn't have any bike lanes, we don't have sidewalks, we don't even have shoulders on our road. If residents on Hollilynn want to ride a bike, walk to a neighbor's house, or even get the mail, they have to walk on the street. Now ACHD is ignoring a serious safety problem today due to traffic that already exists on South Cole. In fact, over 90 pages of ACHD reports written on the three proposals tonight regarding these developments, not one reference or even mention Hollilynn is included in those proposals. Page 4 of the January 19th ACHD report specific to the Kirsten Subdivision notes that quote, "the average daily traffic count for Cole Road south of Lake Hazel was 3,924 on December 7, 2015." Now I pose a question, considering that South Cole Road is not a through street, where do they think all of that traffic is coming from? I'm going to skip the answers and save my time, would you approve 3,000 cars traveling at over 30 MPH passing in front of your driveway? Would you approve making the situation worse? Why would anyone think that that was acceptable for our neighborhood? The Lake Hazel extension of some type connecting Cole to Orchard, Gowen or Pleasant Valley must be constructed prior to the approval of any additional developments.

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Chris Chrisman (6209 S. Latigo Drive): Chairman, Commissioners, I'm speaking on behalf of myself and the citizens of the Alliance of Southwest Ada County, like Phil here, and along with the near 200 homeowners on this position that I have before me that I have personally met and spoke with on my own free time in the last couple of weekends and during the week. I'm here to talk to about the specific plan, Syringa Valley specific plan, and also the Kirsten Subdivision as we all know. Specifically the concerns we, myself, the signees of this position and many residents in this area and others have for this area is the traffic. Originally, South Cole traffic study was done at night, as we've already discussed, this road is only two lanes. This study does not reflect the true gridlock that occurs at 7:30 in the morning and also around 8:30; if any of you have ever been there, especially the people behind me, they know exactly what I'm talking about and I would invite you to experience that for yourself. With increased construction on these roads, United Water is currently also putting in these utilities and homeowners from these existing subdivisions throughout the Southwestern Ada County outside the City limits, the traffic concerns will only prove more severe over time and could become a safety hazard. As an example, for ambulances and fire trucks, which one of these stations is currently on Cole Road that ACHD describes as being a very specific issue of concern. The ACHD board has made a recommendation for a temporary road for construction connecting to Orchard that Todd also talked about. We as all of us citizens would like to see this a necessity for making the Lake Hazel extension east of Cole Road to Gowen and south to Orchard a permanent road for this before these 170 homes are built. The Syringa Valley specific plan area states that they will only do this after the 170 are built. We want to ensure the roads will be in place even if there is a problem with finishing the construction of these homes due to the economy, which is what has put this delay in the subdivision originally. If you put this road in permanently before this development goes in this would alleviate the traffic concerns which is what most of the current subdivision homeowners are worried about and all these people behind me. Completion of this road prior to the development will be a win, win for everyone, the people, the developer and the City itself; it's going to help us all. As Mayor Bieter stated, like we've said before, let's make Boise the most livable City in the country. I'm sure we can all say that we agree. We love this place. We love our City and we want you to help us keep it great. Thank you for your time and considerations.

Jack Wilson (6220 W. Hollilynn Drive): I just want to touch on one of the issues that, one of the ones previously brought up, and it's about the Harris Ranch development and how my understanding is that Planning and Zoning were the ones who made that a priority to finish the Parkcenter Bridge and connector for that area because of the high tax and everything that we were going to receive as a City. That's all we're asking out there, is to make that a priority to get the Lake Hazel extension done and to alleviate those traffic problems that we run into out there and thank you.

Marjorie Cameron (7065 W. Ring Perch Court): We moved up here less than two years ago and bought this house. We had called everybody we could including the City about what was going to be done all around us, we have an empty cul-de-sac practically when we bought, and we chose to build on the south because it looked like the other sides were going to be built first and we could not get any straight answers from anybody. After we were in there sleeping on an air bed because we couldn't move up for a long time, so we were there for three nights I think, and got a letter saying that this was going to be built right next to our land. This is my retirement home, I expect to die here and now they changed it without us being able to find out anything about what was going in, even though we really, really tried. Now

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everything just about what I have written down, everybody covered much more eloquently than I could, but I wanted to mention a couple of things, there are more homes going in South Fork, that's not even being considered. We are retired, so we travel, not like the people who are working, we can travel mostly whenever and it's backed up, 1:00 it's backed up, 3:00 it's backed up, we just sit there on Cole, sit there, sit there, sit there. My husband said one day, gee if they would just add 10 seconds of green onto the light and I think it's probably the one up around Overland, I'm not really sure, things would move. So I feel really bad for the people who have to go work when they have no alternative. Another thing I noticed this morning about 6:15, 6:20 in the land behind me, which will be the Kirsten development, bright lights, huge, what could that be? Turned out to be some kind of a machine with layers of lights, bright lights going just a little bit farther than my house and then it ended up going south, I don't know if it's working on Lake Hazel or what, but we're wondering, okay, that started already, I don't know why because this hasn't been approved yet, but we're wondering if they're going to be digging up the whole lot back there, that whole acreage for the 2,000 homes only in the one section, now there's going to be more beyond it, it sounded like from the presentation. So, is this going to be all dug up, all cleared and be a dust bowl for us? I mean we have coyotes we hear at night, we have big owls that come next door to us on the roof next door once in a while, we have rabbits, bunnies.

Zach Prettyman (9716 W. Homewood Drive): I would like to read a little bit out of ACHD's previous project, CAR14-00009/SUB14-00024; this was done in 2013. So, at that point it says that Cole Road, S. Cole Road between Victory and Amity is already at an "F" for PM peak hours. Reading further in that, it says from Amity Road to Victory Road, it actually exceeds the level of service for grade "F", for classification "F" in 2013. Now, again this is for PM Peak hours, this is not for AM, you've already heard about the gridlock, I mean this is a real problem. If you guys want to do this, that's fine, I have no problem with this project being done, what I have a problem with is that the infrastructure is not built first to accommodate that. Not just a two road off shoot going over to Overland, but its Cole, that's the problem. Cole is what needs to be fixed first. So, I would like to ask you to either a, reconsider that this be done at a later date or that b, again referring back to that document, that it be 3.5 million dollars to upgrade Cole Road, specifically that section between Amity and Victory is done first. I mean, it would be ridiculous for you to approve this without having that done. Thanks.

Marti Darrow (7850 S. Cole Road): Thank you Commissioners for hearing us. I'm ditto on many, many things that have already been said. I'm echoing everybody else's requests that at least the service road that we have some kind of easement for the construction traffic. You heard all about the studies, but both of those ACHD studies, both the Victory and Cole and the Overland and Cole were done prior to a lot of development that's already added traffic to them so I doubt that they're even close to acceptable levels of service and another interesting thing I found was according to build Boise our southwest area has 14 subdivision and developments, that's 625 lots in addition to what you're already hearing about and the biggest problem that's out there is Cole from Overland to Victory to Hollilynn, that's over 5 miles and that's a really a lot of traffic to try and get east without some additional help here. So, my point is, I would just really like to see the extension take place before anymore building goes out there. All of us are already stuck in an amazing amount of traffic, I would be curious if any emergency vehicles had to get past that traffic, how that might work. Also a new neighbor of mine expressed distress, had she known what the traffic was like out there they never would have bought their home. So even from a developer

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stand point, it would make a lot more sense to not frustrate your people who are interested in being homeowners out there. Thank you very much.

Thomas Coops (8196 Thunder Mountain Drive): I live on the south side of the New York Canal. I wrote down several points, I'm not near as a speaker as several of the people that proceeded me. I just want to emphasize a few things. At the ACHD meeting, when asked, ACHD had as a previous speaker alluded to, no information about the current subdivisions that are in progress being built and how many trips that's going to load onto Cole Road. They didn't know anything about that. There's a mess of small developments out there on 5 and 10 acres, they're partially built and 3 or 4 houses built on 10 acres, but it's going to be 20 here and there and everywhere, up and down Five Mile Road, Lake Hazel, Maple Grove, all of them have to get to the interchange at Cole and the freeway. They have got to get on your road on Victory and Maple Grove, they've got to go down Cole Road, or they go onto the residential street on Hollilynn to get to Pleasant Valley, drive an extra 4 or 5 miles to get to Orchard. No one seems to address the single lane north of Victory for southbound traffic; it backs up $\frac{3}{4}$ of a mile for an hour and a half in the afternoon. I noticed on this plan that you plan to put a high school where the kids do PE and play games and train as close to the airport as possible. They've got a choice of doing that a mile further south. I live on the canal, I know that the military planes do not have to follow the rules and they come right over my house and right over the roof and they're going to be playing on top of that high school. They do touch and goes; it makes money for the airport. The last thing I wanted to say was each one of these things that we consider, they are recommendations from the rules that were contrived, but we'll make exceptions. We're supposed to have a street however many, but we'll make it narrower.

Liam Brown (9585 W. Canford): I don't have time to talk about a lot of the things that I would like to mention, don't really have time to talk about how the wildlife will be impacted by the addition of 2,000 new homes, I don't have time to talk about a lot of the other things that other people have already mentioned; fortunately they've mentioned those and others will mention them again, maybe angrily, but justly just the same. I would like to talk about two things, one is airport noise that's already been mentioned a few times, but I think I need bring it up again just a little bit more to emphasize just how important this is. Two, density, these are related. We're looking at homes that will probably be purchased by people 5 to 10 years younger than myself, I am an old millennial, there will be other millennials purchasing these small starter homes, they will be having young children. Have any of you had an F-35 fly low over your house on the deck with the after burner on? 25 decibels attenuation is not enough, you will need a bomb shelter built of 6 foot concrete to block that noise out and 25 decibels is enough attenuation in a saw mill to prevent deafness, by the way, I've worked in a saw mill, I know. It's not enough to make a place livable, especially if you have people doing even fly overs to go to the south to do their exercises. Now, the airport, the military wants to bring in F-35's, there's been discussion about that already, they also want to use that third airstrip that's sitting out in the middle of nowhere right now. The vector for that airstrip goes right to the north of this new development; that needs to be considered very carefully because if you have F-35's going over there, they are going to fly right over this thing and if you tell them to fly down to Mountain Home and do exercises out in the middle of nowhere, well great, but they still have to cross that airspace and they're going to be low because they can't just shoot up into the air at 30,000 feet and hope to not interfere with the people on the ground. All of these people are going to be angry. My wife was angry when we had a couple of F-18's fly over our house a few weeks ago and that was one incident. I had to call Gowen Field just to satisfy the frustration she felt and having our two

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year old awakened from a sound nap. He wouldn't wake up if the neighbor's dog was barking and it's a big dog. Now, density is related, I think that if we're going to build this thing, it looks like we are, I think that we need to look at the density of it again. I think the plan needs to be very carefully reconsidered. Can you afford to build all of these little tiny homes in this large space? You're going to have 2,000 homes, that's 8,000 people roughly. So I ask you to consider those two things when deliberating. Thank you.

Mike Taylor (6208 S. Latigo Drive): My concerns are the same as everybody else's, but I just want to reiterate the fact that the traffic situations, our friends to the south on Hollilynn, yeah they're getting wiped out already like they've already told you. I look at the, I'm assuming the grey zone here is already City limits off to the right and to the north of the proposed site, that tells me that you guys already have your fingers in the pot, so to speak, so that means that this is something that should really, really concern you guys. I'm looking at, when I go over across Lake Hazel they brought that extension over to S. Cole, you go down Lake Hazel Road, you're seeing all kinds, tremendous amount of growth over there. There are subdivisions being built all the time down there, Five Mile and Lake Hazel, the backside of Hubble Subdivision out towards the New York Canal, that's all being developed. It's in the County so I don't know what you folks are aware of in the City, but this is going to have a major impact on everything that is going on. It's going to increase more people at Hollilynn; it's going to increase more people by us which is also going to increase everything on S. Cole. If you guys have jurisdiction out to, they're talking impact zones out from Victory out to, oh I'm not sure the name of the street, its right across the street from the fire station on S. Cole, but in all actuality that road has to be taken care of clear out to Desert in order to make any help at all. So if you guys allow this to go in without bringing in that Orchard and bringing in everything, the substructure before these houses are built, then we're just going to play hell out there and I'm not thinking that you guys really want that, but hey progress is progress. You know I'm not going to talk about all the little things, but the bottom line is, you're just going to have, I just don't know what you guys know. It sounds like you may not know, you haven't got all the information from the Ada County Highway District, because if you did, you'd be looking at this project as a, we better hold off until we can get some streets put in out there, and not just little streets, we need some major arteries coming out to Lake Hazel and it looks like it's in your jurisdiction from what I can see on that map. I just hope that you guys consider all the other growth out there that nobody's really, I haven't heard anybody talk about the other growth, just consider all of that. Thanks.

Amy Martin (7028 W. Ring Perch): One of our major concerns is in our subdivision we are anticipating another 50 plus homes that are going to be built and has that been taken into consideration as far as the impact on the traffic as well as the Charter Point Subdivision? Everything that I've listened to tonight I fear that the new Syringa and Kirsten Subdivision is going to be mimicking what Charter Point is with the mixed housing with the apartment complexes and the single-family homes and the fact that there is not going to be any sense of consistency that's going to be provided. We also are going to be looking at a huge impact environmentally as we have a lot of wildlife and the Birds of Prey that are out there that we have treasured as a valley for so long, that we are going to allow this much to go in and impact that area. My other concerns are without adding this infrastructure into it, the impact that it has on the school age kids. We have multiple elementary schools already in the area that are unsafe for them to be crossing Cole Road and the amount of traffic, I do travel that daily, it takes me approximately 45 minutes to travel the 6 miles down Cole. I have witnessed in the last 3 months probably 6 car accidents and have personally been

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in one. So, until we are able to adjust the safety concerns of this subdivision and the impact that it's going to have overall, I think that we need to take a step back and address those concerns. Thank you.

Brian Martin (7028 W. Ring Perch Court): That was my wife that you just heard from. Obviously the Birds of Prey was a big one. We get to watch these bird majestic birds fly down, that's their hunting ground, that's where the coyotes are, the rabbits, the ground squirrels, all the wildlife out there. None of these people back here have said please don't build these homes, not one person out here has said to you, don't build these homes. What they said is put the roads in first. I understand, I'm in building, I'm in construction, I understand the money, I understand all the stuff that goes in it. I'm one of the problems on Hollilynn. Depending on what time I leave my house in the morning determines whether I go right down Cole Road or go left and head up towards Hollilynn and to avoid accidents and road rage and whatnot from sitting in traffic, because it literally is backed up from Overland past Desert at about 7:15 in the morning. If you don't get out before 7:15, you're in traffic. The infrastructure is all we're asking for, we're asking for the roads to be put in first. It's not that hard and if they want to base their stuff based on 171 building permits, well I'll be it, but make that a 171 building permits south of Victory Road and I'll get every one of my neighbors to go file for one tomorrow to build a shed in their backyard and we'll eat those up that fast. So, that's all we're asking is that the impact is huge. Thank you.

Ronda Hirnyck (5790 Saddle St.): I'm in Southwest Ada County, not in Boise City limits. I appreciate the opportunity to speak to you this evening. I have a lot of concern about the density in this area, you've heard all of the traffic issues, I won't reiterate, I ditto everything that's been said about the traffic, it's a disaster. My big concern is the water and I haven't heard any discussion and I didn't get a lot of definitive information from your staff person. I believe a no response from IDWR and the water company does not represent consensus in my opinion, I think we need to investigate that. I strongly plead with you to vote no on this decision before you. There are too many unanswered questions about water, about density, the roads, obviously you've heard multiple times and the environmental impact. Most of us who live in that area live there because we don't want to live in a City, we want to be out where there's space, no light pollution, wildlife, you've heard all of those issues and this sort of density will destroy that. I also heard this evening that this seems to be an experiment, a fun experiment and subdivisions and planning that might be interesting and fun for Boise to venture into, maybe that's true, but I plead with you, we're not ready for this. This is not a place and a time to experiment with new subdivisions; we have too many unanswered issues. I am a bicyclist, Commissioner Stevens, I heard your question early on, I do ride my bicycle from my home to downtown Boise daily from early summer through the fall with daylight. It's a fairly dangerous adventure. I'm a 62 year old woman, raised three children, I figured if they hit me it might dent their car, but anyway the point is, this subdivision looks cute on the schismatic, but it's not conducive right now. I don't see the plans in there for connecting this part of Boise to the Greenbelt to downtown Boise, it's very treacherous and I think that would continue especially with this type of density. I also ride the bus; the bus system in Boise system is horrible. I make a huge effort to get on the bus, I leave my home at 6:30 in the morning to drive to Overland Park to catch a bus to come downtown and the only time I can catch the bus that time of day is because I leave early otherwise I get stuck in all of the traffic that you've heard. So we need to develop much more infrastructure before we even think about doing something like this. Water is a huge issue; we need to have these questions answered. Three existing wells, nothing is being watered, its dry land, its desert land that's full of, there's a lot of invasive

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species, that's another concern, obnoxious weeds; we need to understand the water usage. It will draw down wells and the ground water. We need to hear from IDWR, I plead you on that.

Peter Jenny (12066 N. Humphreys): Thank you Commissioners. The previous person just spoke about what I wanted to visit with you about; water. I'm president of the Peregrine Fund; we have a facility just to the south of this proposed development area. We have a well on that property, but already it's not enough, we rely on United Water's three wells that you mentioned earlier, someone mentioned earlier. So I guess the concern I have is there going to be adequate water to supply these over 2,000 households that are proposed and right now we host over 30,000 visitors a year and that's increasing and we have greater demands down the road in mind. So I guess what I would urge the Commission to do is due diligence on understanding the hydrology in that area to make sure that there's adequate water for the needs of this proposal. Thank you.

Hannah Shainholtz (7720 S. Cole Road): I actually just moved here last July and I'm from the country and I hate traffic and I would have never had bought my house if I knew I was going to deal with this kind of traffic. Obviously, everybody's covered traffic for the last 4 hours, so I've had 4 hours to sit around to think about what else I want to talk about and I think that the Birds of Prey and the water are two really big concerns for us as well. The speed limit on S. Cole Road is 35 mph and by the time you get out to my house there is not one car that goes 35 mph. It's super dangerous and there are no sides to the road and there's bicyclist and people out there walking and the traffic is just too much for that area and I have yet to see a police officer out there patrolling the speed limit. So, that just coincides with the speed, or the traffic. I brought a video, I think it's about a minute long; it just kind of helps everybody get a visual of what everybody is talking about with the traffic. So, I actually started recording after Victory, after crossing Victory. I'm headed south bound on S. Cole Road. I started recording after Victory, but I mean this, it was more bumper to bumper from Overland up to the point where is started recording. I stopped recording right before you cross the canal again. That was this Thursday morning at 7:55 in the morning. Just so everybody can see. I have 30 seconds left, but since everybody's really tired, let's go home soon.

Jan Peterson (5960 W. Hollilynn Drive): You've already heard about most all of the traffic issues, so I'll just try to just highlight a couple of things. Someone asked if there were bike lanes for people to use to get into downtown and I don't think Cole Road was address in all of that, they discussed that there was on the Lake Hazel extension a bike path put on there and that one would be on the new Lake Hazel extension, but right now there is nothing to serve bikes going into town onto Cole Road. As other people have addressed, all of the development going in along Lake Hazel extends not only past the Meridian, it goes all the way over to Eagle Road, which is in Meridian, and they're developing hundreds of homes right now at the intersections of Lake Hazel and Eagle Road which again, being close to Lake Hazel, once this extension goes through, I think you're going to see even heavier traffic on Lake Hazel. So, having the infrastructure in the whole southwest of Idaho really, really has to be addressed prior, I think, to more development. We know it's coming, but just having that there would be important. The other issue is water that several people have brought up and I brought an article that was in the paper last week written by Roger Chase, the Chairman of the Idaho Water Resource Board, titled depleted Idaho aquifers a major concern and in it he says that the board will conduct public meetings throughout Idaho in the coming year to gather suggestions on incorporating its findings into our Comprehensive State Water Plan.

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Sustainability of our precious water resources is critical to our future. So, I think there's going to be, just because they haven't commented to date, that doesn't mean that there isn't concern and that the water issues need to be addressed. All of the existing homes out there are currently on wells and we lie right between the wells where United Water will be serving this 4,000 home community and we'd like some assurance or have our wells monitored that the impact of these homes will not deplete our wells. Other than that, I agree with everything else. Thank you.

Sharon Clough (6071 S. Latigo Drive): I'm about halfway between Cole Road and Maple Grove on the other side. I agree with a lot with what people are saying now about the traffic. I've driven the traffic, retired just a little while ago, so I drove it in the morning, I would go down Maple Grove, that traffic is heavy, and what happens with Maple Grove is people that are on Cole that are frustrated with Cole will cut across Stirrup and Desert and go over to Maple Grove. I don't know if anybody has looked at the impact to Maple Grove because that again, there's no stop lights, there is limited cross walks, limited sidewalks and no shoulders. So I think that's one thing that people need to look at is Maple Grove going down to and then of course Cole, I've witness, I don't know how many accidents I've seen on there were people, there's no stop lights there, no traffic signals on Cole other than at Victory and at Amity and that's it. So everybody trying to cut across traffic, you know you saw the video and how crazy that can be, well we're on the other side of Cole, so I would have been cutting that traffic or trying to in the morning commute, it just can't happen, it doesn't happen. They mention the bike walks, or the bike paths, there's nothing on Cole. There's a lot of pedestrian traffic on Cole, people walking because it's kind of that country feel and very limited cross walks, very limited sidewalks, and that's a concern for people also. So I just think, you know, rather than like she mentioned, it's late, everybody's tired, but I think you need to look at Maple Grove and see what the impact would be on those cars coming across from Cole. People will not always use that Lake Hazel go through. If they work downtown or they work in Meridian, they're not going to go to Lake Hazel to try and hit the connector, they're going to go down Cole to the connector and to Overland to try and get out to work. So I think those are all things that you need to look at as you're going through it. I know a lot of people have talked and I appreciate you guys listening and we just ask that you do that.

Mike Thacker (7300 S. Cole Road): You could probably sell it if you put that road through, you would get away with a lot, otherwise this is a rough shot at operation to just send everything through with amending the rules that society has gone by in previous. There are consequences often, to certain exceptions, and in the construction business we had to follow certain rules, OSHA was there to watch us. They handed out severe fines for minor infractions and I was on that Robinson Bridge and I asked my supervisors why he was getting away with certain things because we were way up there visible and he finally told me well, we get away with certain things that normal people don't and that bridge went down, 13 of us gimped up, I used to be a light stepper. When you're trying to experiment with new rules, be careful at whose expense, or what the consequences might be. That's somewhat a blank piece of paper to work with, per say; don't rush on it over the existing people, they're water, they're traffic. I've met some good people who are throwing their hands up and moving, having been there 50 years, retirees, a man in his 80's, he's fixing his home right now to try and get a better price to go somewhere else. He's done everything right all of his life, things just aren't being done right, there's been a lot of well disruptions for a lot less than anything that's being proposed right now. There has been an environmental impact study that nobody else got away with and like the people have said before, there is housing going on

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everywhere that's impacting us as we speak and I think the rules need to be followed from previous big developments. It's nice to try and do different things with water, but the fact is, I don't think they've gotten water, that's why they haven't developed desert property before and it was picked on nice irrigatable pastures, hay and what have you, because the water was there and a nice reclamation pond might bring mosquitos. I mean it's, we all try to conserve our water, we don't take it for granted. I've bailed my water into my washing machine out of the bath tub for over 10 years and I've always been on a well. It's not for money; it's just out of respect for precious resource. Right now, bottled water is worth more than true to oil and we don't take it for granted and we hope that you don't either, please. Thank you.

Chairman Demarest: Okay, last call. Did we get everybody that wants to testify? It looks like we have everybody so the applicant gets up to 5 minutes for rebuttal; Mr. Brown.

APPLICANT REBUTTAL

Kent Brown (3161 E. Springwood Meridian, ID: The one lady mentioned that there was some construction going on behind her house, that construction is the extension of a 16 inch water main that connects those three water tanks that Todd spoke about through this site. Over a mile and a half of water line is being extended, it's part of the way through, they need a rock saw to finish that, but that brings the water line through the first phase, it actually brings it through, it comes from the south and up through the development along Cheyenne Street which is a quarter mile in. That was something that took a while for us to do and work out with United Water. United Water is trying to provide pressure to the developments that are to the north of us, and South Fork being one of them, and they needed this water line and we provided a means. The Pleasant Valley South partners went and negotiated with land owners to help make that happen because there were certain parcels of ground that wouldn't allow that water to come through and they worked to make that happen. Just as we've done with ACHD, we went out and got that right-of-way that they needed to be able to help them make that take place. We've got meetings planned with ACHD next week to start talking to them about increasing that time frame. We don't want to wait the 170 lots, but that gives us an opportunity to do all of this infrastructure. Commissioner Gibson, you talked about sewer, we've been working with them over a period of time and that's the infrastructure that we need to get in place and do the detailed work and that will all take place with this first phase of development to start making some of those things happen that we start looking at that. We do have surface water rights for 23 acres. 23 acres is enough ground for us to build the 170 lots. We already have that water right available to us; we just have to transfer it from the south side of Lake Hazel Road to the north side within our own development. We've looked at getting other surface water rights from other places and bringing them to here for another 200 acres, but those things are going to take place over a long period of time. We're not proposing drilling any wells that would affect anybody's water. On the subject of the airport, we didn't propose making any changes that would affect the airport. We've tried to be as good of a neighbor as possible and sensitive to what the people that we've been talking with in the numerous meetings that we've had. We've met them out at the airport, had multiple meetings with the planning staff where the airport people have been involved before we put this plan together. We had their assurance that they we're okay with us doing that and those commitments have been made. United Water or Suez, like Todd, I called John Lee at United Water and they said these wells were drilled in 1994 and 1995, this is just taking their infrastructure in making the connection through our site that helps makes

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those things happen. We've tried to be proactive in what we've done. Without our development, the concern that these people have about the extension of Lake Hazel Road wouldn't be possible and this helps make that happen at a sooner time period. We still are thinking that the 170 lots are going to take five years. Thank you.

Chairman Demarest: Item number 6 is before the Commission for deliberation. We've got three items to approve. Commissioners, what is your pleasure? You can ask questions, we can discuss amongst ourselves. It's most helpful if we have a motion, however sometimes that's not the way things can begin.

PUBLIC TESTIMONY CLOSED

Commissioner Ansotegui: Chairman, can I ask a question of Todd?

Chairman Demarest: Let's just clarify that, if it is something that we've already talked about and it's on the record and clarification of that; new information we probably don't want to begin with.

Commissioner Ansotegui: Just clarification and if it isn't, I will retract it. Todd, the part 150 study that you showed online did the DNL noise contours that showed 65 DNLS significantly northeast of this development, does that include the proposed F-35's that were under study a couple of years back or no?

Todd Tucker: Commissioner Ansotegui, yes I showed two maps, one was the current 2015, the 2020 map was actually anticipating the ultimate eventual jets that they're anticipating which is F-15's, which I understand are possibly the loudest jet ever made by the Air Force. So, ultimately it's the F-15's.

Commissioner Ansotegui: That answers my question, thank you.

Chairman Demarest: Further discussion by the Commission?

MOTION: COMMISSIONER GIBSON MOVED TO RECOMMEND APPROVAL OF CPA15-00008 & SUB15-00055 & CONCEPTUAL APPROVAL OF CAR15-00029 IN ACCORDANCE WITH THE PROJECT REPORT AND CONDITIONS OF APPROVAL THEREIN

Chairman Demarest: Let's see if we have second for that. Do we have a second? I see no second. So that's not going to go anywhere. So, we do have to take some action.

MOTION: COMMISSIONER STEVENS MOVED TO RECOMMEND APPROVAL OF CPA15-00008 & SUB15-00055 & CONCEPTUAL APPROVAL OF CAR15-00029 IN ACCORDANCE WITH THE PROJECT REPORT AND CONDITIONS OF APPROVAL THEREIN

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Commissioner Stevens: Mr. Chair, unfortunately I don't have the right document in front me and I can't seem to find it. Which one of the three is the conceptual approval, is it the CPA?

Chairman Demarest: It's the CAR.

Commissioner Stevens: I'm not quite ready to make a motion, I don't think. Here's where I'm heading, I guess for the purposes of discussion, and I know that that's not the favored way to go, but maybe we could start there. I think there's a lot to commend with regard to the specific plan that's in front of us and the Comp Plan amendment and I think, I would like to see the planning go forward and I would like staff to be able to continue that process, because I think eventually, per our Comp Plan, it's very clear and I hope that you all participated in the Comp Plan meetings 8 or so years ago when they were going on in your neighborhood that this is an area that's going to be developed. So, I would like to see it go forward, I think there's a lot to commend in the plan that's in front of us and I think it's one of the best we've seen. I think it takes a lot of the things that were learned in the Barber Valley and have built on that and I think staff has done a phenomenal job working with the developer toward that end. However, with that said, I'm definitely not comfortable right now approving the subdivision. I think it's irresponsible; it would be irresponsible of the City of Boise to approve that right now. I think the evidence, not just from the citizens who have spoken tonight, but I think also from ACHD's own reports make it abundantly clear that this area is not ready for the number of houses, 170 or 2,200, it's just not ready and I'm not comfortable voting right now for a subdivision, for a plat that would permit that sort of development to go forward. So, I'm split on these three things. I'd like to see the conceptual plan move forward; I'm okay with the zoning change as well. I think the density, if we're going to build here, I think we need to have high density, I think that's how it should go and in fact, well, I'll leave it at that, but I'm not in favor of the subdivision at this point. So, I'll leave that for now, I can make a motion, but maybe we can a little more discussion first.

Chairman Demarest: So to move anything officially ahead past the discussion phase it will take a motion that gets seconded.

MOTION: **COMMISSIONER STEVENS MOVED TO RECOMMEND APPROVAL OF CPA15-00008 & CONCEPTUAL APPROVAL OF CAR15-00029 IN ACCORDANCE WITH THE PROJECT REPORT AND CONDITIONS OF APPROVAL THEREIN**

SECONDER: **COMMISSIONER GIBSON**

Chairman Demarest: There is a second. So in other words, the subdivision you're leaving off at this point?

Commissioner Stevens: That's Correct.

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Chairman Demarest: Okay, so we've got two items, CPA15-00008 and CAR15-00029, it's been moved and seconded, let's have some discussion. Usually back to the mover, although I don't want to put you on the spot.

Commissioner Stevens: Well, I've said what I need to say at this point, so if anybody else wants to weigh in, please go ahead.

Commissioner Gibson: Mr. Chairman, I would like to point out that the public's testimony is really critical to S. Cole traffic, Maple Grove traffic. One of the things that I wanted to point out from a larger land use point of view is that one of the reasons why traffic is so messed up on S. Cole is because, I'm not pointing to anyone in other jurisdictions, but the way subdivisions are approved within the County, there's not a strategic type of process that this methodology that we're going through is difficult as it is, it's easier for a developer to come in and pick up a 5 or 10 acre parcel, maximize the density, so if you go to Google earth, take a look and see everything west of Cole Road and everything south of Victory and some of these areas are really the result of County planning practices, which we here have no control over, and then that's further exacerbated by malice of ACHD. I'm questioning some of the comments that were made specific to the documents that we're provided to the planning Commission on what ACHD is advocating. Having been on the board for three years, I've seen many instances where the can has been kicked down the road. Unfortunately, I think this is one of those situations. To have S. Cole Road at these locations at this traffic volume at an "F" and still have it a two lane road I think it's really reprehensible, that's my own personal opinion obviously, but not, I think it's indicative of this developer's desire to extend and relate and make the infrastructure connections, that's critical to the overall development, it will happen eventually. I agree with my fellow Commissioner in that it is going to happen, sorry I hate to say it. I've lived here since 1990, moved to Boise in 1980 and I can remember when there was really nothing south of S. Cole Road before they even built the interstate. So, I can appreciate the resident's testimony to the affect and I think by voting for this motion we can move forward with a lot of the conceptual planning that is really kind of the meat and potatoes, but then allow staff and the engineer and the developer to work in concert with local agencies on this subdivision. So, the end result is actually the best product that I think that we can get. So, I'll be voting for the motion on that reason.

Chairman Demarest: Thank you Commissioner. Other discussion? I want to weigh in that it's really, I agree, I want to underscore what you said Commissioner Gibson, that it is critical that we hear the public testimony; it does make a difference to us, I've got to tell you, we read these reports before we get here and we hear lots of information, but then we're here to listen and then to make the best decision possible and I noticed a couple things and it was underscored by a couple of the folks that testified and one is that I didn't hear anybody say, don't ever do this, I heard people say hey, we've got a problem. Roughly 35, maybe 36 people, virtually all of them said the same thing, that the quality of life that we live day to day is impacted by the density and the traffic and doing more is more problem, not solution, and a whole lot of people had some solutions for us. I don't think we have those within our control, but they're important nonetheless. So, I'll support the motion as well. So, we've got two motions, at some point we've got to do something with the third that's before us, but let's finish these two first and we'll go from there.

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Commissioner Gibson: Mr. Chairman, a question for council specific to the separation of the motions that we're voting on two vs. three motions, is there any procedural issue that we would encounter later on by proceeding as moved?

Amanda Schaus (City of Boise Attorney): Mr. Chair, Commissioner Gibson, if you mean having two combined; I have one motion now that combines the rezone to the specific plan and the Comprehensive Plan amendment, that's one motion, and the second being the subdivision. As long as we're clear in our findings, there is no issue.

Commissioner Gibson: Thank you.

Chairman Demarest: Okay, let's finish with the first two. Any further discussion? All those in favor of approving CPA15-00008 and CAR15-00029, please signify by saying aye. Any opposed?

ALL IN FAVOR, NONE OPPOSED, MOTION CARRIES.

MOTION: COMMISSIONER STEVENS MOVED TO RECOMMEND DENIAL OF SUB15-00055 TO THE CITY COUNCIL IN ACCORDANCE WITH THE PROJECT REPORT AND CONDITIONS OF APPROVAL THEREIN

SECONDER: COMMISSIONER ANSOTEGUI

Commissioner Stevens: Mr. Chair, I would like to put some findings in the record. We need to find whether or not this subdivision is consistent with the Comprehensive Plan and if we do look at southwest policies in Blue Print Boise, you'll see under various goals that we need to improve street system connectivity, SW-C2.1, SW-C2.2, and I do not find that this subdivision meets those particular policies of the Comprehensive Plan. In addition, we need to find that the plan, if we were to approve it, is consistent with the general purpose of the code to promote public health and safety and general welfare of residents and I do not find that the subdivision meets that because of the connectivity issues. I think if it were not for that, I think it would meet that, but I think that is an important safety concern that I have with regard to allowing 170 lots to be platted without those connectivity's fixed. So with that, I've said everything I've needed to say.

Chairman Demarest: Thank you. Okay, is there further discussion? Motion to deny the subdivision, SUB15-00055 with findings in the record. Any last discussion? All those in favor of denying the motion please signify by saying aye. Any opposed?

ALL IN FAVOR, NONE OPPOSED, MOTION CARRIES.

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IV. MEETING ADJOURNED

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