



## Planning & Development Services

Boise City Hall, 2nd Floor  
150 N. Capitol Boulevard  
P. O. Box 500  
Boise, Idaho 83701-0500

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Fax: 208/384-3753  
TDD/TTY: 800/377-3529  
Website: [www.cityofboise.org/pds](http://www.cityofboise.org/pds)

3/3a/3b

### **CAR16-00002, PUD16-00005, & SUB16-00006 / DevCo LLC**

#### **Summary**

The site is located at 6781 E Warm Springs Avenue.

**CAR16-00002:** Annexation of 4.2 acres. Approximately 2.4 acres are proposed as R-2D/DA (Medium Density Residential with Design Review and a Development Agreement) and 1.8 as R-1B/DA (Single Family Residential with a Development Agreement);

**PUD16-00005:** Conditional Use Permit for a 24-unit planned unit development;

**SUB16-00006:** Preliminary plat for a residential subdivision comprised of 24 buildable and 1 common lot.

#### **Prepared By**

Susan Riggs

#### **Recommendation**

The Planning Team recommends **approval** of each request.

#### **Reason for the Decision**

##### **Annexation**

The annexation is consistent with the standards found in BCC 11-03-04.15.6(a). The parcels are currently zoned RP and C2 (Ada County) and designated Commercial and Large Lot/Rural on the Land Use Map of Blueprint Boise. The proposed R-2D/DA and R-1B/DA zones are appropriate in this designation. The proposed density of 5.72 DU/acre is slightly higher than the R-1B zone and is significantly lower than the R-2D and will be compatible with Eastvalley Subdivision across Warm Spring Avenue. The site is within the Area of Impact and Sewer Planning Area and is contiguous to Boise City on its eastern boundary. Annexation will facilitate orderly expansion of the City boundaries and conform to the Level of Service standards found in the Comprehensive Plan (*Goal PDP3.2*).

##### **Subdivision**

The preliminary plat is in conformance with the Boise City Comprehensive Plan and development Code.

##### **Conditional Use Permit**

The project is compatible with the variety of uses in the neighborhood and those reasonably expected to develop. The area is comprised primarily of residential development of a similar form and density to the proposed project. The project is consistent with the Comprehensive Plan. *Principles NAC7.1, CC1.1 and GDP-N.3* encourage a mix of housing in neighborhoods and infill development that does not require the costly extension of infrastructure. All utilities and infrastructure are readily accessible. The site is large enough to accommodate the proposed use without adversely impacting other properties in the vicinity and zoning standards are met. Parking will be provided within enclosed garages. Comments from public agencies confirm the project will not place an undue burden on the transportation system or other infrastructure.



CAR16-00002 & PUD16-00005

1" : 300'



R-1C

SP-02

RUT

R6

C2

Penitentiary  
Canal

Greenbelt -  
Eckert for  
Lucky Peak

RP

Boise  
River

E Warm Springs Ave

S Brian Ave

E Tao St

S Taboo Ave

E Sky Bar St

R-1C/DA

S Boven Ave

E Ghost Bar St

S Taboo  
Ave

E Highland  
Valley Ln

E Highland Valley Rd

R1

R6

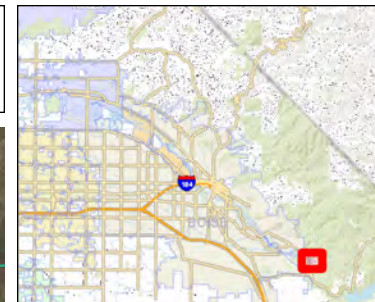
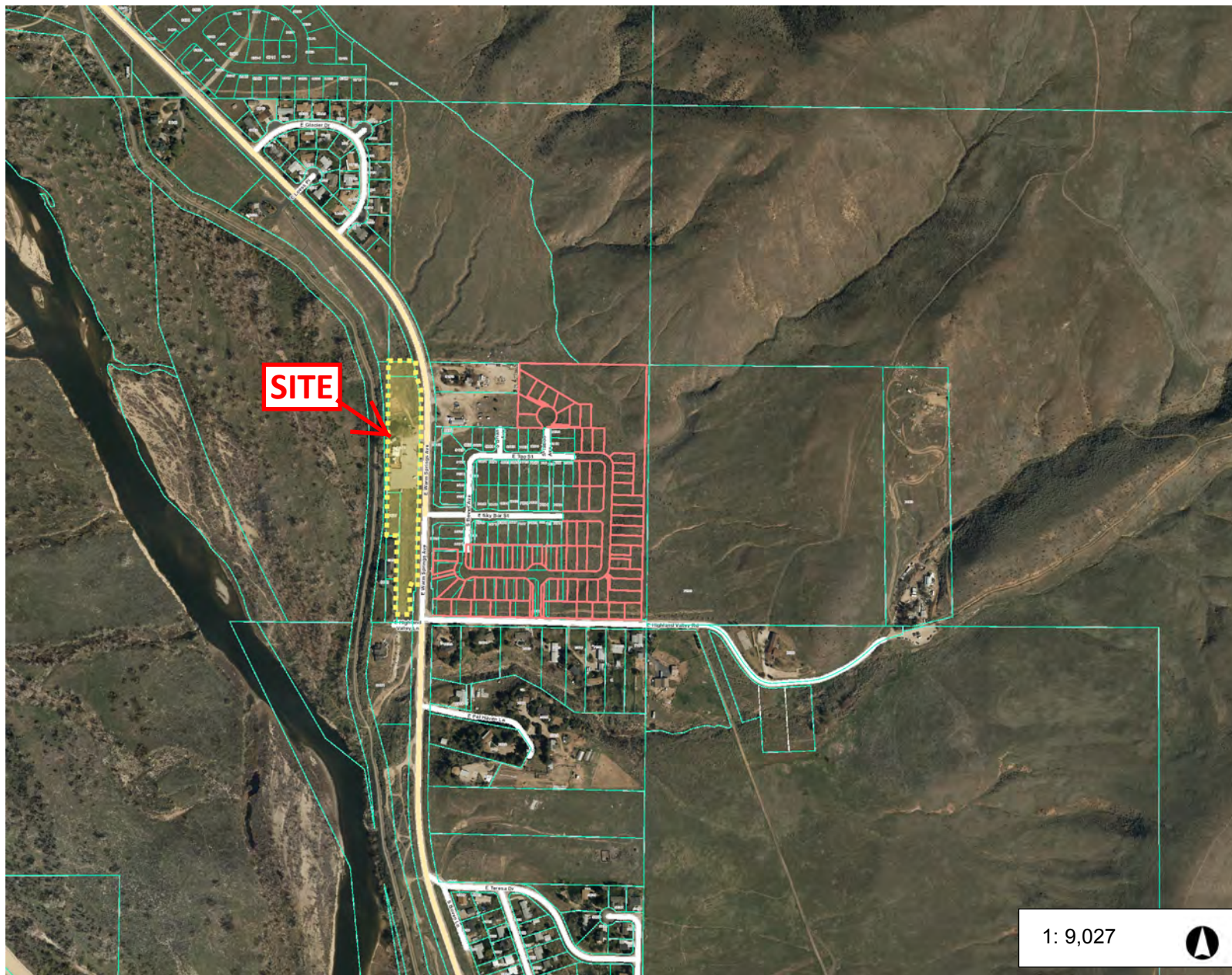
E Pet Haven Ln

RUT





# BoiseMaps



## Legend

- Preliminary Lots
- Parcels

1: 9,027



0.3 0 0.14 0.3 Miles

NAD\_1983\_Transverse\_Mercator  
Date Generated: 2/29/2016 10:38:28 AM

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

CAR16-00002 & PUD16-00005

1" : 300'



R-1C

SP-02

RUT

R6

C2

RP

Boise River

Penitentiary Canal

Greenbelt -  
Eckert to  
Lucky Peak

E Warm Springs Ave

S Brian Ave

E Tao St

S Taboo Ave

E Sky Bar St

R-1C/DA

S Boven Ave

E Ghost Bar St

S Taboo Ave

R6

E Highland Valley Ln

E Highland Valley Rd

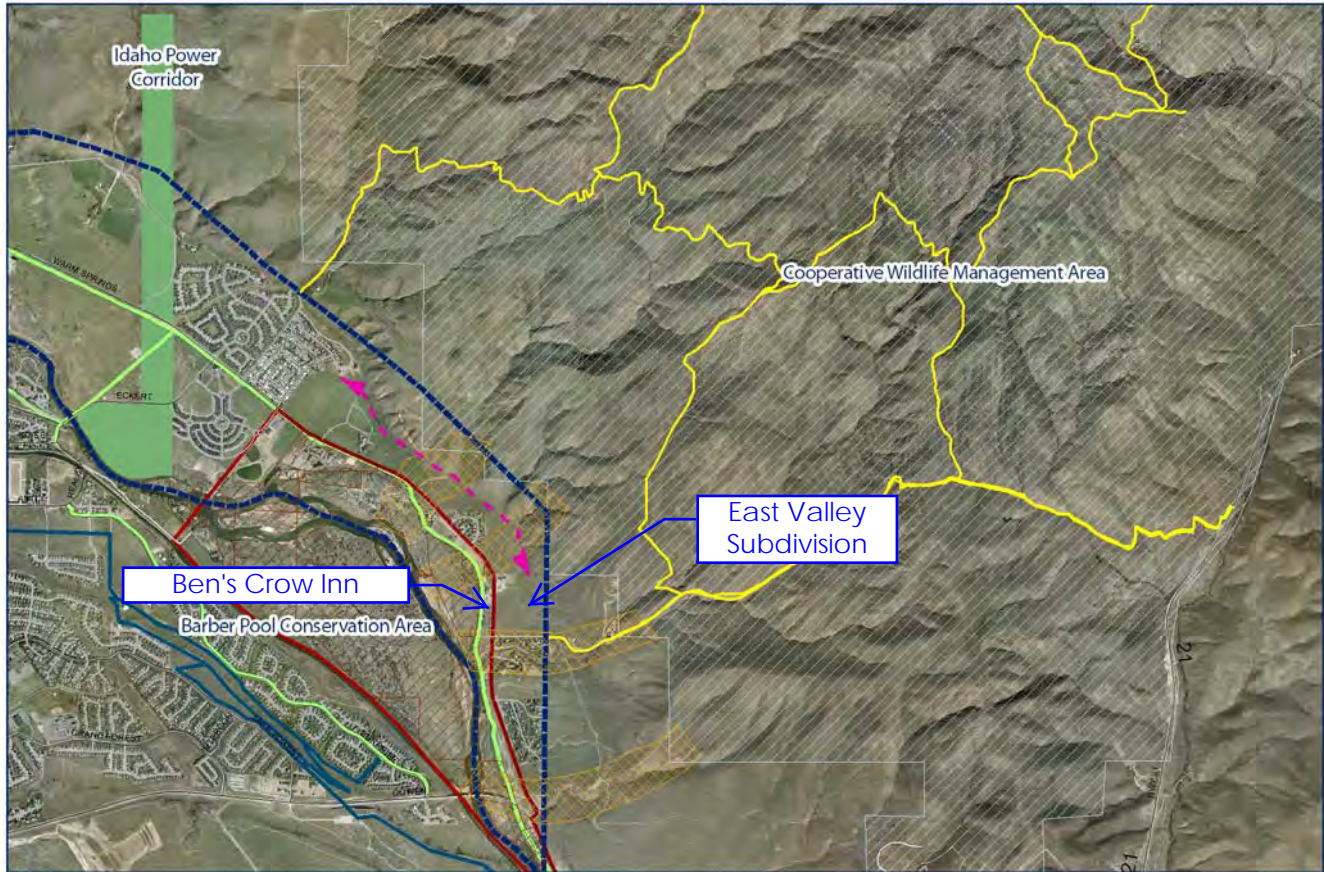
R1

RUT

R6

E Pet Haven Ln





## Legend

- |   |                             |   |                                      |   |  |
|---|-----------------------------|---|--------------------------------------|---|--|
|    | Barber Valley Planning Area |  | Cooperative Wildlife Management Area |  | Public ownership within Barber Pool Conservation Area  |
|    | Greenbelt                   |  | Parks                                |  | Barber Pool Conservation Area                          |
|    | Oregon Trail                |  | Wildlife Corridors                   |  | Barber Valley Path<br>(desired future trail extension) |
|  | Ridge to Rivers Trails      |   |                                      |   |  |

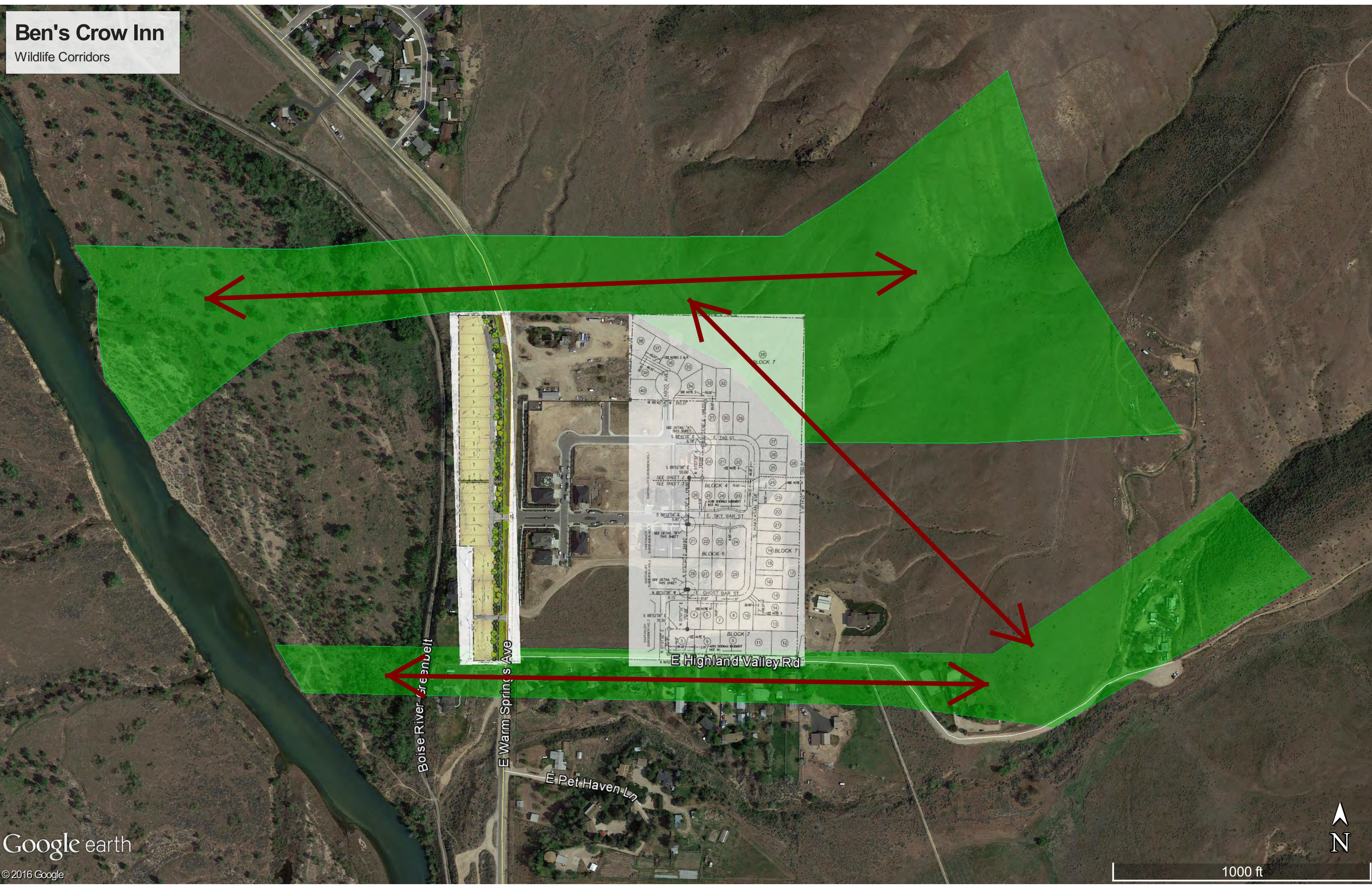
## Barber Valley Environmental Features and Constraints

0.0 0.125 0.25 0.5



Source: City of Boise GIS, COMPASS, Clarion Associates (2009)  
Wildlife Corridors provided by Idaho Department of Fish and Game





Boise River Greenbelt

E Warm Springs Ave

E Highland Valley Rd

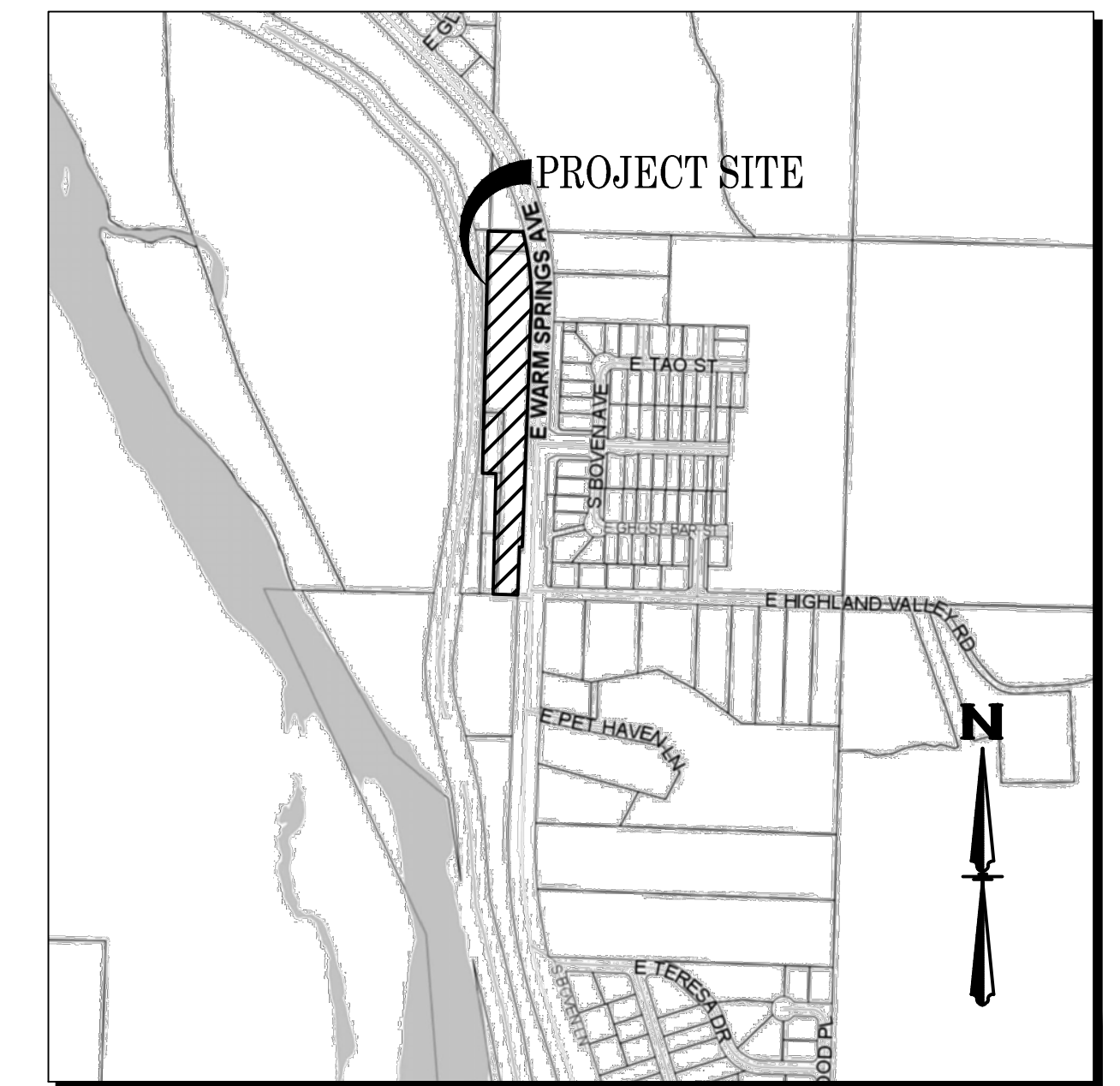
E Pet Haven Ln



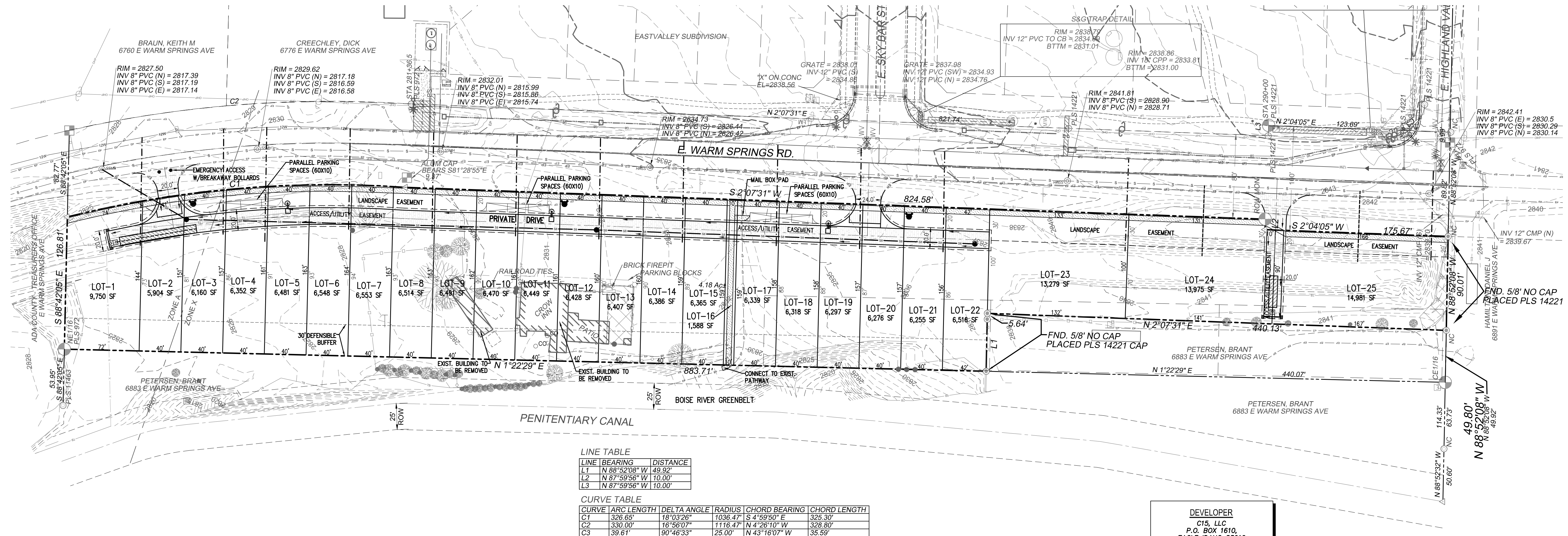


PRELIMINARY PLAT FOR  
*BCI SUBDIVISION*

A PARCEL OF LAND LOCATED IN THE SE 1/4 OF OF THE NE 1/4 SECTION 33,  
T.3N., R.3E., B.M., ADA COUNTY, IDAHO  
2016

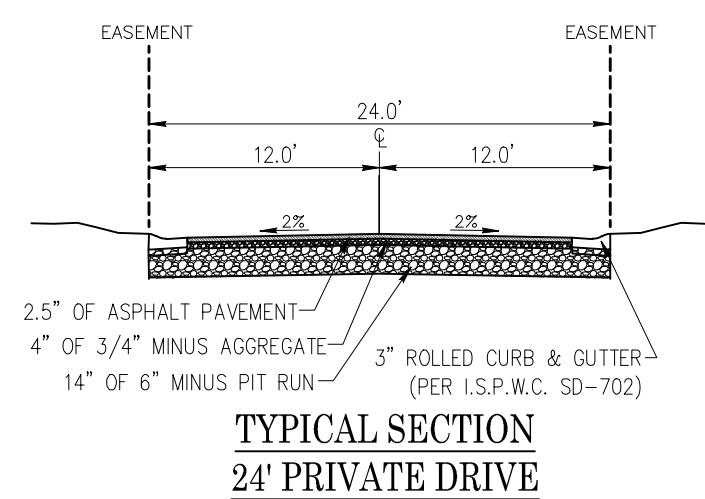


VICINITY MAP  
1" = 800'



GENERAL LEGEND

	BOUNDARY LINE
	LOT LINE
	EASEMENT LINE
	PROPOSED EDGE OF PAVEMENT
	PROPOSED SANITARY SEWER
	PROPOSED WATER SERVICE
	PROPOSED ROLLED CURB/ACCESS EASEMENT
	PROPOSED CONCRETE OR ASPHALT PATHWAY
	ASPHALT ACCESS ROAD
	PROPOSED FIRE HYDRANT
	PROPOSED STREET LIGHT
	PROPOSED DRAINAGE FACILITY
	EXISTING RIGHT-OF-WAY
	SECTION LINE
	EXISTING SEWER
	EXISTING WATER
	EXISTING EDGE OF PAVEMENT
	EXISTING OVERHEAD POWER LINES
	EXISTING FENCE LINE
	EXISTING GROUND CONTOUR



DEVELOPMENT FEATURES:

TOTAL ACRES.....±4.18 ACRES  
TOTAL LOTS.....25  
BUILDABLE LOTS.....24  
COMMON LOTS/ACRE.....0/0 ACRES  
DENSITY DU/ACRES.....4.18 ACRES  
EXISTING ZONING.....A-1  
(CITY OF BOISE)  
MINIMUM RESIDENTIAL LOT SIZE.....5,904 sq.ft.  
AVERAGE RESIDENTIAL LOT SIZE.....7,500 sq.ft.

NOTES:

- SANITARY SEWER MAINS SHALL BE 8" DIAMETER UNLESS OTHERWISE SHOWN.
- WATER MAINS SHALL BE 8" DIAMETER UNLESS OTHERWISE SHOWN.
- SURFACE STORM WATER DRAINAGE SHALL BE DIRECTED TO DRAINAGE FACILITIES AS SHOWN.
- THIS SUBDIVISION IS SUBJECT TO COMPLIANCE WITH THE IDAHO CODE SECTION 31-3805 CONCERNING IRRIGATION WATER.
- ALL LOTS ARE TO BE DESIGNATED SINGLE FAMILY RESIDENTIAL EXCEPT; LOT 16, BLOCK 1, WHICH WILL BE A COMMON LOT OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION.
- A PORTION OF THIS PROJECT IS LOCATED WITHIN THE 100 YEAR FLOODPLAIN (ZONE "A"). PER FIRM 1600100315 H DATED 2-19-03.

DEVELOPER

C15, LLC  
P.O. BOX 1610,  
EAGLE IDAHO 83616



CALL BEFORE YOU DIG!  
CALL DIGLINE INC.  
PRIOR TO COMMENCING  
UNDERGROUND WORK  
208-342-1585

LAND SURVEYOR  
SAWTOOTH LAND SURVEYING LLC.  
2030 S. WASHINGTON AVE.  
EMMETT, ID 83617  
(208) 398-8104

CIVIL ENGINEER  
JIM E. COSLETT, P.E.  
ROCK SOLID CIVIL LLC  
270 N. 27th ST. SUITE 100  
BOISE, ID 83702  
(208) 342-3277

UTILITY REPRESENTATIVES

UTILITY	REPRESENTATIVES	PHONE
GAS	INTERMOUNTAIN GAS	(208) 377-6839
ELECTRICITY	IDAHO POWER	(208) 388-6320
TELEPHONE	CENTURY LINK	1-877-290-5458
CABLE TV	CABLE ONE	(208) 375-8288
SEWER	CITY OF BOISE	(208) 384-3900
WATER	UNITED WATER OF IDAHO	(208) 382-7200
ROADS	ADA COUNTY HIGHWAY DISTRICT	(208) 334-8000
IRRIGATION	N/A	
FIRE	CITY OF BOISE	(208) 570-6500



50 0 25 50 100  
SCALE IN FEET  
1" = 50'



CALL BEFORE YOU DIG!  
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UNDERGROUND WORK  
208-342-1585

Revisions

Date	Description
1	
2	
3	
4	

**ROCK SOLID CIVIL**  
Civil Engineering and Land Development Consulting  
270 N. 27th Street, Suite 100 Boise, ID 83702  
Cody, Idaho 83707  
www.rocksolidcivil.com

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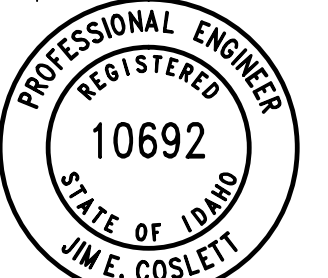
BCI SUBDIVISION

PRELIMINARY PLAT

Project Name

Sheet Name

Stamp



Project No. RSC-1600

Drawn By: RLC

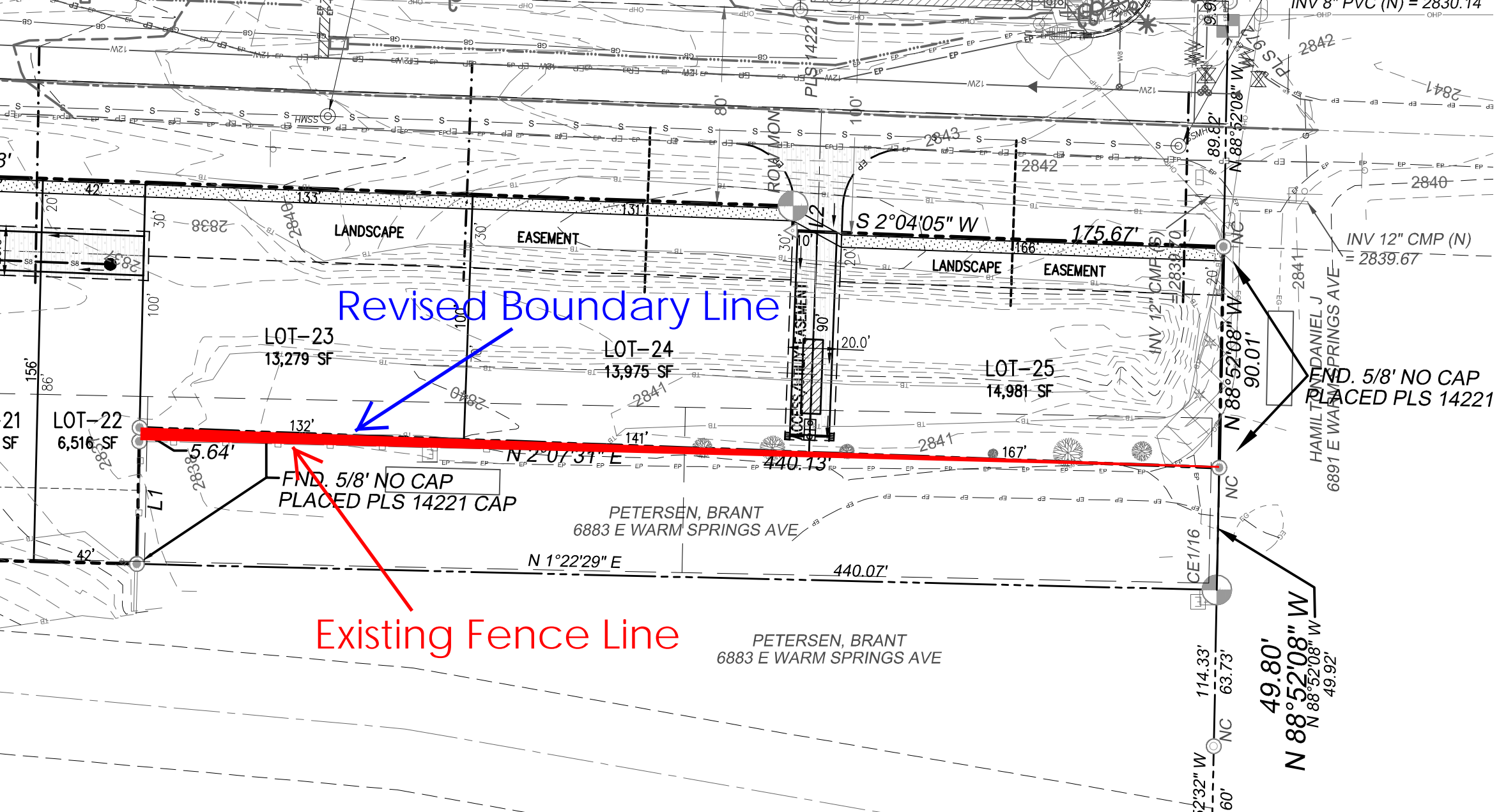
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Sheet No.

C1

1 of 1

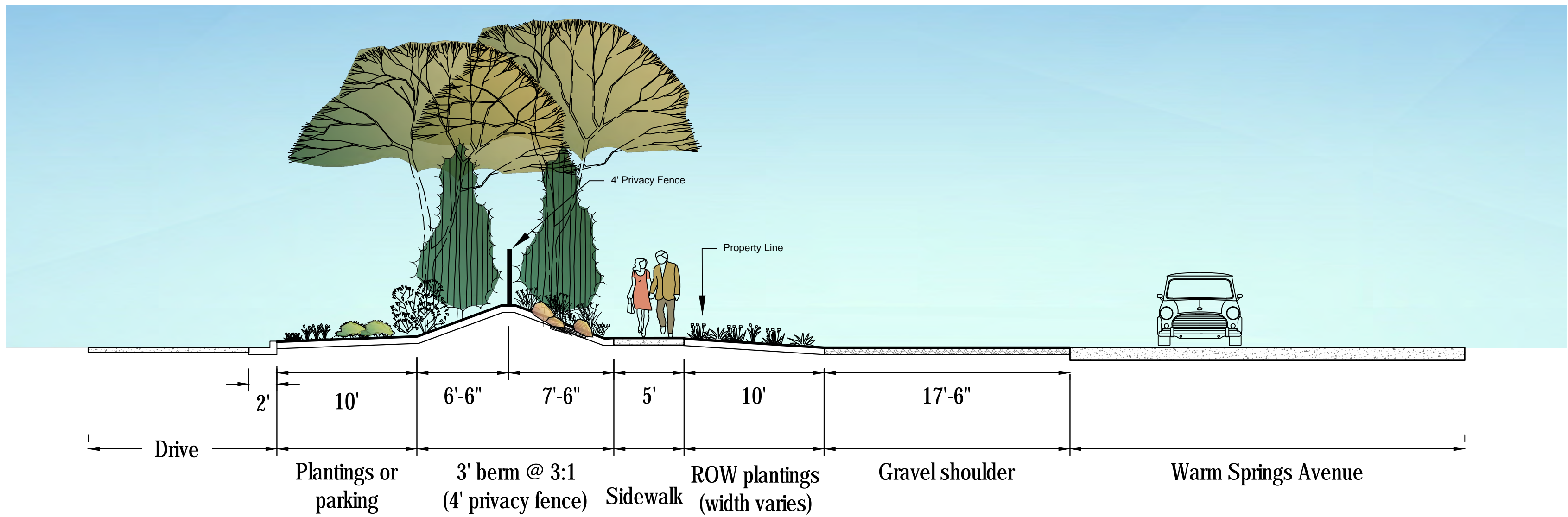
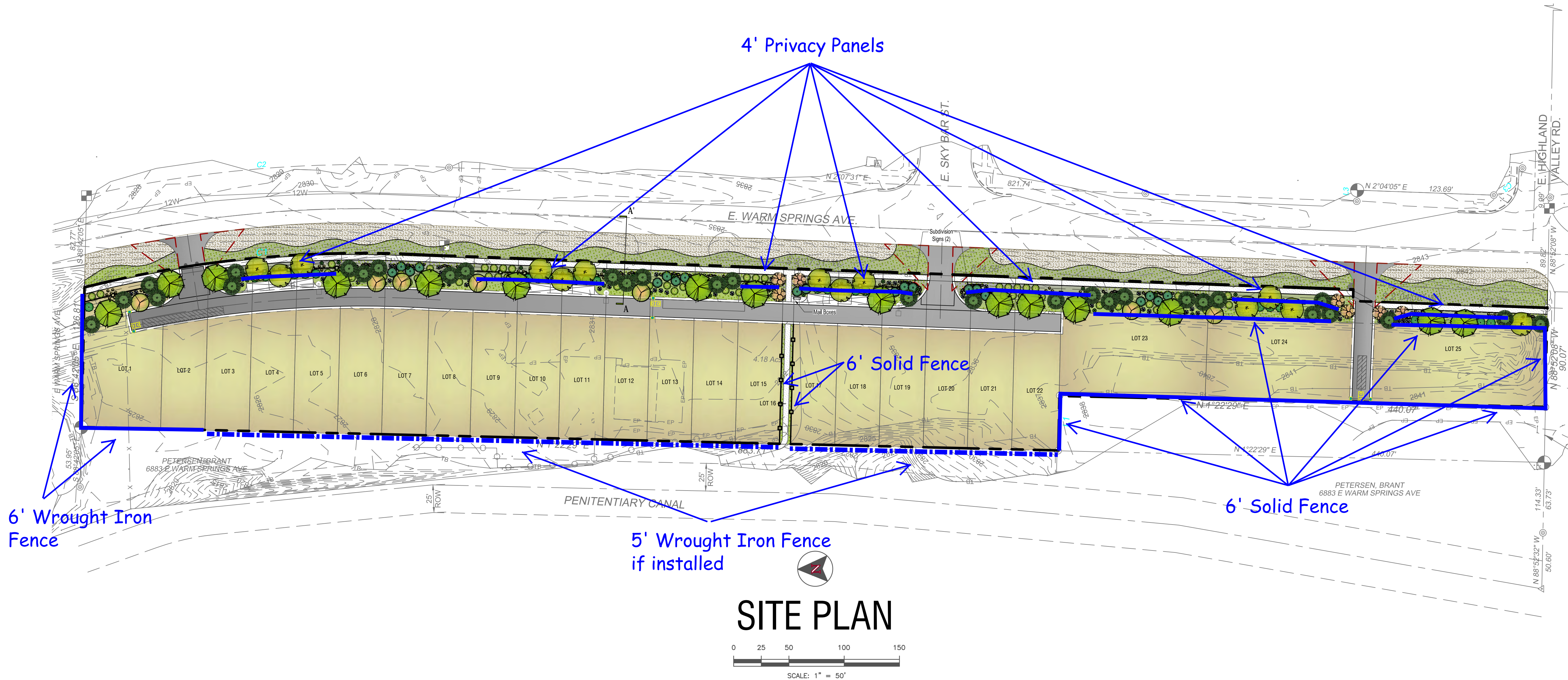






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30 ft Landscape Buffer, Warm Springs Avenue  
Section A - A'

PRELIMINARY PLAT LANDSCAPE PLAN FOR:

BCI SUBDIVISION

SITE PLAN

DATE: FEBRUARY 2016  
PROJECT: 160030

SHEET 1 OF 1

**T-O ENGINEERS**  
CONSULTING ENGINEERS, SURVEYORS & PLANNERS  
9777 CHINDEN BOULEVARD  
BOISE, IDAHO 83714-2008  
PHONE: (208) 323-2288  
FAX: (208) 323-2999  
OFFICES ALSO IN: COEUR D'ALENE, IDAHO  
NAMPYA, IDAHO

NO.	REVISIONS	DATE	E-FILE NAME
			160030-LSCP
			DESIGNED
			DRAWN
			CHECKED
			APPROVED
			SP

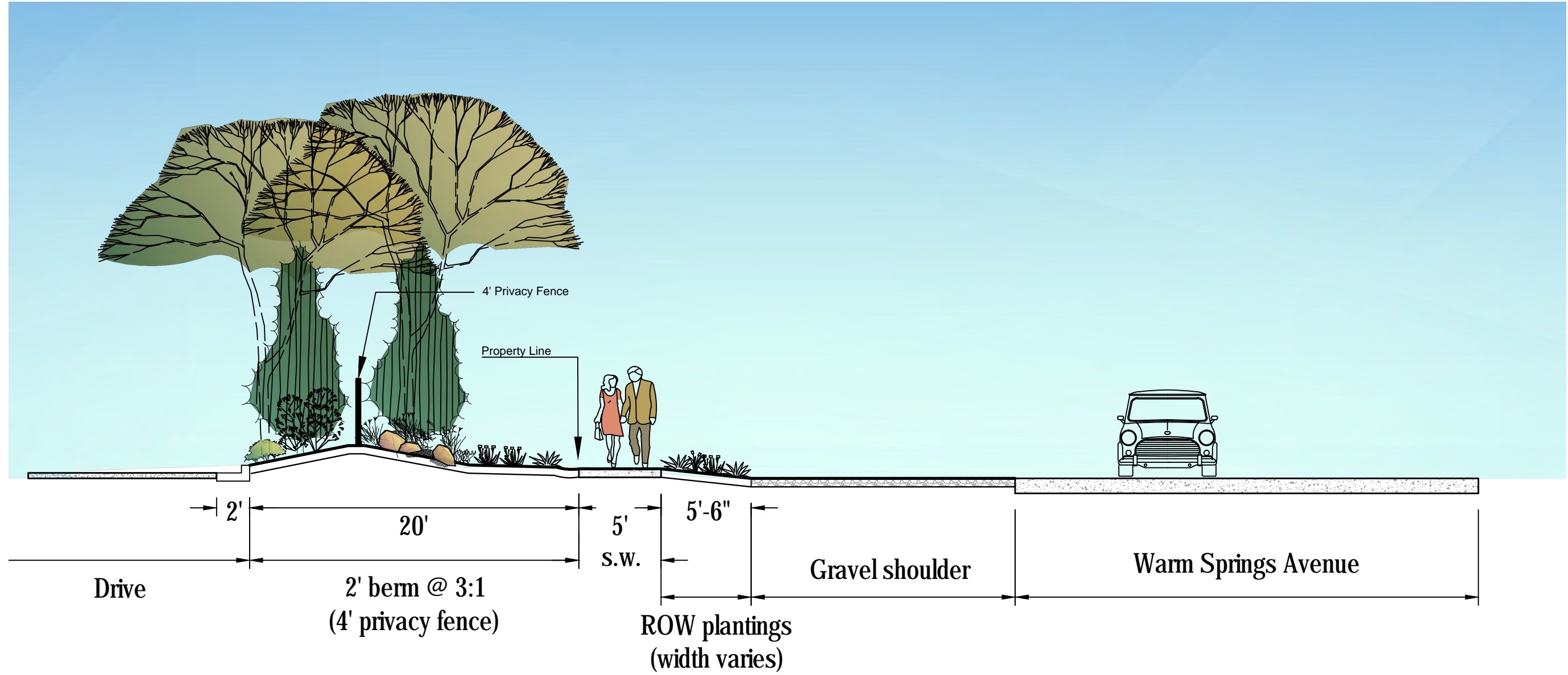
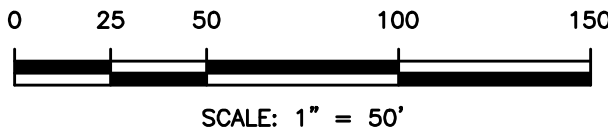


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## SITE PLAN



## Warm Springs Ave. Buffer

SECTION A - A' NOT TO SCALE

PRELIMINARY PLAT LANDSCAPE PLAN FOR:  
**BCI SUBDIVISION**  
SITE PLAN

DATE: MARCH 2016  
PROJECT: 160030

SHEET 1 OF 1

**T-O ENGINEERS**  
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NANPA, IDAHO








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			SP
			CHECKED
			SP
			APPROVED
			SP





SHEET L1 OF 4



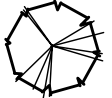





	DARTS GOLD NINEBARK or SASKATOON SERVICEBERRY	Physocarpus opulifolius 'Darts Gold' or Amelanchier alnifolia	5 gal	4
	BAILEYS REDOSIER DOGWOOD	Cornus sericea 'Baileys'	5 gal	15
	RUSSIAN SAGE	Perovskia atriplicifolia	2-3 gal.	28
	DWARF MUGO PINE	Pinus mugo 'Slowmound'	2-3 gal.	19
	GROW LOW SUMAC	Rhus aromatica	2-3 gal.	25
	VIRGINIA CREEPER	Parthenocissus quinquefolia	2-3 gal.	40
	KARL FOERSTER FEATHER REED GRASS	Calamagrostis acutiflora 'Karl Foerster'	1 gal	52








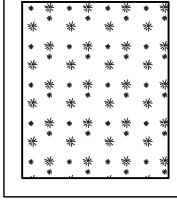
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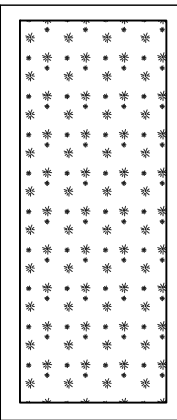
1. SEE GENERAL NOTES (THIS PAGE). ALSO SEE PAGE L3 FOR PLANTING DETAILS
2. WATER ZONES SHOWN IN THE MINIMUM NUMBER OF IRRIGATION APPLICATIONS PER MONTH REQUIRED FOR HEALTHY GROWTH (SEE BOISE PARKS AND RECS WATER CONSERVATION GUIDELINES AND SALT LAKE CITY HYDROZONE SCHDL. 2013)
3. FINAL LOCATION AND QUANTITY OF PERENNIALS TO BE DETERMINED IN CONSTRUCTION PLANS. TOTAL PLANT COVERAGE IN PLANTER BEDS TO BE 60% AT MATURITY
4. PLANTS SHOWN AT NEAR MATURE SIZE.



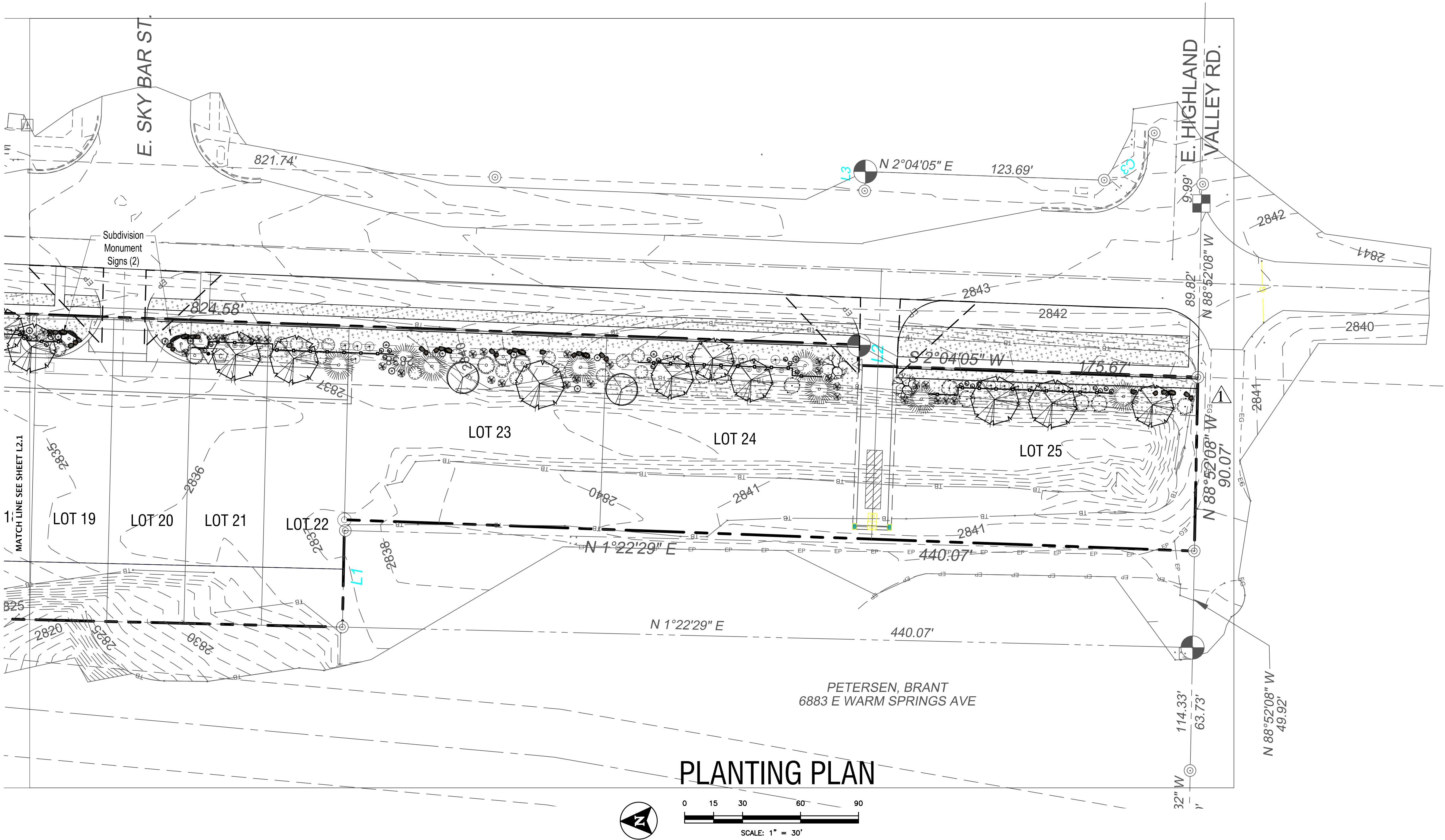


PLANTING SCHEDULE				
Key	Common Name	Botanical Name	Min. Planting Size*	Quant. L2.2
	PACIFIC SUNSET MAPLE or AUTUMN BLAZE MAPLE	Acer truncatum x platanoides 'Warrenred' or Acer fremanii 'Jeffersred'	2" cal.	4
	SKYLINE HONEYLOCUST	Gleditsia triacanthos inermis 'Skyline'	2" cal.	6
	AMUR MAPLE	Acer ginnala	2" cal.	2
	ROBINHILL SERVICEBERRY or CANADA RED CHOKECHERRY	Amelanchier x grandiflora 'Robinhill' or Prunus virginiana 'Canada Red'	9'-10' ht (clump)	2
	VANDERWOLF PINE	Pinus flexilis 'Vanderwolf's Pyramid'	6'-7' ht.	8
	KARL FUCHS HIMALAYAN CEDAR	Cedrus deodara 'Karl Fuchs'	6'-7' ht.	8

	DARTS GOLD NINEBARK or SASKATOON SERVICEBERRY	Physocarpus opulifolius 'Darts Gold' or Amelanchier alnifolia	5 gal	8
	BAILEYS REDOSIER DOGWOOD	Cornus sericea 'Baileys'	5 gal	16
	RUSSIAN SAGE	Perovskia atriplicifolia	2-3 gal.	31
	DWARF MUGO PINE	Pinus mugo 'Slowmound'	2-3 gal.	13
	GROW LOW SUMAC	Rhus aromatica	2-3 gal.	19
	VIRGINIA CREEPER	Parthenocissus quinquefolia	2-3 gal.	16
	KARL FOERSTER FEATHER REED GRASS	Calamagrostis acutiflora 'Karl Foerster'	1 gal	26
	HIDCOTE SUPERIOR LAVENDER	Lavandula angustifolia 'Hidcote Superior'	1 gal	Perennial Beds Mix. Final location and quantity to be determined in construction plans. See Note 3.
	FIRECRACKER PENSTEMON	Penstemon eatonii	1 gal	Perennial Beds Mix. Final location and quantity to be determined in construction plans. See Note 3.

	BLACK EYED SUSAN	Rudbeckia hirta	1 gal	Perennial Beds Mix. Final location and quantity to be determined in construction plans. See Note 3.
	BLUE FLAX	Linium lewisii	1 gal	Perennial Beds Mix. Final location and quantity to be determined in construction plans. See Note 3.
	HARDY ICE PLANT	Delosperma cooperii	1 gal	Perennial Beds Mix. Final location and quantity to be determined in construction plans. See Note 3.
	LITTLE BUNNY FOUNTAIN GRASS	Pennisetum alopecuroides 'Little Bunny'	1 gal	Perennial Beds Mix. Final location and quantity to be determined in construction plans. See Note 3.

NOTES:  
1. SEE GENERAL NOTES (THIS PAGE). ALSO SEE PAGE L3 FOR PLANTING DETAILS.  
2. WATER ZONES SHOWN IN THE MINIMUM NUMBER OF IRRIGATION APPLICATIONS PER MONTH REQUIRED FOR HEALTHY GROWTH (SEE BOISE PARKS AND RECS WATER CONSERVATION GUIDELINES and SALT LAKE CITY HYDROZONE SCHDL. 2013).  
3. FINAL LOCATION AND QUANTITY OF PERENNIALS TO BE DETERMINED IN CONSTRUCTION PLANS. TOTAL PLANT COVERAGE IN PLANTER BEDS TO BE 60% AT MATURITY.  
4. PLANTS SHOWN AT NEAR MATURE SIZE.



PRELIMINARY PLAT LANDSCAPE PLAN  
BCI SUBDIVISION  
PLANTING PLAN

DATE: MARCH 2016  
PROJECT: 160030

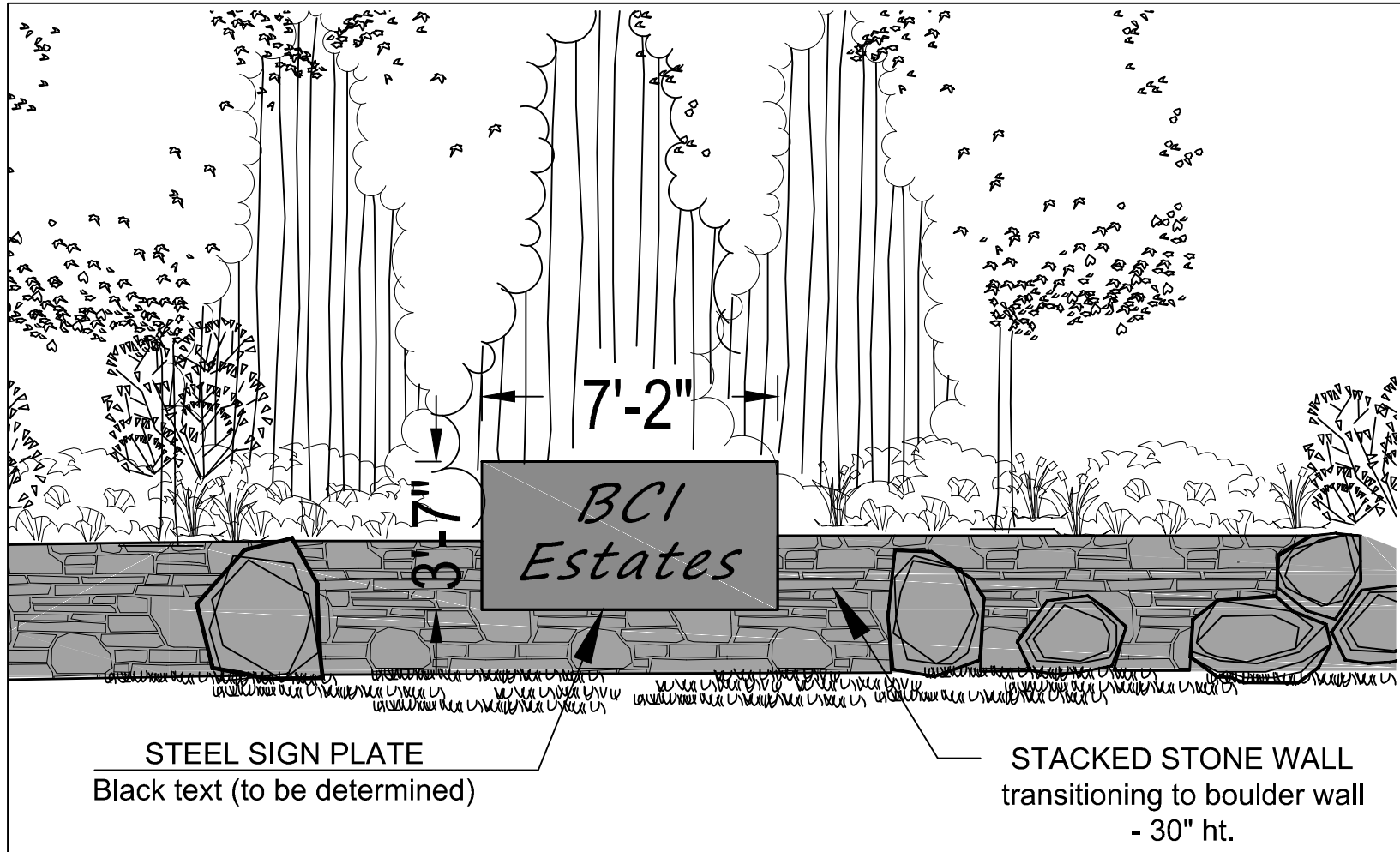
SHEET L2.2 OF 4

**T-O ENGINEERS**  
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2471 S. TITANIUM PLACE  
MERIDIAN, ID 83642  
PHONE: (208) 323-2288  
OFFICES ALSO IN:  
SPokane, WA, Coeur d'Alene, ID, and Nampa, IDAHO  
FAX: (208) 323-2389

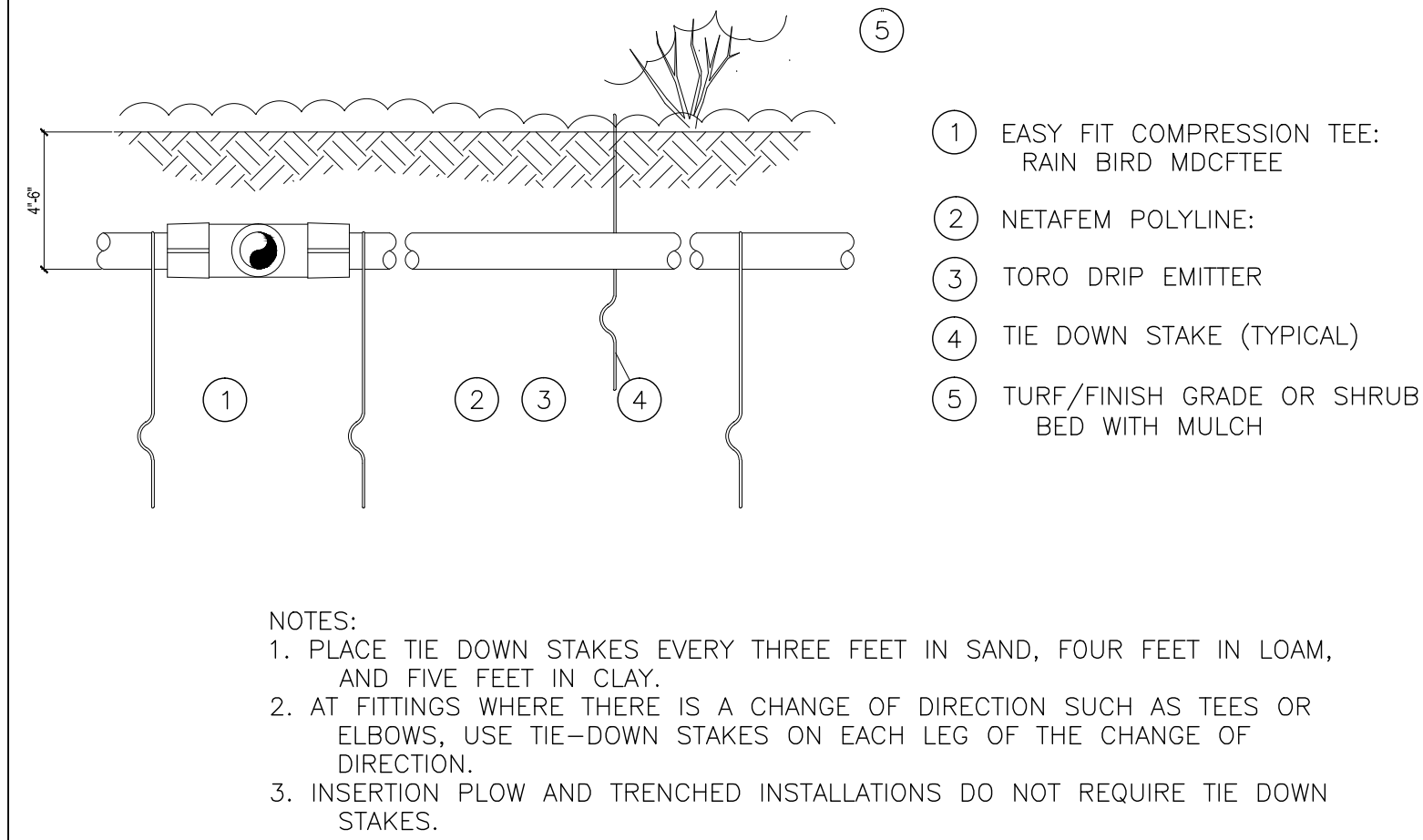
NO.	REVISIONS	DATE	E-FILE NAME
1	New site plan with 30ft defensible zone and 20ft LS buffer	03/14/2016	160030-LSCP DESIGNED
2	Change sidewalk locations	03/29/2016	S. PARKS DRAWN
			S. PARKS CHECKED
			APPROVED
			S. PARKS



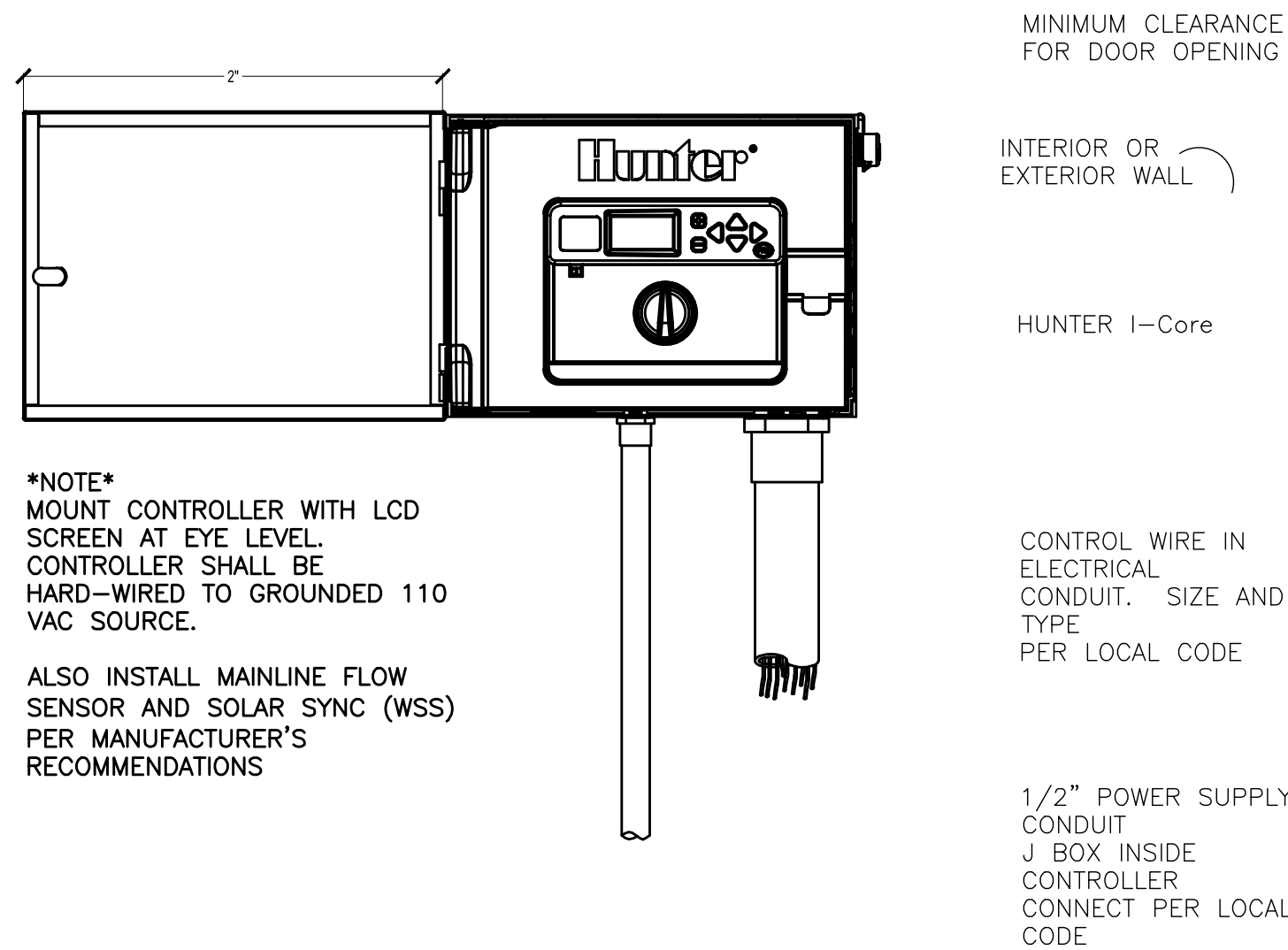




1 SUBDIVISION MONUMENT SIGN N.T.S.

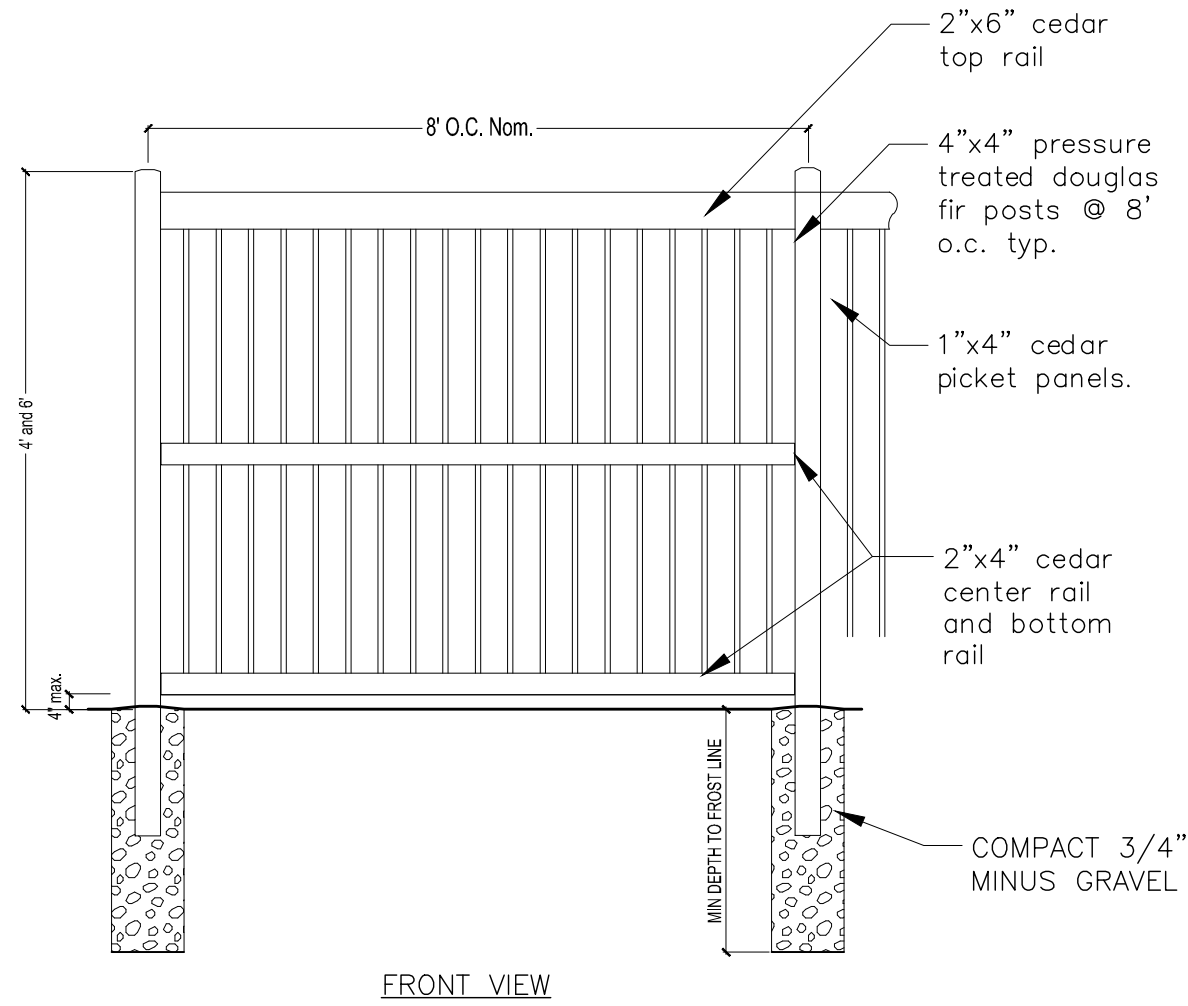


4 DRIP IRRIGATION LINE INSTALLATION N.T.S.

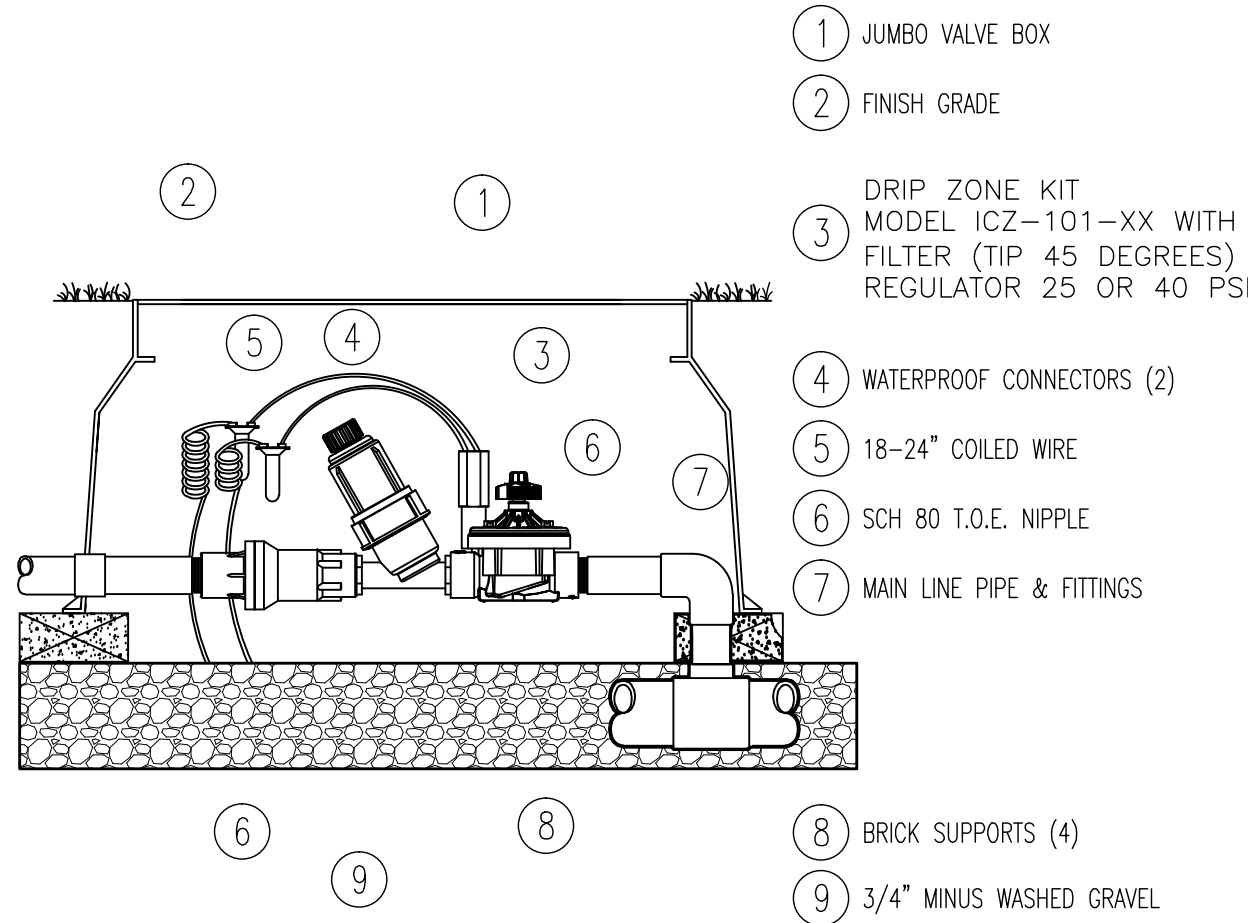


7 IRRIGATION CONTROLLER INSTALLATION N.T.S.

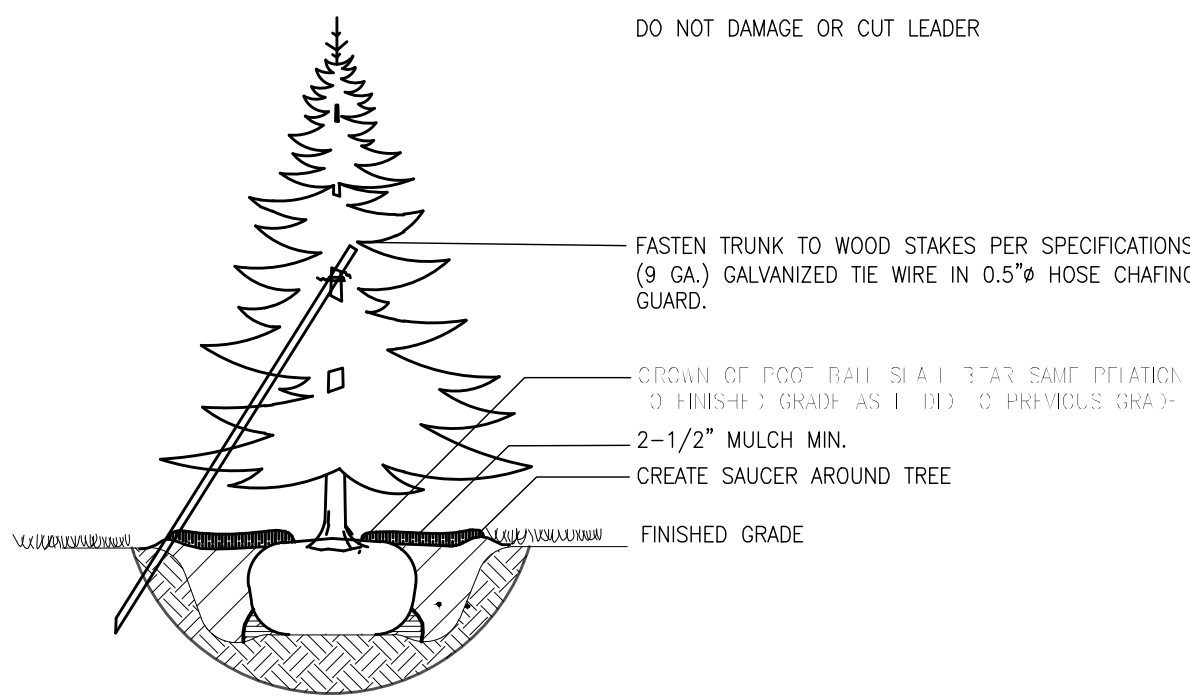
- NOTES:
1. FENCE SHALL BE STAINED TAHOE BROWN COLOR WITH 2 YEAR WARRANTY AGAINST FADING.
  2. FENCING PLACED ON SLOPES SHALL BE RAKED WITH LONG CONSISTENT SLOPING RAILS AND PLUMB PICKETS.
  3. SPACE BETWEEN THE FENCE AND THE FINISH GRADE SHALL NOT EXCEED 4".
  4. ALL FOOTINGS SHALL DRAIN AWAY FROM POST.
  - 2 DO NOT SCALE DRAWING.



2 PRIVACY FENCE 6' and 4' N.T.S.

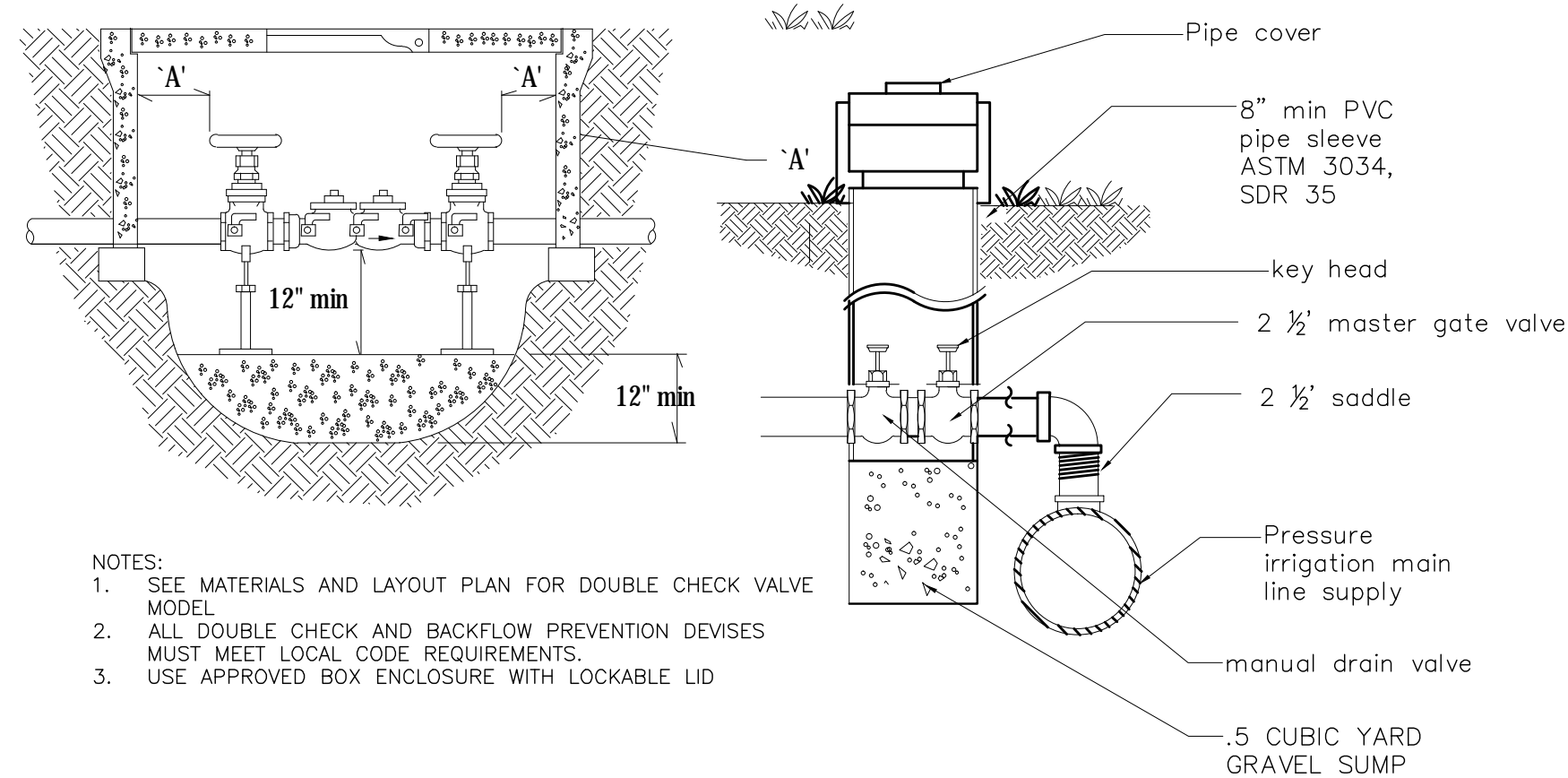


5 DRIP SYSTEM CONTROL VALVE N.T.S.



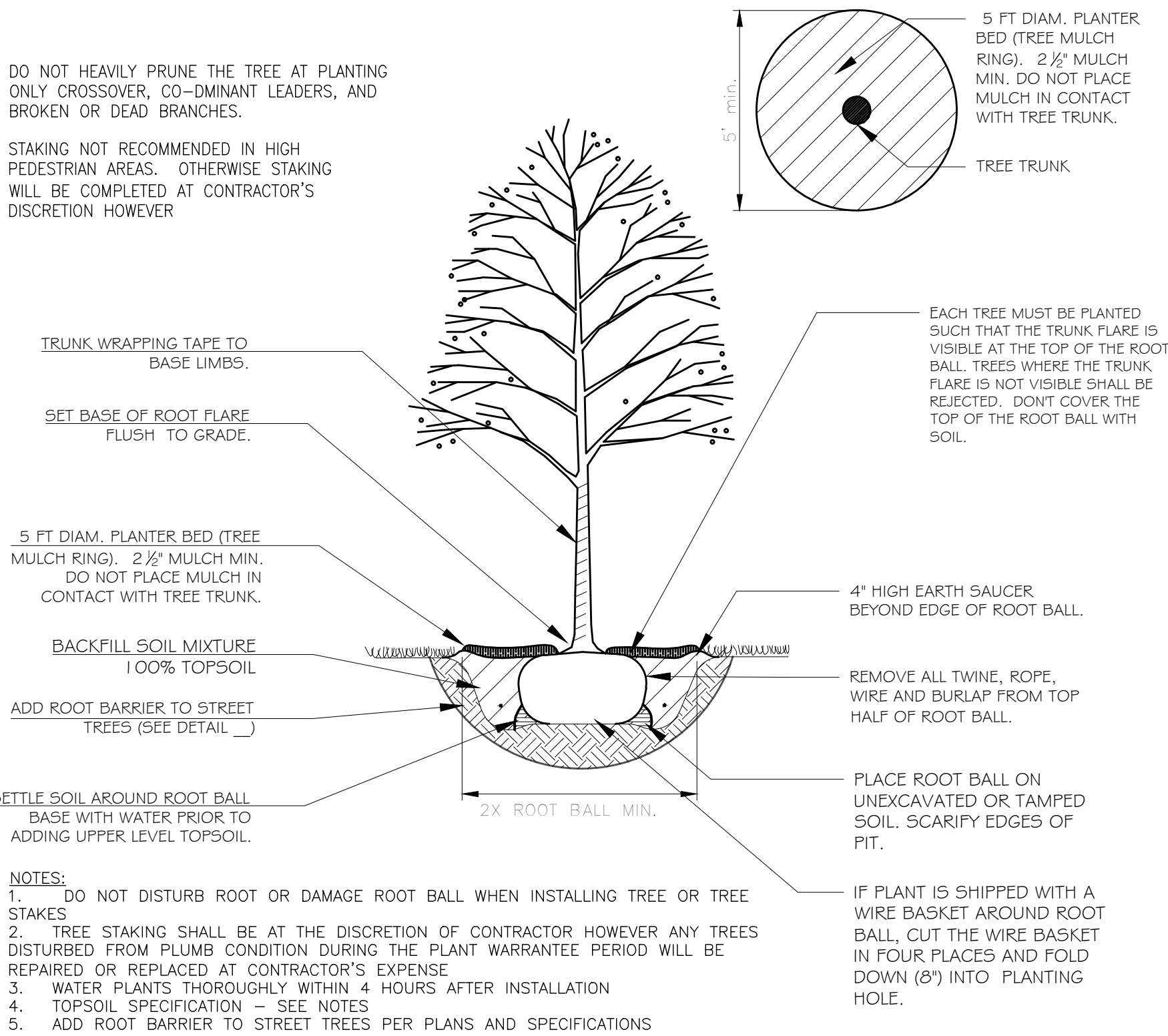
- NOTES:
1. DO NOT DISTURB ROOT OR DAMAGE ROOT BALL WHEN INSTALLING TREE OR TREE STAKES. CUR AND REMOVE TOP 1/3 OF BURLAP FROM BALL.
  2. TREE STAKING SHALL BE AT THE DISCRETION OF CONTRACTOR HOWEVER ANY TREES DISTURBED FROM PLUMB CONDITION DURING THE PLANT WARRANTY PERIOD WILL BE REPAIRED OR REPLACED AT CONTRACTOR'S EXPENSE.
  3. WATER PLANTS THOROUGHLY WITHIN 4 HOURS AFTER INSTALLATION.
  4. TOPSOIL SPECIFICATION - SEE NOTES.
  5. PLANT PIT SHALL BE 2X ROOT BALL WIDTH AND SCARIFIED.
  6. REMOVE ALL TWINE AND TOP HALF OF BURLAP AFTER PLANTING

8 EVERGREEN TREE PLANTING DETAIL N.T.S.

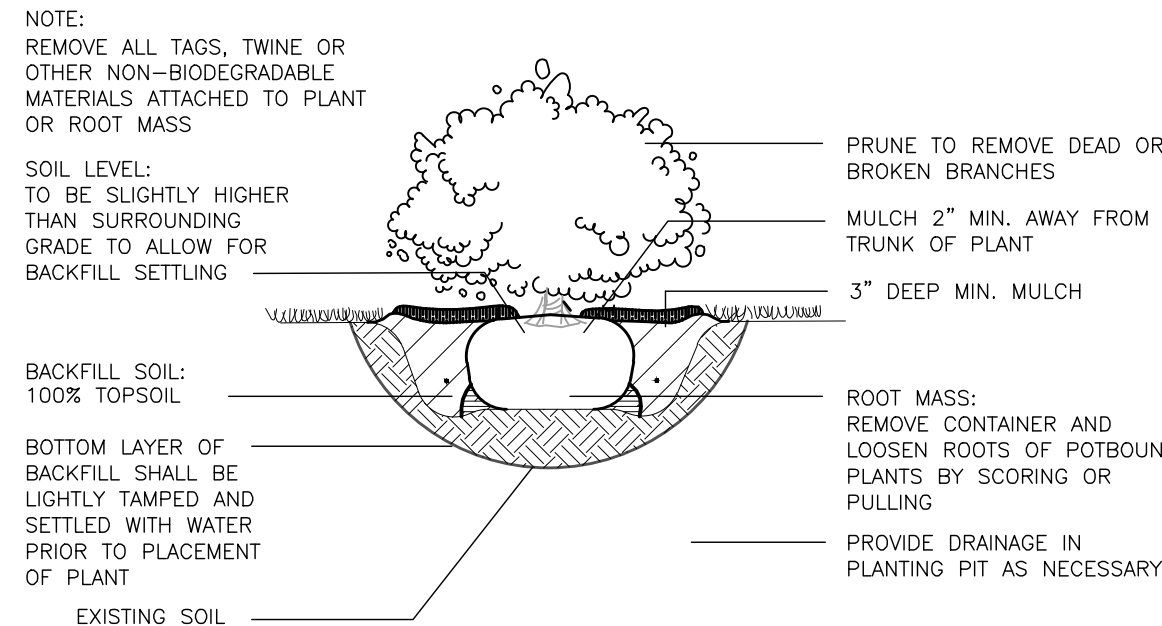


- NOTES:
1. SEE MATERIALS AND LAYOUT PLAN FOR DOUBLE CHECK VALVE MODEL.
  2. ALL DOUBLE CHECK AND BACKFLOW PREVENTION DEVICES MUST MEET LOCAL CODE REQUIREMENTS.
  3. USE APPROVED BOX ENCLOSURE WITH LOCKABLE LID

3 MASTER GATE VALVE, MANUAL DRAIN VALVE AND DOUBLE CHECK VALVE N.T.S.



6 TREE PLANTING DETAIL N.T.S.



9 SHRUB PLANTING DETAIL N.T.S.



REVISIONS			FILE NAME
NO.	DATE		
1	3/14/2016	New site plan with 30' defensible zone	160030-LSCP
2	03/29/2016	Change sidewalk locations	S. PARKS
			DRAWN
			S. PARKS
			CHECKED
			APPROVED

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MERIDIAN, ID 83642  
PHONE: (208) 323-2288  
FAX: (208) 323-2389  
SPOKANE, IDAHO  
COEUR D'ALENE, IDAHO  
NANPA, IDAHO  
OFFICES ALSO IN:

PRELIMINARY PLAT LANDSCAPE PLAN  
**BCI SUBDIVISION**  
LANDSCAPE DETAILS

DATE: MARCH 2016  
PROJECT: 160030



# BROOKFIELD



FRONT ELEVATION



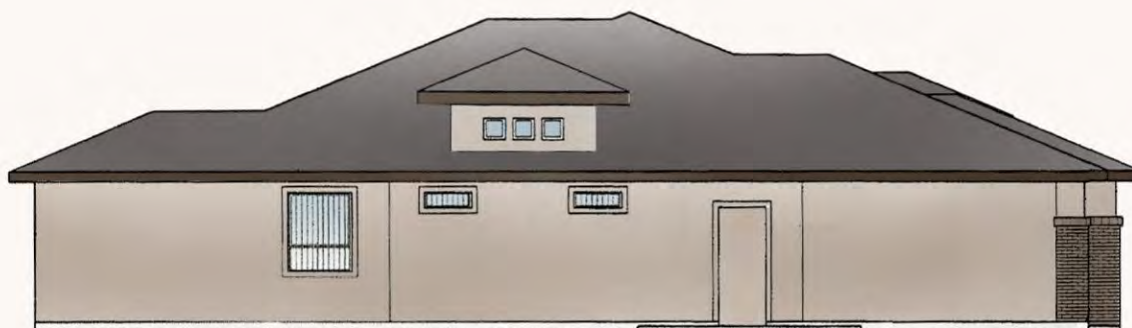
SIDE ELEVATION  
FROM WARMSPRINGS



# LEADVILLE



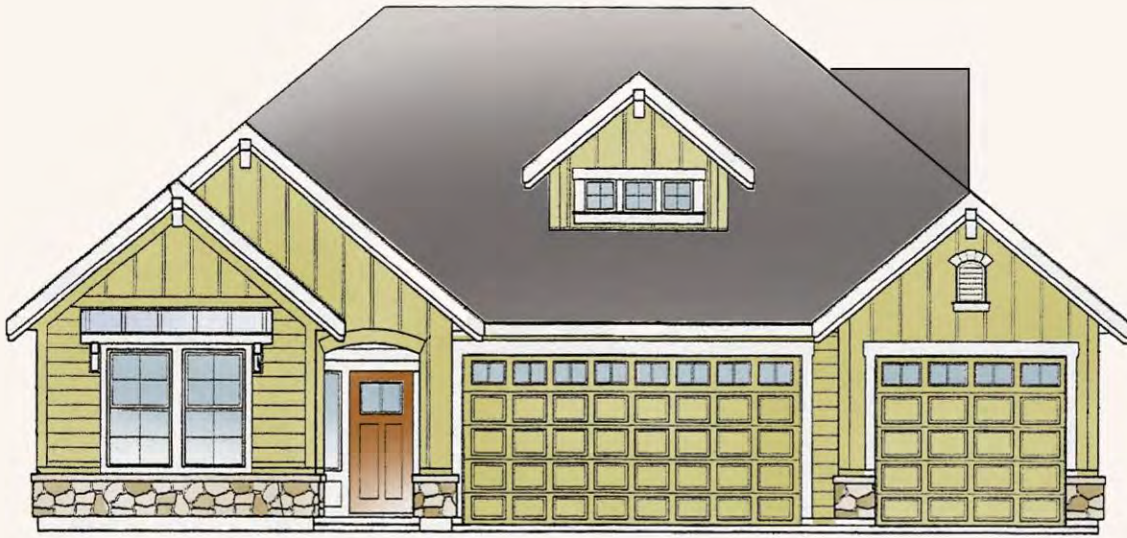
FRONT ELEVATION



SIDE ELEVATION  
FROM WARMSPRINGS



# ANTHEM

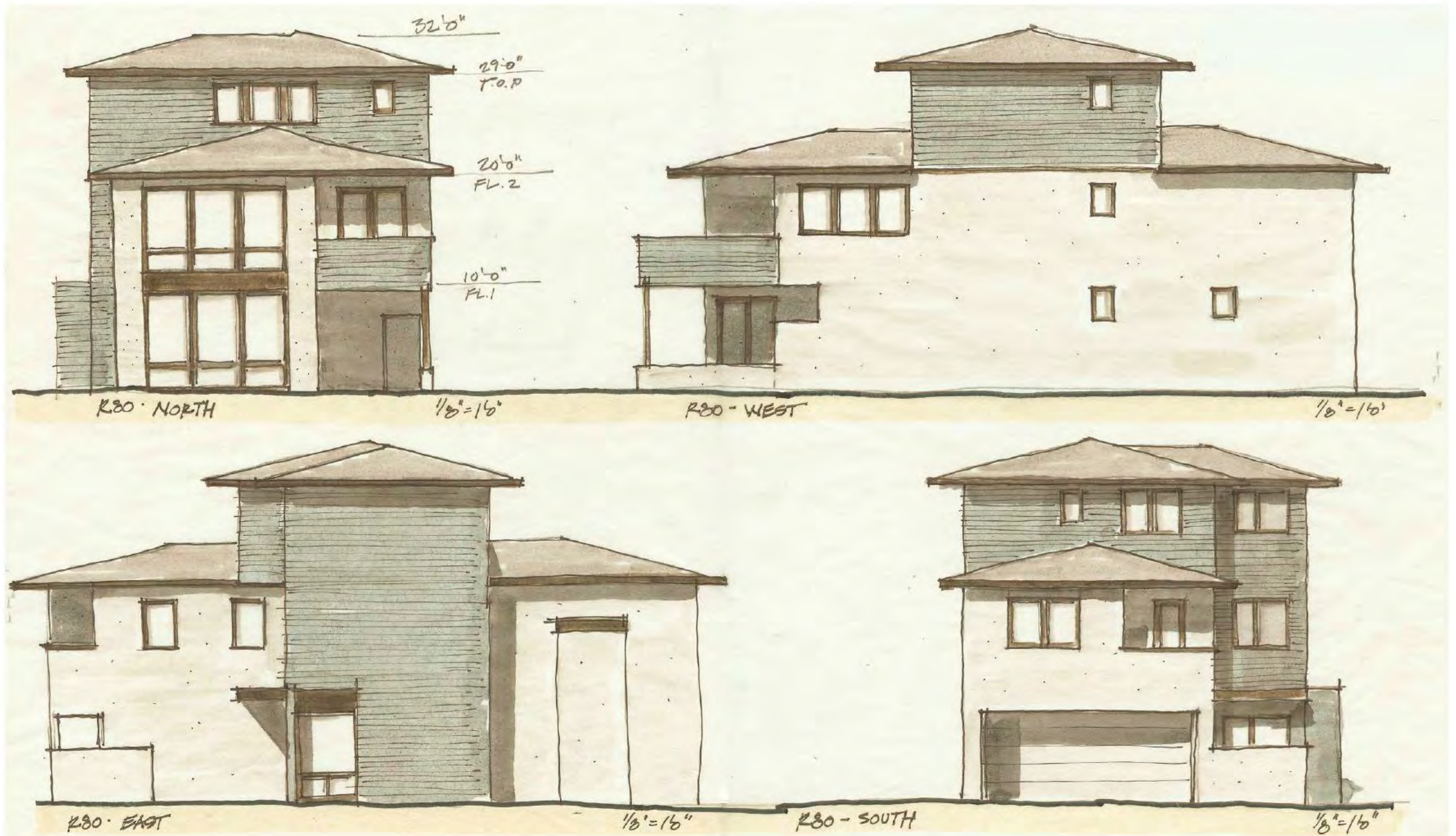


FRONT ELEVATION

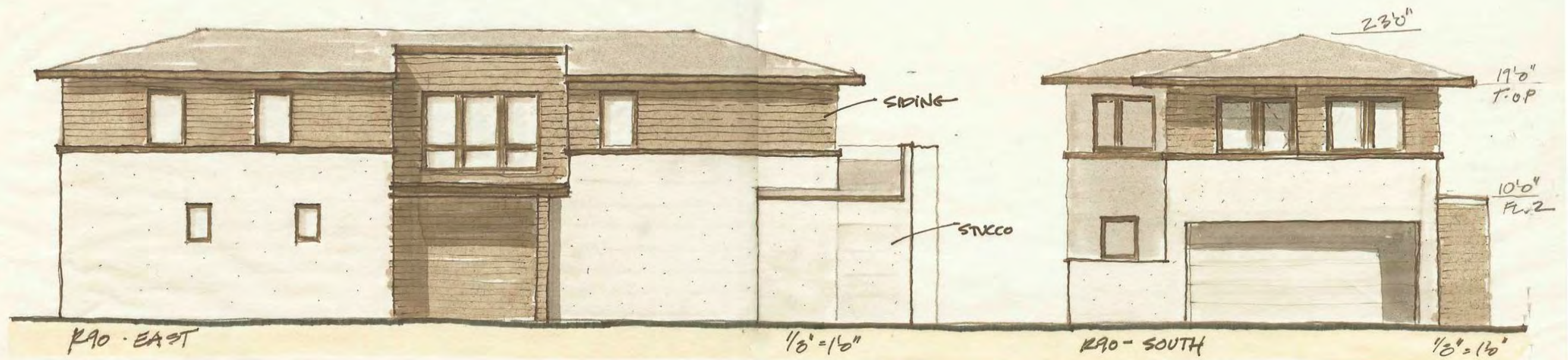


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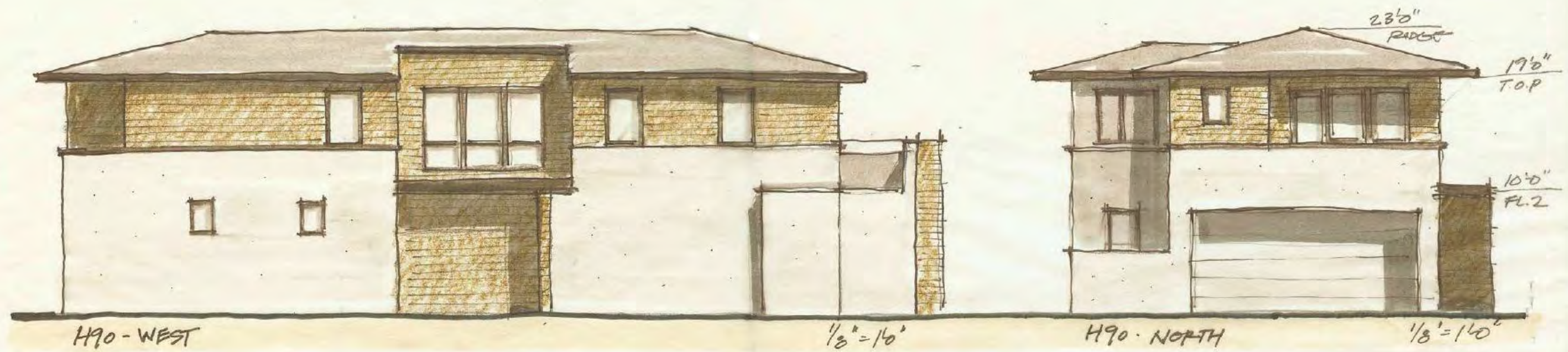














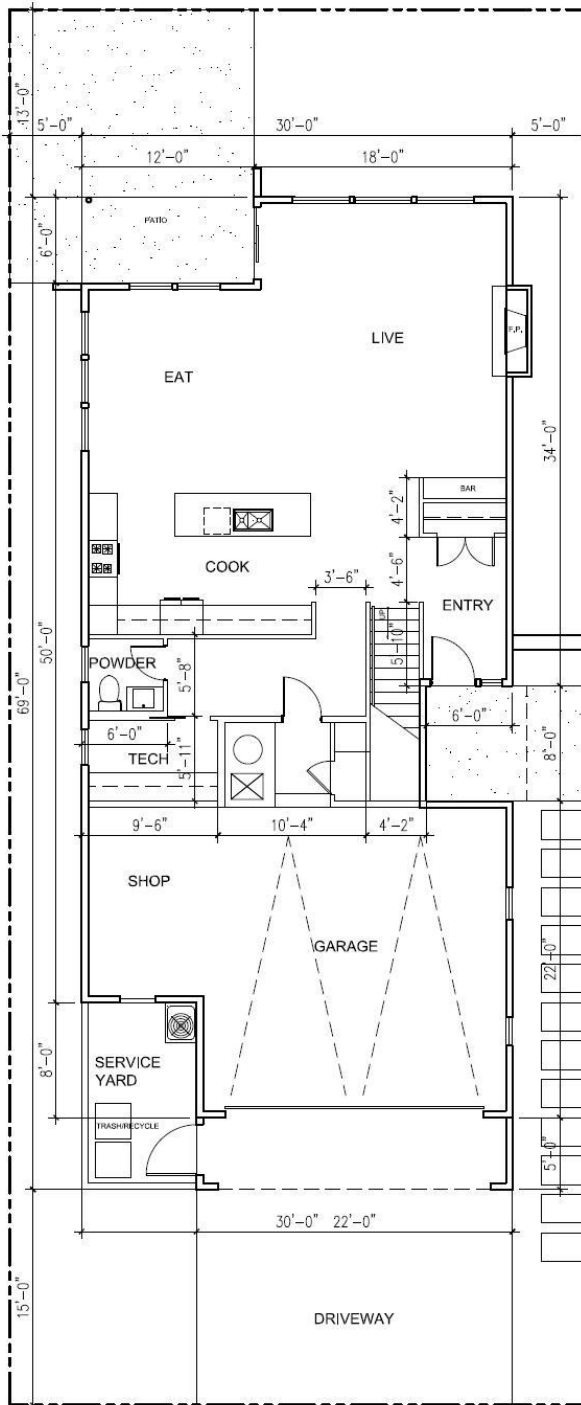


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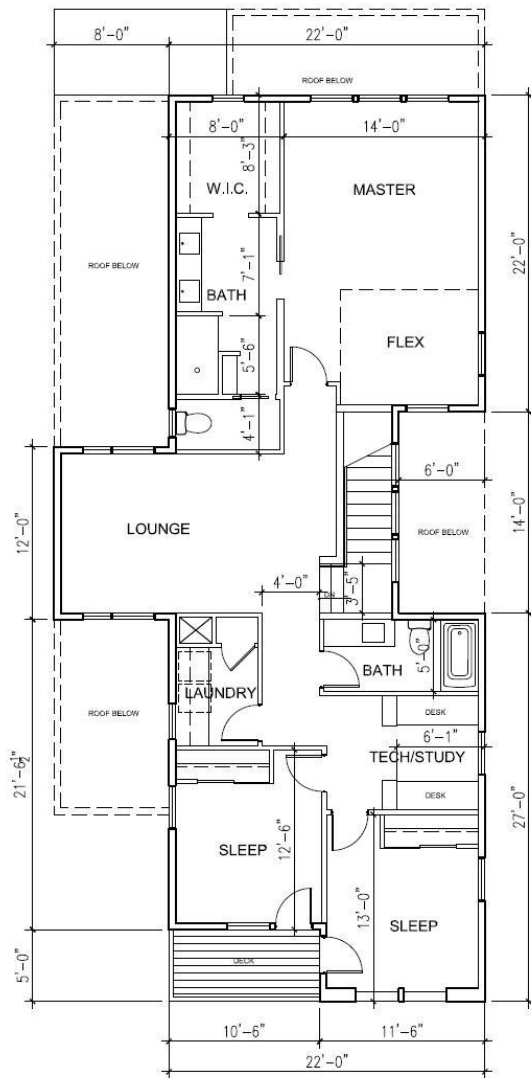
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FIRST FLOOR



SECOND FLOOR

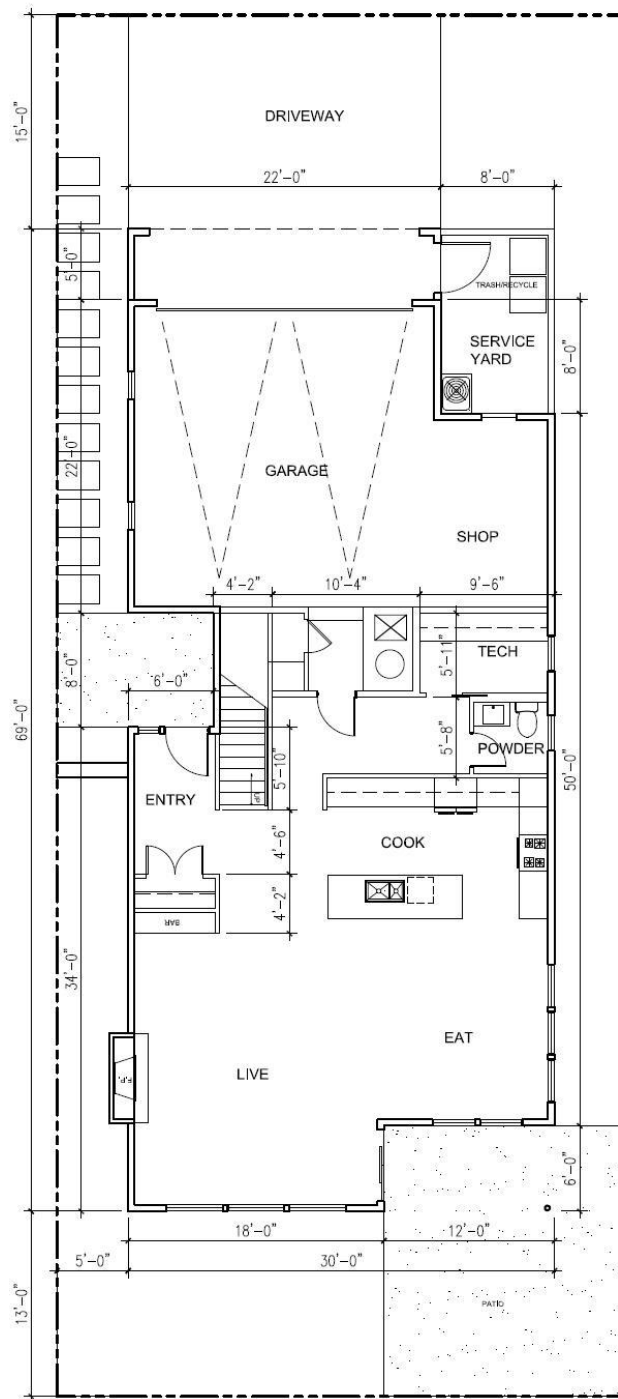
**P L A T F O R M**  
ARCHITECTURE.DESIGN

BOISE, IDAHO  
SHEET TITLE: FLOOR PLAN CONCEPTS  
SCALE: 1/8"=1'-0"  
DATE: 22 FEB 2012

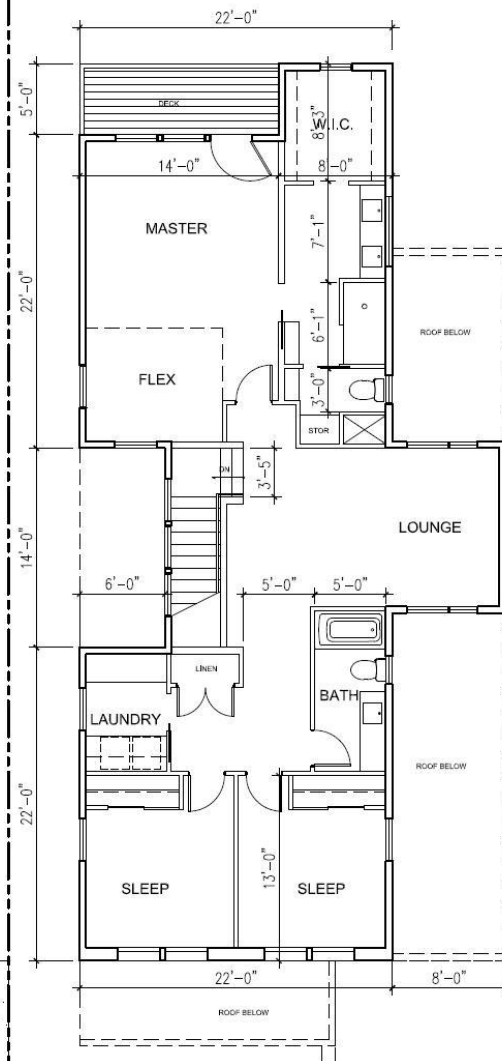
**R90**

1ST FLR: 1100  
2ND FLR: 1195  
TOTAL: 2295  
GARAGE/SHOP: 635





FIRST FLOOR



SECOND FLOOR

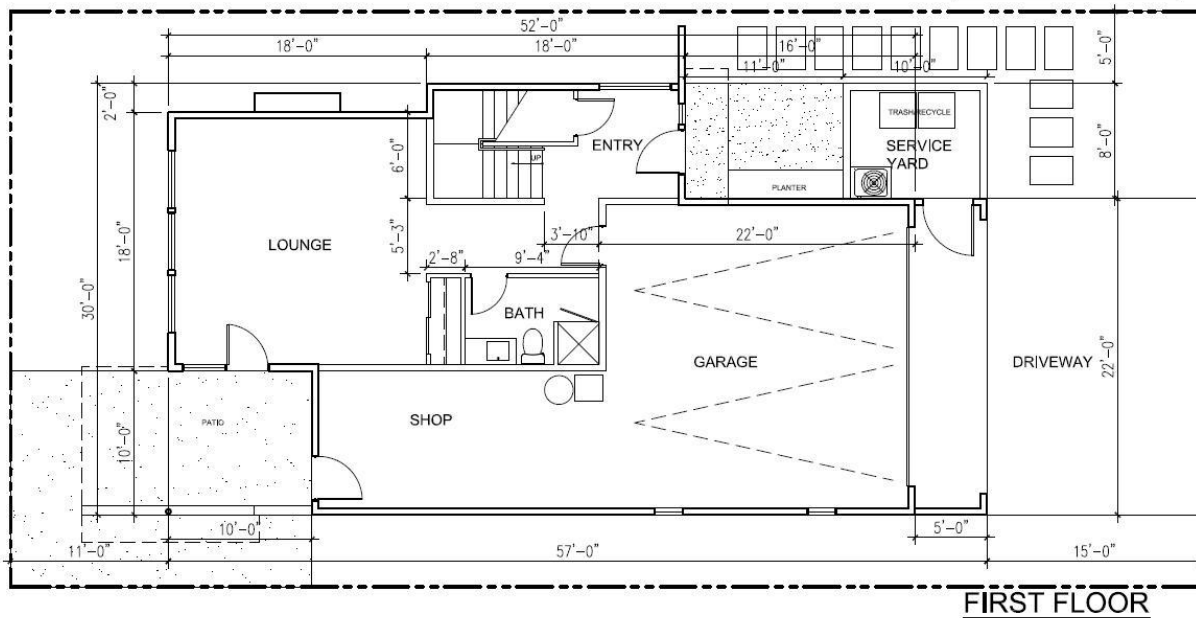
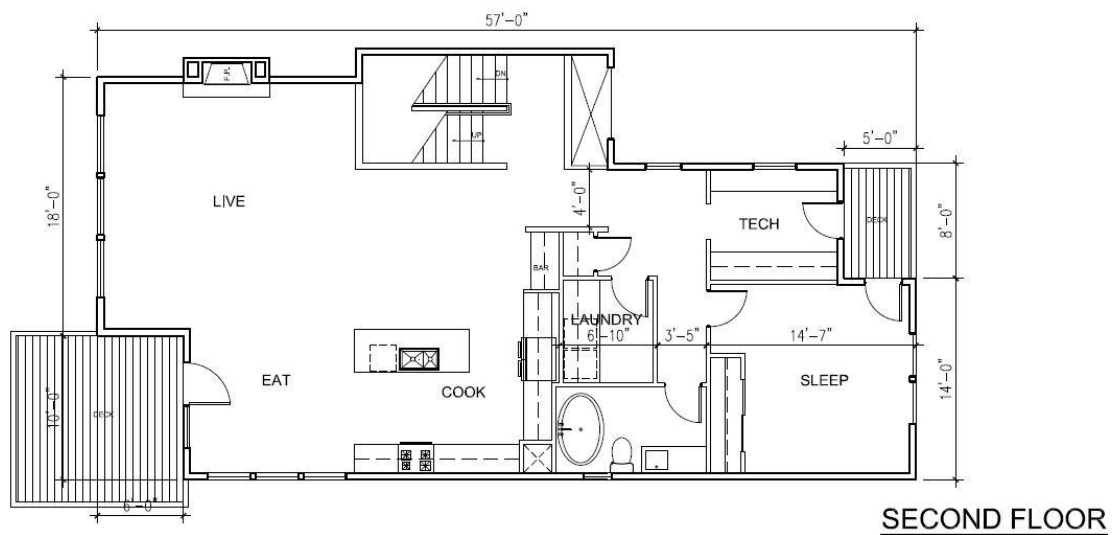
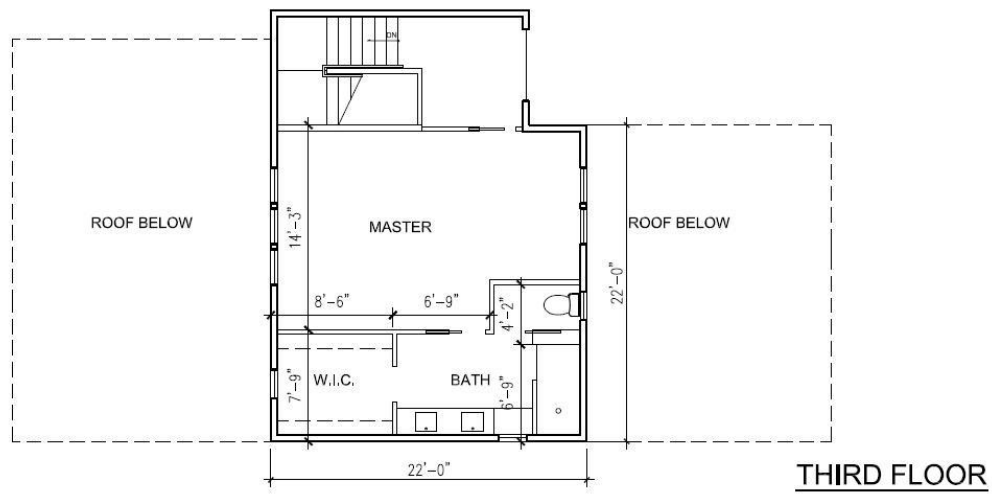
PLATFORM  
ARCHITECTURE.DESIGN

BOISE, IDAHO  
 SHEET TITLE: FLOOR PLAN CONCEPTS  
 SCALE: 1/8"=1'-0"  
 DATE: 22 FEB 2012

H90

1ST FLR:	1100
2ND FLR:	1170
TOTAL:	2270
GARAGE:	635





**PLATFORM**  
ARCHITECTURE.DESIGN

BOISE, IDAHO

SHEET TITLE: FLOOR PLAN CONCEPTS

SCALE: 1/8"=1'-0"

DATE: 22 FEB 2012

**R80**

1ST FLR:	605
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GARAGE/SHOP:	690

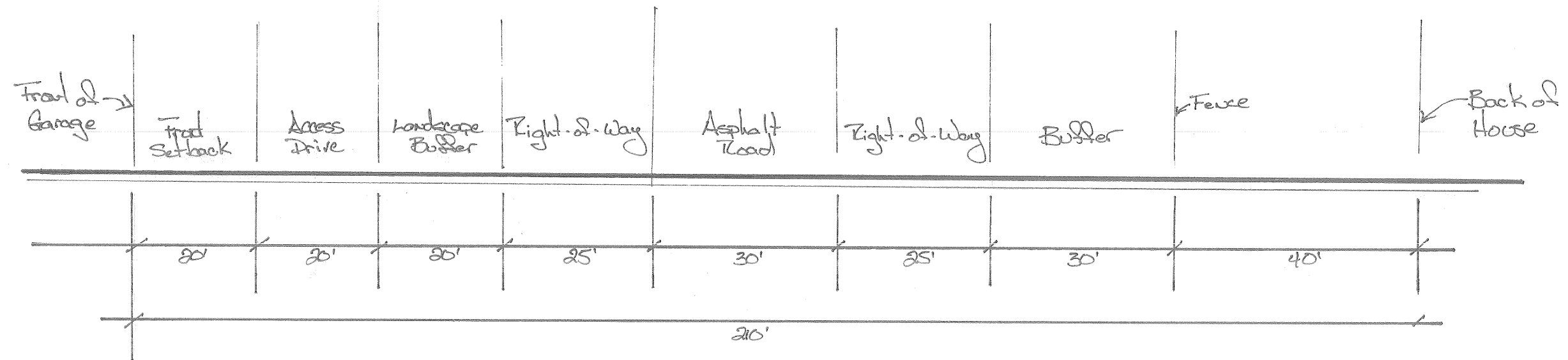




REAL ESTATE DEVELOPMENT

## Ben's Crow Inn Neighborhood

### Street Cross Section Exhibit



1" = 20'





**Ben's Crow Inn Subdivision  
Site Photos**



Ben's Crow Inn



North of the Property Looking South





Southern Portion of the Property Looking South



Property Looking Northwest





Eastvalley Subdivision









Garage adjacent to south property boundary





Commercial property, east side Warm Springs





Commercial Property  
Boat yard east side Warm Springs





Residence to north on 5.75 acres





Greenbelt pathway





Bridge over canal easement





Ben's Crow Inn

Fresh Seafood, Burgers  
Fries, Beverages, Patio  
Restrooms, Phone

1000-1000-1000 ROAD





February 22, 2016

Todd Tucker, Associate Planner  
City of Boise Planning & Development Services  
150 N. Capitol Boulevard  
Boise ID 83701

Re: **Ben's Crow Inn Subdivision**  
**6781, 6751, 6827 East Warm Springs Avenue**  
**Annexation, Preliminary Plat, Planned Unit Development**

Dear Mr. Tucker:

Attached for your review and favorable consideration are the applications for the Ben Crow's Inn (BCI) Subdivision located on East Warm Springs Avenue. We respectfully request approval of our Annexation, Zoning, Planned Unit Development, and Floodplain Review applications.

For design and planning purposes, our design team used the Boise City Comprehensive Plan, Zoning Code and the Barber Valley Specific Plan as the policy basis for the design of the BCI Neighborhood. We have thoughtfully designed Twenty-Four residential dwellings on 4.2 acres that will add to the existing and planned development of Harris Ranch and the Barber Valley. Located on the west side of Warm Springs Avenue and adjacent to the recently developed East Valley Community, BCI will add to the mix of the valley's available housing opportunities. Homeowners will have access to amenities such as the Boise River Greenbelt, Ridge to Rivers Trails, Idaho Shakespeare Festival and the ever developing services in Harris Ranch.

Enclosed is a project narrative that details the neighborhood and various aspects of our applications. Thank you for your time on this matter and should you have any questions or require additional information please contact me by phone at 208.336.5355 or email, [jconger@congergroup.com](mailto:jconger@congergroup.com).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jim D. Conger', is written over the word 'Sincerely,'.

Jim D. Conger  
Managing Member

JDC:ml





## Ben's Crow Inn Neighborhood – Narrative

BCI Neighborhood is located at 3644 E. Warm Springs Avenue in Southeast Boise. This neighborhood will consist of 24 detached residential homes that will be located on the former Ben's Crow Inn location. Ben and Connie have worked this business through its ups and downs for over 40 years and have earned the right to retire and travel. This business was for sale since October 2015 with several restaurant owners analyzing the feasibility of the operation's location as well as the significant amount of investment needed to improve the structure and premises to current standards. Our development group started talking with Ben in January 2016 after there were no restaurant type operators interested in purchasing the property.

Barber Valley provides access to a variety of recreational amenities, including:

- The Boise River and its associated Greenbelt Path.
- Access to the foothills and its regional trails network.
- Barber Park, Marianne Williams Park, Simplot Sports Park, Warm Springs Golf Course as well as the future Alta Harris Park.
- Barber Pool Reserve, Barber Observation Point, Oregon Trail Reserve, Lucky Peak and numerous other wonderful amenities.

This development minimizes impacts to wildlife habitat, open space, and other natural resources as this location was previously developed prior to the 1960's. The established wildlife corridors from the Idaho Fish and Game's WMA are not impacted and are located to the north and south of this project. The previously approved River Heights and East Valley Developments have established the accepted wildlife corridor locations.

Tahoe Homes will be the homebuilder that will complete the residential dwellings. These high quality and well-designed homes have been proven to be a great addition to the Boise City residential options in two previous East Boise Projects. The proposed housing product was approved and built in Elevation Ridge (HI21 - adjacent to Columbia Village and Micron in 2012/2013) and in the Barber Valley at Triplett Ranch (adjacent and east of Harris Ranch in 2013/2014).

### **SUMMARY OF APPLICATIONS**

BCI Subdivision is a twenty-four lot planned unit development on 4.2 acres located on East Warm Springs Avenue in Barber Valley. The Applicant is requesting the following approvals:

- Annexation / Zoning: From Ada County RUT (R1 & R6) to Boise City R-1B
- Subdivision
- Planned Unit Development
- Floodplain Review





### Property Information

Parcel	Address	Current Zone	Proposed Zone
S0933141920	6781 E. Warm Springs Ave.	RP	R-2/R-1B
S0933141905	6751 E. Warm Springs Ave.	RP	R-2
S0933142110	6827 E. Warm Springs Ave.	RP	R-1B

### Location Map



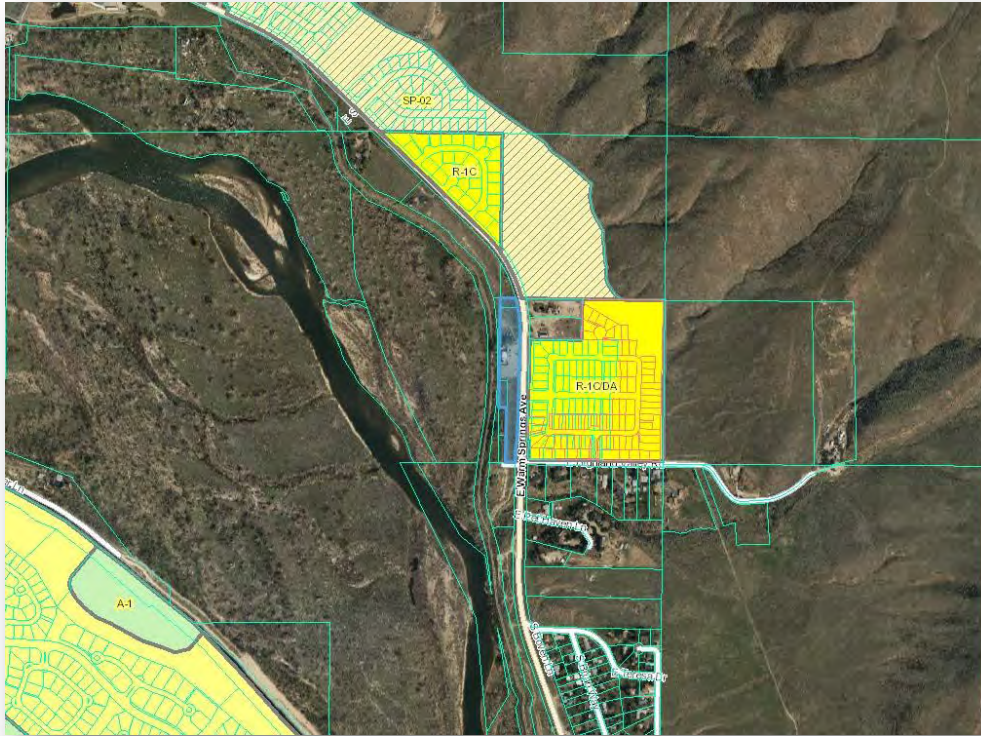
### Adjacent Property Information

Area	Building Types and / or Uses:	Zone
North	-Residential -Ada County Parcel	Ada County RUT RP
South	-Residential	Ada County R6 & RP
East	-Residential: East Valley Subdivision -Commercial: Ada County	R-1C C2
West	-Open Land -Residential Land	RP R6 / RP





## Zoning Map



### **COMPREHENSIVE PLAN**

This 4.2 acre land parcel has two designations as outlined by the comprehensive plan map. The larger portion of 2.43 acres is mapped with a land use category of Commercial. The remaining 1.76 acres has a land use category of Large Lot. During our pre-application meetings with the Boise City Planning Team it was established that the project would need to be annexed and zoned R-2 and R-1B.

Commercial land use – we are using the most limiting “R” zone permitted for calculating density for this area. The R-2 zone is what was used to establish the allowable density.

- R-2: 2.43 acres @ 14.5 lots / acre = 35.2 lots allowable by Boise City planning standards

Large Lot land use – as noted above, we are using the R-1B as permitted by City of Boise Code to establish the allowable density.

- R-1B: 1.76 acres @ 4.8 lots / acre = 8.5 lots allowable by Boise City planning standards

Density Allowed per the Boise City Ordinance and the Comprehensive Plan would be 43.7 residential lots. Our submitted land plan will have 24 residential lots which is only 55% of the allowable density. We will have the PUD and Development Agreement to assure the City of Boise and the neighbors that these land parcels will be restricted a maximum of 24 residential dwellings. Please see Exhibit 1.





## Continued – Comprehensive Plan

The following Goals of the Boise City Comprehensive Plan are achieved with the annexation / zone of BCI:

- Goal PDP5: Require adequate public facilities and infrastructure for all development. (Boise City has existing facilities including a 1-year old sewer lift station that is sized for growth and will provide sewer service to this site. With very few parcels remaining in this area this will assist with City Maintenance Budgets as there will be added taxpayers to contribute with funding to the operation of an existing system)
- Principle GDP-N.1: Connectivity. A continuous network of pedestrian and bicycle connections is needed through and between the city's neighborhoods. (connection added / continued to the existing greenbelt system – Note: our proposed pathway does stub to an existing pathway that is located on private property before connecting to the greenbelt system.)
- Principle GDP-N.1.a: Provide a continuous network of sidewalks, bicycle, and pedestrian paths, and roadways to connect different areas of neighborhoods. (adding sidewalk for 1,300 linear feet adjacent to Warm Springs Road.)
- Goal NAC7: Facilitate an integrated mix of housing types and price ranges in neighborhoods. (this small 4.2 acre site will have two housing types and price ranges.)
- Goal NAC7.1: Mix of Housing. Encourage a mix of housing type and densities in residential neighborhoods, particularly for projects greater than two acres. (the two goals above are being achieved by having 2 housing types with varying price ranges.)
- Goal GDP-C.5: The Comprehensive Plan encourages higher residential densities along corridors with transit service. Although, there is currently no transit service available beyond the Harris Ranch Commercial area the philosophy of increased density along the Warm Springs corridor will be a factor to create increased ridership and support for additional transit service.

Although the property is limited in size, the design is dedicated to the goal of connectivity while identifying and implementing improvements that will enhance the ease and safety of multi-modal travel in the Barber Valley. Connecting land uses within the Barber Valley and create connections to adjacent areas such as the Boise River Greenbelt and Ridge to River Trails.

### **ANNEXATION / ZONING**

The property is currently zoned RUT (County).

This 4.2 acre parcel has two map designations as outlined in the Comprehensive Plan section on Page 4 of this document. During our pre-application meetings with the Boise City Planning Team, it was established that the project would be within Boise City Code and be well served with the blend of an R-2 and R-1B residential zoning.

Density Allowed per the Boise City Ordinance and the Comprehensive Plan would be 43.7 residential lots. The submitted land plan will have 24 residential lots which is 55% of the allowable density. We will have the PUD and Development Agreement to assure the neighbors that these land parcels will be restricted to a maximum of 24 residential dwellings.





### **SUBDIVISION APPLICATION**

The BCI neighborhood will be adjacent to the existing public right-of-way of Warm Springs and will be adding the sidewalk improvement as required by the Ada County Highway District and City of Boise. Sanitary Sewer service is being provided by the City of Boise. Boise City has existing sewer facilities installed in Warm Springs roadway including a 1-year old sewer lift station that is sized for growth and will provide sewer service to this site. United Water will be providing domestic water service to these homeowners from an existing main line in Warm Springs Road. This neighborhood design complies with the requirements of the Boise City Comprehensive Plan, Boise City Subdivision Ordinance and as approved with the Planned Unit Development application.

### **PLANNED UNIT DEVELOPMENT**

We are proposing this Planned Unit Development which consists of 24 residential lots on 4.2 acres of land. The comprehensive plan identifies this land as Commercial and Large Lot which allows for the requested R-2 and R-1B Zoning.

**DENSITY:** The R-2 zoning allows for 14.5 units per acre, the R-1B zoning allows for 4.8 units, per acre per and at 4.2 acres, the maximum density allowed is 43.69 potential units. BCI has proposed to lock the density at 24 residential home sites and that approval would run with the land.

**PRODUCT / LOT SIZES:** DevCo and Conger Management Group have teamed with Tahoe Homes to evaluate the area, market conditions, schools, services and nearby recreation to establish the housing product and associated site plan. To satisfy the comprehensive plan as well as adhere with our research results, we have provided a site plan that is single family detached residential. The housing renderings are designed by Tahoe Homes and are representative of what we anticipate to be constructed in BCI and it important to note again that this housing product has already been approved and successfully constructed in Elevation Ridge (HI21 - adjacent to Columbia Village and Micron) and in the Barber Valley at Triplett Ranch (adjacent and east of Harris Ranch).

**RESIDENTIAL DESIGN:** All of the units in the BCI neighborhood are single-family detached homes. There are two lot types within the BCI neighborhood land plan:

- Type 1 – 40 feet in width. These are lots 1 through 15 and 17 through 22 and sizes vary from 5,600 to 9,750 square feet. Renderings for Type 1 lots are included with these applications, see Exhibits No. 2 through 5.
- Type 2 – 92 to 106 feet in width. These are lots 23 through 25 and sizes vary from 13,909 to 15,160 square feet. Renderings for Type 2 lots are included with these applications, see Exhibits No. 6 through 10.

The following provides details about the proposed single-family homes for the two lot types:

<b>Housing Product</b>	<b>Square Footage</b>	<b>Stories</b>	<b>Bedrooms</b>
Type 1	2245 to 2270	2 to 3	2 to 3
Type 2	2245 to 3100	1 to 2	2 to 3





SITE DESIGN. The following provides site coverage information:

% of Site Devoted to Residential Lot Coverage Area	66.81%
% of Site Devoted to Landscape Common Areas	18.11%
% of Site Devoted to Roads / Parking	14.21%
% of site Devoted to Other Uses	0.87%
Total	100.00%

**DIMENSIONAL STANDARDS:** As part of the planned unit development, the applicant may request flexibility to the standard dimensional requirement for the underlying zone district. The following setbacks and standards are applicable to Belmar Estates:

Dimensional Standard	R-1B	R-2	PUD Standards
<b>Average Lot Width</b>	75 feet	50 feet	40 feet
<b>Density, Maximum</b>	4.8 units/acre	14.5 units/acre	5.74 units/acre
<b>Front Yard</b>	20 feet	20 feet	20 feet
<b>Side Yard</b>	10 to 15 feet	5 to 15 feet	5 feet
<b>Rear Yard</b>	30 feet	15 feet	15 feet
<b>Lot Area</b>	9,000 sq. ft.	5,000 sq. ft.	5,500 sq. ft. minimum

Note: Included in the 5' side setbacks would be the typical uses of fireplace pop outs and the privacy wing wall.

**AMENITIES:** As the developer we have a large amount invested in this property and we have researched, interviewed focus groups and followed the city ordinance to plan the most productive amenities for this area and this development. The amenity package also meets the requirement of Boise City Development Code Chapter 11-03, Subsection 7 which requires that the application have two amenities from the approved list. The BCI neighborhood has four qualifying amenities that are proposed as follows:

1. Section 11-07-06 5.B.a. Water Conservation Measures

This project will employ best water conservation management practices for the common areas as well as the individual homes sites such as:

Lawns

- Use drought tolerant fescue blend turf. This turf area will be in less than 15% of the common areas and will be minimized.
- Irrigate lawns with efficient MP pop-up spray rotors.
- Pressure control all Hydro-zones

Plant beds:

- Use at least 75% drought tolerant plants (trees, shrubs and ground covers).
- Mulch all planting beds.
- Drip irrigate all plants in planting beds.

2. Section 11-07-06 5.B.c. Landscaped Open Space

- All common open space areas: 31,307 square footage / 18.11% (Required minimum amount to qualify as an amenity is 10%)





#### Continued - Amenities

3. Section 11-07-06 5.B.d.                      Public Access to Public Open Space: Boise River Greenbelt
  - We are proposing a public pathway city that will go from the Warm Springs Road sidewalk through our neighborhood and connect to an existing pathway that connects to the Boise River Green Belt System. Note: The BCI pathway stub connects to an existing pathway that is located on private property (for approximately 30') before connecting to the greenbelt system.)
4. Section 11-07-06 5.B.e.                      Public Bicycle Circulation System
  - Through this process the BCI development will provide frontage warm springs frontage sidewalk of 1,326 lineal feet as well as provide the pathway connection stub for connection to the Boise River Green Belt System.

**ROADWAY ACCESS:** In an effort to minimize direct access points to East Warm Springs Avenue, BCI has designed a frontage drive that will allow one access point to Warm Springs Road for home sites 1 through 15 and 17 through 23. The two southern most lots share a private drive with access to Warm Springs Road. We have met with ACHD and have a preliminary acceptance of the proposed layout and access locations.

#### **PARKING:**

Residence on lots 1 through 15 and 17 through 22 will have two car garages as well as a driveway apron with sufficient space for two (2) additional cars. Residences on lots 23 through 25 will have three car garages and a driveway apron with sufficient space for three (3) additional cars.

We have also included in this land plan additional guest parking that will accommodate nine parking spaces in three locations on the frontage drive.

#### **WAIVER OF SUBDIVISION ORDINANCE**

##### **Warm Springs Buffer**

DevCo requests a waiver of the Subdivision Ordinance that requires a 30 foot wide buffer adjacent to Warm Springs Road for housing that does not take service from a frontage road. Out of our total 1,326 feet of frontage, there is 176 feet near the intersection of Warm Springs and Highland Valley Road that we are requesting the Buffer be reduced to 20 feet. The existing right of way does a unique jog at this location and becomes 10 feet wider than typical. This was an identical condition in East Valley Phase 2 that was approved by Boise City and constructed in 2015.

The request for this waiver is to allow us to design a single level home on Lot 24 which will be much more aesthetically pleasing when viewing from Warm Springs Road. With approval of this waiver we will restrict Lot 25 to a single level residential home in our Development Agreement.





Continued – Waiver of Subdivision Ordinance

**Pressure Irrigation**

DevCo requests a waiver of the Subdivision Ordinance that requires pressurized irrigation in subdivisions. The subject property does not have any water rights and per the provisions of the code this application would be eligible for this waiver.

**PRE-APPLICATION MEETING & NEIGHBORHOOD MEETING**

The pre-application meeting was held with the Boise City planning and development staff on January 28, 2016.

The neighborhood meeting was held on February 11, 2016 at 6:00pm and hosted by Ben's Crow Inn. There were approximately thirty-four (34) people in attendance at this meeting.

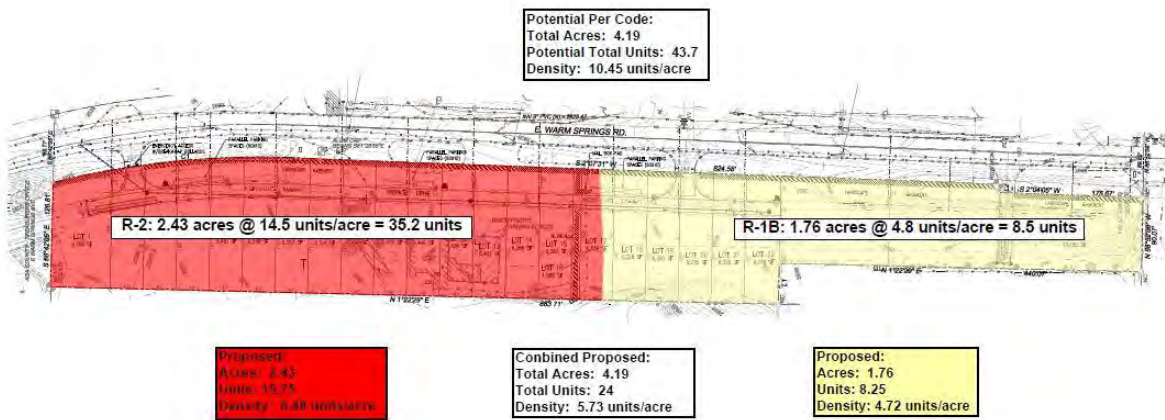
**CONCLUSION**

DevCo is respectfully requesting approval of the annexation, subdivision, Planned Unit Development and Floodplain Review applications for 24 residential home sites located in East Boise. This project will provide quality, desirable and a minimum of two housing price points and densities while maintaining compatibility with Boise City Codes as well as the surrounding properties. Thank you.



**Exhibit 1***BCI SUBDIVISION*

## Density/Zoning Exhibit







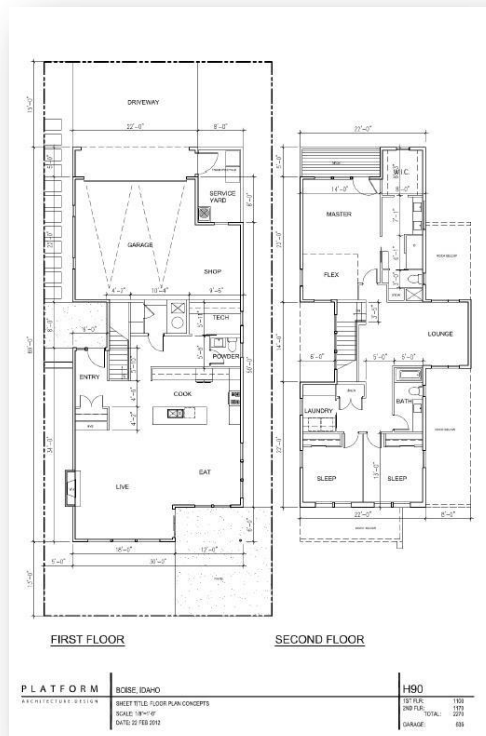
**Exhibit 2**







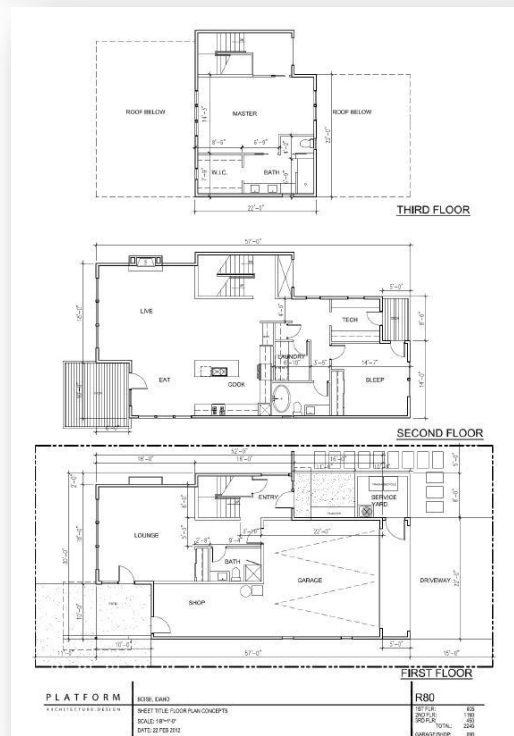
**Exhibit 3**







**Exhibit 4**







**Exhibit 5**

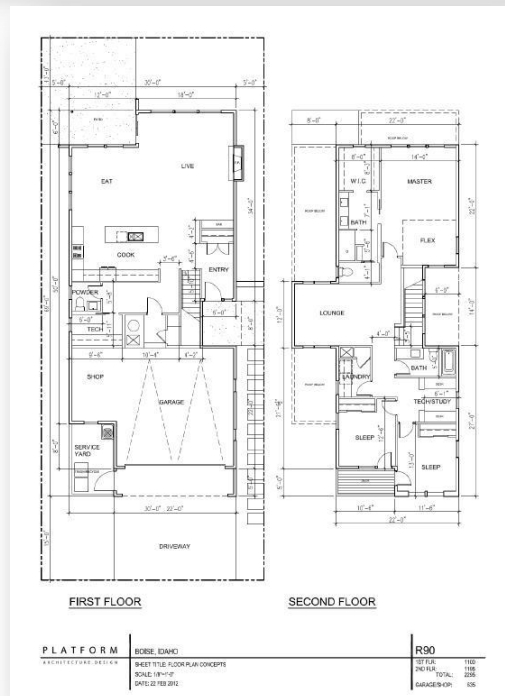






Exhibit 6

ANTHEM



FRONT ELEVATION



SIDE ELEVATION  
FROM WARMSPRINGS





**Exhibit 7**

BROOKFIELD



FRONT ELEVATION



SIDE ELEVATION  
FROM WARMSPRINGS





**Exhibit 8**

LEADVILLE



FRONT ELEVATION

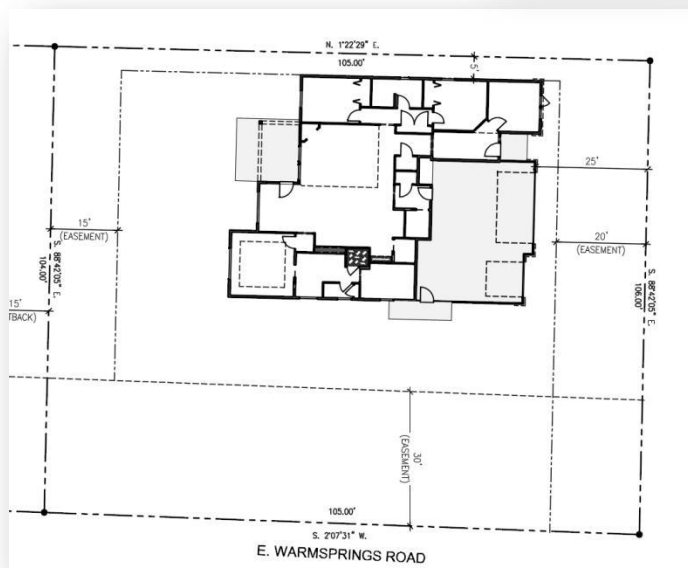
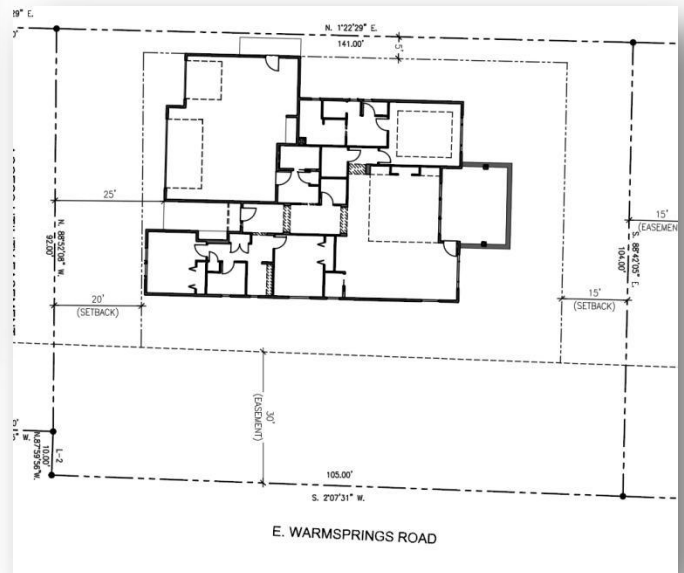
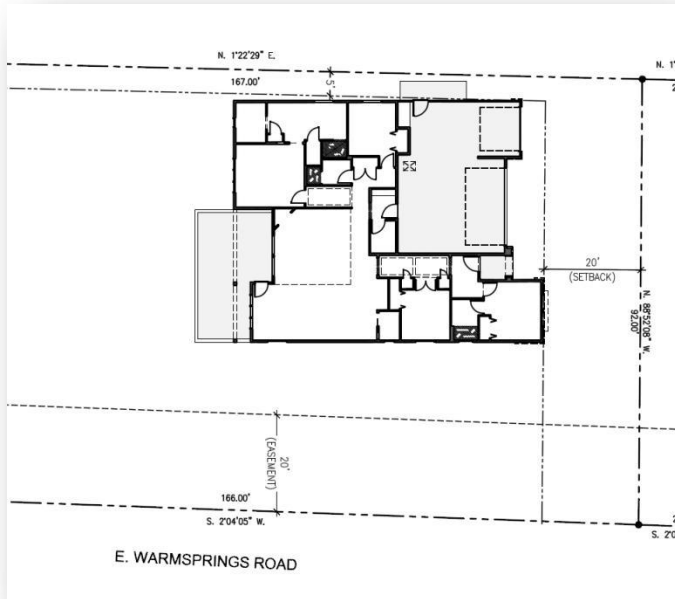


SIDE ELEVATION  
FROM WARMSPRINGS





**Exhibit 9**







**Exhibit 10**







February 22, 2016

Todd Tucker, Associate Planner  
City of Boise Planning & Development Services  
150 N. Capitol Boulevard  
Boise ID 83701

Re: **Ben's Crow Inn Subdivision**  
**6781, 6751, 6827 East Warm Springs Avenue**  
**Annexation, Preliminary Plat, Planned Unit Development**

Dear Mr. Tucker:

Attached for your review and favorable consideration are the applications for the Ben Crow's Inn (BCI) Subdivision located on East Warm Springs Avenue. We respectfully request approval of our Annexation, Zoning, Planned Unit Development, and Floodplain Review applications.

For design and planning purposes, our design team used the Boise City Comprehensive Plan, Zoning Code and the Barber Valley Specific Plan as the policy basis for the design of the BCI Neighborhood. We have thoughtfully designed Twenty-Four residential dwellings on 4.2 acres that will add to the existing and planned development of Harris Ranch and the Barber Valley. Located on the west side of Warm Springs Avenue and adjacent to the recently developed East Valley Community, BCI will add to the mix of the valley's available housing opportunities. Homeowners will have access to amenities such as the Boise River Greenbelt, Ridge to Rivers Trails, Idaho Shakespeare Festival and the ever developing services in Harris Ranch.

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Sincerely,

Jim D. Conger  
Managing Member

JDC:ml

RECEIVED

FEB 22 2016

SUBDIVISIONS





## Planning & Development Services

Boise City Hall, 2nd Floor  
150 N. Capitol Boulevard  
P. O. Box 500  
Boise, Idaho 83701-0500

Phone: 208/384-3830  
Fax: 208/384-3753  
TDD/TTY: 800/377-3529  
Website: [www.cityofboise.org/pds](http://www.cityofboise.org/pds)

3/3a/3b

# Planning Division Project Report

<b>File Number</b>	CAR16-00002, PUD16-00005 & SUB16-00006
<b>Applicant</b>	DevCo LLC
<b>Property Address</b>	6781 E. Warm Springs Avenue
<b>Public Hearing Date</b>	April 11, 2016
<b>Heard by</b>	Planning and Zoning Commission
<b>Analyst</b>	Susan Riggs

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## Public Notification

Neighborhood meeting conducted: February 11, 2016  
Newspaper notification published on: March 26, 2016  
Radius notices mailed to properties within 300 feet on: March 25, 2015  
Notice posted on: March 4, 2016

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## Table of Contents

1. Project Data and Facts	2
2. Land Use	2
3. Project Proposal	3
4. Boise Development Code	4
5. Comprehensive Plan	4
6. Transportation Data	4
7. Analysis/Findings	5
8. Recommended Conditions of Approval	17

## Exhibits

Development Agreement  
Agency Comments  
Correspondence



## 1. Project Data and Facts

Project Data	
<b>Applicant/Status</b>	DevCo LLC
<b>Architect/Representative</b>	Marcel Lopez / Conger Management Group
<b>Location of Property</b>	4824 W. Fairview Avenue
<b>Size of Property</b>	4.2 acres
<b>Zoning Existing</b>	Ada County RP and C2
<b>Zoning (Proposed)</b>	R-2D/DA (Medium Density Residential with Design Review and a Development Agreement) 2.4 acres R-1B/DA (Single Family Residential with a Development Agreement) 1.8 acres
<b>Comprehensive Plan Designation</b>	Commercial (2.43 acres) Large Lot (1.76 acres)
<b>Planning Area</b>	Barber Valley
<b>Neighborhood Association/Contact</b>	Barber Valley / Jeremy Maxand
<b>Procedure</b>	The Planning and Zoning Commission renders a final decision on the conditional use permit and makes a recommendation to City Council on the annexation and subdivision.

Current Land Use & Site Characteristics
The site has been occupied by Ben's Crow Inn for over 30 years. Lot 1 and portions of Lots 2 and 3 are located in the floodplain. Portions of Lots 17-22 have steep slopes at the rear of the property. The Boise Greenbelt is located west of the site.

Description of Applicant's Request
The applicant is seeking annexation of 4.2 acres with residential zoning to support a 24 lot subdivision comprised of detached single-family homes.

## 2. Land Use

Description and Character of Surrounding Area
The property is located on the west side of E. Warm Springs Avenue in Barber Valley. Eastvalley Subdivision comprised of 115 single-family lots is located on the east side of Warm Springs Avenue. North of East Valley are two developed commercial lots (C2-Ada County) and property in the Barber Valley Specific Plan (SP-02). That property will be a future phase of the River Heights Development and at build-out will provide 236 single-family homes. The Boise Greenbelt, Barber Pool Reserve and open land lay to the west side of the site. To the south are E. Highland Valley Lane and a single-family home on 3.35 acres and to the north is open land (34.45 acres) and a single-family home on a 5.75 acre parcel.

### Adjacent Land Uses and Zoning

<b>North:</b>	Vacant Land & Single Family Home / Ada County R6 & RUT
<b>South:</b>	Single Family Home / Ada County R6 & RP
<b>East:</b>	Single Family Homes / R-1C/DA & Ada County C2
<b>West:</b>	Boise Greenbelt, Barber Pool Reserve and Open Land / Ada County RP



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<b>Special Considerations</b>
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Lot 1 and portions of Lots 2 and 3 are located in the floodplain and will be reviewed administratively under CFH16-00009. Portions of Lots 15-22 have steeper slopes and require compliance with the Boise City Hillside and Foothills Development Ordinance.
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### 3. Project Proposal

<b>Structure(s) Design</b>
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<b>Number and Proposed Use of Buildings</b>
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24 detached single-family homes
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<b>Building Height</b>
------------------------

varied
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<b>Number of Stories</b>
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one to three
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#### Site Design

Land Use	Proposed
Percentage of the site devoted to building coverage:	66.81 %
Percentage of the site devoted to paving / roads & parking:	14.21 %
Percentage of the site devoted to landscaping /common areas:	18.11%
Other Uses	0.87 %
TOTAL	100%

#### Parking

Each home will have a two-car garage with guest parking on the driveway apron. Additionally, nine parallel parking spaces are proposed on the frontage road.

#### Setbacks & Dimensional Standards

Dimensional Standards	R-1B	R-2D	Proposed via PUD
Average Lot Width	75 feet	50 feet	40 feet
Density, Maximum	4.8 DU/acre	14.5 DU/acre	5.74 DU/acre
Front yard	20 feet	20 feet	20 feet
Side yard	10 feet	5 feet	5 feet
Rear Yard	30 feet	30 feet	30 feet
Lot Area	9,000 sq. ft.	5,000 sq. ft.	5,500 sq. ft. minimum



## 4. Zoning Ordinance

Section	Description
11-04-03.1(A & C)	General Purpose of Residential Districts
11-03-04 .2	Development Agreement
11-03-04.07	Planned Developments
11-07-06.05	Planned Unit Development Standards
11-03-04.15	Annexation
11-03-04.6	Conditional Use Permits
11-09	Subdivision Standards

## 5. Comprehensive Plan

CHAPTER	GOALS, OBJECTIVES & POLICIES
CHAPTER 2-CITYWIDE VISION AND POLICIES	Goal PDP 3.2 Goal NAC.7 Principle NAC 7.1 Goal CC7.2(b) Goal CC1.1a
CHAPTER 3-COMMUNITY STRUCTURE AND DESIGN	Principle GDP-N.1 Principle GDP-N.5 Principle IDP-N.2 Principle GDP-C.4
CHAPTER 4-PLANNING AREA POLICIES Barber Valley	Goal BV-CNN 1.2 Night Skies Goal BV-CNN2 (a) Goal BV-C 1.1 BV-CCN2.1 (a)

## 6. Transportation Data

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Level of Service	Existing Plus Project
Warm Springs Avenue	1,250 feet	Minor Arterial	300 (e/o Lysted Avenue)	Better than D	Better than D

\*An acceptable level of service for a two lane minor arterial is “D” (550 VPH).

### Average Daily Traffic Count (VDT)

- The average daily traffic count for Warm Springs Avenue north of SH-21 was 2,615 on October 29, 2015.
- The average daily traffic count for Warm Springs Avenue east of Lysted Avenue was 4,706 on February 3, 2015.



## 7. Analysis & Findings

The project includes an annexation, conditional use permit, and preliminary plat. Each application is associated with a 24-unit residential development comprised of 24 detached single family homes. The site is located in Barber Valley on the west side of Warm Spring Avenue and north of Highland Valley Road. Ben's Crow Inn has occupied the site for over 30 years.



*Vicinity Map)*

### Annexation

The project includes annexation of 4.2 acres with a zoning designation of R-2D/DA and 1.8 acres as R-1B/DA. The property is currently zoned RP (Rural Preservation). The proposal is for 24 units at a density of 5.72 DU/acre. This density is slightly higher than what is allowed in the R-1B zone and significantly lower than the R-2D. The purpose of the development agreement is to restrict the number of single-family homes to 24.

As illustrated below, the site has two Land Use Map designations. The larger northern portion of the site is designated Commercial and the remaining is Large Lot. The commercial designation is likely a reflection of the current land use.





There is a range of potential implementing zoning designations for “Large Lot” lands. They include A-1, A-2, R-1A, R-1B, L-O and N-O. The “Commercial” designation allows A-1, A-2, R-1M, R-2, R-3, L-O, N-O, and all commercial zones. The A-1 zone permits only one unit per acre which the Planning Team considers an underutilization of the site. The A-2 zone requires 40 acres, and L-OD and N-O zone were not considered due to the 14 plus acres of office in Harris Ranch. The requested zones are more restrictive and are supported by the Land Use Map in Blueprint Boise. The zoning will also be compatible and similar to Eastvalley Subdivision across Warm Springs Avenue. That subdivision was approved for 115 single-family lots with R-1C zoning in 2013. North of Eastvalley Subdivision are two developed commercial lots (C2-Ada County) on ±3.2 acres and property in the Barber Valley Specific Plan (SP-02) which is approved for 236 units. The Boise Greenbelt, Barber Pool Reserve and open land abut the west side of the site. To the south are Highland Valley Lane and a single-family home on 3.35 acres and to the north are open land and a single-family home on a 5.75 acre parcel. Warm Springs Avenue is a minor arterial roadway.

The Barber Valley Neighborhood Association and a few neighbors would like to retain the existing commercial zoning as a location for a coffee shop or small restaurant/bar. The applicant’s response is that the traffic count at 2,600 vehicle trips per day will not support a commercial or mixed-use development, and there is sufficient commercial development in nearby Harris Ranch. The Planning Team understands the neighborhood’s perspective. However, the overwhelming majority of existing homes, and those anticipated to develop are located on the east side of Warm Springs Avenue. Approximately 3.2 acres of commercial zoning, with significant development/redevelopment potential exists adjacent to these homes.

The Planning Team finds the annexation is supported by *Predictable Development Pattern Goal 3.2* which state that lands within the Area of City Impact should be annexed when there is consistency with the goals and policies of the Comprehensive Plan and compliance with the level-of-service standards found in Table 3 of Blue Print Boise.



The property is within the area of impact and contiguous to city limits along the east side of Warm Springs Avenue. Therefore annexation is required for the proposed development.

The annexation does not constitute leap-frog development and the site is located within Boise Urban Service Planning Area and Boise Sewer Planning Area. Future development of the property will help to balance costs for services with anticipated revenues. Annexation will facilitate the orderly expansion of the City boundaries and conform to the Level of Service requirements.

**Annexation (11-03-04.15.6a)**

***i. Incorporate the Boise sewer planning area.***

The subject property is located in the Boise Sewer Planning Area. Sewer is available in Warm Springs Avenue. Connection to central sanitary sewer will be required.

***ii. Honor negotiated area of impact agreements.***

The property is within the Boise City Area of Impact and adjacent to city limits along the eastern property boundary. In 2013, the City annexed approximately 29.22 acres located on the east side of Warm Springs Avenue, making these parcels contiguous with City limits.

***iii. Attempt to balance costs of services with anticipated revenues.***

The annexation should have minimal impact on the cost of services. The property is adjacent to lands already within the city limits. Redevelopment of the property will help to balance costs for services with anticipated revenues.

***iv. Promote other goals of population balance, contiguous development, and prevention of costs due to leap frog development.***

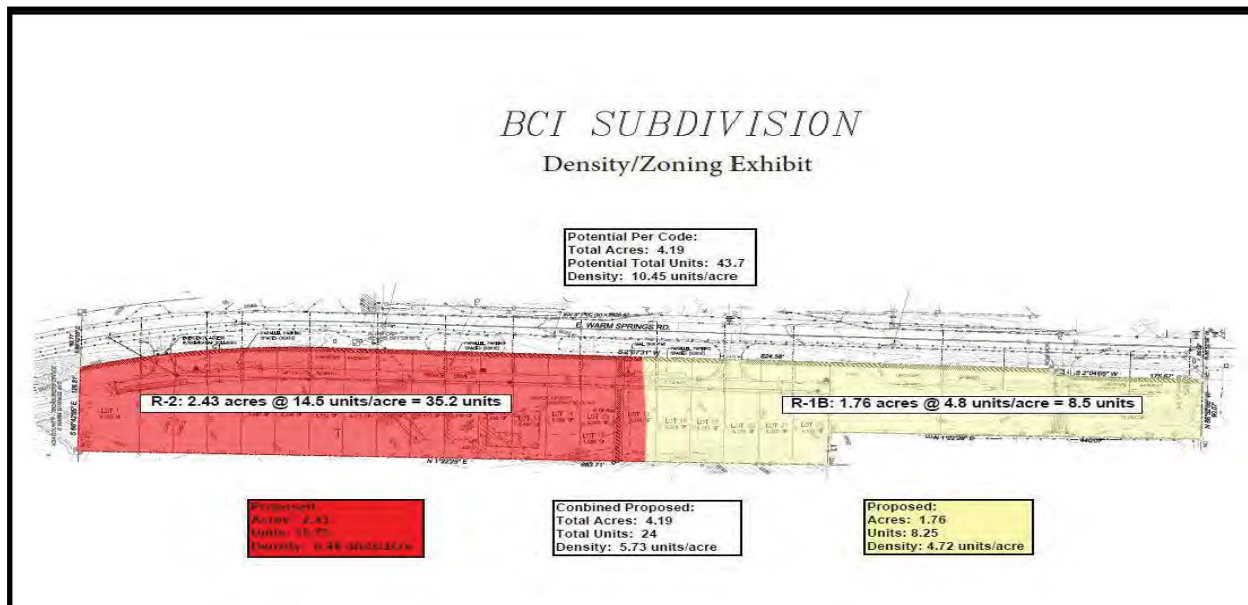
The annexation will have no impact on population balance and will not cause leap-frog development. It will simply bring adjacent properties into the City. Annexation of the site will facilitate the orderly expansion of the City boundaries and will conform to the Level of Service standards found in *Table 3* of Blue Print Boise.

**Subdivision**

With approval of the requested R-2D/DA and R-1B/DA zones, the applicant is proposing a 24 unit residential subdivision. Because of the requested reductions for lot size, lot width, and interior setbacks, a conditional use permit for a planned unit development is required. The R-1B zone requires a minimum lot size of 9,000 sq. ft. and minimum lot width of 70'. The R-2D zones require a minimum lot size of 5,000 sq. ft. for interior lots and 7,000 sq. ft. for corner lots. The minimum average lot width for interior lots is 50' and 70' for corner lots. Two lots types are proposed:

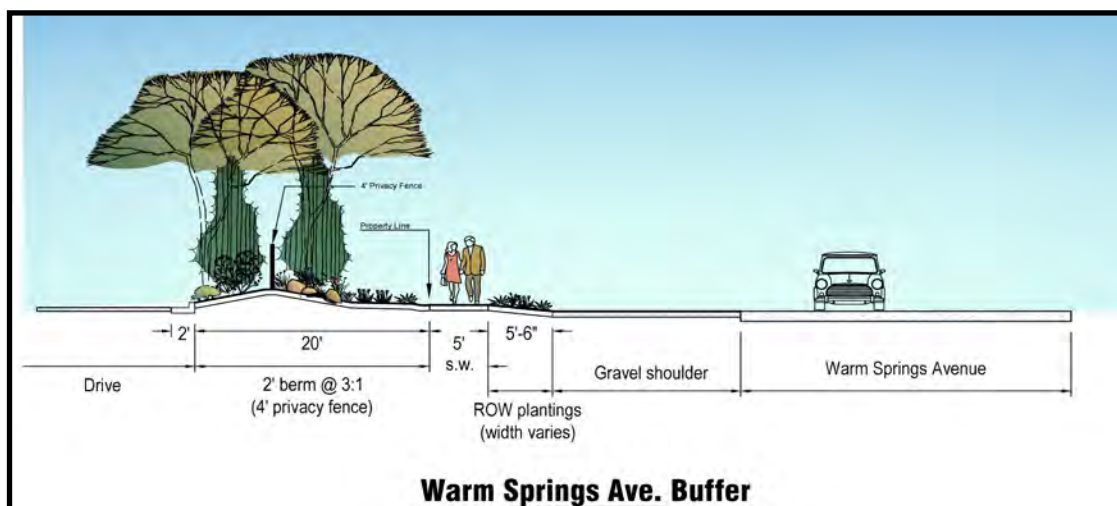
- Type 1 is for Lots 1-15 and 17-22. The lot width is 40 feet and lot size varies from 5,600 to 9,750 sq. ft.
- Type 2 is for Lots 23-25. The lot widths range from 92 feet to 106 feet and lot size varies from 13,909 to 15,160 sq. ft.





All buildable lots will have frontage on Warm Springs Avenue; however, Lots 1-15 and 17-23 will be accessed via a 20 foot wide service drive that will function as a frontage road, thus minimizing direct access to the public street. *General Design Principle C.4* encourages limiting access points to reduce conflicts between pedestrians and vehicles. Three driveways are proposed on Warm Spring Avenue. The driveway furthest to the north serves as emergency access for the Fire Department. The main entrance is a 24 foot wide full access driveway which is in alignment with Sky Bar Street on the east side of Warm Springs Avenue. The 20 foot wide shared driveway to the south serves Lots 24 and 25. ACHD approved all driveway approaches.

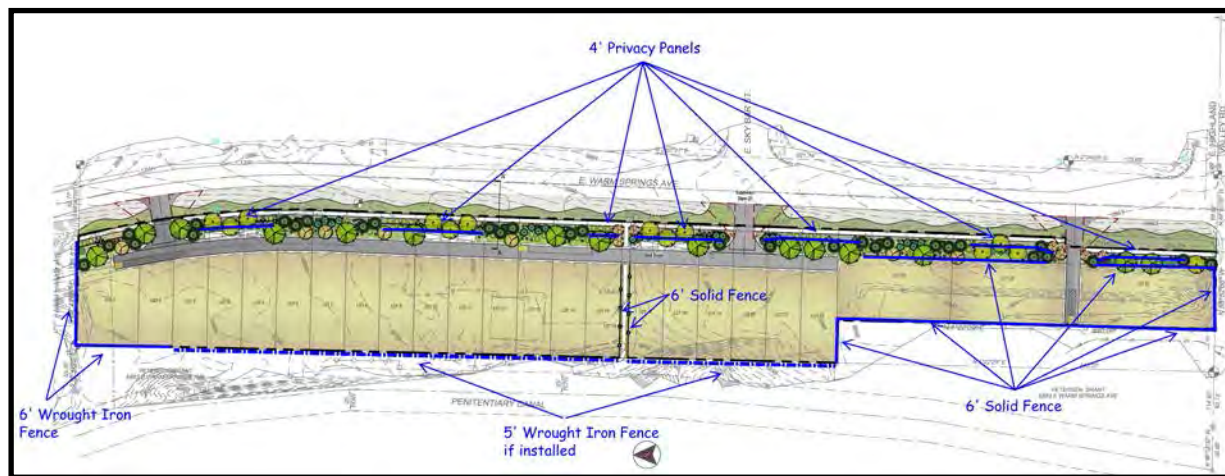
*Connected Community Policy CC7.2 (b)* also encourages minimizing pedestrian conflict with vehicles by providing buffers between the sidewalk and automobile traffic and by combining adjacent property driveways to limit curb cuts. The applicant is proposing 5 foot wide detached sidewalks along Warm Spring Avenue with a 5'-6" wide landscape strip adjacent to the public street. Warm Springs Avenue is identified as an arterial roadway on the Master Street Map. Section 11-09-03.7A-1 & B-(2) requires a frontage road to be separated from an arterial street by a 10 foot wide landscape median and 20 feet is proposed. The landscape median is required to be planted with trees and shrubs that at maturity will form a solid screen at least 6 feet high and a continuous tree canopy. The proposed landscape plan meets these criteria.





Four foot high privacy panels are proposed at select locations within the landscape median to provide additional privacy for the subdivision. A 30 foot wide landscape buffer is required for Lots 23-25 as they abut Warm Springs Avenue. The applicant is requesting a waiver to reduce the landscape buffer to 20 feet for the 176 feet of frontage in front of Lot 25. The justification for this is the existing right-of-way jogs at the location and becomes 10' wider than the existing roadway. The proposed 20 foot landscape buffer will be setback  $\pm 35$  feet from the public right-of-way providing a sufficient buffer. The Council approved a similar waiver for Eastvalley Subdivision Phase 2 across the street. The waiver will allow the 10' of additional depth to be absorbed into Lot 25 for the construction of a single level home.

A subdivision waiver is also requested for pressure irrigation as the property does not have any water rights.



### **Floodplain**

Lots 1 and two and a portion of Lot 3 are located in the floodplain. An administrative Floodplain application (CFH16-00009) has been submitted and must be approved prior to development.

### **Development agreement**

The development agreement is to restrict the subdivision to a maximum of 24 single-family homes.

### **Connectivity**

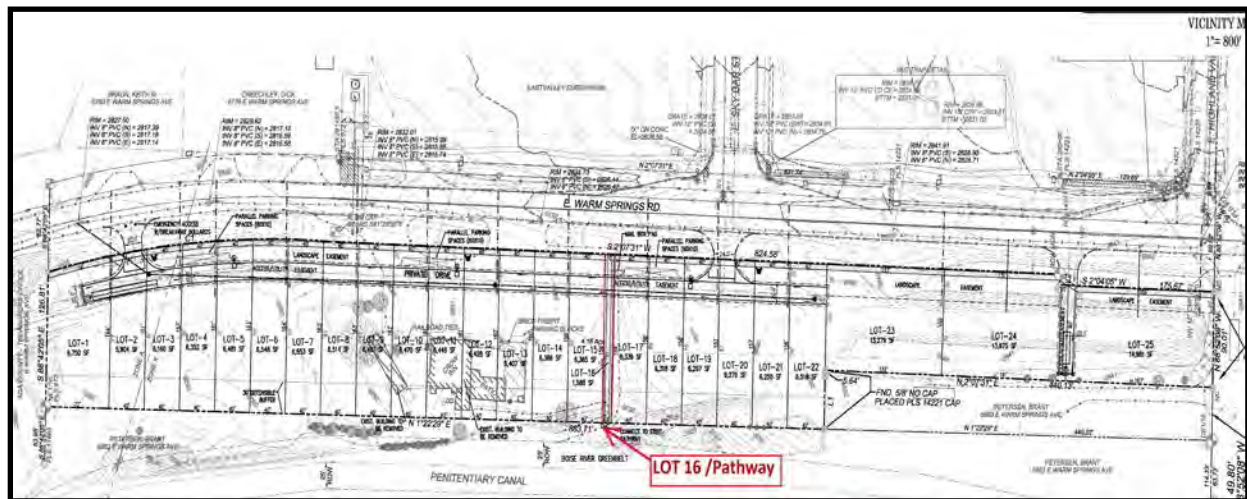
Other than the southern boundary of the site which abuts Highland Valley Lane, there is little opportunity for connectivity to the surrounding neighborhood. The north property boundary abuts a triangular piece of land owned by Ada County which is part of the larger Barber Pool Reserve (35.45 acres) and a single-family home on 5.75 acres. To the south are Highland Valley Lane and a single-family home and large garage on 3.35 acres. The Boise Greenbelt, Barber Pool Reserve and the Boise River are west of the site.

*Barber Valley Policy C 2.3* addresses trail connections and the requirement to connect Ridge to Rivers trails to each other and the Greenbelt. Blueprint Boise calls for a 'safe crossing' across Warm Springs at Highland Road. This was originally a condition placed on Eastvalley Subdivision; however it was removed. In a recent email from ACHD, Christy Little stated the City should not require the developer to provide this crossing as it may not be feasible, or the location may not be right at this time. Several of the neighbors in the immediate area would like the crossing to be located in alignment with Sky Bar Street.

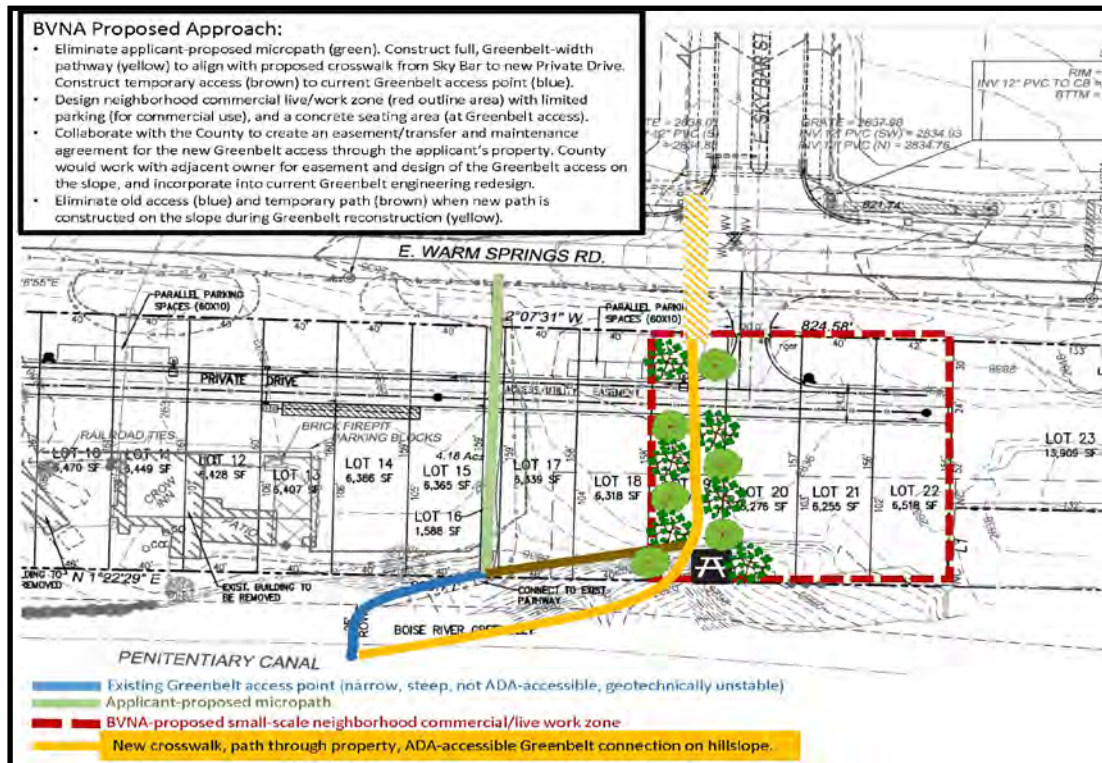


Ms. Little stated the location will be examined with warrants and safety and it will be up to the ACHD engineers to determine the safest location. She stated after the development is built-out, or if there is a need, the City should put this on their request list to ACHD and it will be reviewed and prioritized.

A 10' wide pathway on a common lot is proposed to stub to the existing pathway to the south on private property before connecting to the Greenbelt. This pathway connection has historically been used for public access to the Greenbelt for 30-40 years.



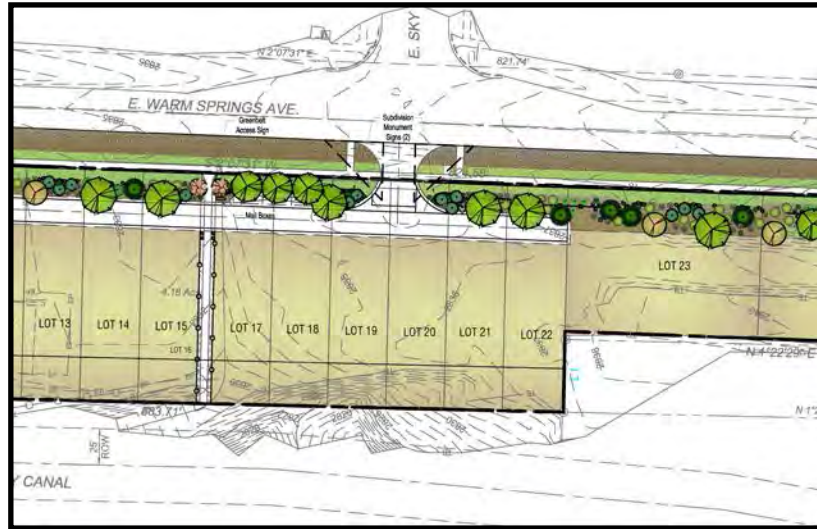
The neighborhood association does not support the pathway in this location. They would like to see a 10 foot wide ADA-accessible pathway that is aligned with Sky Bar Street. They believe the trail as proposed is too narrow, steep, geotechnically unstable and not ADA Accessible. Although Planning believes there is some merit to this alignment, there are complications making it unfeasible. The chief complication is that it could be a pathway to nowhere as it would need to cross through private property before reaching the Greenbelt. The applicant stated the property owner has no interest in allowing access to his property. Because the existing pathway has been used for a number of years, there is likely a prescriptive easement that would allow continued access to the Greenbelt. There is also a concern the new location could potentially get caught up in a lengthy approval processes for the pathway to cross the canal easement and the canal itself. Although plans are in the works to pipe the canal there is no approved master plan at this time and only partial funding. Additionally, the west end of the pathway has a steep slope and ultimately would bring users to the same greenbelt connection that is used today.



Existing Greenbelt and crossing

As illustrated below, the applicant's revised the landscape proposed two 5 foot wide sidewalks that align with Sky Bar Street. The sidewalk extends through the 20 foot wide landscape buffer and connects to the proposed sidewalk on Warm Springs and ultimately to the proposed public pathway to the Greenbelt. This provides a direct connection without having to deal with private property and slopes. The applicant also widened the pavement at the entrance to the pathway from the sidewalk and is proposing signage at the entrance indicating it is a public pathway.

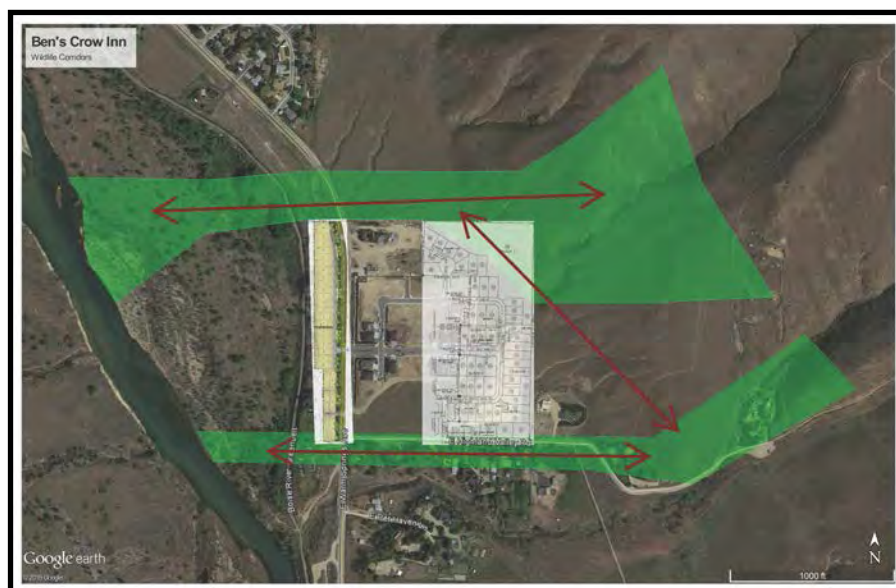




### **Wildlife Mitigation**

An important feature for the Barber Valley Planning Area is preservation of wildlife. Harris Ranch has developed an informational packet for new homeowners that provides information on trail closure dates, areas off limits to human activity, and trails where dogs must remain on leash. In Compliance with *Barber Valley Goal CCN2.1 (e)* a recommended condition of approval requires this information and be provided to all homeowners.

*Barber Valley Goal CCN 2.1(a)* gives direction to “Collaboratively plan land use, transportation, and recreation with the Idaho Fish and Game (IDFG) and other affected agencies with the goal of maintaining viable access to the Boise River for deer and elk from the Wildlife Management Area, as well as protection for non-game wildlife species.” As illustrated in the diagram below, there are two corridors on the east side of Warm Springs Avenue that were required as part of Eastvalley Subdivision. The primary corridor is located at the northeast corner of the site and the secondary corridor is located to the south and provides access for wildlife through the site. These corridors will allow wildlife to cross Warm Springs and reach the Boise River on the north and south sides of the proposed subdivision.



On March 24, 2016, IDFG commented that the land surrounding the site has been identified as a key wildlife migration corridor (Harris Ranch Wildlife Impact Assessment and Mitigation Plan 2006). IDFG analyzes and assesses each development proposal on a case by case basis. With regards to BCI, they determined the design layout contains fencing heights and a secondary wildlife corridor that will provide permeability through the subdivision. As illustrated above, based on the existing primary wildlife corridor, no additional wildlife corridors are required for this subdivision. The 10' wide pathway within the subdivision will serve as an emergency access if wildlife becomes trapped within the subdivision.

### **Planned Unit Development**

The planned development process allows the applicant to request a waiver of standards internal to the development. The applicant is requesting waivers to reduce the interior side yards from 10 feet to 5 feet, lots widths from 50 feet to 40 feet and reduced lot sizes ranging from  $\pm 5,600$  to  $\pm 9,750$  for Lots 2-15 and 17-22. Planning finds the site large enough to accommodate the 24 single-family homes. While waivers are requested, the lots are still large enough to accommodate the homes, vehicular access and parking.

### **CONDITIONAL USE PERMIT / 11-03-04.6.C(7)(a)**

***i. The location is compatible to other uses in the general neighborhood;***

The project is compatible with the existing and planned subdivisions in the general neighborhood. At 5.74 DU/acre the project will be compatible with Eastvalley Subdivision comprised of 115 single-family lots on the east side of Warm Springs Avenue (R-1C /8 DU/acre). North of East Valley are two developed commercial lots (3.2 acres) and property in the Barber Valley Specific Plan (SP-02) which includes existing and future phases of River Heights Development approved for 236 lots. The Boise Greenbelt, Barber Pool Reserve and open land abut the west side of the development site. Single-family homes on large lots abut the north and south boundaries of the property. Additionally, there is a 35.45 acre parcel owned by Ada County also on the north property boundary. The subdivision provides a 10' wide pathway which stubs to an existing access to the Boise Greenbelt. The subdivision also complies with fencing and corridor provisions for wildlife habitat as identified by IDHG.

The project will introduce an additional 24 single family homes to the neighborhood. comprised of one to three story homes. This will provide two different product types, adding to the diversity already available in the area. The homes will have 2-3 bedrooms and range in size from 2,245 to 3,200 sq. ft. The garages are recessed  $\pm 5'$  from the second story and the third floor is setback  $\pm 17$  feet from the second story providing modulation and articulation. The following two elevations are typical of the proposed one-story single-family homes. The applicant anticipates 40-50 percent of the homes will be two-story. The neighbors stated they would like to see more vibrant colors on the buildings and perhaps some accent details. The applicant stated his goal is for the structures to blend with the natural landscape and not to boldly stand out.



The following elevation illustrates the proposed two and three-story product type in Triplett Ranch in the Barber Valley and Elevation Ridge in Columbia Village. *Principles NAC7.1* and *CC1.1* encourage a mix of housing in neighborhoods and infill development that does not require the costly extension of infrastructure. All utilities and infrastructure necessary to support development is readily available to the site.



This is an example of the homes proposed on Lots 23-25.

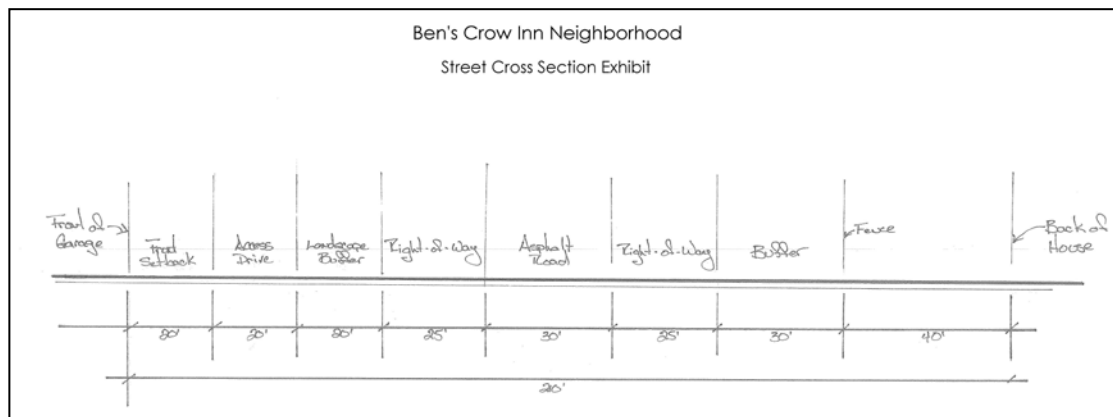


*Principles NAC7.1* and *CC1.1* encourage a mix of housing in neighborhoods and infill development that does not require the costly extension of infrastructure. All utilities and infrastructure necessary to support development is readily available to the site.

This is a photo of Eastvalley Subdivision across Warm Springs Avenue



A neighbor who lives across the street in a one-story home is concerned about views into her property. She requested the three-story structures not have front facing windows with views into her back yard. The applicant provided the following section indicating the distance from the front of the garage in BCI Subdivision to this person's house which is 210 feet. This distance together with the proposed landscaping appears to mitigate privacy concerns.



ii. ***The proposed use will not place an undue burden on transportation and other public facilities in the vicinity;***

Correspondence received from commenting agencies indicate the proposed use will not place an undue burden on transportation or other public services. The Ada County Highway District (ACHD) approved the project on March 15, 2016, stating the proposed single-family home use is estimated to generate fewer daily vehicle trips than the existing restaurant use. It is estimated the restaurant generates approximately 260 vehicle trips per day with 20 in during the PM peak hour. The proposed subdivision is estimated to generate 228 VTD with 24 in the PM Peak hour. Warm Springs Avenue is operating at an acceptable level of service at better than "D".

*Policy BV-C1.1* requires new development in the Barber Valley to coordinate education and outreach activities to promote the use of alternative transportation options with the Transportation management Association. To satisfy this policy a recommended condition of approval requires the applicant make residents of the new subdivision aware of the Harris Ranch/Brighton Transit management Association through their CC&R's. This is a ridesharing program that was an important part of development with Barber Valley.

The comments provided by the Boise Public Works Department on February 25, 2016 address connection to central sanitary sewer, and on-site grading and drainage, pressure irrigation, street lights and solid waste. Lots 1 and 2 and a portion of Lot 3 are located within the floodplain. An administrative Floodplain application (CFH16-00009) has been submitted and must be approved by Public Works prior to development in the floodplain.



The Fire Department approved the project, noting that if ACHD does not approve the proposed location of the bollards for the emergency access, a fully compliant turnaround will be required at this location or the secondary access shall be unrestricted. Fire Station 15 is approximately 2.6 miles away and within the required 4.5 minute response time. The site is located in Wildland-Urban Interface Zone B and requires a wildfire safety plan prior to approval of the final plat. A 30 foot defensible space is required from all undeveloped land.

Comments received from other public agencies raised no concerns with the project and included only standard conditions of approval.

- iii. ***The site is large enough to accommodate the proposed use and all yards, open spaces, pathways, walls and fences, parking, loading, landscaping and such other features as are required by this Code.***

With the approval of reduced lot size, width and interior setbacks, the site is large enough to accommodate the proposed use and all required elements of a planned residential development. The density does not exceed the limitations of the proposed zones. The proposed density is 5.74 DU/acre and 43.7 DU/acre is permitted. Residents on Lots 1-15 and 17-22 will have two car garages and those on Lots 23-25 will have three car garages. The 20' deep driveway aprons will provide guest parking. Additionally, 9 parallel on-site guest parking spaces are provided in three locations east of the frontage road. A project of this size requires a minimum of two amenities. One will be water conservation measures utilized for lawns and landscaping. Additionally, the common open space is  $\pm 32,307$  sq. ft. or 18.11% which exceeds the 10% required to qualify as an amenity. The applicant is also proposing a public pathway from the sidewalk on Warm Spring Avenue through the subdivision connecting to an existing pathway that connects to the Boise Greenbelt system. The applicant has noted the proposed pathway connects to an existing pathway located on private property before connecting to the greenbelt. This pathway connection has been used by the public for approximately 30-40 years and likely falls under a prescriptive easement for its use. A 20 to 30 foot landscape easement is proposed on the east side of the service drive and a 5'-6" foot landscape buffer is proposed on the east side of the 5 foot wide detached sidewalk.

- iv. ***The proposed use, if it complies with all conditions imposed, will not adversely affect other property of the vicinity.***

With the attached conditions of approval, the project will not adversely affect other property in the vicinity. The greater neighborhood is comprised primarily of residential uses that will not be affected by the development. Idaho Fish and Game has approved the fencing heights and a secondary wildlife corridor that will provide permeability through the subdivision. ACHD indicated the proposed single-family home use is estimated to generate fewer daily vehicle trips than the existing restaurant use and that Warm springs Avenue is operating at an acceptable level of service. Two different home styles are proposed which do not exceed the 35 foot height limit of the zones.

There are no view easements in place that would restrict the building height to less than what is allowed by the zones. The proposed development agreement restricts the development to a maximum of 24 single-family detached homes.

v. *The proposed use is in compliance with the Comprehensive Plan;*

The project is consistent with the Comprehensive Plan. *GDP-N.5* and *IDP-2.2* suggest creating neighborhood streetscapes that increase the comfort, safety, and enjoyment of pedestrians by providing complementary setbacks and detached sidewalks. As previously discussed, the developer has provided detached sidewalks with a landscape buffer along the street. The project complies with *GDP-C.4* by concentrating vehicular access points. A condition of approval requires the applicant make residents of BCI subdivision aware of the Harris Ranch/Brighton Transit management Association through their CC&R's per Barber Valley *Policy C1.1*. A 10 foot wide pedestrian pathway is proposed that stubs to an existing greenbelt connection in compliance with *GDP-N.1*. *Goal BVCNN 1.2* encourages minimizing light trespass from development by adopting night-sky lighting standards. These standards have been adopted by the City and are included as a condition of approval. And finally, Idaho Fish and Game has indicated the applicant has met the goal of maintaining viable access to the Boise River for deer and elk from the Wildlife Management Area as expressed in Barber Valley Policy *CCN 2.1 (a)*.

## 8. Recommended Conditions of Approval

### Planning

1. Compliance with plans and specifications submitted to and on file in the Planning and Development Services Department dated received **February 22, 2016** and revised site and landscape plan submitted **March 30, 2016** except as expressly modified by the following conditions:

2. **Site Specific**

- a. The following minimum setbacks apply:

Front: 15 feet living space / 20 feet parking  
Street Side: 15 feet living space / 20 feet parking  
Interior Side: 5 feet  
Rear: 30 feet

- b. All fencing shall comply with the requirements and standards of Idaho Fish and Game.
- c. Language regarding the availability of the Harris Ranch/Brighton Transit Management Association ride sharing program shall be made available to residents through the CC&R's.



- d. The applicant shall work with the Harris Ranch Wildlife Mitigation Association to provide new homeowners with information regarding wildlife in the area, trail closure dates, and any areas off limits to human activity.
- e. Amenities shall be comprised of drought tolerant landscaping,  $\pm 18.11\%$  common open space and public access to the Boise Greenbelt as described in applicants letter dated **February 22, 2016**.
- f. The public pedestrian pathway shall be a minimum of 10 feet in width.
- g. Signage visible to the public shall be placed at the entrance to the pathway indicating a public pathway to the Boise Greenbelt.
- h. Portions of the site are located in the floodplain. Compliance with Boise City Code 11-08 is required. No building permits will be issued until CFH16-00009 has been approved.
- i. Portions of the site contain slopes steeper than 25%; compliance with Boise City Code 11-07 is required.
- j. Provide dark sky lighting fixtures that minimize light trespass and reduce night glow.
- k. The development agreement restricts the maximum number of units to 24 detach single-family homes. The agreement shall also reference Planning's Site Specific Condition of Approval and include as Exhibits the site, landscape and fencing plan and elevations.
- l. Upon approval of the annexation, the applicant shall submit a final revised copy of the development agreement for review and ordinance passage.
- m. Within one year from the date City Council approves the development agreement shall be recorded. The three required readings of the ordinance will not be scheduled until recordation has occurred. Failure to record the development agreement within the one-year time frame shall automatically render this approval null and void.
- n. The development shall become part of the Harris Ranch Wildlife Mitigation Association. In addition, residents shall be required to pay annual homeowner's association fees to the Harris Ranch Wildlife Mitigation Fund.
- o. The applicant shall submit the signed and notarized agreement to the City for final review by the Planning Director, Legal Counsel and Mayor. The City Clerk will then record the document with the Ada County's Records Office at which time the development agreement will become final.

### 3. Subdivision

- a. A note on the final plat shall designate Lots 16 as a 10 foot wide public access pathway.
- b. A note on the face of the Final Plat shall state: *"The development of this property shall be in compliance with the Boise Development Code or as specifically approved by PUD16-00005."*
- c. A note on the face of the final plat shall designate that any common lots shall be owned and maintained by the BCI Subdivision Homeowner's Association. These lots cannot be developed for residential purposes in the future. The common lots shall be designated by lot and block.
- d. A note on the face of the Final Plat shall state: *"The development of this property shall be in compliance with the Boise Development Code or as specifically approved by PUD16-00005."*
- e. A 5 foot wide detached concrete sidewalk and 10 foot wide landscape buffer shall be constructed along Warm Springs Avenue as indicated on the preliminary plat.
- f. No building permit for the construction of any new structure shall be accepted until the Final Plat has been recorded pursuant to the requirements of the B.C.C. 11-09-04.1. If a Non-Building Agreement is approved by Boise City Fire Department, no building permits shall be submitted until a "Satisfaction of Non-Building Agreement" is recorded.
- g. The name, **BCI Subdivision**, is reserved and shall not be changed unless there is a change in ownership, at which time, the new owner(s) shall submit their new name to the Ada County Engineer for review and reservation. Should a change in name occur, applicant shall submit, in writing, from the Ada County Engineer, the new name to the Department of Planning and Development Services and re-approval by the Council of the "revised" Final Plat shall be required. Developer and/or owner shall submit all items including fees, as required by the Planning and Development Services Department, prior to scheduling the "revised" Final Plat for hearing.
- h. Developer shall provide utility easements as required by the public utility providing service (B.C.C. 11-09-03.6).
- i. All irrigation ditches, laterals, canals, and drains, exclusive of natural waterways, intersecting, crossing, or lying adjacent to an area being subdivided shall be covered or fenced with a chain link fence at least six feet in height to deter access to said ditch or canal.
- j. Prior to submitting the Mylar of the Final Plat for the City Engineer's signature, all the conditions of approval must be satisfied. Approvals must be provided on agency letterhead.



- k. The Mylar shall include the following endorsements or certifications: signatures of owners or dedicators and acknowledgment, certificate of the surveyor, certificate of the Ada County Surveyor, certificate of the Central District Health Department, certificate of the Boise City Engineer, certificate of the Boise City Clerk, signature of the Commissioners of the Ada County Highway District and the Ada County Treasurer (I.C. Title 50-17). The signatures of the owners or dedicator, certificate of the surveyor, certificate of the Central District Health Department and acceptance of the Commissioners of the Ada County Highway District must be executed prior to submittal of the Mylar for the City Engineer's signature.
- l. Developer shall comply with B.C.C. 11-03-04.4 which specifies the limitation on time for filing and obtaining certification. Certification by the Boise City Engineer shall be made within two years from date of approval of the Final Plat by the Boise City Council.
- m. The developer may submit a request for a time extension, including the appropriate fee, to the Boise City Planning and Development Services Department for processing. Boise City Council may grant time extensions for a period not to exceed one year provided the request is filed, in writing, at least twenty working days prior to the expiration of the first two year period, or expiration date established thereafter.
  - (1) If a time extension is granted, the Boise City Council reserves the right to modify and/or add condition(s) to the original preliminary or Final Plat to conform with adopted policies and/or ordinance changes.
  - (2) The Final Plat shall be recorded with the Ada County Recorder within one year from the date of the Boise City Engineer's signature. If the Final Plat is not recorded within the one-year time frame it shall be deemed null and void.
- n. Covenants, homeowners' association by-laws or other similar deed restrictions which provide for the use, control and maintenance of all common areas, private streets, shared access and shared parking, and which shall be consistent with the Fair Housing Act of 1968, as amended from time to time, shall be reviewed and approved by the Boise City Attorney. After recordation of the final plat and CC&R's, no building permit shall be accepted until a copy of the recorded CC&R's have been submitted to the Boise City Attorney.
- o. Prior to the City Engineer's Certification of the Final Plat and/or prior to earth disturbing activities, an **Erosion and Sediment Control** (ESC) permit must be obtained. An ESC plan conforming to the requirements B.C.C. 8-17, is to be submitted to the ESC Program Manager for review and approval. No grading or earth disturbing activities may start until an approved ESC permit has been issued.
- p. An individual who has attended the Boise City Responsible Person (RP) certification class, or has obtained Interim Certification for the RP shall be identified for this project. A permit will not issue until such time as the name and certification number of the RP has been provided to Boise City. This information can be faxed to 388-4735 or e-mailed to [ejenkins@cityofboise.org](mailto:ejenkins@cityofboise.org).

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

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

OR

2. A Non-Building Agreement has been executed and recorded with a note on the face of the Final Plat identifying the instrument number.

**NOTE:** "No Parking" signs and curb painting shall be required on streets having a width less than 36-feet, back of curb to back of curb.

Contact the Boise City Fire Department for sign placement and spacing. Developer may either construct prior to final platting or post bond in the amount of 110% of the estimated costs with the Boise City Planning and Development Services Department.

- r. The applicant shall comply with the requirements of the **Boise City Public Works Department** (BCPW) for:

1. Municipal sewer in a memo dated February 25, 2016.
2. Street lighting in a memo dated February 24, 2016.
3. Grading and Drainage in a memo dated February 24, 2016.
4. Solid Waste collection in a memo dated February 25, 2016.

Contact BCPW at 208-384-3900 for specific comments or questions. All requirements of the BCPW shall be completed or bonded for prior to submittal of the Final Plat for the signature of the Boise City Engineer.

- s. A letter from the appropriate **school district** is required stating, "The Developer has made arrangements to comply with all requirements of the School District."
- t. A letter of acceptance for **water service from the utility** is required (B.C.C. 11-09-04.3).
- u. Developer shall provide a letter from the **United States Postal Service** stating, "The Developer and/or Owner has received approval for location of mailboxes by the United States Postal Service."

Contact: Dan Frasier, Postmaster  
770 S. 13th St.  
Boise, ID 83708-0100  
Phone No. (208) 433-4341  
FAX No. (208) 433-4400



## **Agency Requirements**

3. Comply with requirements of the Ada County Highway District (ACHD) as outlined in their **March 15, 2016** approval.
4. The applicant shall comply with all conditions of the Boise Fire Department as per the letter dated **March 10, 2016**. Any deviation from this plan is subject to Fire Department approval. For additional information, contact Romeo Gervais at (208) 570-6567.
5. Compliance with Boise City Plan Review comments dated February 25, 2016.
6. Comply with requirements of Central District Health Department as outlined in comments dated **March 3, 2016**.
7. Comply with requirements of Boise Project Board of Control as outlined in comments dated **March 21, 2016**.
8. Comply with requirements of Idaho Transportation as outlined in comments dated **March 3, 2016**.
9. Comply with requirements of Idaho Fish and Game as outlined in comments dated **March 25, 2016**.

## **Standard Conditions of Approval**

4. Building permit approval is contingent upon the determination that the site is in conformance with the Boise City Subdivision Ordinance. Contact the Planning and Development Services, Subdivision Section at (208) 384-3830 regarding questions pertaining to this condition.
5. All landscaping areas shall be provided with an underground irrigation system. Landscaping shall be maintained according to current accepted industry standards to promote good plant health, and any dead or diseased plants shall be replaced. All landscape areas with shrubs shall have approved mulch, such as bark or soil aid.
6. Swales/retention/detention areas shall not be located along the streets, unless it can be shown that landscaped berms/shrubs will screen the swales.
7. In compliance with Title 9, Chapter 16, Boise City Code, anyone planting, pruning, removing or trenching/excavating near any tree(s) on ACHD or State right-of-ways must obtain a permit from Boise City Community Forestry at least one (1) week in advance of such work by calling (208) 384-4083. Species shall be selected from the Boise City Tree Selection Guide.
8. Deciduous trees shall be not less than 2" to 2 1/2" inch caliper size at the time of planting, evergreen trees 5' to 6' in height, and shrubs 1 to 5 gallons, as approved by staff. All plants are to conform to the American Association of Nurseryman Standards in terms of size and quality.

9. Utility services shall be installed underground.
10. An occupancy permit will not be issued by the Planning and Development Services Department until all of these conditions have been met. In the event a condition(s) cannot be met by the desired date of occupancy, the Planning Director will determine whether the condition(s) is bondable or should be completed, and if determined to be bondable, a bond or other surety acceptable to Boise City will be required in the amount of 110% of the value of the condition(s) that is incomplete.
11. All amenities, landscaping, fencing, sidewalks and underground irrigation shall be installed or bonded for prior to the issuance of a building permit. For bonding, the applicant is required to provide a minimum of two bids for the amenities, landscaping materials and the installation. The bond shall be for 110% of the highest bid and submitted to the Subdivision desk on the 2<sup>nd</sup> floor of City Hall. For additional information, please call (208) 384-3998.
12. No change in the terms and conditions of this approval shall be valid unless in writing and signed by the applicant or his authorized representative and an authorized representative of Boise City. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon Boise City.
13. Any change by the applicant in the planned use of the property, which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant, or successors of interest, advise Boise City of intent to change the planned use of the property described herein, unless a variance in said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.
14. Failure to abide by any condition of this conditional use permit shall be grounds for revocation by the Boise City Planning and Zoning Commission.
15. This conditional use permit shall be valid for a period not to exceed twenty four (24) months from the date of approval by the Planning and Zoning Commission. Within this period, the holder of the permit must acquire construction permits and commence placement of permanent footings and structures on or in the ground. The definition of structures in this context shall include sewer lines, water lines, or building foundations.
16. Prior to the expiration of this conditional use, the Commission may, upon written request by the holder, grant a two-year time extension. A maximum of two (2) extensions may be granted.
17. To reduce the noise impact of construction on nearby residential properties, all exterior construction activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. for Saturday and Sunday. Low noise impact activities such as surveying, layout and weather protection may be performed at any time. After each floor of the structure or building is enclosed with exterior walls and windows, interior construction of the enclosed floors can be performed at any time.



After Recording  
Return To:

Jim Conger  
Conger Management Group  
4824 W. Fairview Ave.  
Boise ID 83706

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## DEVELOPMENT AGREEMENT

This Agreement entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the City of Boise City, hereinafter referred to as “City,” and C15 LLC, the owner of the real property described herein and the Applicant for Boise City annexation number CAR16-00003, hereafter referred to as “Developer.”

### RECITALS

**WHEREAS**, the Developer has applied to the City for a annexation and zoning to R-2/DA and R-1B/DA of the property described in Exhibit “A” to develop preliminary subdivision plat for detached single family dwellings with 24 buildable lots; and

**WHEREAS**, the City, pursuant to Boise City Code Section 11-08-08 and Idaho Code §67-6511A, has the authority to conditionally annex and zone the property and to enter into a development agreement for the purpose of allowing, by agreement, a specific development to proceed in a specific area and for a specific purpose or use which is appropriate in the area, but for which the requested zoning may not be consistent with the Idaho Code and the Boise City Code; and

**WHEREAS**, the City’s Planning & Zoning Commission and City Council have held public hearings as prescribed by law with respect to the zoning and planned development of the Property and this Agreement; and

**WHEREAS**, it is the intent and desire of the parties hereto that development of the Property proceed as provided herein, subject to the terms and conditions of this Agreement and the amendments hereto.

**NOW THEREFORE**, in consideration of the above recitals and the mutual consideration as reflected in the covenants, duties and obligations herein set forth, the sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Description and Location of Property; Size of Property; Present Zoning: This R-2 and R-1B zone shall apply to the property owned by Developer, hereinafter referred to as “the Property” and specifically legally described in Exhibit “A”. The commonly associated address of the property is 6781, 6751, 6827 East Warm Springs Ave. The property is approximately 4.2 acres. The property was formerly zoned by Ada County as RP.
2. Use Permitted by this Agreement: The sole use allowed pursuant to this annexation and zoning as reflected in this Agreement is the development of 4.2 acres to single family residential with 24 buildable lots and 1 common lot. Developer agrees that this Agreement specifically allows only the uses described and specifically incorporated herein under the conditional R-2 and R-1B. No change in the uses specified in this Agreement shall be allowed without modification of this Agreement pursuant to the requirements of the Boise City Code. In the event the Developer changes or expands the use permitted by this Agreement without formal modification of this Agreement as allowed by the Boise City Code, the Developer shall be in default of this Agreement.
3. Construction of Use in Conditional Zone: The residential development and site work shall be constructed in accordance with Boise City Subdivision Ordinance per Exhibit “B.” Failure to construct the development consistent with this Agreement and the Boise City Zoning Ordinance or construction in variance with this Agreement, including the amendment of this Agreement, shall result in a default of this Agreement by the Developer.
4. Default: In the event the Developer, her/his heirs or assigns or subsequent owners of the property or any other person acquiring an interest in the property, fails to faithfully comply with all of the terms and conditions included in this Agreement, this Agreement may be modified or terminated by the Boise City Council upon compliance with the requirements of the Boise City Code.
  - A.) In the event the Boise City Council determines that this Agreement shall be modified, the terms of this Agreement shall be amended and the Developer



shall comply with the amended terms. Failure to comply with the amended terms shall result in default.

B.) In the event the Boise City Council, after compliance with the requirements of the Boise City Code, determines that this Agreement shall be terminated as a result of the default, the zoning of the property shall revert to RP. All uses of the Property, which are not consistent with RP zoning or otherwise approved by the City of Boise shall cease.

C.) A waiver by the City of any default by the Developer of any one or more of the covenants or conditions hereof shall apply solely to the breach and breaches waived and shall not bar any other rights or remedies of the City or apply to any subsequent breach of any such or other covenants and conditions.

5. Consent to Annex: Developer, Developer's heirs, successors, assigns and personal representatives, by entering into this Agreement, does hereby agree that in the event there shall be a default in the terms and conditions of this Agreement in connection with the Property, after compliance with the requirements of Boise City Code, that this Agreement shall serve as consent to a rezone of the Property to A-1 zoning, as provided in Idaho Code §67-6511A.

6. Notices: Any and all notices required to be given by either of the parties hereto, shall be in writing and be deemed delivered upon personal service, if hand-delivered, or when mailed in the United States mail, certified, return receipt requested, addressed as follows:

a.) To the City:

Director, Community Planning and Development Department  
City of Boise City  
P.O. Box 500  
Boise, Idaho 83701-0500

b). To the Developer:

C15 LLC  
4824 W. Fairview Ave.

Either party shall give notice to the other party of any change of their address for the purpose of this section by giving written notice of such change to the other in the manner herein provided. Developer expressly agrees to notify any successors and assigns of the need to provide City with a current address. In the event any successor or assign fails to provide an address, City obligations of mailing shall be deemed accomplished by use of the address on file with the County Tax Assessor.

7. Attorney Fees: Should any litigation be commenced between the parties hereto concerning this Agreement, the prevailing party shall be entitled, in addition to any other relief as may be granted, to court costs and reasonable attorney's fees as determined by a Court of competent jurisdiction. This provision shall be deemed to be a separate contract between the parties and shall survive any default, termination or forfeiture of this Agreement.
8. Time Is Of The Essence: The parties hereto acknowledge and agree that time is strictly of the essence with respect to each and every term, condition and provision hereof, and that the failure to timely perform any of the obligations hereunder shall constitute a breach of and a default under this Agreement by the party so failing to perform.
9. Binding Upon Successors: This Agreement shall be binding upon and inure to the benefit of the parties respective successors, assigns and personal representatives, including City's corporate authorities and their successors in office. This Agreement shall be binding on the owner of the property, each subsequent owner and each other person acquiring an interest in the property. This Agreement shall run with the land.
10. Requirement for Recordation: The Developer shall record this document, including all the Exhibits, prior to the formal adoption of CAR16-00003 by the Boise City Council. Failure to comply with this section shall be deemed a default of this Agreement by the Developer. If for any reason after such recordation the Boise City Council fails to adopt CAR16-00003, City shall execute and record an appropriate instrument of release of this Agreement.
11. Effective Date: This Agreement shall not be effective until CAR16-00003 has been approved and published by the City.



12. Invalid Provisions: If any provision of this Agreement is held not valid, such provision shall be deemed to be excised there from and the invalidity thereof shall not affect any of the other provisions contained herein.

**IN WITNESS WHEREOF**, the parties have hereunto caused this Agreement to be executed, on the day and year first above written.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

BOISE CITY

By: \_\_\_\_\_

David H. Bieter, Mayor

ATTEST:

\_\_\_\_\_

DEVELOPER

By: C15 LLC, an Idaho limited liability  
company

\_\_\_\_\_

Jim D. Conger, Member

## ACKNOWLEDGMENT

STATE OF IDAHO    )  
                              ) ss.  
County of Ada        )

On this \_\_\_\_ day of \_\_\_\_\_, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared **David Bieter**, known or identified to me to be the Mayor of the City of Boise City, the municipal corporation that executed the within and foregoing instrument, or the person who executed the instrument on behalf of said municipal corporation, and acknowledged to me that such municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public for Idaho  
Residing at: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

STATE OF IDAHO    )  
                              ) ss.  
County of Ada        )

On this \_\_\_\_ day of \_\_\_\_\_, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, known or identified to me to be \_\_\_\_\_ that executed the foregoing said instrument, and acknowledged to me that he/she executed the same.

\_\_\_\_\_  
Notary Public for Idaho  
Residing at: \_\_\_\_\_  
My Commission expires: \_\_\_\_\_



CAR 16-0002

# Annexation & Rezone Application Form

<b>PDS</b>	Department Application
	<b># 105</b>

Case #: \_\_\_\_\_

New! Type data directly into our forms.

Note: Be sure to print this form before closing it or you will lose your data. This form cannot be saved to your computer.

## Property Information

Address: Street Number: 6781 Prefix: East Street Name: Warm Springs AvenueSubdivision: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_ Section: 33 Township: 3N Range: 3E\*Primary Parcel Number: 

S	0	9	3	3	1	4	1	9	2	0
---	---	---	---	---	---	---	---	---	---	---

 Additional Parcels: S0933141905, S0933142110

## Applicant Information

\*First Name: Jim \*Last Name: CongerCompany: DevCo LLC \*Phone: (208) 336-5355\*Address: 4824 W. Fairview Avenue \*City: Boise \*State: ID \*Zip: 83706E-mail: jconger@congergroup.com Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

## Agent/Representative Information

First Name: Marcel Last Name: LopezCompany: DevCo LLC Phone: \_\_\_\_\_Address: 4824 W. Fairview Avenue City: Boise State: ID Zip: 83706E-mail: marcel@congergroup.com Cell: \_\_\_\_\_ Fax: \_\_\_\_\_Role Type: ☐ Architect ☐ Land Developer ☐ Engineer ☐ Contractor ☒ Other

## Owner Information

Same as Applicant? ☐ Yes ☒ No (If yes, leave this section blank)First Name: Clavis B. Last Name: HamiltonCompany: Ben's Crow Inn Phone: (208) 342-9669Address: 6916 E. Pet Haven Lane City: Boise State: ID Zip: 83712E-mail: bbungard@arthurberry.com Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

RECEIVED

FEB 22 2016

PLANNING DEPT.  
SUBDIVISIONS

www.cityofboise.org/pds

City of Boise Planning &amp; Development Services

P.O. Box 500 • 150 N. Capitol Blvd • Boise, Idaho 83701-0500  
Phone 208/384/3830 • Fax 208/433-5688 • TDD/TTY 800/377-3529Date Received: \_\_\_\_\_  
Revised 10/2008

CAR 16-00002

1. **Neighborhood Meeting Held (Date):** February 11, 2016

2. **Neighborhood Association:** Riverland East

3. **Comprehensive Planning Area:** Barber Valley

4. **This application is a request to construct, add or change the use of the property as follows:**

Annexation of parcels, S0933141905, S0933141920 and S0933142110 into the City of Boise totaling approximately 4.19 acres on East Warm Springs Avenue for the development of 24 single family detached residential and 1 common lot. Please see the attached letter for a detail description of the project.

5. **Type of Request:** ☐ Rezone ☒ Annexation & Rezone

6. **Current Zone:** Ada County RP

7. **Requested Zone:** R-2 and R-1B

8. **Size of property:** 4.19 ☒ Acres ☐ Square Feet

9. **Existing uses and structures on the property are as follows:**

The property was the location of Ben's Crow Inn a restaurant and tavern. Owner's Ben and Connie are retiring and closing the business after Labor Day 2016. Structures include the main building and related structures.

10. **Are there any existing land uses in the general area similar to the proposed use?**

If so, describe them and give their locations:

Yes. Directly across East Warm Springs Avenue is the East Valley Subdivision which was recently annexed into Boise with R-1C zoning and is a similar residential development. The parcel at our south boundary is a single family residential property.

11. **On what street(s) does the property have frontage?** East Warm Springs Avenue

CAR 16 - 00002



**12. Adjacent Property Information**

<b>Uses:</b>		<b>Zone:</b>
North:	<u>Vacant undeveloped land and residential</u>	<u>RUT &amp; R6</u>
South:	<u>Residential and vacant undeveloped land</u>	<u>RP &amp; R6</u>
East:	<u>East Valley Subdivision and open land</u>	<u>R-1C</u>
West:	<u>Open land and the Boise River</u>	<u>RP</u>

**13. Why are you requesting annexation into the City of Boise?**

To attain a zoning of R-2 and R-1B on the property for the purpose of developing into a 24 single family detached and 1 common lot subdivision as allowed per the Boise Comprehensive Plan and development code.

**14. What use, building or structure is intended for the property?**

Single family detached 1, 2 and 3 story homes. The proposed homes are similar to the existing neighborhood recently constructed at Triplett 2 next to Harris Ranch in the Barber Valley.

**15. What changes have occurred in the area that justify the requested rezone?**

The entire East Valley area is experiencing a growth in the development of residential uses. East Valley Subdivision is directly across this property on East Warm Springs Avenue and is a similar development. This development will be a valued addition to the current development in the area.

**16. What Comprehensive Plan policies support your request?**

Goal PDP5: Require adequate public facilities and infrastructure. Boise City has existing facilities including a 1-year old sewer lift station sized for growth and will provide sewer service. Principle GDP-N.1: Connectivity. This neighborhood will provide a stub to the greenbelt system. Principle GDP-N.1.a: Provide a continuous network of sidewalks, bicycle, and pedestrian paths, and roadways. This neighborhood will add 1,300 linear feet of sidewalk adjacent to Warm Springs Road. Goal NAC7: Facilitate a mix of housing types and price ranges in neighborhoods. This small 4.2 acres site has two housing type and price ranges. Goal NAC7.1 Mix of Housing. This neighborhood meets this goal with 2 housing types of varying price ranges. Goal GDP-C.5 Although there is currently no transit service available beyond the Harris Ranch Commerical area the philosophy of increased desnsity along the Warm Springs corridor will be a factor to create increased ridership and support for additional transit service.

  
Applicant/Representative Signature  
Date[Print Form](#)

CAR 16 - 00002



## #201 Subdivision

Case #: SUB16-00006

## Property Information

## Address

Street Number:	Prefix:	Street Name:	Unit #:			
6781	E	WARM SPRINGS AVE				
Subdivision name:	Block:	Lot:	Section:	Township:	Range:	Zoning:
SEC 33 3N 3E	0	0	33	3	3	RP
Parcel Number:	Additional Parcel Numbers:					
S0933141920						

## Primary Contact

Who is responsible for receiving e-mail, uploading files and communicating with Boise City?

☒ Agent/Representative ☐ Applicant ☐ Owner

## Applicant Information

First Name:	Last Name:		
Jim	Conger		
Company:			
DevCo LLC			
Address:	City:	State:	Zip:
4824 W Fairview Ave.	Boise	ID	83706
E-mail:	Phone Number:	Cell:	Fax:
jconger@congergroup.com	(208) 336-5355		

## Agent/Representative Information

Role Type: ☐ Architect ☐ Land Developer ☐ Engineer ☐ Contractor ☒ Other

First Name:	Last Name:		
Marcel	Lopez		
Company:			
Conger Management Group			
Address:	City:	State:	Zip:
4824 W Fairview Ave.	Boise	ID	83706
E-mail:	Phone Number:	Cell:	Fax:
marcel@devco.land	(208) 336-5355		

## Owner Information

Same as Applicant? ☒ No ☐ Yes (If yes, leave this section blank)

First Name:	Last Name:		
Clavis B.	Hamilton		
Company:			
Ben's Crow Inn			
Address:	City:	State:	Zip:
6916 E. Pet Have Lane	Boise	ID	83712
E-mail:	Phone Number:	Cell:	Fax:
bbungard@arthurberry.com	(208) 342-9669		

**1. Type of Application:**

☒ Preliminary ☐ Final ☐ Preliminary/Final

**2. Proposed Subdivision/Condominium Name:**

Ben's Crow Inn Subdivision

**Note:** Must be approved by the Ada County Surveyor.

**3. Cross Reference Files:**

Please list all previously approved or currently associated file(s):

Annexation; Floodplain Review(CFH16-00009); Planned Unit Development (PUD16-00005)

**4. Subdivision/Condominium Features:**

Number of buildable lots/units:  Buildable lots/units per acre:   
Number of common lots/units:  Zoning Classification:   
Total acres in subdivision:

**5. Building Program:**

Number of Existing Buildings:  Number of Existing Buildings to Remain:

Type of Existing Buildings: ☐ Residential ☒ Commercial ☐ Industrial ☐ Mixed Use

If Residential What Type? ☐ Single Family ☐ Townhouse ☐ Duplex ☐ Multi-Family

Type of Proposed Buildings: ☒ Residential ☐ Commercial ☐ Industrial ☐ Mixed Use

If Residential What Type? ☒ Single Family ☐ Townhouse ☐ Duplex ☐ Multi-Family

**6. Waivers or Modifications:**

Are any waivers/modifications being requested from the Subdivision Ordinance? ☒ Yes ☐ No

If yes, please include a detailed explanation in your letter.

An additional waiver/modification review fee must be paid at the time of submittal.

**7. Private Streets:**

Are private streets proposed? ☐ Yes ☒ No

If yes, please provide justification in the letter of explanation.

An additional private street review fee must be paid at the time of submittal.



**8. Public Streets:**Number of new public  
streets proposed:**9. Floodways & Hillsides:**Is any portion of this property located in a Floodway or a 100-  
year Floodplain?☒ Yes☐ No

Does any portion of this parcel have slopes in excess of 15%?

☐ Yes☒ No**Note:** If the answer to either of the above is yes, you will be required to submit an additional #112 Floodplain and/or #114 Hillside application and additional fee.**11. Airport Influence Area:**

Is the subject site located within the Airport Influence Area? (If yes, please mark which area.)

☒ No☐ Area A☐ Area B☐ Area B1☐ Area C

The undersigned declares that the above provided information is true and accurate.

The undersigned acknowledges that failure to provide true and accurate information may result in rejection of this application, possible revocation of the permit where wrongfully issued and subject the undersigned any applicable civil and/or criminal penalties.

**Agent/Representative Signature:****Date:**

## #117: Planned Unit Development

Case #: PUD16-00005

## Property Information

## Address

Street Number:	Prefix:	Street Name:	Unit #:			
6781	E	WARM SPRINGS AVE				
Subdivision name:	Block:	Lot:	Section:	Township:	Range:	Zoning:
SEC 33 3N 3E	0	0	33	3	3	RP
Parcel Number:	Additional Parcel Numbers:					
S0933141920						

## Primary Contact

Who is responsible for receiving e-mail, uploading files and communicating with Boise City?

☒ Agent/Representative ☐ Applicant ☐ Owner

## Applicant Information

First Name:	Last Name:		
Jim	Conger		
Company:			
DevCo LLC			
Address:	City:	State:	Zip:
4824 W. Fairview Ave.	Boise	ID	83706
E-mail:	Phone Number:	Cell:	Fax:
jim@congergroup.com	(208) 336-5355		

## Agent/Representative Information

Role Type: ☐ Architect ☐ Land Developer ☐ Engineer ☐ Contractor ☐ Other

First Name:	Last Name:		
Marcel	Lopez		
Company:			
Conger Management Group			
Address:	City:	State:	Zip:
4824 W. Fairview Ave.	Boise	ID	83706
E-mail:	Phone Number:	Cell:	Fax:
marcel@devco.land	(208) 336-5355		

## Owner Information

Same as Applicant? ☐ No ☒ Yes (If yes, leave this section blank)

First Name:	Last Name:		
Clavis B.	Hamilton		
Company:			
Ben's Crow Inn			
Address:	City:	State:	Zip:
6919 E. Pet Haven Lane	Boise	ID	83712
E-mail:	Phone Number:	Cell:	Fax:
bbungard@arthurberry.com	(208) 342-9669		



Is this a Modification application?

☒ Yes

☐ No

File number being modified:

**1. Neighborhood Meeting Held (Date):**

02/11/2016

**2. Neighborhood Association:**

Riverland East

**3. Comprehensive Planning Area:**

Barber Valley

**4. This application is a request to construct, add or change the use of the property as follows:**

Annexation into the City of Boise, parcels, S0933141905, S0933141920 and S0933142110 totaling approximately 4.2 acres on East Warm Springs Avenue for the development of 24 single family detached residential and 1 common lot. This PUD application requests lot sizes of approximately 8,000 square feet in the R-1B zone and all of the lots to have a 5 foot side setback. This PUD application also requests a 10 foot buffer along a portion of the property fronting East Warm Springs Avenue.. Please see the attached letter for a detail description of the project.

**5. Size of Property:**

4.19

☒ Acres

☐ Square Feet

**6. Water Issues:**

A. What are you fire flow requirements? (See International Fire Code):

gpm

B. Number of hydrants (show location on site plan):

Note: Any new hydrants/hydrant piping require United Water approval.

Number of Existing:

Number of Proposed:

C. Is the building "sprinklered"?

☒ Yes

☐ No

D. What volume of water is available? (Contact United Water of Idaho at 362-7330):

gpm

**7. Existing uses and structures on the property are as follows:**

The property was the location of Ben's Crow Inn, a restaurant and tavern. Owner's Ben and Connie are retiring and are closing the business after Labor Day 2016. The existing structures will not remain and will be demolished prior to construction of the new subdivision.

**8. Are there any hazards on the property?**

(Such as canals, hazardous material spills, soil or water contamination.) If so, describe them and give their locations:

No.

**9. Adjacent property information:**

	Building types and/or uses	Number of Stories	Zone
North:	Vacant undeveloped	<input type="text"/>	<input type="text"/>
South:	Residential and	2	<input type="text"/>
East:	Residential - East	2	(R-1C/DA) Single Family Res
West:	Open land and	<input type="text"/>	<input type="text"/>

## 10. Non-Residential Structures:

A. Number of **Proposed** non-residential structures: 

Square footage of proposed non-residential structures or additions (if 5+ floors, attach narrative with chart):

	Gross Square Feet	Net Leasable Square Feet
1st Floor	<input type="text"/>	<input type="text"/>
2nd Floor	<input type="text"/>	<input type="text"/>
3rd Floor	<input type="text"/>	<input type="text"/>
4th Floor	<input type="text"/>	<input type="text"/>

B. Maximum Proposed Height: C. Number of stories: D. Number of **EXISTING** non-residential structures to remain: 

Square footage of existing non-residential structures or additions (If 5+ floors, attach narrative with chart):

	Gross Square Feet	Net Leasable Square Feet
1st Floor	<input type="text"/>	<input type="text"/>
2nd Floor	<input type="text"/>	<input type="text"/>
3rd Floor	<input type="text"/>	<input type="text"/>
4th Floor	<input type="text"/>	<input type="text"/>

E. Existing Structure Height(s): F. Number of Stories: 

## 11. Residential Structures:

A. Number of **Proposed** residential units (if applicable):: 

B. Size of Proposed residential structures (if applicable):

	Number of Units	Square Foot per Unit	Total Square Feet
One-Bedroom:	<input type="text"/>	<input type="text"/>	<input type="text"/>
Two-Bedroom:	<input type="text"/>	<input type="text"/>	<input type="text"/>
Three-Bedroom:	<input type="text"/>	<input type="text"/>	<input type="text"/>
Other:	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total Number:	<input type="text"/>	<input type="text"/>	<input type="text"/>

C. Number of **Existing** units to remain: D. Maximum Proposed Structure Height(s): E. Number of Stories:



## 12. Site Design:

- A. Percentage of site devoted to building coverage:
- B. Percentage of site devoted to landscaping:
- C. Percentage of site devoted to paving:
- D. Percentage of site devoted to other uses:
- E. Describe other use:

## 13. Loading Facilities, if proposed (For Commercial uses only):

- Number:  Location:
- Size:  Screening:

## 14. Parking:

- |  | Required   |                          | Proposed             |
|--|--|--------------------------|----------------------|
| A. Handicapped Spaces:   | <input type="text"/>   | Handicapped Spaces:      | <input type="text"/> |
| B. Parking Spaces:   | <input type="text"/>   | Parking Spaces:          | <input type="text"/> |
| C. Bicycle Spaces:   | <input type="text"/>   | Bicycle Spaces:          | <input type="text"/> |
| D. Proposed Compact Spaces:  | <input type="text"/>   |                          |                      |
| E. Restricted (assigned, garage, reserved spaces) parking spaces proposed: |  |                          | <input type="text"/> |
| F. Are you proposing off-site parking?                                     | <input checked="" type="radio"/> Yes <input checked="" type="radio"/> No | If yes, how many spaces? | <input type="text"/> |
| G. Are you requesting shared parking or a parking reduction?               | <input checked="" type="radio"/> Yes <input checked="" type="radio"/> No | If yes, how many spaces? | <input type="text"/> |

**Note:** If you are requesting shared parking or a parking reduction, you must submit a survey of persons using and working on the premises and any additional information demonstrating that use by the regular employees and visitors to the premises will require fewer off-street parking spaces than required by the Zoning Ordinance.

## 15. Setbacks (Plans that are not graphically dimensioned will not be accepted.)

	Building		Parking	
	Proposed	Required	Proposed	Required
Front:	<input type="text" value="20"/>	<input type="text" value="20"/>	<input type="text"/>	<input type="text"/>
Rear:	<input type="text" value="15"/>	<input type="text" value="15"/>	<input type="text"/>	<input type="text"/>
Side 1:	<input type="text" value="5"/>	<input type="text" value="15"/>	<input type="text"/>	<input type="text"/>
Side 2:	<input type="text" value="5"/>	<input type="text" value="15"/>	<input type="text"/>	<input type="text"/>

## 16. Waivers Requested:

- A. Lot size: ☒ Yes ☒ No Description:
- B. Internal Setbacks: ☒ Yes ☒ No Description:
- C. Frontage: ☒ Yes ☒ No Description:

## 17. Sidewalks:

Proposed: ☐ Attached ☒ Detached  
 Adjacent: ☐ Attached ☐ Detached

## 18. Amenities:

Number:

Amenities include, drought tolerant landscape, landscaped open space, access to public open spaces and public bicycle circulation system. Please see attached letter for a detailed description of the amenities.

Description:

## 19. Density:

Allowed Density:

Proposed Density:

## 20. Building Exterior:

## Materials

## Colors

Roof:

Walls:

Windows/Doors:

Fascia, Trim etc.:

## 21. Drainage (Proposed method of on-site retention):

## 22. Floodways &amp; Hillsides:

A. Is any portion of this property located in a Floodway or a 100-year Floodplain?

☒ Yes

☐ No

B. Does any portion of this parcel have slopes in excess of 15%?

☐ Yes

☐ No

**Note:** If the answer to either of the above is yes, you will be required to submit an additional Floodplain and/or Hillside application and additional fee. You must submit the additional required application(s) for review at the same time as this request.

## 23. Airport Influence Area:

Is the subject site located within the Airport Influence Area? (If yes, please mark which area.)

☒ No

☐ Area A

☐ Area B

☐ Area B1

☐ Area C



## 24. Street Layout:

**A. PUBLIC Street Layout Review**

The impacts of proposed development on adjacent land uses and transportation facilities must be considered. A "Traffic Impact Study" (TIS) will be generally required by the Ada County Highway District, if the proposed development contains no more than 100 dwelling units (includes hotels and motels as well as private dwelling units), more than 30,000 square feet of commercial use, or more than 50,000 square feet of industrial or institutional use, or has associated it with special circumstances deemed by ACHD to warrant an impact study. A copy of this study must be submitted with this application.

Is a Traffic Impact Study required?

☒ Yes ☐ No

**B. PRIVATE Street Layout Review**

The impacts of proposed development on adjacent land uses and transportation facilities must be considered. A "Traffic Impact Study" (TIS) prepared by a traffic engineer will be required by Public Works and Planning & Development Services for the interior roadway and parking system. This requirement may be waived when it can be shown by the applicant that no section of on-site roadway will exceed 240 vehicle trips per day.

Is a Traffic Impact Study required?

☒ Yes ☐ No

Are you proposing public street connection to adjacent properties?

☒ Yes ☐ No

**25. Solid Waste:**

A. Type of trash receptacles:

☒ Individual Can/Residential ☐ 3 Yd Dumpster ☐ 6 Yd Dumpster ☐ 8 Yd Dumpster ☐ Compactor

B. Number of trash receptacles:

24

C. Proposed screening method:

D. Is the proposed location accessible for collection? (Contact Boise Public Works at 384-3901.)

☒ Yes ☐ No

E. Is recycling proposed?

☒ Yes ☐ No

**Verification of Legal Lot or Parcel Status**


Acceptance of this application does not validate the legal status of any lot or parcel. Prior to submitting for a Building Permit you must have a Verification of Legal Parcel Status form signed by the Boise City Subdivision Department. It is the applicant's responsibility to provide deeds and/or other documentation to the Subdivision Department. See Verification of Legal Lot or Parcel Worksheet for submittal requirements.

The undersigned declares that the above provided information is true and accurate.

The undersigned acknowledges that failure to provide true and accurate information may result in rejection of this application, possible revocation of the permit where wrongfully issued and subject the undersigned any applicable civil and/or criminal penalties.

Agent/Representative Signature:

Date:

  
2.22.16



**IDAHO TRANSPORTATION DEPARTMENT**

P.O. Box 8028  
Boise, ID 83707-2028

(208) 334-8300  
[itd.idaho.gov](http://itd.idaho.gov)

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March 3, 2016

City of Boise  
Planning and Development Services  
P.O. Box 500  
Boise, ID 83701-0500

**VIA EMAIL**

**RE: CAP16-00002 BEN'S CROW INN SUBDIVISION**

The Idaho Transportation Department (ITD) has reviewed the annexation and rezone application for the Ben's Crow Inn Subdivision at 6781, 6751, and 6827 E. Warm Springs Ave. west of SH-21. ITD has the following comments.

1. ITD has no objection to a subdivision being constructed at this location.
2. The property does not abut the State highway system.
3. ITD is not aware of any concerns at this time at the intersection of SH-21 and E. Warm Springs Avenue. With the subdivisions that are being constructed along the E. Warm Springs corridor thus increasing the trip generations, this intersection may need to be reviewed to see if changes would be needed to increase safety and mobility.

If you have any questions, you may contact Shona Tonkin at 334-8341 or me at 332-7191.

Sincerely,

A handwritten signature in blue ink that reads 'James K. Morrison'.

James K. Morrison  
Development Services Manager  
[jim.morrison@itd.idaho.gov](mailto:jim.morrison@itd.idaho.gov)

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**Project/File:** **Ben's Crow Inn Subdivision/ BPP16-0003 / SUB16-00006**  
 The applicant is proposing annexation, zoning, planned unit development and a preliminary plat application for a 24-lot residential subdivision on 4.2 acres on the west side of Warm Springs Avenue, north of SH-21.

**Lead Agency:** City of Boise

**Site address:** 6781 E. Warm Springs Avenue

**Staff Approval:** March 15, 2016

**Applicant/ Representative:** DevCo LLC  
 4824 W. Fairview Avenue  
 Boise, ID 83706

**Staff Contact:** Christy Little  
 Phone: 387-6144  
 E-mail: [clittle@achdidaho.org](mailto:clittle@achdidaho.org)



## A. Findings of Fact

- Description of Application:** This 4.2 acre site is currently in Ada County and zoned RP. The applicant is seeking annexation into the City of Boise, with a zoning designation of R-2 and R-1B. The preliminary plat includes 24 buildable lots and 1 common lot, and is proposed to be accessed with a private drive.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Vacant	RUT
South	Single Family Dwelling	RP
East	Residential	R-1C
West	Greenbelt/Vacant	RP

- Site History:** ACHD has not previously reviewed this site for a development application.
- Transit:** Transit services are not available to serve this site.
- New Center Lane Miles:** No new center lane miles will be constructed with this development.
- Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.

## 7. Capital Improvements Plan/ Integrated Five Year Work Plan:

- The intersection of Warm Springs Avenue and SH-21 is listed in the CIP to be reconstructed to widen approaches, and add a signal, between 2027 and 2031.

## B. Traffic Findings for Consideration

- Trip Generation:** The proposed single family use is estimated to generate fewer daily vehicle trips than the existing restaurant use. Based on the square footage of the restaurant, there are 260 existing vehicle trips per day to this site, with 20 in the PM peak hour. This development is estimated to generate 228 vehicle trips per day with 24 in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 9<sup>th</sup> edition.
- Condition of Area Roadways**  
Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Existing Plus Project
Warm Springs Avenue	1,250-feet	Minor Arterial	300 (e/o Lysted Avenue)	Better than D	Better than D

\* Acceptable level of service for a two-lane minor arterial is "D" (550 VPH).

## 3. **Average Daily Traffic Count (VDT)**

*Average daily traffic counts are based on ACHD's most current traffic counts.*

- The average daily traffic count for Warm Springs Avenue north of SH-21 was 2,615 on October 29, 2015.
- The average daily traffic count for Warm Springs Avenue east of Lysted Avenue was 4,706 on February 3, 2015.

## C. Findings for Consideration

### 1. Warm Springs Avenue

- Existing Conditions:** Warm Springs Avenue is improved with 2-travel lanes (28-feet of pavement), and no curb, gutter or sidewalk abutting the site. There is 80 to 90-feet of right-of-way for (45 to 50-feet from centerline).

- Policy:**

**Arterial Roadway Policy:** District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

**Master Street Map and Typology Policy:** District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

**ACHD Master Street Map:** ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Warm Springs Avenue is designated in the MSM as a Residential Arterial with 3-lanes and on-street bike lanes.



**Street Section and Right-of Way Width Policy:** District Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

**Right-of-Way Dedication:** District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

**Sidewalk Policy:** District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

**Frontage Improvements Policy:** District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

- c. **Staff Comments/Recommendations:** The applicant should be required to construct a 5-foot wide detached concrete sidewalk on Warm Springs Avenue, located as shown on the preliminary plat; and should provide a sidewalk easement for sidewalk that is constructed outside of the public right-of-way. The applicant is not required to widen the pavement beyond the 28-feet of pavement that exists on Warm Springs Avenue, as this is consistent with the overall width of Warm Springs Avenue north and south of the site. Until Warm Springs Avenue needs to be widened to include a center turn lane, there is no need to widen the pavement (by 3-feet) for this frontage. The applicant is proposing a connection to the Greenbelt through this site that will provide access to pedestrians and bicyclists.

## 2. Driveways

### Warm Springs Avenue

- a. **Existing Conditions:** The restaurant is accessed off of Warm Springs Avenue with two driveways near the north end of the parcel.

- b. **Policy**

**Access Points Policy:** District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is

being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

**Successive Driveways:** District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 45 MPH to align or offset a minimum of 380-feet from any existing or proposed driveway.

**Driveway Width Policy:** District policy 7205.4.8 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7205.4.8.

**Cross Access Easements/Shared Access Policy:** District Policy 7202.4.1 states that cross access utilizes a single vehicular connection that serves two or more adjoining lots or parcels so that the driver does not need to re-enter the public street system.

- c. **Applicant's Proposal:** The applicant is proposing to access the site from Warm Springs Avenue with a private road/drive aisle for 22 units, and a driveway for 2 units. The main entrance is located in alignment with Sky Bar Street on the east side of Warm Springs Avenue. The shared driveway that will serve 2 units is located approximately 170-feet north of Highland Valley Road on the east side of Warm Springs Avenue. The applicant is also proposing an emergency access located approximately 75-feet south of the north property line.

d. **Staff Comments/Recommendations:**

The main entrance meets District policy and should be approved as proposed.

The shared driveway that serves 2 units does not meet District policy which requires 380-feet of separation on minor arterials (45MPH) between streets/driveways. This requires a modification of 55% for this dimensional standard. Staff recommends a modification of policy to allow this driveway because the driveway serves only 2 lots, and this site has only one other access, with 1,250-feet of frontage. The driveways will have adequate room on-site so that vehicles do not have to back on to Warm Springs Avenue. This modification can be approved at the Deputy Director level.

The emergency access is approved as proposed approximately 75-feet south of the north property line and over 650-feet north of the main entrance. Coordinate the bollards with emergency services. If the City requires the emergency access to be constructed as a regular driveway, not emergency access only, the location meets policy, and could be approved.

### 3. Private Roads

- a. **Private Road Policy:** District policy 7212.1 states that the lead land use agencies in Ada County establish the requirements for private streets. The District retains authority and will review the proposed intersection of a private and public street for compliance with District intersection policies and standards. The private road should have the following requirements:
- Designed to discourage through traffic between two public streets,
  - Graded to drain away from the public street intersection, and



- If a private road is gated, the gate or keypad (if applicable) shall be located a minimum of 50-feet from the near edge of the intersection and a turnaround shall be provided.

- b. Staff Comments/Recommendations:** If the City of Boise approves the private road, the applicant shall be required to pave the private roadway a minimum of 20 to 24-feet wide and at least 30-feet into the site beyond the edge of pavement of all public streets and install pavement tapers with 15-foot curb radii abutting the existing roadway edge. If private roads are not approved by the City of Boise, the applicant will be required to revise and resubmit the preliminary plat to provide public standard local streets in these locations.

Street name and stop signs are required for the private road. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.

ACHD does not make any assurances that the private road, which is a part of this application, will be accepted as a public road if such a request is made in the future. Substantial redesign and reconstruction costs may be necessary in order to qualify this road for public ownership and maintenance.

The following requirements must be met if the applicant wishes to dedicate the roadway to ACHD:

- Dedicate a minimum of 50-feet of right-of-way for the road.
- Construct the roadway to the minimum ACHD requirements.
- Construct a stub street to the surrounding parcels.

#### 4. Tree Planters

**Tree Planter Policy:** Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

#### 5. Landscaping

**Landscaping Policy:** A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

#### 6. Other Access

Warm Springs Avenue is classified as minor arterial roadway. Other than the access specifically approved with this application, direct lot access is prohibited to this roadway and should be noted on the final plat.

### D. Site Specific Conditions of Approval

1. Construct a 5-foot wide detached concrete sidewalk on Warm Springs Avenue, located a minimum of 31-feet from centerline; and provide a sidewalk easement for sidewalk that is constructed outside of the public right-of-way.
2. Construct a 24 to 30-foot wide driveway/private road on Warm Springs Avenue located in alignment with Sky Bar Street. Pave the driveway/private road its full width and at least 30-feet into the site with pavement tapers. Street name and stop signs are required for the private road. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.

3. Construct a 20 to 24-foot wide driveway on Warm Springs Avenue located 170-feet north of Highland Valley Road. Pave the driveway its full width and at least 30-feet into the site with pavement tapers.
4. Construct a 20-foot wide emergency access on Warm Springs Avenue located 75-feet south of the north property line. Pave the driveway its full width and at least 30-feet into the site with pavement tapers. Coordinate the location and installation of bollards with the Boise Fire Department.
5. Payment of impacts fees are due prior to issuance of a building permit.
6. Comply with all Standard Conditions of Approval.

## **E. Standard Conditions of Approval**

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.



12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

## **F. Conclusions of Law**

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

## **G. Attachments**

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Appeal Guidelines



CENTRAL DISTRICT HEALTH DEPARTMENT  
Environmental Health Division

Return to:

- ☐ ACZ  
☒ Boise  
☐ Eagle  
☐ Garden City  
☐ Kuna  
☐ Meridian  
☐ Star

Rezone # Sub 16-00006

Conditional Use # \_\_\_\_\_

Preliminary / Final / Short Plat \_\_\_\_\_

Ben's Crew Inn

- ☐ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:  
☐ high seasonal ground water ☐ waste flow characteristics  
☐ bedrock from original grade ☐ other \_\_\_\_\_
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☒ 8. After written approval from appropriate entities are submitted, we can approve this proposal for:  
☒ central sewage ☐ community sewage system ☐ community water well  
☐ interim sewage ☒ central water  
☐ individual sewage ☐ individual water
- ☒ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:  
☒ central sewage ☐ community sewage system ☐ community water  
☐ sewage dry lines ☒ central water
- ☐ 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 12. We will require plans be submitted for a plan review for any:  
☐ food establishment ☐ swimming pools or spas ☐ child care center  
☐ beverage establishment ☐ grocery store
- ☐ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

RECEIVED

☐ 14. \_\_\_\_\_

MAR 03 2016

Reviewed By: \_\_\_\_\_

Date: 2/26/16

DEVELOPMENT  
SERVICES



# CITY OF BOISE

## INTER-DEPARTMENT CORRESPONDENCE

**Date:** February 25, 2016

**To:** Planning and Development Services

**From:** Jason Taylor, P.E., Staff Engineer  
Public Works

**Subject:** SUB 16-00006, PUD16-00005, CFH16-00009; BCI Subdivision  
Grading & Drainage, Hillside, & Misc. Engineering Comments

### **1. STANDARD GRADING AND DRAINAGE CONDITIONS**

- 1) Subdivision drainage shall be in accordance to B.C.C. 11-09-04-05. The developer shall submit a letter from the appropriate drainage entity approving the drainage system or accepting the drainage there from. A copy of the construction drawing(s) depicting all site drainage improvements shall be submitted with the letter.
  - a. Developer may either construct improvement prior to final platting or post bond in the amount of 110% of the estimated construction costs. Estimated construction costs shall be provided by the developer's engineer.
  - b. For drainage facilities located outside of the public right-of-way, the developer shall dedicate a storm drainage easement. Said easement shall be labeled as either an Ada County Highway District storm drainage easement or a homeowners' association storm drainage easement, depending on what entity will assume responsibility for the operation and maintenance of the storm drainage system.
  - c. If the homeowners' association is to be responsible for the operation and maintenance of the storm drainage facilities, the covenants, homeowners' association by-laws or other similar deed restrictions shall be reviewed and approved by the Boise City Attorney.
- 2) If fills greater than one foot in depth are to be placed in subdivision lots inside of building envelopes, as defined by the applicable subdivision building setbacks, the Developer shall obtain a grading permit from the Boise City Building Department (Commercial Rough Grading Permit). Grading permit must be acquired prior to the start of construction or final plat signature by the Boise City Engineer, whichever comes first.

## Special Conditions:

### 2. STANDARD HILLSIDE CONDITIONS

- 1) Developer will comply with all requirements of Boise City Code Sections. 11-07-08 through 11-07-09 (Hillside and Foothill areas) or submit evidence satisfactory to the Boise City Engineer that the proposed development is exempt from the requirements therein stated due to location, topography and/or the absence of adverse conditions associated with slope stability, ground water, erosion and sedimentation.
  - a. The project engineer shall submit a summary report describing the incorporation of the recommendations of the various final reports into the design and said summary report shall accompany the final reports.
  - b. Developer and/or owner shall post bond/agreement in the amount of 110% of the estimated costs on each of the following items pertaining to its particular plan: Grading, Filling, Erosion Control, Drainage, Revegetation and related work. This bonding shall be provided prior to the start of any site work or signing of the final plat by the Boise City Engineer.
    - i. Additionally this bond shall remain in effect until such time as, in the opinion of the City Engineer, the grading is complete, the revegetation is established and the susceptibility for erosion on the site has been reduced to a tolerable level.
    - ii. The portion of the bond for revegetation and erosion control shall remain in effect through at least two growing seasons (spring and fall). If, in the opinion of the City Engineer, vegetation has not become established prior to the last growing season, the Developer and/or Owner shall do additional revegetation work as recommended by the developer's Landscape Architect and approved by the City Engineer. The City Engineer may also require extension of this portion of the bond until such time that at vegetation has become established and hence long term erosion control has been provided.
  - c. All protective covenants required under Boise City Code Section 11-07-08.F shall be reviewed and approved by the Boise City Attorney prior to signing of the final plat by the Boise City Engineer.
  - d. **All filing fees and costs required to be paid per Boise City Code prior to the signing of the final plat by the Boise City Engineer.**
- 2) Place the following note on the face of the final plat:



- e. “Individual lot development (Lots 1 & 14-25) shall comply with the Boise City Hillside and Foothills Areas Development Ordinance (B.C.C. 11-07-08 through 11-07-09), International Building Code Chapter 18 and Appendix J as modified by Boise City Code Chapter 4-02”

### **3. MISC. ENGINEERING CONDITIONS**

- 1) A portion of the property is within the floodplain. Comply with Boise Floodplain Ordinance (B.C.C. 11-08).

### **4. PRIVATE STREET CONDITIONS**

- 1) The following private street requirements must be met in an acceptable format:
  - a. Convey to those lot owners taking access from the private street, the perpetual right of ingress and egress over the described private street, and
  - b. Provide that such perpetual easement shall run with the land, and
  - c. Provide each lot owner taking access from the private street, undivided interest within the private street.
- 2) A restrictive covenant for maintenance and reconstruction shall be recorded at the time of recording the plat which covenant, (a) creates the formation of a homeowners association for the perpetual requirement for the maintenance/reconstruction of the private street, and private street signs and (b) provides that said covenant shall run with the land, and (c) provides that the homeowners association shall not be dissolved without the express consent of Boise City.
- 3) Said easement and covenant to be reviewed and approved by the Boise City Attorney (B.C.C. 9-20-7.E.2.q & 9-20-7.E.2.r).
- 4) Private street widths shall be in conformance with B.C.C. 11-09-03.5. or as allowed via B.C.C. 11-09-05. All private streets, base and pavement, shall be constructed to the same construction specifications required for public streets. Contact the Ada County Highway District (ACHD) for public street construction requirements (B.C.C. 11-09-03.5.B.).
  - a. Certification of construction to ACHD specifications is required from an independent testing laboratory or a consulting engineer, including test results for the verification of construction (B.C.C. 11-09-03-05.B.(2)(e)).

- i. If it is an existing private street, verification of acceptable construction of the existing private street, including acceptability for use of emergency vehicles (including fire trucks and ambulances), is required from an independent testing laboratory or a registered Professional Engineer.
- b. Sidewalks are required on both sides of the private street (or in compliance with the sidewalk plan approved with the conditional use) unless specifically waived by the Boise City Council.
- c. Private street signs shall be installed in the same manner as public street signs (see requirements of ACHD).
- d. The developer shall pay the current drainage review and inspection fees on the proposed subdivision (B.C.C. 11-03-03.3.B.).
- e. Drainage facilities for the private street shall comply with Boise City's Storm Water Management and Discharge Control Ordinance (B.C.C. 8-15). Plans shall be approved and construction inspected by Boise City Public Works.
  - i. Developer and/or owner may either construct prior to final platting or post bond/agreement in the amount of 110% of the estimated costs, including certification (B.C.C. 11-09-04.2., Filing of Plans and Bonding Surety).

**Special Conditions:**

If you have any further questions please contact Jason Taylor at 384-3946 or [jtaylor@cityofboise.org](mailto:jtaylor@cityofboise.org).





**Dennis Doan**  
Chief

**City Hall West**  
333 N. Mark Stall Place  
Boise, Idaho 83704-0644

**Phone**  
208/570-6500

**Fax**  
208/570-6586

**TDD/TTY**  
800/377-3529

**Web**  
[www.cityofboise.org/fire](http://www.cityofboise.org/fire)



**Mayor**  
David H. Bieter

**City Council**  
**President**  
Maryanne Jordan

**Council Pro Tem**  
David Eberle

Elaine Clegg  
Lauren McLean  
TJ Thomson  
Ben Quintana

## Fire Department

March 10, 2016

Cody Riddle  
PDS – Current Planning

Re: Planned Unit Development, 24 buildable lots and one common lot on 4.19 acres - PUD16-00005; 6781 E Warm Springs Ave

Dear Cody,

This is a request for a Planned Unit Development with 24 residential dwellings on 4.2 acres.

The Boise Fire Department has reviewed and can approve the application subject to compliance with all of the following code requirements and conditions of approval. Any deviation from this plan is subject to Fire Department approval. Please note that unless stated otherwise, this memo represents the requirements of the International Fire Code (IFC) as adopted and amended by Ordinance 6308.

### Comments:

1. This proposed subdivision is located within Wildland-Urban Interface Zone B. Lots 1-22 are considered Zone B perimeter lots. Zone B perimeter lots shall be provided with a 30 ft. defensible space to undeveloped land. Compliance with Boise City Code Section 7-01-69 is required for all structures within this subdivision.
2. A wildfire safety plan is required for this subdivision. A plan shall be submitted and approved prior to approval of the final plat.
3. Fire hydrants, capable of producing the required fire flows shall be located in accordance with the IFC. Move the proposed fire hydrants from the private drive to Warm Springs Road at each of the three subdivision entrances.
4. The emergency access entrance has breakaway bollards. The bollards are located to make this area too small to use as a turnaround for emergency vehicles. A fully compliant turnaround shall be provided at this location or the secondary access shall be unrestricted. (IFC Appendix D)
5. Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1)
6. Monument signage for addressing will be required at the entrance and at all intersections within the project. (IFC 505.1)
7. For streets having a width less than 29 feet, back of curb to back of curb parking shall be restricted on both sides. Parking shall be restricted on all sides of turn-arounds and cul-de-sacs. A note on the face of the final plat is required noting the parking restriction prior to signing of the final plat by the Boise City Engineer. In addition, No Parking signs shall be installed in accordance with the requirements of the IFC.

### General Requirement:

Fire Department required fire hydrants, access, and street identification shall be installed prior to construction or storage of combustible materials on site. Provisions may be made for temporary access and identification measures.

Specific building construction requirements of the International Building Code, International Fire Code and Boise City Code will apply. However, these provisions are best addressed by a licensed Architect at time of building permit application.

Regards,

Ron L. Johnson  
Division Chief – Assistant Fire Marshal  
Boise Fire Department





**IDAHO DEPARTMENT OF FISH AND GAME**

SOUTHWEST REGION  
3101 South Powerline Road  
Nampa, Idaho 83686

C.L. "Butch" Otter / Governor  
Virgil Moore / Director

March 24, 2016

City of Boise Planning and Development Services  
150 N. Capital Boulevard  
P.O. Box 500  
Boise, ID 83701  
[PDSTransmittals@cityofboise.org](mailto:PDSTransmittals@cityofboise.org)

**RE: DevCo LLC, annexation & rezone application, Case # CAR16-00002 & PUD16-00005**

The Idaho Department of Fish and Game (Department) has reviewed the Annexation and Rezone Application and the Planned Unit Development for the proposed Ben's Crow Inn Subdivision located at 6781 East Warm Springs Avenue. This application requests an annexation of the property into Boise City and a development agreement to build a 24 lot single family subdivision, with R-2 and R-1B zoning. The development will occupy approximately 4.19 acres of land, and is currently surrounded by vacant, residential and open land. The Department's Boise River Wildlife Management Area (BRWMA) is approximately 0.30 miles east of the proposed subdivision.

The purpose of these comments is to assist the decision-making authority by providing technical information addressing potential effects to fish, wildlife, and habitats and how any adverse effects might be mitigated. It is not the purpose of the Department to support or oppose this proposal. Resident species of fish and wildlife are property of all Idaho citizens, and the Department and the Idaho Fish and Game Commission are expressly charged with statutory responsibility to preserve, protect, perpetuate and manage all fish and wildlife in Idaho (Idaho Code 36-103(a)). In fulfillment of our statutory charge and direction as provided by the Idaho Legislature, Department staff met with the developer for this project on Monday, March 11, 2016, to discuss our concerns and offer suggestions about the plan. These included, but were not limited to, construction and placement of fences and utilization deer resistant landscaping. The developer was provided with the Department's "Standard Recommendation for Development" as well. Additionally, we offer the following comments and suggestions.

The BRWMA and surrounding lands provide critical winter habitat to large populations of migratory mule deer during the winter and early spring months. During this time, mule deer regularly move between the foothills and the Boise River to satisfy certain habitat needs. In addition, the area provides habitat for resident mule deer. The Department strongly believes that an increase in development along Warm Springs Avenue will have an adverse cumulative impact on local wildlife. One impact identified by the Department is the diminishing connectivity between the BRWMA and the riparian and river floodplain habitat along the Boise River. Permanent conversion

of habitat to residential use will likely have a measurable effect on big game in the region. Cumulatively, these developments could act as a barrier keeping big game and other wildlife from moving to and from the Boise River corridor. Due to the habitat connectivity it provides and its close proximity to the BRWMA, the area surrounding the proposed Crow's Inn subdivision has been identified as a key wildlife migration corridor (Harris Ranch Wildlife Impact Assessment and Mitigation Plan, 2006).

The Department analyzes and assesses each development proposal on a case by case basis. For this specific project (# CAR16-00002), it has been determined that the design layout contains fencing heights and a secondary wildlife corridor\* that will provide permeability through the subdivision. A primary wildlife corridor\* is located north of the project area, therefore no additional wildlife corridors will be requested for this subdivision.

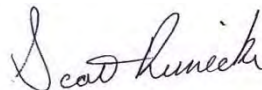
Finally, the Department recommends that future residents of the proposed subdivision be educated about the wildlife amenities they have nearby and the sensitivity of those wildlife to human disturbance. The Department refers to the Department publication Home Builders and Owners Guide to Living with Wildlife, available here:

<http://idahodocs.contentdm.oclc.org/cdm/compoundobject/collection/p15100coll7/id/2733/rec/10>.

We would ask that this information be provided to the developer and in turn to potential residents.

Thank you for the opportunity to comment. Please contact Rick Ward in the Southwest Region office at (208)475-2763, [rick.ward@idfg.idaho.gov](mailto:rick.ward@idfg.idaho.gov), or Krista Muller at the Boise River Wildlife Management Area at (208)334-2115, [krista.muller@idfg.idaho.gov](mailto:krista.muller@idfg.idaho.gov) if you have any questions.

Sincerely,



Scott Reinecker  
Southwest Regional Supervisor

\* Primary Wildlife Corridor: An area used by a wide variety of wildlife species that are more wary of human activities and less inclined to venture close to settled areas (e.g., migrating mule deer). Primary corridors connect large contiguous habitats and wildlife populations. In addition, the vegetation characteristics in these areas meet security and thermal cover requirements and may provide limited foraging opportunity.

\* Secondary Wildlife Corridor: The Department expects some deer to enter the subdivisions by street access. Therefore, we recommend that at least one secondary wildlife corridor be incorporated into each development plan. These corridors consist of an entrance and an exit for wildlife trapped within the subdivision. They not only allow permeability through the subdivision, but also provide additional connectivity to large contiguous habitats. Entrance and exit points could be designed to accommodate pedestrians as well, but must follow IDFG fencing recommendations.

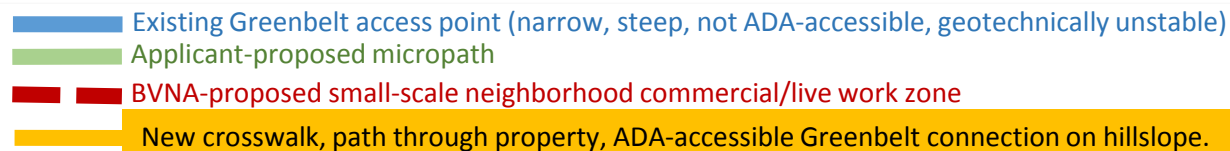
SR/km/rw

ecc: Kiefer/ HQ

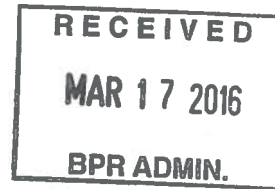
cc: Gold file

*Keeping Idaho's Wildlife Heritage*

- Eliminate applicant-proposed micropath (green). Construct full, Greenbelt-width pathway (yellow) to align with proposed crosswalk from Sky Bar to new Private Drive. Construct temporary access (brown) to current Greenbelt access point (blue).
- Design neighborhood commercial live/work zone (red outline area) with limited parking (for commercial use), and a concrete seating area (at Greenbelt access).
- Collaborate with the County to create an easement/transfer and maintenance agreement for the new Greenbelt access through the applicant's property. County would work with adjacent owner for easement and design of the Greenbelt access on the slope, and incorporate into current Greenbelt engineering redesign.
- Eliminate old access (blue) and temporary path (brown) when new path is constructed on the slope during Greenbelt reconstruction (yellow).







Boise City Parks Department      March 7, 2016

River to Ridges Trail Program

1104 Royal Blvd

Boise, Idaho 83706

Re: Access to Green Belt @ Ben's Crow Inn

Ladies and Gentlemen,

There are development plans for the commercial Property on Warms Springs Ave.  
now known as Ben's Crow Inn.

I've attached a copy of the plat submitted to Boise City Project Development  
Services.

I've also enclosed a photograph showing the state of the access at this location.  
Unfortunately, the tree roots have destroyed the asphalt surface making it un-ride  
able.

Is there some way this path can be repaired. Unfortunately, the path is apparently  
not on a perfected easement. The question is who owns the property. The plat  
shows a Brant Petersen as the owner of this thin sliver of property. I'm sure based  
on the damage caused by the tree roots that the construction of this path pre-dates  
his ownership.

I use this path and would like to see it repaired. Is this something you could look  
into for me? Perhaps some service group would take it on as a project or City parks  
and recreation crew could initiate repairs.

Jack Snyder

A handwritten signature in black ink that reads "Jack Snyder".

2566 East Plateau Drive

Boise, Idaho 83712











6706 Glacier Drive  
Boise, ID 83716  
March 31, 2016

Planning & Zoning Commission  
Boise City  
150 Capitol Blvd.  
Boise, ID

Re: SUB16-00006 & PUD16-00005  
Ben's Crow Inn Development

Commissioners:

My concerns set forth in this letter are regarding the conversion of the Ben's Crow Inn commercially zoned property to residential zoning, and the development of high density housing on this land.

As a 15 year resident of Barber Valley I have seen it explode from a rural backwater into an upscale, high end housing development. I have been involved in most of the meetings and hearings about Harris Ranch, River Heights, Barber Station, SP01, SP02, and all the other developments. We are just about out of land here in the Valley, but there is no need for high density housing with serious environmental and social effects. Such high density housing is more appropriate for the inner City.

### **The Housing Style of the Development**

It is obvious that an almost solid wall of 3 story houses will not provide a pleasant experience to Greenbelt users. There is no similar condition along the full length of the Greenbelt. Even in the midst of the City there is open space next to the Greenbelt and any large buildings are set back from the path by many feet. In the current situation, the 3 story houses would be on top of a 10 foot high cliff, adding an even more overwhelming and threatening atmosphere. It would definitely be a very negative experience for the bikers and walkers on the Greenbelt.

This 50 foot high wall would be even taller and more depressing than Donald Trump's Mexican wall.

The lot configuration is bizarre at best. The internal private access road divides the lots into two smaller lots. What is to be done with that throw-away area to the NE? It appear to be unusable for outbuildings, parking, or children play areas. With setbacks and easements considered, a multi story house is required to get reasonable living space (2000 SQ FT) on the buildable 4000 sq ft lot. Calling this a 6000 sq. ft. lot is a serious misrepresentation. The 4000 sq. ft. buildable area is far less than the minimum 5000 and 5500 sq. ft. areas called for in R-2 and PUD Standards. There will be minimum area available for outdoor living space, such as vehicle parking, children's play area, pet run, BBQ area, etc. Such a super crowded condition is not compatible with the architectural scheme of the Barber Valley. This is more like crowded inner city apartment or condominium development. This "rabbit hutch, breeding pen" style of housing is not consistent with the values of Barber Valley. Furthermore, it is doubtful that the 3 story houses can meet the 35 foot maximum height requirement.

The Greenbelt is non-renewable and non-replaceable positive asset to the Boise area, and the Barber Valley in particular. The wildlife, scenery, and peace of the area are enjoyed by thousands of walkers, runners, and bicyclists who escape from the urban setting to this semi-wilderness place. It would be a

great disservice to the Greenbelt users to destroy their experience with a poorly designed high density housing project

My recommendation is to establish minimum 50 ft. lot widths with 10 ft. setbacks and to allow only two story houses. There should be a minimum 30 ft. setback from the western property line to avoid negative impact on the Greenbelt.

Additionally, there should be landscaping with plant and trees on the west side of the lots to screen the houses from view on the Greenbelt.

### **Commercial Venue**

One commendable feature of the Barber Valley Plan is the inclusion of mixed use areas where business and residence are closely integrated. This concept is intended to reduce vehicle traffic and promote a sense of “neighborhood”. Such areas are already included in SP01 and SP02 development. The developer would be in keeping with this theme and greatly enhancing the neighborhood by keeping a portion of the development in Commercial zoning.

It is absolutely necessary to have some form of commercial gathering/entertainment/eating/social center to serve the interests of the Barber Valley, particularly the east end residents and Greenbelt traffic. The central valley has Lucky 13 as their focal point, and the west end heads toward Bown Crossing. The east end should not be left unserved with no facility. The Crow Inn has been a favorite stopping and eating spot for thousands of Treasure Valley residents on their way to Lucky Peak or Idaho City. Ben has been very generous in allowing neighborhood groups to have meetings there. The popularity of Ben’s through the years is proof that there has been a demand, which will only increase with the increased population in the neighborhood.

If such a center is located in the subject property, it will be within walkable distance from residents in River Heights, Riverland Terrace, East Valley, and Highland Valley Road. It will thus increase trip capture and serve to reduce driving and air pollution. The center would be an attractive selling point for all houses in the east end of Barber Valley.

I ask that a portion of the subject property be kept as Commercial zoned in order to allow a business enterprise to serve the east end of Barber Valley and the Greenbelt.

### **Greenbelt Access**

Currently, there is access from Warm Springs Avenue to the Greenbelt through the Crow Inn parking lot and down a path over the Penitentiary Canal.

This is the only public access point to the Greenbelt for a great distance in either direction. It is essential that this access remain open. The Developer has indicated an access path through the housing and connecting to the existing access path. This steep descending path is very rough because of tree roots, and is not handicapped accessible. Ada County Parks and Waterways is currently developing a plan for reconstructing the Greenbelt to Diversion Dam, and such a plan could include a handicapped accessible path down from the BCI property to the Greenbelt. The Developer should coordinate with Ada County Parks and Waterways to incorporate an access path that would serve the needs of the entire community.

This Greenbelt access will serve the east end community by allowing an easy access point for students on their way to East Jr. High, and for commuters using bicycles to ride to work.



Now there is Greenbelt access and parking on the private property of Ben's Crow Inn. For the most part the hours of Greenbelt usage and bar patronage are different and there is rarely parking conflict. Greenbelt users do not often exceed 10 cars in the lot, whereas there may be up to 20 cars and motorcycles for the bar.

If the Greenbelt access and commercial venture are to remain viable, there must be adequate vehicle parking for the patrons. I would suggest a car lot immediately adjacent to the Greenbelt access and commercial venue. City Building Code may call for the number of parking spaces. What is parking requirement at Ridge to Rivers trailheads?

When bus service is extended to the east end of the Valley there should be a bus stop at the Greenbelt access point.

I ask that the Developer coordinate with Ada County Parks and Waterways to incorporate a Greenbelt access path that would serve the needs of the entire community.

### **Amenities**

There is no designated community facility (clubhouse, meeting room, swimming pool, recreation facility, or children's play area). Failure to have these facilities on site means that the residents must drive out of the area, thus negating any trip capture credit. Although East Valley does have a children's play lot, it is not easily walkable from this development. Facilities for children's development and walkable access to school should be made a primary concern.

Amenities for adults and children will make this development more desirable and salable.

I ask that the Developer provide the amenities discussed above on the site, or that they provide a safe and walkable path to those in the East Valley subdivision.

### **Warm Springs Avenue Crossing**

There will be children and adults on both sides of Warm Springs Avenue wishing to cross the street for various reasons. Many will cross to get access to and from the Greenbelt and Boise River. Others will need to go to and from work or school. All need a safe passage across Warm Springs Avenue. Now that ACHD has designated this street as a 2 or 3 lane road, such a crossing is more feasible.

Establishment of a street crossing is a responsibility of ACHD, not the Developer. However, because the Developer is the same on both sides of the street, he can make the crossing entrance and exit on both sides of the street line up.

I ask that the Developer work closely with ACHD to install a safe crosswalk, complete with signs and/or signals, to connect the east and west sides of Warm Springs Avenue.

### **Warm Springs Avenue Sidewalk**

The Developer has suggested installing a 1326 foot long paved sidewalk along the western side of Warm Springs Avenue. There is no connecting sidewalk on either ends of this sidewalk, and property at both ends is in Ada County. It is a "Sidewalk to Nowhere", connecting no residences or Greenbelt

portions. ACHD is now planning to upgrade WSA to 2 or 3 lanes and the configuration has not been established yet. The money spent on this sidewalk project would be better applied to constructing a connecting sidewalk on the east side of WSA from the East Valley development to the River Heights development north of Riverland Terrace. Such a sidewalk would then complete the sidewalk system and offer safe pedestrian and bicycle access from the Crow Inn and East Valley developments to East Jr. High, Shakespeare Festival, Lucky 13, and other school and commercial venues.

I ask that the Developer coordinate with ACHD to construct this alternative sidewalk.

Thank you very much for your consideration of my concerns.

Pete White