



Planning & Development Services

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3 a, b, & c

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Susan Riggs, Associate Planner

DATE: April 8, 2016

RE: Late Correspondence for Item 3, Ben's Crow Inn
PUD16-00005, CAR16-00002 & SUB16-00006

The following includes the following

- The applicant's letter of intent which was not included in the project report.
- Late correspondence from Ada County Parks and Recreation.
- Late correspondence from the Barber Valley Neighborhood Association, petitions and letters from neighbors.



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.

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

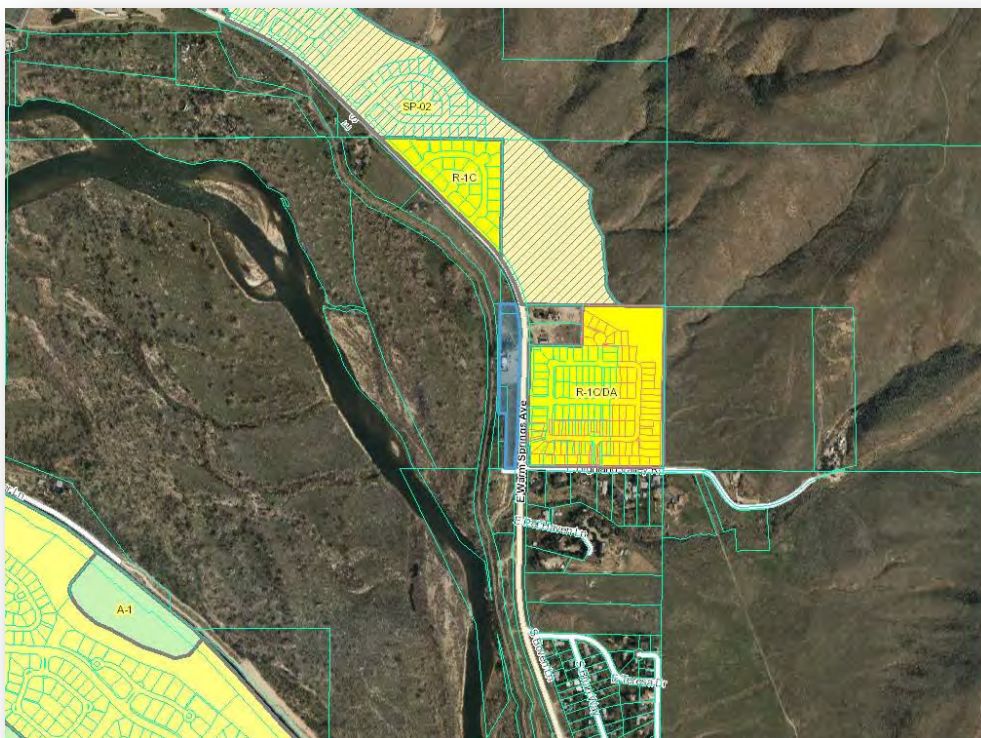


Adjacent Property Information

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:

Housing Product	Square Footage	Stories	Bedrooms
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
Average Lot Width	75 feet	50 feet	40 feet
Density, Maximum	4.8 units/acre	14.5 units/acre	5.74 units/acre
Front Yard	20 feet	20 feet	20 feet
Side Yard	10 to 15 feet	5 to 15 feet	5 feet
Rear Yard	30 feet	15 feet	15 feet
Lot Area	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 viewed 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

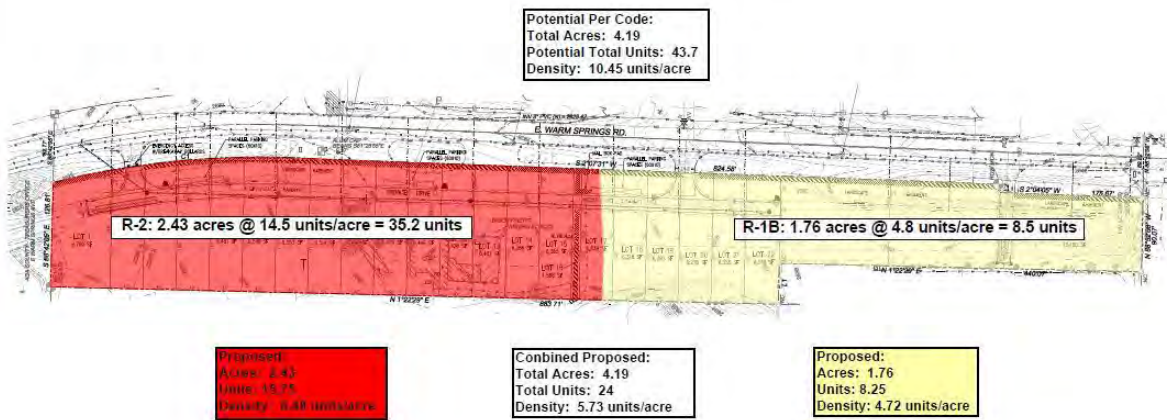




Exhibit 2





Exhibit 3

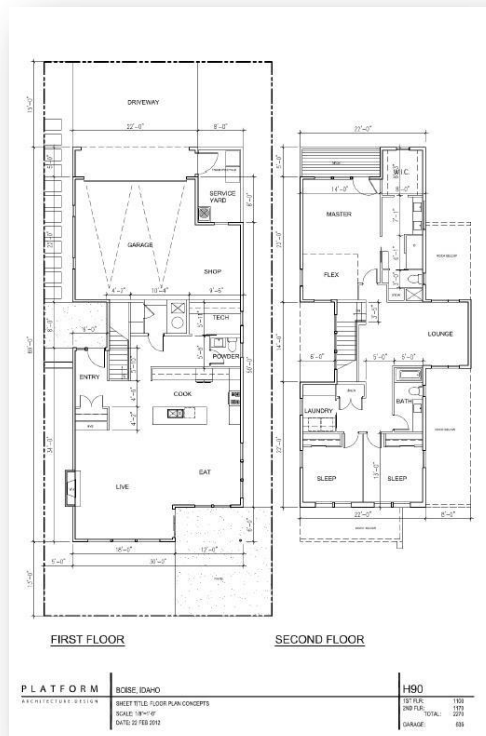




Exhibit 4

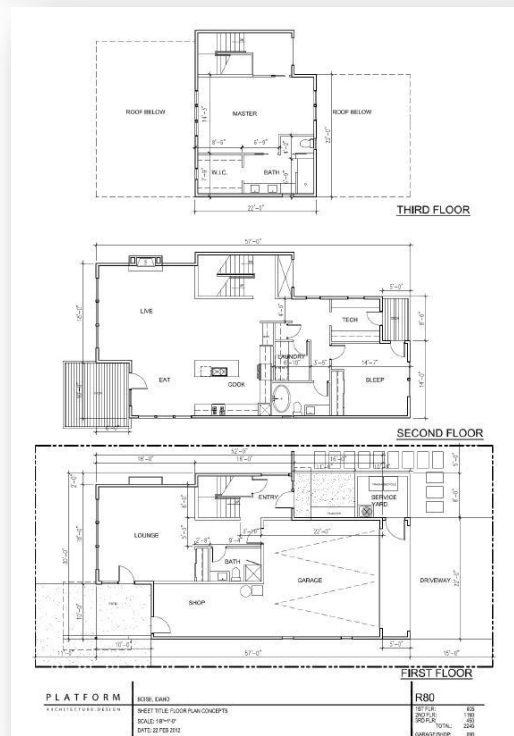




Exhibit 5

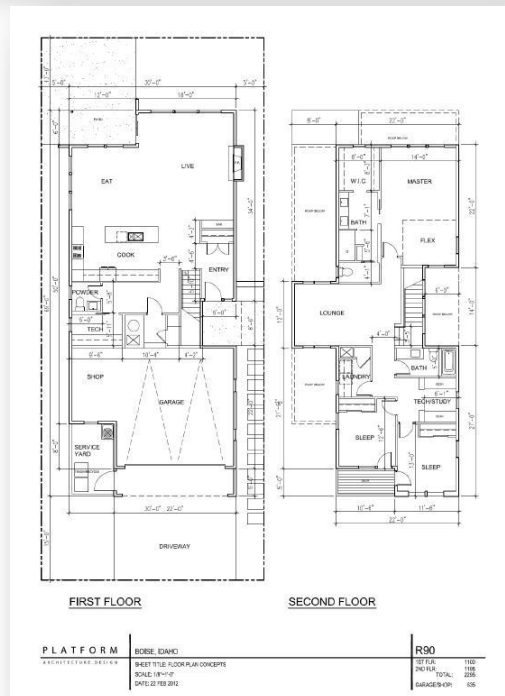




Exhibit 6

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

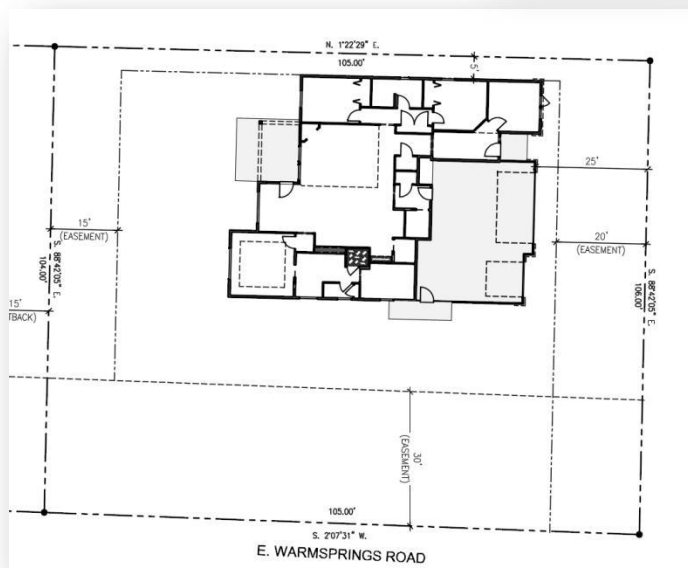
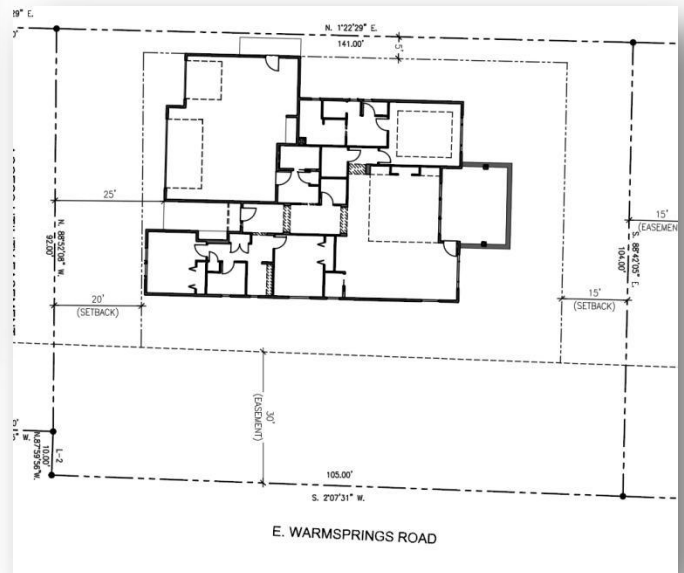
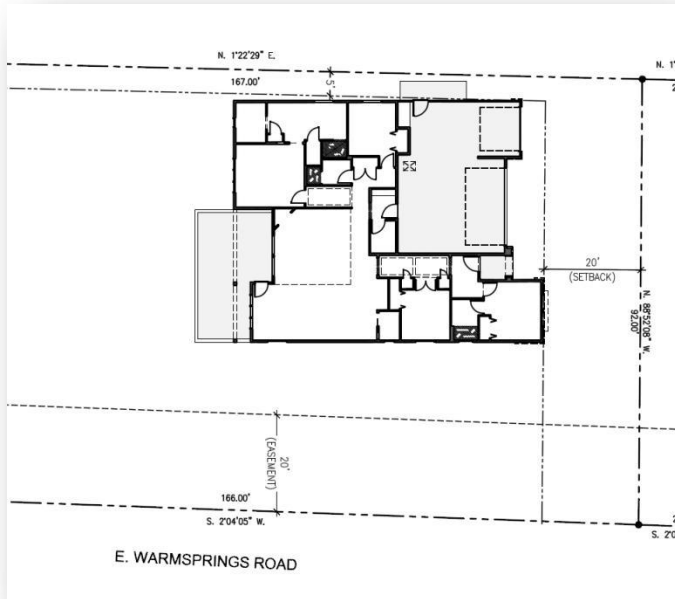




Exhibit 10





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.

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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.

Sincerely,

Jim D. Conger
Managing Member

JDC:ml

RECEIVED

FEB 22 2016

SUBDIVISIONS

CAR 16-00002



ADA COUNTY

4049 Eckert Road
Boise, Idaho 83716-884
Phone (208) 577-4575
Fax (208) 577-4579

April 5, 2016

Boise City Planning and Zoning Commission
Boise City Hall
150 North Capitol Boulevard
P.O. Box 500
Boise, ID 83701-0500

RE: CAR16-002, PUD16-00005, and SUB16-00006 at 6781 East Warm Springs Avenue, Boise, Idaho

Dear Commissioners,

Thank you for considering our comments on the above-referenced application. The Ada County Parks, Open Space and Trails Advisory Board, whose members are appointed by the Ada County Commissioners, seeks to assure that all Ada County residents have access to a variety of recreational opportunities throughout the County to improve our community's health and well-being. We advise the Ada County Commissioners on actions that can strengthen connectivity and multiple-use opportunities across the county, in collaboration with cities, Ridge to Rivers, and many other organizations.

We write today to support the continuation of public access to the Greenbelt pathway through the property proposed for development, and to inform you of the steps that the Ada County Parks and Waterways Department is taking to accommodate population growth and improve safety throughout the Greenbelt pathway system through the Barber Valley. Our vision at the subject site is for an ADA-accessible access pathway connecting to the Greenbelt pathway in the vicinity of the existing connection below Ben's Crow Inn. We recommend a condition of approval to maintain a path through the parcel to provide safe and consistent connection to the Greenbelt.

The County's Parks and Waterways Department manages the Greenbelt from Eckert Road to Discovery State Park at Lucky Peak Dam. The Department has been adding bollards and improving striping throughout this area as it has redeveloped; this work is ongoing. Since population is expanding rapidly in this area, these actions are critical for improving safety by providing visual clues about how pedestrians and cyclists should travel.

Where the Greenbelt is located on the banks of the Penitentiary Canal (behind the subject parcel), the US Bureau of Reclamation owns the property, and the County maintains the Greenbelt through an agreement. The County is currently overseeing an engineering re-design of this segment, which will include encasing the canal in a pipe and reconstructing the Greenbelt to more safely accommodate users and increase pathway width. If funding becomes available, the County anticipates construction of the new Greenbelt might begin as early as the fall of 2017. As the County develops these plans, staff intends to work collaboratively with all property owners to advance a positive outcome for landowners and the public.

Thank you for your consideration of our comments. As a Board, we are keenly interested in maintaining this access point and advocating for frequent, walkable access points as the south side of Warm Springs Avenue redevelops.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Cook". The signature is fluid and cursive, with the first name "Chris" and last name "Cook" clearly distinguishable.

Chris Cook, Chairman

Ada County Parks, Open Space and Trails Advisory Board

CC:

Board of Ada County Commissioners

Scott Koberg, Director, Ada County Parks and Waterways Department

Meg Leatherman, Director, Ada County Development Services

April 7, 2016

Ben's Crow Inn
6781 E. Warm Springs Ave.
Boise, Idaho 83716

Planning and Zoning Commission
City of Boise
PO Box 500
Boise, Idaho 83701-0500

RE: Ben's Crow Inn

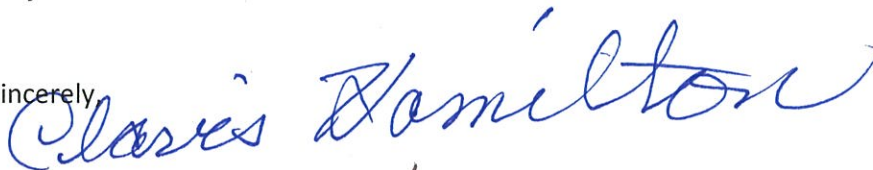
Dear Commissioners:

We write this letter in support of the application submitted by DevCo LLC for the development of the Ben's Crow Inn property. We have owned and operated Ben's Crow Inn for over 40 years and after careful consideration made the decision that it is time to retire and sell the property. We appreciate the people's patronage of Ben's Crow Inn for all these years and their ongoing support during this transition process.

After many long months in 2015 of our business (retirement plan) being for sale with no real offers; we selected a buyer in January 2016 that would develop the property into homes and we feel this is best for the area. After attempting to sell the business, we decided that DevCo's offer to buy the land was the highest and best use for our property and certainly the best for our retirement plans. We are longtime residents of the Barber Valley area and live less than 300 feet from this land. We are both excited to see the location develop into homes for families to enjoy for many generations.

We appreciate the City of Boise utilizing the Comprehensive Plan and City Ordinances to support this project.

Sincerely,



Connie & Ben Hamilton





BVNABoise@gmail.com

April 5, 2016

P&Z Commissioners
City of Boise Planning and Development Services
150 N. Capitol Blvd
Boise, ID 83702

RE: Ben's Crow Inn PUD16-00005, SUB16-00006, CAR16-00002

Dear Commissioners,

The Barber Valley Neighborhood Association (BVNA) has been a dedicated partner with the City, County, and developers in jointly creating a vision for the Barber Valley that is walkable, safe, and supportive of active living and healthy lifestyles. At the same time, in the unique ecosystem where the foothills meet the river, we have worked hard to preserve space and mobility for wildlife and seek to be the first planned area development in the West to successfully integrate new urbanism and wildlife preservation. It is in this spirit and history of collaboration that we request the following:

Deny the subject application, in accordance with **PDP3.2: AOCI ANNEXATION AREAS** "*Annex lands within AOCI when it can be demonstrated that the proposed annexation is consistent with the goals and policies of the Comprehensive Plan.*" The proposed development does not yet fit with the overall vision for the valley and sets precedents that are incompatible with existing and planned development. In this letter, we provide reasons for denial in conformance with the Comprehensive Plan.

Should the Commission choose to approve, we provide concrete suggestions for improving the application by directing the applicant to create a new plat, in collaboration with adjacent property owners, Ada County Parks and Waterways (manager of the Greenbelt in this area), City Planning staff, and the neighborhood to create a development plan that is compatible and in alignment with the Comprehensive Plan.

We believe that the extent of changes recommended to bring this application into the overall vision is significant enough that denial or deferral and re-application will be necessary.

Part 1: Reasons for Denial – Comprehensive Plan

The proposed application is not harmonious with the following comprehensive plans goals:

Principle GDP-N.1: CONNECTIVITY "*Provide a continuous network of sidewalks, bicycle, and pedestrian paths, and roadways to connect different areas of neighborhood.*"

BV-C 2.3: TRAIL CONNECTIONS *“Connect Ridge to Rivers trails to each other and with the Greenbelt. Specific connections include the following: Provide a safe crossing across Warm Springs at two points: from Highland Valley Road to the Greenbelt; and from the Homestead Trail to the Greenbelt.”*

BV-C 1.2: WARM SPRINGS CORRIDOR PLAN *“Work with ACHD to implement a Warm Springs Corridor Plan to provide an attractive gateway with traffic calming measures, such as roundabouts. Pedestrian crossings and control of traffic speed are critical elements to be implemented.”*

Goal BV-PSF1: *“Continue to improve access to public facilities and services in the Barber Valley.”*

The proposed homes are not an attractive Boise gateway.

- The application does not make provisions for a pedestrian crosswalk at either Skybar St. or Highland Valley Road, for a connection to the Greenbelt, and denies current access.

BV-CNN 1.1: CONTEXT SENSITIVE DEVELOPMENT *“Design development to preserve wildlife habitat and connectivity, open space, and context-sensitive recreational opportunities.”*

- 21 two and three-story houses are not context sensitive. They create a wall adjacent to the Greenbelt bordering the Barber Pool Conservation Area, a treasured natural area.



Figure 1: Triplett Ranch - Side Elevations

- This style of building is more appropriate at the base of the foothills (as pictured) but is not compatible at a gateway location to Boise.
- There is not another row of homes like this in the Barber Valley. The proposed blocky, drab gray 21 units are not compatible with home-styles in the nearby east Barber neighborhoods – East Valley, Riverland Terraces, Highland Valley Road, Brian Subdivision, and Eastern River Heights. These homes are a mix of older and newer types, all featuring a variety of elevations and color schemes.



Figure 2: East Valley Front Elevations



Figure 3: 6883 Warm Springs (adjacent to Crows Inn)

BV-CNN 1.3: MULTI-JURISDICTIONAL COORDINATION *"Collaborate with Ada County and the Ada County Open Space Task Force regarding planning issues and development east of the AOCI and within the Barber Valley's geographic boundary."*

Has the applicant coordinated with Ada County regarding access to the Greenbelt and impact on the Penitentiary Canal?

Goal BV-CCN 3: Implement the adopted specific plans for Harris Ranch and Barber Valley
BV-CNN 3.1: PROPERTIES OUTSIDE OF THE HARRIS RANCH AND BARBER VALLEY SPECIFIC PLANS *“Use the adopted specific plans for Harris Ranch and Barber Valley as the policy basis for additional development in the Barber Valley.*

The Harris Ranch and Barber Valley specific plans visions are one of pedestrian- oriented public streets, plazas, greens, riverfront walks, and pathways. The streets are lined with and shaped by mixed-use, pedestrian-oriented buildings connected to encourage bike and pedestrian use with neighborhoods that are framed by architecture and landscape that celebrate the rich Barber Valley history. This application does none of the above and would remove a central East Valley commercial area and connection to the Greenbelt.

Although the proposed application is dense, it is not walkable (no interior sidewalks) and is disconnected from other parts of the neighborhood.

BV-C 1.2: WARM SPRINGS CORRIDOR PLAN *“Work with ACHD to implement a Warm Springs Corridor Plan to provide an attractive gateway with traffic calming measures, such as roundabouts. Pedestrian crossings and control of traffic speed are critical elements to be implemented.”*

The application does not make provisions for a pedestrian crosswalk at either Skybar St. or Highland Valley Road

A crosswalk should be required and taken through ACHD as part of this platting process

The application does not protect the Barber Valley’s commercial corridors in accordance with Blueprint Boise Chapter 3: Community Structure and Design.

Blueprint Boise prioritizes designated uses for a commercial area. Housing is secondary.

*“**Primary** – Convenience, neighborhood, community and regional shopping center, hotels/motels, car sales, restaurants, entertainment and similar uses*

***Secondary** – Housing, offices, entertainment, and other complementary uses are encouraged as ancillary uses within commercial projects; however, developments seeking to incorporate a mix of uses are encouraged to seek a general mixed-use designation.”*

From a 20,000-foot-high land use perspective, the application is not congruent with preserving the commercial designation that is intended to provide opportunities for retail and commercial services. The revitalization of established commercial areas is encouraged to promote economic vitality and a more pedestrian and transit-friendly pattern of development.

We do not want to lose the East Barber Valley’s commercial center which functions as a Community Activity Center. For the last 47 years, Ben’s Crow Inn has operated at the site and is the community activity center for five area neighborhoods: Riverland Terraces, Brian Subdivision, Pet Haven, East Valley and the eastern phase of River Heights. People and families meet and socialize here; neighborhood

association meetings and seasonal parties are held here. With the new East Valley and River Heights developments adding over 250 new East Valley homes, it is apparent that Blueprint Boise would today classify the commercial area as a Community Activity Center, as are two other East Valley commercial areas as shown below.

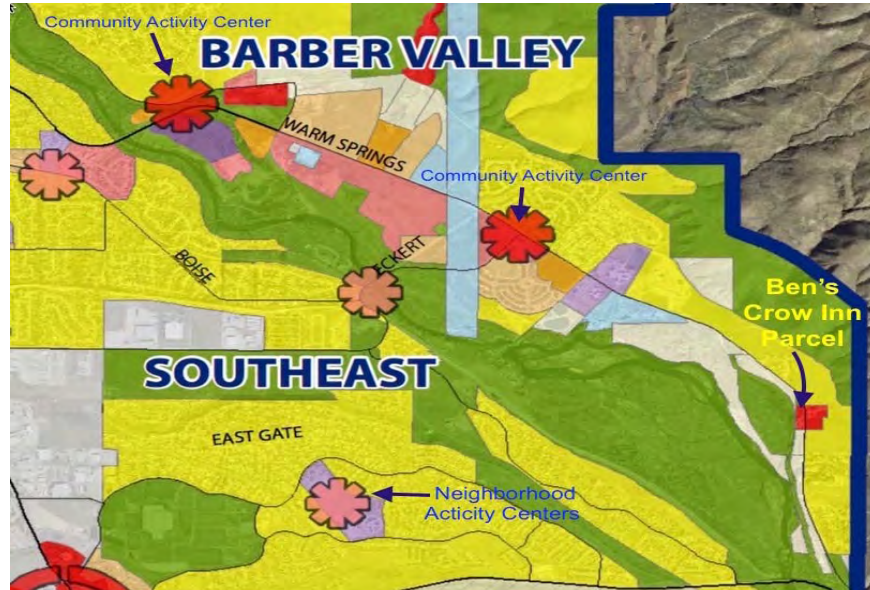


Figure 4: Map of Barber Valley

Planned Unit Development

As defined by the City of Boise's Zoning Code (Chapter 11-03-04 Subsection 7), a planned unit development (PUD) is "opportunity for land development that preserves natural features, allows efficient provision of services, and provides common open spaces or other amenities not found in traditional lot-by-lot development. Planned developments are intended to provide certain benefits to the public and to the developer."

Although code states that an approved planned unit development provides certain benefits to the public and to the developer, we see no benefits to the public with the elimination of a public greenbelt access point and an essential commercial corridor for the Barber Valley.

In addition, the developer is not providing the necessary amenities to warrant the reduction in lot widths to 40'. The required 30' landscape buffer due to the road classification of Warm Springs as a minor arterial, should not be part of the required open space. The landscape buffer is a requirement from the subdivision zoning code (Chapter 11-09-03 subsection 7); therefore, the applicant is not going above and beyond the requirements of 10% open space to warrant the PUD approval. The applicant is simply providing the minimum requirements set forth within the subdivision code.

Summary for Part 1:

If approved, the application will set a precedent for future development along Warm Springs and the Barber Pool Conservation Area.

A question to the Commission: “Is this the standard the City wants to set?” Barber Valley residents do not want this precedence set. **The application is not in compliance with and does not support the goals and objectives of the Comprehensive Plan. We request you hold developers to established standards by denying the application.**

Reasons for Denial

A. That the proposed use is not compatible to other uses in the general neighborhood.

The proposed rezone deprives the community of existing, walkable commercial uses and conflicts with the goals stated in Blueprint Boise Chapter 3: Community Structure and Design. The plat as proposed is not context-sensitive and conflicts with BV-CNN 1.1, which calls for designing developments “to preserve wildlife habitat and connectivity, open space, and context-sensitive recreational opportunities.” The 3-story homes proposed abut a natural area and the plat does not currently offer wildlife crossings or a recreational access that would accommodate existing future growth in the area.

B. That the proposed use does place an undue burden on transportation and other public facilities in the vicinity.

As proposed, the plat makes it more difficult to access the Greenbelt by including two additional 90-degree turns from the entrance to the subdivision without an obvious connection. This conflicts with Blueprint Boise Principle GDP-N.1: CONNECTIVITY, which calls for a “continuous network of sidewalks, bicycle, and pedestrian paths, and roadways to connect different areas of neighborhood.” It is also found to be in conflict with BV-C 2.3: TRAIL CONNECTIONS, which specifies “connect Ridge to Rivers trails to each other and with the Greenbelt.” Finally, the plat lacks a crossing of Warm Springs Avenue from Sky Bar to the new private drive, which conflicts with BV-C 1.2: WARM SPRINGS CORRIDOR PLAN, which calls for safe and frequent pedestrian crossings. “Pedestrian crossings and control of traffic speed are critical elements to be implemented.”

C. That the site is not 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 title.

The site is not large enough to accommodate the homes proposed, driving the requests for variances, excessive easements within the lots and the planned unit development to attain lot width reduction. Blueprint Boise Goal BV-CCN 3 calls for the implementation of similar concepts put forth in Specific Plan 1 (SP01) and SP02 throughout the Barber Valley for cohesive development. SP01 and SP02 both envision pedestrian-oriented public streets, plazas, greens, riverfront walks, neighborhood-scale commercial, walkability, and pathways. The proposed application creates a zone of housing separate and very distinct

from the rest of the Barber Valley that does not allow for an integration of the neighborhoods and uses north and south of Warm Springs Avenue. Further, SP01 and SP02 provide for a mix of home style, colors, and architectural standards (attached and detached housing) that is not reflected in the elevations and color palette of the subdivision as submitted.

D. That the proposed use, if it complies with all conditions imposed, would continue to adversely affect other property of the vicinity.

In accordance with previously cited portions of Blueprint Boise calling for connectivity, it is important to establish connections that make sense in collaboration with Ada County, since they manage many of the recreational amenities of the area (BV-CNN 1.3: MULTI-JURISDICTIONAL COORDINATION “Collaborate with Ada County and the Ada County Open Space Task Force regarding planning issues and development east of the AOI and within the Barber Valley’s geographic boundary.”). Failing to look at the long-term planning for the area and simply connecting to a sub-standard access point, does not serve the needs of City nor County residents for access to opportunities for healthy lifestyles and would, in the long term, conflict with Blueprint Boise Principle #7: A Safe, Health, and Caring Community.

E. That the proposed use is not in compliance with and does not support the goals and objectives of the Comprehensive Plan.

As proposed, this application does not align with the concepts nor frameworks of SP01 and SP02, as directed in Blueprint Boise Goal BV-CCN 3. For this reason, and because it changes the land use from nearly 50 years as a commercial/community center to housing, it is also in conflict with Blueprint Boise Principle #2, A Predictable Development Pattern, and Principle #3, which calls for “vibrant, mixed-use activity centers.” Failing to collaborate with other agencies and landowners for the future of all residents conflicts with Principle #4 for a connected community; a remedy to this solution lies with affected and adjacent landowners, the Geographic Area Planner for Boise City, Ada County, and BVNA. As mentioned, the absence of crosswalk facilities is in conflict with Principle #7 for safety.

Part 2: Recommendations for Improvements and Site Design Solutions

Should the Commission choose to approve, we provide concrete suggestions for improving the application. The Applicant should work with the City, Park and Rec, Ada County and the surrounding neighborhood to work on revisions to the proposed greenbelt location.

Provides ADA Greenbelt access across from Skybar St – Collaborate with the County and neighbors to create an easement and design that plans for future changes.

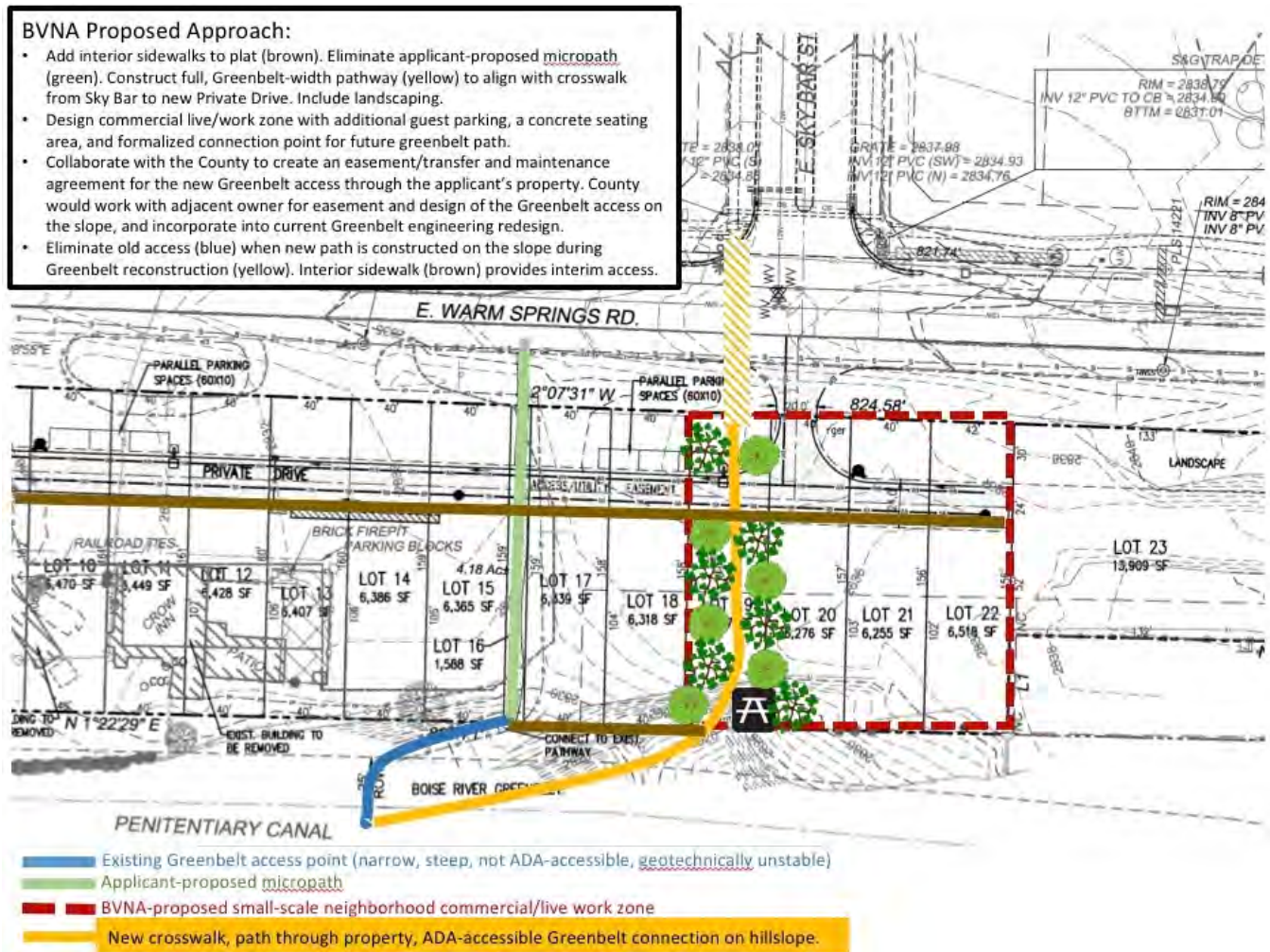


Figure 5: Realignment to Proposed Greenbelt

Provide an ADA access point that serves the entire neighborhood and is not buried in a micro-path between three-story homes far from the street. Even if it is not constructed immediately, the point of planning is to plan.

Ada County Parks and Waterways is in engineering design (expected to be completed in August 2016) for reconstructing the Greenbelt to the Diversion Dam. The project including burying the Penitentiary Canal and widening the Greenbelt is projected to start in summer/fall 2017. This is

the right time to coordinate this change. Collaboration is necessary 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(s) the design of the Greenbelt access on the slope, and incorporate it into to Greenbelt engineering redesign.

Include high density housing styles that are compatible with area neighborhood and fitting as a Boise gateway:



Figure 6: Front Elevations for Detached Homes, Mill District



Figure 7: Live/Work Units at the 951 Front

Consider including commercial work/live units – a Greenbelt destination with living units above.

The only other commercial property in the area, across Warm Springs Ave from BCI, is less commercially desirable because it only fronted by Warm Spring Ave while the BCI property is

fronted on both the street and Greenbelt with a superior view of the BPCA and all it offers. The BVI parcel is more desirable for a walkable neighborhood commercial and ultimately a more profitable small business.

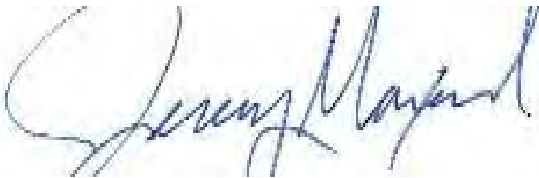
At an absolute minimum the property should incorporate mix-use, with residential and light-commercial opportunities. It should provide safe public access to the greenbelt, with public parking and sufficient open space, these revisions to the application, will not only make it a better design, set a higher standard for new developments to follow, but also be in conformance with the City of Boise Comprehensive Plan Goals, making a far superior option to what is currently being proposed.

Summary and a Market Solution

The BVNA has cited justification for denial and recommendations for improvement and possible conditions of approval.

Keeping in mind that Ben's Crow Inn will be open until at least Labor Day, if the applicant is unable to agree to changes, we request that during a six-week period the property be re-marketed to determine if there is a commercial or mixed-use developer that would buy the property and compensate the applicant for expended development expenses.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jeremy Maxand". The signature is fluid and cursive, with a large initial "J" and "M".

Jeremy Maxand
President

The BNVA Board Members:

Jeremy Maxand, President
Mike Reineck, President-Emeritus
Marshall Simmonds, Vice-President
Leslie Wright, Secretary
Clint Berry, Treasurer
Chris Hendrickson
Richard Kinney
John Mooney, Jr.
Karolyn Sledzieski
Brandy M. Wilson

This is a Petition for the Denial of Application CAR16-00002, PUD16-00005 and Sub16-00006

This petition is signed from residents of East Valley Subdivision, adjacent to the application

We are requesting denial of this application based on the following concerns:

1. Need to preserve access to greenbelt for the adjacent residents and the general public.
2. Need to protect our commercial corridors, with all the growth in the area, we are in need of walkable commercial areas.
3. The project is too dense and the proposed three story buildings are too massive. Concern with loss of privacy.
4. How will this development impact the Barber Valley, in particular the Barber Pool Conservation Area and the Wildlife it protects?
5. Too many unresolved questions

Attendees:

Name	Address	Zip	Phone #
1. Tim Markham	7067 E Sky Bar St	83716	541-805-856
2. Lisa Angarwal	7008 E. Sky Bar St	83716	408-598-5931
3. Erin Snicek	6992 E Sky Bar St	83716	708-422-1522
4. Melanie Cormier	7007 E Sky Bar St	83716	805-366-9569
5. James Reiss	7013 E Tao St	83716	440-225-2377
6. Jackie Russ	7043 E. Tao St.	83716	440-225-2377
7. Eric Fors	7008 E. Sky Bar St	83716	626-628-5038
8. Gretchen Fors	7008 E Sky Bar St	83716	626-628-5037
9. Dylan Cooper	6971 E Sky Bar St	83716	208-484-056
10. Roy Hagarwal	7068 E. Sky Bar St.	83716	408-313-0980
11. Cari Markham	7067 E. Sky Bar St.	83716	541-805-9030
12. Jennifer Jackson	6999 E Sky Bar Street	83716	925-895-1501
13. Scott Ackleson	6956 E Sky Bar St	83716	575-640-9551
14. Sue Ackleson	6956 E Sky Bar St	83716	575-640-1706
15. Rick Ortiz	7025 E. Sky Bar St	83716	408-307-0780
16. Chad Celani	7020 E. Sky Bar St	83716	208-340-5543
17. Lisa Celani	7020 E Sky Bar St.	83716	760-500-6948
18. Mark Tschampl	7044 E sky bar St.	83716	515-450-7010
19. Barb Delgado	7089 E. Tao St	83716	714-803-8206
20. Rudolf Delgado	7089 E. TAO ST	83716	208-600-8265
21. Donovan Dutschki	579 S. Bowen Ave.	83716	208-866-4189
22. Sabrina Dutschki	579 S. Bowen Ave.	83716	208-280-6661
23. Dan Connor	5191 S Bowen Ave	83716	406-830-8388
24. Greg Munn	5225 S. Bowen Ave	83716	715-9154125

25	Kristin Fischer	5231 S. Boren Ave, Boise, ID	83716	503-314-8302
26	Greg Fischer	" "	" "	" "
27	Patricia Warfel	5157 S. Boren Ave. Boise ID	83716	208-917-8555
28	Miche Sleep	6948 E Tao, Boise, ID	83716	206-552-5193
29	Bruce Samuels	6922 E Tao Boise, ID	83716	208-869-0170
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This Kids Petition for the Denial of Application CAR16-00002, PUD16-00005 and Sub16-00006

This petition is signed from kid residents of East Valley Subdivision, adjacent to the application

We are requesting denial of this application based on the following concerns:

- 1. Need to preserve safe access to greenbelt for the adjacent kids and other kids in the area.**
- 2. Save wild animal access to the river.**

Attendee:

First Name

Last Name

1.	Nofah	Markham		
2.	Danali	Aggarwal		
3.	Brynn	Celani		
4.	Katarina	Belgado		
5.	Carli	fors fors		
6.	Gretta	fors		
7.	Eliza	fors		
8.	Johnny	fors		
9.	William	fors		
10.	Brooke	Celani		
11.	Ellie	Aggarwal ☺		
12.	Cooper	Markham		
13.	Angelo	Ortiz		
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From: [Bruce Saunders](#)
To: [Susan Riggs](#)
Subject: RE: Case Numbers: CAR16-00002 And PUD16-00005
Date: Monday, April 04, 2016 8:33:17 AM

Good morning Susan,

We received a public hearing notice from your office and this was the email address given on the notice. We live in the neighborhood just north of the proposed development, and the back of our house faces the proposed development. After talking with one of our neighbors, we have some concerns that we would like voiced.

1. We want to make sure we don't lose easy access to the greenbelt from our neighborhood. Right now we can go behind the existing restaurant across the street and get to the greenbelt. It looks like the planned neighborhood is going to span that area and we are not sure if they are willing to keep that access for others.
2. We would not like it if the homes in the proposed neighborhood were more than two stories tall. If they were too tall, they would be able to see into our back yards and that would be an invasion of our privacy.
3. Ideally, this should be a mixed use development with space for commerce, preferably a restaurant to replace the one that's already there. It is a popular location and we'd hate to lose that resource.

Thank you for listening to our concerns, and please enter these comments into your public record.

Sincerely,

Bruce Saunders | Senior Software Engineer
Idaho Housing and Finance Association
P.O. Box 7899, Boise, ID 83707-1899
Phone 208-331-4895 | BruceS@IHFA.ORG
www.idahohousing.com

From: [Lisa Hecht](#)
To: [Susan Riggs](#)
Subject: Ben's Crow Inn Development
Date: Sunday, April 03, 2016 4:29:06 PM

Dear Susan,

As a resident of Harris Ranch, I have read the BCI Development application, and I oppose it.

The number of developments so close to the river will not only impact the environment, and likely the river, but also will continue to impact the wildlife routes to the river. They have a right to live and exist as well as we do.

Secondly, the path to the greenbelt is on private property; it should be a public path. As a cyclist who frequently uses the greenbelt, even in winter, this does not support environmentally sound travel modes for the public or potential inhabitants of that development

Thirdly, the amount of development in the past few years has been intensely impactful on the land, people, river and traffic. And this development is sited in a particularly sensitive area near the river, for birds, deer, fish and other animals, as well as for humans to peacefully share with them.

Respectfully,

Lisa

Lisa Hecht

heartfeltsong@msn.com

(208) 331-2159 (home)

(208) 841-0058 (mobile)



EAST VALLEY

April 5, 2016

City of Boise
Susan Riggs
101 S. Capitol Blvd
Boise, Idaho 83702

To Whom It May Concern,

The East Valley Community Association Board have met with Conger Group and reviewed the adjacent River Ridge (BCI) development. We feel this project would be a wonderful addition to the Warm Springs corridor and improves the connectivity to the Greenbelt for our residents. We are in support of the proposed project.

Thank you for your continual support in making Boise a great place to live.

Sincerely,

Tami Long

Tami Long
Director/Secretary
East Valley Community Association

April 4, 2016

Boise City Planning and Development Services
P.O. Box 500
Boise, Idaho 83701-0500
(208) 384-3830

Dear Boise City Planning and Development Services,

As a Boise City resident, I would like to voice a concern I have about the proposed residential development at 6781 E. Warm Springs Avenue in Boise, Idaho. My reluctance to support this development stems from two primary reasons: the potential environmental and recreational impact the development may inadvertently cause, and the desire to prevent a popular local business from leaving a key location for the residents of the immediate area and for those that enjoy a delicious meal after an action-filled day along the celebrated Boise Greenbelt.

As a native Idahoan, I embrace the exploration of the great outdoors and honor the natural wildlife habitats that have been established in our great state. I believe in the respectful use and conservation of those habitats while surrounding myself in their glory. The area near 6781 E. Warm Springs Avenue has always been a beautiful section of the greenbelt. I have personally spotted deer, osprey, bald eagles, blue heron, foxes, and a variety of small rodents along this particular stretch of the path. With access to the Boise Greenbelt, the Boise River, and the Lucky Peak Dam, the area is a haven for recreation. It serves as a pivotal location for recreationalists out to get their fix. I personally have used the greenbelt access point at this particular location many times when riding my bicycle and walking along the greenbelt in the Spring, Summer, and Fall. It is a healthy tradition I would like to keep alive. Many residents would agree that this little stretch of the land is a community jewel.

The Ben's Crow Inn restaurant satisfies an essential commercial need for the area as well. With its close proximity to Highway 21 and the lack of other nearby commercial plots, 6781 E. Warm Springs Avenue is a prime location to remain a commercial plot. Local residents of Boise and those from out of town can enjoy one last stop before heading out or returning home from nearby recreational adventures or even busy business trips. As avid recreationalists, my friends and I have on many occasions enjoyed the restaurant's buttery steamed clams and seasoned hot fries after a good day snowshoeing or cross-country skiing in the wilderness surrounding Idaho City. There is nothing better than keeping tradition alive while supporting local business. Boise needs to keep places like the Ben's Crow Inn in order to maintain its unique reputation as a town with eclectic heart and soul. When word of mouth is the main form of marketing for a local business, like Ben's Crow Inn, you know you have a treasure. There really is no other place in town like Ben's Crow Inn.

As a local 4th grade school teacher who teaches Idaho history, I believe it is important to preserve Idaho's wildlife and recreation for future generations; a legacy we can gladly pass on to deserving upcoming generations. It would be a shame to see this relatively small strip of commercial land become a residential development. The existing commercial plot imposes few disturbances to the wildlife of the area. You need only walk a few hundred feet before you see an informational board celebrating the diverse wildlife that currently flourishes in the area. I'm afraid that with a significant increase of residents in this particular area, which is sure to come with a residential proposal of this magnitude, the wildlife would be forced to find alternative habitats leaving the residents of Boise and those who enjoy the Boise Greenbelt a missed opportunity to enjoy the natural wildlife of this beautiful area. Please help provide for our future generations, protect the wildlife, maintain recreational access to the greenbelt, and promote tradition by keeping the commercial land at 6781 E. Warm Springs Avenue intact. We love our little gem right here in the Gem State!

Sincerely,



Susan Hayes, M.Ed.
4th Grade Dual Language Teacher
Whittier Elementary School
susan.hayes@boiseschools.org
(208) 890-9625

April 1, 2016

Boise City Planning and Zoning Commission
PO Box 500
Boise, ID 83701-0500

Re: CAR16-00002, PUD16-00005 & SUB16-00006 / 6781 E. Warm Springs Ave.

Dear Planning and Zoning Commissioners:

I would like to express my deep concern and opposition to the proposed subdivision/planned unit development located at 6781 E. Warm Springs Avenue (*Ben's Crow Inn*); which is under your consideration.

The proposed residential development seems incompatible with the surrounding areas. I am sad that Ben's Crow Inn will close its doors; however, the commercial use and zoning should be maintained as it is. This site is truly the 'last chance' Boise has to accommodate a commercial use along Warm Springs as citizen's travel south, leaving Barber Valley and city limits.

It is common for citizens to oppose smaller, more compact building lots within neighborhoods but residential density has its benefits in the right locations, -just not this one. The residential lot sizes within this proposed development are incompatible with surrounding residential subdivisions in Harris Ranch and greater Barber Valley (other than the two large lots shown, they are simply too small).

The proposed site plan is bland and uninteresting. This design closely resembles the bygone era of 'ice cube tray' subdivisions, which is outdated and inappropriate. The site design also creates a virtual 'wall' that blocks natural wildlife migration routes from the foothills down to the Boise River.

As Barber Valley continues to develop, Boise should endeavor to preserve greenbelt access points for the public. The proposed development shows one small greenbelt access trail on a common lot between two home sites. This proposed common lot access will likely be owned by the HOA. Unless this common lot is to be dedicated to the public, greenbelt access at this location will no longer be an option. Additionally, if the new street is to be public right-of-way, future homeowners within this subdivision will likely become annoyed by the number of vehicles parked along their street who drive to this location to access the greenbelt.

The Boise comprehensive plan future land use map designates this area as 'commercial' or otherwise 'buildable'. If Boise leadership is not interested in preserving this site as open space or a potential public park, at the very least, the proposed development should be re-designed in a more creative and sustainable way. A better design could easily accommodate public greenbelt access, parking and wildlife migration routes.

This location is a treasured 'place' for citizens as it abuts a sacred Native American preserve, provides safe and convenient public access to the greenbelt, sweeping views of the river valley and the majestic cliffs and plateaus to the west. I urge the Planning and Zoning Commission to recommend denial of the proposed development application by *DevCo*, and push for an alternative development that accommodates commercial uses or mixed uses -which would serve the neighborhood and Boise citizens greater than what is proposed here.

Thank you for the opportunity to present my input and for the Commissioners dedicated service to the City.

Sincerely,

A handwritten signature in dark ink, appearing to read "T. Kesner", written over the printed name.

Trevor Kesner
503 N. 27th St.
Boise, ID 83703

Brant Petersen
Krista Petersen
6883 E. Warm Springs
Boise, Idaho 83716

To: Planning and Zoning Commissioners
City of Boise Planning and Development Services
150 N. Capitol Blvd
Boise, Id 83702

April, 3 2016

RE: PUD 16-00005, SUB 16-00006, CAR 16-00002 Ben's Crow Inn property

CC: Susan Riggs City of Boise, Cody Riddle City of Boise, Boise Mayor David Bieter

Dear Commissioners,

We write to express our opposition to the application submitted by Jim Conger, owner of the DevCo, LLC, for the above-identified planned use development. We live at 6883 E. Warm Springs, which is located next to this proposed development. The proposed development fails to meet the City's established planning and zoning requirements and Comprehensive Zone, is completely out of character for the existing developments in the area and will have a negative impact on existing development, will disrupt current recreational uses of an ecological sensitive area next to the Boise River, will disrupt establish wildlife, lacks clear access to the greenbelt and the Boise River, and, if approved, will set a bad precedence for future development along the Boise River corridor. For these reasons, as more fully set forth below, we urge you to reject DevCo's application.

Our single family home sits on approximately 3 acres at 6883 E. Warm Springs. If this development is approved our home will be surrounded on two sides by a twenty four high density 2 and 3 story row house development. As proposed, the developer will construct a two to three story home approximately 55 feet directly outside our family's front door.

We also own a linear parcel of property that runs the entire length of DevCo's proposed development on the west side (see attached map). This parcel lies between the proposed development, Greenbelt path and the Barber Wildlife Reserve. As a result, owners in DevCo's proposed development will not have access to the greenbelt without trespassing.

Brant Petersen
Krista Petersen
6883 E. Warm Springs
Boise, Idaho 83716

Mr. Conger has not approached us about access across our property during any part of DevCo's planning, including plat development. In fact, Mr. Conger did not speak to us until an impromptu "neighborhood" meeting was held to display DevCo's proposed development. When we notified Mr. Conger we own the property between his proposed development and the greenbelt he asked if we were "giving" him access across our land. We definitively and unequivocally told him NO at that time. We also notified Mr. Conger there is no easement on file for the "access" path across our private property to the greenbelt that his proposed plat development displayed. Our conversations with Mr. Conger about DevCo's lack of access to the greenbelt were prior to DevCo submitting its application to Boise City Planning and Zoning Commission.

If you approve this application as proposed a "pathway" will be constructed that dead ends at our property short of the greenbelt. This pathway will invite users to travel onto and across our private property where there is no existing "pathway" agreement or easement. When we discussed this issue with Mr. Conger during our initial meeting he explained to us that Boise City can require us to allow greenbelt access. Contrary to Mr. Conger's representations to us, we do not believe Boise City has the authority take our property or require us to grant an access easement across our property for DevCo's use. Additionally, this pathway proposed in DevCo's application will not have a trailhead and offers limited user parking inside the development due to the narrow streets. As a result, the most likely parking for anyone access to the greenbelt from this pathway will be on Warm Springs Avenue. The only other viable area open to parking is the road (East Highland Valley Lane) that leads to our home. These parking options are unsafe and neighboring residential streets should not be the only viable option for greenbelt user parking.

Negative impacts on the surrounding residents:

The 4 acre parcel on which DevCo proposes to build twenty-four 2 and 3 story homes is truly an exceptional setting. This parcel is situated between the Barber Pool Wildlife Reserve, the Boise River, the Greenbelt and the Highland Valley Trail, an arterial trail in Boise's Ridge to Rivers Trail system. It is a unique parcel that serves as a trailhead and hub for hundreds of Boise recreationalist who currently park and gather in and around Ben's Crow Inn to access these incredible areas in the Barber Valley. The construction of twenty-four high-density buildings with zero trails, no parking for recreational use or a single square foot of open space will have irreversible negative consequences for all Boise residents.

DevCo's application is out-of-line with Blueprint Boise, the comprehensive area planning policy. The policy states Goal BV-CCN 1: "Respect the Barber Valley's unique development context" and BV-CNN 1.1: "Context Sensitive development, Design

Brant Petersen
Krista Petersen
6883 E. Warm Springs
Boise, Idaho 83716

development to preserve wildlife habit and connectivity, open space, and context-sensitive recreational opportunities.” DevCo's proposed development has no “context sensitive elements.” The only element considered in the proposed application is packing as many houses as possible onto the smallest possible lots to maximize DevCo's profits. This only comes at an unacceptably a high cost to current Barber Valley residents and users of the river, greenbelt, reserve, and trail system, which includes all Boise residents.

DevCo's proposed construction of homes will have an incredibly negative impact on our own home. DevCo plans to build 3 houses in front of our home with the back of one house to be constructed 55 feet directly in front of our family's front door. As proposed, these 3 houses will be constructed on a very narrow strip of land in front of our house. As initially proposed, DevCo's construction plans for these 3 homes in particular would have encroached on our property. We again approached Mr. Conger concerning his application and pointed out his survey showed DevCo's development will build homes on our property. At first Mr. Conger adamantly denied this and advised us he was certain his survey was correct. Mr. Conger stated it was up to us to prove otherwise. This forced us to retain and pay a surveyor to provide a correct and accurate landline survey. We provided this survey to Mr. Conger. Only after incurring that expense DevCo submitted an amended landline survey. The effect is to further narrow the already incredible narrow swath of land on which DevCo plans to build 3 homes directly in front of our existing home. With this additional decrease in depth of this strip of land we believe offsets will be pushed or reduced in an effort to pack as many structures as possible into this narrow space between Warm Springs Ave and our family's property. The most likely result will be homes with at least 2 stories built directly in front of our home.

Finally, Boise City's current Build Boise initiative states: “[Boise City's] goal is to inspire a shared vision for the built environment and preserve Boise's livability for present and future generations.” DevCo's proposed development has no “vision” or plan to “preserve Boise's livability.” The proposal is to cram 24 houses into four acres along the Boise River. Twenty-one of these houses will comprise a row 1,000 feet long and 2 and 3 stories high. This wall of 2 and 3 story homes will run parallel to the Greenbelt, Boise River, and will be the primary feature visible from the Barber Pool Wildlife Reserve. The current residential development adjacent to the Greenbelt and Barber Pool Reserve is a total of 5 homes built on lots ranging from 2.5 to 13 acres. The proposed development is clearly out of place for the existing neighborhood and setting. Is this proposal what the City of Boise envisions for our “inspired built environment”? Is this how we should plan construction adjacent to one of our last and best natural environmentally sensitive and recreation areas in South East Boise? Does this meet the goals noted in the Boise

City comprehensive Build Boise initiative? The answer to these questions is a clear and adamant NO!

Negative impacts on recreation;

The **Blueprint Boise**, Boise City's Planning and Zoning Comprehensive Plan's GOAL; Connect the Community,

Boise has a well-established network of roadways and an award winning Greenbelt running through the heart of our community. But many trips could be made easier and healthier if pedestrian, bicycle and transit alternatives were given equal consideration when planning and funding our transportation system.

DevCo's proposed development will close the existing parking area currently used by patrons of Ben's Crow Inn and many recreationalists and bike commuters. It is the largest existing paved parking area in the surrounding area. The parking area is filled to maximum capacity every weekend, providing residents of Boise an ideal meeting location to start trips on the adjacent Greenbelt, the River to Ridge Trails system, the Boise River or the Barber Pool Wildlife Reserve.

Blueprint Boise specifically notes, in relation to greenbelt access, on page BV-11: "Provide a safe crossing across Warm springs at two points: from Highland Valley Road to the Greenbelt." DevCo's proposed development will close the only existing "safe access from Highland Valley Road to the Greenbelt." DevCo's proposed development has no greenbelt access, no open spaces, and will close the only existing public parking for these important recreation areas in the Barber Valley.

The effects of this proposed development will negatively impact all Boise residents and set bad precedence for future development. Blueprint Boise recognizes the need for connected recreational routes; BV-C2.1: Connections to new development states: "Make connections between Barber Valley trails, new developments, and existing developments, as well as the Greenbelt. Link gaps in the existing sidewalks system to provide connectivity and public safety along Warm Springs." BV- C2.3: Trail Connections further states: "Maintain alternative transportation routes for bicycles and provide bike lanes on the redesigned Warm Springs Avenue. Ensure bicycle routes and sidewalks connect the Boise River Greenbelt to the foothills." DevCo's proposed development flouts these policies to ensure access and to increase recreation opportunities along the Boise River corridor and the foothills.

With regard to greenbelt access specifically we clearly informed Jim Conger, on two separate occasions, that DevCo has no legal access through our private property to the Greenbelt before his application was submitted. In four different places locations in DevCo's application Mr. Conger falsely represents "Homeowners will have access to amenities such as the Boise River Greenbelt." Mr. Conger knows this is false and DevCo knowingly submitted this application misrepresenting Greenbelt access and connectively as a feature that DevCo has no actual legal right to. DevCo's proposal gives no consideration to the existing recreational amenities, connectivity or trailhead parking. Due to this negative impact on all Boise recreational users and because DevCo has no actual legal right to access the Greenbelt, the Commissioners should reject this application.

Impacts on existing wildlife:

Hundreds of species of wildlife inhabit the Barber Valley. Three unique wildlife preserves, the Barber Pool wildlife reserve, the Idaho Department of Fish and Game Cooperative Wildlife Management Area and the Boise River, boarder or are adjacent to DevCo's proposed development. Current Barber Valley recreationalists and residents coexistence in this mixed natural and residential setting. The presence of wildlife are a major draw to this area for many Boise residents. This is a unique and exceptional natural environmental setting only three miles from downtown Boise. This natural setting is what makes Boise a livable desirable city.

DevCo gives zero consideration to the existing wildlife in its proposal for development, including the high use big game corridors on both the north and south end of the proposed development. Boise residents and visitors value the rich diversity of wildlife and the natural setting hundreds of species utilizes as habitat on and adjacent to the proposed development. The Idaho Department of Fish and Game sent to City of Boise Planning and Development Services in a March 2016 letter "The Department strongly believes that increased development will have an adverse cumulative impact on local wildlife."

The Barber Pool Wildlife Reserve is immediately adjacent to the proposed development. The Reserve was designated as critical habitat for Bald Eagles and is a key component of winter big game habitat. If this development is built the view looking east from the Barber Pool Wildlife Reserve will be a 1,000 foot long wall of twenty-one 2 and 3 story homes. This will clearly have a negative impact on the aesthetics of the Wildlife Reserve.

If approved, Boise City will set precedence that wildlife and natural areas are not valued. Blueprint Boise, on page BV-1, states the Barber Valley "hosts the largest wintering deer herd in the State of Idaho." DevCo's proposal does not considered wildlife and the impact a wall of 2 and 3 story homes will have on the Barber Pool Wildlife Reserve, the

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Boise River or the largest wintering deer herd in the State. The only potential consideration for area wildlife in DevCo's proposed development was recognized in the Fish and Game's review of the application. The Fish and Game stated a secondary wildlife corridor was included in the plan. Once again, this secondary wildlife corridor is the proposed access to the greenbelt through our property, which DevCo does not have authorization or legal access to use. The utter lack of consideration for the natural ecosystems in the area and the wildlife that use these environmentally sensitive areas is another reason to deny DevCo's application.

Setting a precedence for future development:

Approving DevCo's application will set an irreversible precedence for future development decisions along the Barber Pool Wildlife Conservation Area, and will further limit existing public access to the greenbelt, Boise River and Foothills Rivers to Ridge trail system.


If approved this will be the first development along this unique corridor. DevCo utterly fails to consider the needs of current residents, recreational users from all across Boise City and wildlife in these sensitive areas in its application for this planned use development. DevCo's single consideration its application is financial gain. If Boise City approves DevCo's application it will fail to meet the high standards for thoughtful development envisioned in Blueprint Boise.

In conclusion, we request the denial of this development application for all of the reasons set forth above. In particular, the application was submitted, in part, based on misrepresentations of Greenbelt access. It also lacks any consideration for adjacent natural areas, wildlife, and fails to explain potential impacts on the construction of a 1,000 foot long wall of 2 and 3 story on the Greenbelt, Boise River and Barber Pool Wildlife Reserve. DevCo's proposed development will create significant negative natural, recreational, environmental, and social costs for Boise Residents. The proposed development does not meet the goal stated in the Boise City's comprehensive plan Blueprint Boise that: "[Boise City's] goal is to inspire a shared vision for the built environment and preserve Boise's livability for present and future generations"

We Appreciate Your Consideration,



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