



PLANNING AND DEVELOPMENT SERVICES

MAYOR: David H. Bieter | DIRECTOR: Mark Lavin

October 16, 2019

Joshua Beach
ACME LLC
4824 W Fairview Ave
Boise, ID 83706
josh@congergroup.com
(sent via email)

Re: CAR19-00019, PUD19-00029 and SUB19-00048 / 871 S Five Mile Rd

Dear Applicant:

This letter is to inform you of the action taken by the Boise City Planning and Zoning Commission on your request for a conditional use permit for a planned residential development comprised of 47 detached single-family homes on 7.89 acres located in a proposed R-1C (Single Family Residential) zone.

The Boise City Planning and Zoning Commission, at their meeting of **October 14, 2019**, **denied** your conditional use request based on the attached Reason for the Decision.

May we also take this opportunity to inform you of the following:

1. The decision of the Boise City Planning and Zoning Commission may be appealed to City Council within ten (10) calendar days from the issuance of this decision. The appeal must be written, accompanied by the appropriate fee, and submitted to the Planning and Development Services Department prior to the deadline set forth herein. Appeal application forms are available in the Planning Department or online under Applications at: <http://pds.cityofboise.org/>.
2. All appeals of this conditional use permit must be filed by **5:00 P.M., on October 24, 2019**.

The Boise City Planning and Zoning Commission, at their meeting on **October 14, 2019**, recommended to the Mayor and the Boise City Council, **denial** of the rezone and subdivision request based on the attached Reason for the Decision.

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

If you have questions, please contact me at (208) 608-7087 or dmoser@cityofboise.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Moser', with a long horizontal line extending to the right.

David Moser
Associate Planner, Current Planning and Subdivisions
Boise City Planning and Development Services

DM/mh

CC: Richard Watson / josh@congergroup.com
Tannya Cluff / Southwest Ada County Alliance / tcluff@outlook.com



Rezone

The proposed rezone is not consistent with the approval criteria of Section 11-03-04.3(7c) of the Boise City Development Code. The R-1C zone is not compatible with surrounding zoning and development. The adjacent properties to the east, west and south are zoned R-1B and R-1A. These neighborhoods were developed in Ada County with a lower density and a large lot development pattern. In addition, the adjacent R-1C zoning to the north is separated from the subject property by the freeway. Due to the parcel's location and site constraints the vehicle access to the property is from Five Mile Road. The increase in traffic from the proposed rezone will create safety concerns along this roadway. Therefore, it is not in the best interests of the public convenience and general welfare. The rezone is not supported by the Comprehensive Plan which promotes retaining the distinctive rural elements of the Southwest (*Goal SW-CCN 1*).

Conditional Use

The project is not consistent with the approval criteria of Section 11-03-04.7(C7) of the Boise City Development Code. The development will have a higher density than the surrounding neighborhoods to the south, east and west. This higher density is not compatible with the lower density and established larger lot development pattern of the surrounding neighborhood. In addition, the R-1C zoned neighborhoods to the north are separated from the site by a substantial barrier (i.e. I-84 Freeway). The project will adversely affect other properties in the vicinity. The current configuration of Five Mile Road adjacent to the site creates safety concerns for ingress and egress of vehicles. Without the proposed rezone to R-1C the subject property cannot support the proposed density or perimeter setbacks. It is not consistent with the Comprehensive Plan and the proposed lot sizes and density do not retain the distinctive rural elements of the Southwest (*Goal SW-CCN 1*). The project density of 5.96 units per acre exceeds the typical density for the Suburban Land Use Designation of 3-5 units per acre.

Subdivision

The preliminary plat and final plat are not consistent with the approval criteria of Section 11-03-04.4 of the Boise City Development Code and Comprehensive Plan.

