



PLANNING AND DEVELOPMENT SERVICES

MAYOR: David H. Bieter | DIRECTOR: Mark Lavin

October 31, 2019

Bob Taunton
The Taunton Group, LLC
2724 S Palmatier Way
Boise, ID 83716
bobtaunton@tauntongroup.com
(sent via email)

Re: SUB15-00055 / Kirsten Subdivision / Time Extension

Dear Applicant:

On **October 29, 2019**, the Boise City Council **approved** the time extension for the Kirsten Subdivision subject to the attached Conditions of Approval.

The approval period has been extended:

From: November 29, 2019

To: October 29, 2020

If you should have any questions, please contact the assigned planner, Karla Nelson at (208) 608-7089 or krnelson@cityofboise.org.

Sincerely,

Cody Riddle
Deputy Planning Director
Boise City Planning and Development Services Dept.

CR/mh

cc: Earl Henrichs / South Cole Neighborhood Association / earl@spyke.com

Conditions of Approval

- A. The final plat for Kirsten Subdivision shall be submitted by October 29, 2020 unless another time extension is granted.
- B. Compliance with applicable Conditions of Approval for SUB15-00055 as detailed below:
 - 1. No more than 12 building permits for single-family homes shall be issued within the Kirsten Subdivision until both the Lake Hazel and Orchard Street extensions are constructed as a minimum 2 lane interim road section.
 - 2. No more than 60 building permits for single-family homes shall be issued within the Kirsten Subdivision until the intersection of Lake Hazel Road and Cole Road and the Lake Hazel bridge over the New York Canal is constructed as a minimum 2 lane interim road section.
 - 3. Heavy construction truck traffic shall only use Cole Road to access the property between the hours of 9:00 am and 2:30 pm until Orchard Street and Lake Hazel Road have been constructed with a 1 lane interim road section. After the completion of the interim street construction heavy construction truck traffic shall only utilize Orchard Street and Lake Hazel Road west of Cheyenne for access to the site. The time restriction shall also be removed at that time.
 - 4. The applicant shall coordinate with the Boise City Planning and ACHD staff to process a request to allow Eagle Grove Street to be a permanent public street access onto Cole Road.
 - 5. Prior to approval of the final plat containing the 171st buildable lot, the applicant shall submit an updated traffic impact study to Boise City and the Ada County Highway District for review.

NOTE: ACHD must sign the final plat before it is recorded. ACHD's signature of the final plat is contingent upon review and acceptance of the required updated traffic impact study.

- 6. The final plat shall provide a minimum 30-foot wide common lot along both Cole and Lake Hazel, to be used as a landscaping buffer, as required by Section 11-09-03.7.A of the Boise Development Code.
- 7. All public streets located within the subdivision shall be improved with a minimum five-foot wide detached sidewalk.
- 8. The section of Eagle Grove Street between Banded Eagle/Spotted Eagle and Cole Road shall be public right-of-way and not a temporary access easement.



9. The eastern half of Cole Road as it abuts the subject property shall be improved with the following design:
 - a. Vehicle travel lanes shall be 11-feet wide.
 - b. The five-foot wide sidewalk shall be separated from the back of curb by a minimum of eight feet. If located outside of the public right-of-way it shall be located within a permanent easement.
10. Umatilla Avenue shall be constructed with 10.5-foot wide vehicle travel lanes.
11. Umatilla Avenue shall be constructed with a minimum five-foot wide bike lane (measured from the lip of gutter or parking lane line).
12. Umatilla Avenue shall be constructed with seven-foot wide sidewalks that are detached from the back of curb by a minimum of eight feet.
13. Lake Hazel shall be improved with on-street bike lanes when the temporary shoulder is removed.
14. Stormwater facilities along Lake Hazel shall be planned for. The applicant shall identify where future stormwater is to be retained within the right-of-way and/or typical street section (i.e. median, landscape buffer).
15. A note shall be placed on the face of the Final Plat stating, "The development of this property shall be in compliance with the Boise City Development Code."
16. A note on the face of the Final Plat shall designate that any common lots shall be owned and maintained by the Kirsten 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.
17. A note shall be placed on the face of the Final Plat which states: "This subdivision is located within the Airport Influence Area A, which is affected by average sound levels in the 60-65 DNL, and/or aircraft traffic patterns below 1,000 feet. All new residential development is subject to an aviation easement and required to meet the sound attenuation standards of a minimum noise level reduction (NLR) of 25 dB."
18. After approval of the Final Plat by the Boise City Council and prior to submittal of the Mylar of the Final Plat, 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.

19. Prior to the City Engineer's Certification of the Final Plat and prior to earth disturbing activities, an erosion and sediment control (ESC) permit must be obtained. An ESC plan conforming to the requirements of B.C.C. Title 8 Chapter 17 is to be submitted to the Director of Planning and Development Services for review and approval. No grading or earth disturbing activities may start until an approved ESC permit has been issued.
20. 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 be issued 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.
21. 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-Build Agreement is approved by Boise City Fire Department, no building permits shall be submitted until a "Satisfaction of Non-Build Agreement" is recorded.
22. 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.
23. 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. A letter from the Boise City Fire Department stating that all conditions for water, access, and/or other requirements have been satisfied,
 - OR
 - B. A non-build agreement has been executed and recorded with a note on the face of the Final Plat identifying the instrument number.
24. The name **Kirsten 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 Surveyor for review and reservation. Should a change in name occur, applicant shall submit, in writing, from the Ada County surveyor, 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.



25. Correct street names as approved by the Ada County Street Name Committee shall be placed on the plat (B.C.C. 9-06-05.M).
26. A letter of acceptance for water service from the utility providing same is required (B.C.C. 11-09-04.3).
27. Developer shall provide utility easements as required by the public utility providing service (B.C.C. 11-09-03.6).
28. 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

29. Prior to submitting the Final Plat for recording, the following endorsements or certifications must be executed: Signatures of owners or dedicators, 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, signatures of the Commissioners of the Ada County Highway District, and the Ada County Treasurer (I.C. Title 50-17).
30. Developer shall comply with B.C.C. 11-03-04.3 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.
 - A. 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.
 - B. If a time extension is granted, the Boise City Council reserves the right to modify and/or add conditions to the original preliminary plat or Final Plat to conform with adopted policies and/or ordinance changes.
 - C. 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.



Agency Requirements

31. The applicant shall comply with the requirements of ACHD as per their staff reports dated **January 19, 2016** (SUB15-00055) and **January 27, 2016** (CAR15-00029 & CPA15-00008).
32. The applicant shall comply with the requirements of the Boise City Public Works Department (BCPW). The following is a list of department comments by division:
Grading & Drainage – **September 29, 2015**
Street Lights – **September 29, 2015**
Sewer – **September 30, 2015**
Pressure Irrigation – **September 30, 2015**
33. The applicant shall comply with the conditions of the Boise Fire Department from the memo dated **January 20, 2016**. Any deviation from this plan is subject to Fire Department approval.
34. The applicant shall comply with the conditions of the Boise Parks and Recreation Department from the memo dated **January 11, 2016**.
35. The applicant shall comply with the conditions of the Boise Building Division of Planning and Development Services from the memo dated **September 29, 2015**.
36. The applicant shall comply with the conditions of the Independent School District of Boise City #1 from the memos dated **November 5, 2015** (SUB15-00055) and **November 17, 2015** (CAR15-00029 & CPA15-00008).
37. The applicant shall comply with the requirements of the Ada County Street Name Committee evaluation dated **July 9, 2015** (CAR15-00029) and **September 10, 2015** (SUB15-00055).
38. The applicant shall comply with the requirements of the Central District Health Department memo dated **October 15, 2015** (SUB15-00055).
39. The applicant shall comply with the requirements of the Boise Project Board of Control from the memo dated **October 15, 2015**.

