



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

4

Planning Division Staff Report

File Number	CAR08-00010
Applicant	Lumber Products
Property Address	2574 South Beverly and South Fry Street
Public Hearing Date	May 12, 2007
Heard by	Boise City Planning and Zoning Commission
Planning Analyst	Jennifer Tomlinson
Comprehensive Planning Manager	Tricia Nilsson, AICP

Table of Contents

1. Executive Summary	2
2. Facts, Standards of Review & Analysis	2
3. Reason for the Decision	6
4. General Information	7
5. Boise City Comprehensive Plan	8
6. Boise City Zoning Ordinance	10

Attachments

Vicinity/Site Plan
Agency Comments
Applicant's Letter of Justification
Application and supporting documentation

1. Executive Summary

Description of Applicant's Request:

Lumber Products requests annexation with a zoning designation of M-1D (Limited Industrial with Design Review) for 10.02 acres located at 2574 South Beverly Street and South Fry Street.

Staff's Recommendation:

Staff recommends **approval** of CAR08-00010.

Summary:

The applicant is requesting annexation with a zoning designation of M-1D (Limited Industrial with Design Review) of ±10.02 acres located at 2574 South Beverly Street and South Fry Street. The site is located adjacent to Boise City limits on the northeastern, western and southern property lines. The site is within the Boise Area of Impact and Boise Airport Influence Area "C". Currently the entire site is under Ada County jurisdiction and zoned RUT (Rural Urban Transition). The Comprehensive Plan designates the parcels as Industrial. The subject parcels are located east of Cole Road and north of Victory Road. The applicant intends to construct a warehouse and distribution center for building materials. Based on the demographics and surrounding uses in the area, the M-1D zoning designation for the subject parcels will be a compatible and appropriate zoning designation.

This request meets the requirements of Idaho Code and the Boise City Zoning Ordinance for annexation.

Staff supports the requested annexation and zone change. The annexation will facilitate the orderly expansion of city boundaries. The annexation will not negatively impact public services. The requested zoning is compatible with adjacent uses. A draft site plan was submitted with the annexation application illustrating an approximately 145,000 square foot warehouse and distribution facility however it is illustrative only and is not being reviewed as part of this application.

2. Facts, Standards of Review, and Analysis

Type Application:

Annexation with a zoning designation of M-1D (Limited Industrial with Design Review) for 10.02 acres located at 2574 South Beverly and South Fry Street.

Applicant/Status:

Lumber Products

Location and Site Description:

The site is addressed at 2574 South Beverly and South Fry Street. The site is located north of Victory and east of Cole Road. The site is comprised of two parcels with one single family residence on Beverly and open pasture on South Fry Street. Most of the property surrounding the subject parcels has been annexed into Boise City with a zoning designation of M-1D. The

property is located in Airport Influence Area C and is part of the Southwest Ada County Alliance. The parcels are currently designated on the Future Land Use Map of the Boise City Comprehensive Plan as Industrial.

Current Zoning and Comprehensive Plan Designation:

The Boise City Comprehensive Plan Land Use Map designates the site as Industrial and the parcels are currently zoned RUT (Rural Urban Transition) in Ada County.

Development Proposal:

The applicant requests annexation with a zoning designation of M-1D (Limited Industrial with Design Review) of approximately 10.02 acres located at 2574 South Beverly and South Fry Street. The applicant intends on constructing a 145,000 square foot warehouse and distribution facility for lumber materials used throughout the Treasure Valley and eastern Oregon.

History of Previous Actions:

None

Standards of Review

Section 11-06-03 ANNEXATION

The corporate boundary of the City may be expanded whenever the Council deems it to be for the public convenience or necessity or for the general welfare. A request for the annexation of property into the City may be initiated by the City Council, the Planning and Zoning Commission or by one or more property owners or holders of valid options to purchase the property. When the annexation request is initiated by the property owner, the Planning and Zoning Commission may expand or modify the annexation request.

Section 11-06-03.01 Application Required

Every person seeking annexation into the City of Boise shall file, with the Planning Director, an application as prescribed in Sections 11-3-2 and 11-3-3.

Section 11-06-03.02 Public Hearing

The Commission shall hold at least one public hearing for each annexation request as prescribed in Section 11-3-6 of this Ordinance.

Section 11-06-03.03 Commission Shall File Recommendation

The Commission shall file its recommendation on each annexation application with the City Clerk in accordance with Section 11-6-3.4. The Commission's recommendation on annexation applications shall be in accordance with the following policies:

- A. That the annexation shall incorporate the Boise sewer planning area.
- B. Honor negotiated area of impact agreements.
- C. Attempt to balance costs of services with anticipated revenues.

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

Section 11-06-01 AMENDMENT, RECLASSIFICATION

Section 11-06-01.03 Public Hearing

The Planning and Zoning Commission shall advertise, provide notice and conduct a public hearing in accordance with Section 11-03-06 of this Ordinance for each application to amend this Ordinance or to reclassify a zoning district.

Any recommendation of the Commission relating to change, modification and reclassification of zoning districts and land use classifications and the regulations and standards thereof shall be in writing. Their recommendation shall include findings of fact supporting the purposes and objectives of zoning and otherwise securing public health, safety and general welfare. The recommendation shall specifically find that such changes, modifications and reclassifications of zoning districts and land use classifications, the regulations, and the standards thereof:

1. Comply with and conform to the *Boise City Comprehensive Plan*; and
2. Provide and maintain sufficient transportation and other public facilities, and does not adversely impact the delivery of services by any political subdivision providing services; and
3. Maintain and preserve compatibility of surrounding zoning and development.

Analysis

Project Proposal: The applicant requests annexation with a zoning designation of M-1D (Limited Industrial with Design Review) of approximately 10.02 acres located at 2574 South Beverly and South Fry Street.

Annexation and Rezone

The purpose of the M-1 District is to provide for and encourage the grouping together of light industrial uses capable of being operated under such standards that they will be unobtrusive and will not be detrimental to surrounding commercial or residential uses. Areas set aside as M-1 may be classified as such in conformity with the Comprehensive Plan and where it is found that in the public interest there is a need for industrial activities substantially free from residential or retail commercial activities with the subsequent finding that industrial uses are the highest and best use for the land involved.

The Southwest Ada County Alliance contacted staff by phone on March 14, 2008 and stated that they would prefer to see some kind of office development in this location instead of an industrial use. Staff has received no other comments from the public on the proposed annexation. Currently there are only three single family homes located in this area, with one located directly

north of the subject site. The applicant will be required to go through Design Review and will be required to provide buffering for the existing residence to the north.

Boise City Comprehensive Plan

Staff finds that the annexation and rezone are in compliance with the *Comprehensive Plan* and that they will further the goals, objectives and policies of the Plan. Both parcels are located in Airport Influence Area “C” which requires noise mitigation measures per Comprehensive Plan policy 3.2.2 which states in part, “All compatible uses shall be required to provide sound insulation in noise sensitive areas of a facility.” Parcels located within Airport Influence Area “C” are affected by average sound levels greater than 70 DNL. Residential uses in this area are considered non-conforming and no new residential development is allowed.

The proposed annexation will remove one of the few remaining single family residences in the area and replace it with a use that is not noise sensitive. Much of the land surrounding the subject parcels was purchased by the Airport with federal grants; however the Airport is currently planning to surplus and sell all land in the area that is not zoned for residential uses. Policy 8.13.9 for the Southwest Planning Area states, “The industrial area west of the airport shall be protected for light manufacturing uses. Retail and office uses may be permitted outside the approach zones and in compliance with the airport land uses.” The proposed warehouse and distribution facility is in compliance with this comprehensive plan goal. Comprehensive Plan policy 8.10.1 states that, “Special design treatments shall be required to provide compatibility of new development with existing development such as building orientation, increased setbacks, height limitations, size restrictions, design requirements, special fencing, landscaping requirements or other methods to be determined through the development review process.” The applicant will be required through Design Review to provide buffering for the single family residence to the north.

Transportation: ACHD provided the following comments on the proposed annexation:

Trip Generation: This development is expected to generate up to 750+/- vehicle trips per day (695 for the warehouse and loading area and 55 for the office area) based on the Institute of Transportation Engineers Trip Generation Manual.

Roadway	Frontage	Functional Classification	Traffic Count	Level of Service*	Speed Limit
Beverly Street	467'	Local Commercial	N/A	N/A	20 MPH
Fry Street	467'	Local Commercial	N/A	N/A	20 MPH
Victory Road	0'	Minor Arterial	18,605 east of Cole Road on 07/11/07	Better than “C”	40 MPH

Public Facilities: Objective 10.1.2 indicates that development should only occur when adequate public facilities and infrastructure are available and/or financially guaranteed. The facilities necessary to support development are either in place or proposed for future construction. Sewer is available in Beverly Street and the applicant will be required to connect upon development of the facility.

Recommendation

Staff recommends **approval** of CAR08-00010.

3. Reasons for the Decision

Annexation

A. That the annexation shall incorporate the Boise sewer planning area.

Finding: The subject area is within the service area of the Boise Sewer District, and shall be required to connect to sewer. Sewers are available in Beverly Street. The Boise sewer planning area is incorporated with the proposed annexation.

B. Honor negotiated area of impact agreements.

Finding: The subject site is within the Boise Area of Impact and subject to compliance with the Boise City Comprehensive Plan. The proposed M-1D zoning designation is in compliance with the Boise City Comprehensive Plan which designates the parcel as Industrial on the future land use map. The parcel is located adjacent to Boise City limits on the northeastern, western, and southern property lines. The proposed annexation is in compliance with section 11-15 of the Boise Municipal Code.

C. Attempt to balance costs of services with anticipated revenues.

Finding: The proposed zoning for the subject property is consistent with the surrounding uses and the Boise City Comprehensive Plan. Industrial uses will contribute to the economic vitality within the city.

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

Finding: The subject site is within the Boise Area of Impact and is adjacent to Boise's incorporated city limits. It meets the standards of a Category A Annexation found in Section 11-08-05 of the Boise Municipal Code. It thereby substantiates this finding for compatible and contiguous land use. The annexation will preserve compatibility of surrounding zoning and development. The proposed M-1D zoning designation is consistent with uses in the vicinity.

Rezone

1. Comply with and conform to the Boise City Comprehensive Plan;

Both parcels are located in Airport Influence Area "C" which requires noise mitigation measures per Comprehensive Plan policy 3.2.2 which states in part, "All compatible uses

shall be required to provide sound insulation in noise sensitive areas of a facility.” Parcels located within Airport Influence Area “C” are affected by average sound levels greater than 70 DNL. Residential uses in this area are considered non-conforming and no new residential development is allowed. The proposed annexation and rezone will remove one of the few remaining single family residences in the area and replace it with a use that is not noise sensitive.

2. Provide and maintain sufficient transportation and other public facilities, and does not adversely impact the delivery of services by any political subdivision providing services; and

No agencies responded that the proposed rezone would adversely impact the delivery of services. According to ACHD, the proposed use/development will not place an undue burden on the existing vehicular and pedestrian transportation system within the vicinity impacted by the proposed development. The proposed land use and zoning for the subject property is consistent with uses in the vicinity and meets the standards for proximity to public services as recommended by the Boise City Comprehensive Plan.

3. Maintain and preserve compatibility of surrounding zoning and development.

The proposed site is bordered on three sides with industrially zoned parcels that are owned by the airport. The annexation and zoning designation of M-1D (Light Industrial with Design Review) is the most appropriate zone for the subject parcels. The parcels are located in Airport Influence Area “C” which prohibits new residential development and considers existing residential development non-conforming. The proposed annexation and rezone will eliminate one of the few remaining residential parcels in this area and replace it with a more appropriate industrial use.

4. General Information

Notifications:

Neighborhood Meeting held on: March 18, 2008

Newspaper notification published on: April 26, 2008

Radius notices mailed to properties within 300 feet on: April 24, 2008

Staff posted notice on site on: April 28, 2008

Size of Property:

10.02 acres

Land Use

Existing Land Use:

The site is currently developed with one single family residence.

Hazards:

None

Adjacent Land Uses and Zoning:

North: RUT-Single Family Residence currently in Ada County
South: M-1D (Limited Industrial with Design Review) Boise City Airport Ownership
East: M-1D (Limited Industrial with Design Review) Boise City Airport Ownership
West: M-1D (Limited Industrial with Design Review) Boise City Airport Ownership

5. Boise City Comprehensive Plan

This project is located in the Southwest Planning Area of the Boise City Comprehensive Plan. The following specific policy of the Southwest Planning Area applies to this request;

9.) The industrial area west of the airport shall be protected for light manufacturing uses. Retail and office uses may be permitted outside the approach zones and in compliance with the airport land use standards.

CHAPTER 3 ENVIRONMENTAL QUALITY

Objective 2

Prevent and mitigate adverse impacts of excessive noise exposure.

2) All new development and existing structures within the Airport Influence Area must be soundproofed according to the following standards:

d. All development within Airport Influence Area C is affected by average sound levels greater than 70 DNL. The approved Airport Noise Compatibility Plan identifies existing residential uses in this area to undergo sound insulation. Residential uses in this area shall be considered non-conforming and no new residential development is allowed. Non-noise sensitive manufacturing, industrial and commercial uses are allowed. All compatible uses shall be required to provide sound insulation in noise sensitive areas of a facility.

Objective 3

Protect existing noise-generating uses from encroachment of noise-sensitive uses.

Policy 3.3.1

Control land uses within the Airport Influence Area to promote non-residential uses, limit expansion of existing noise-sensitive land uses and prohibit increased residential uses.

CHAPTER 6 TRANSPORTATION

Goal 6.1

Maintain the function of the street system for current users, emergency response efforts and for use by future generations.

Objective 6.4

Promote land use policies that limit access as necessary to maintain safe and efficient operation of the existing street system while allowing reasonable access to individual development parcels.

CHAPTER 7 COMMUNITY QUALITY

Objective 6

Achieve an environment through urban design that creates, maintains and enhances the City's industrial, office and institutional areas.

- 1) Require that new projects achieve a high level of quality, distinctive character and compatibility with existing uses.
- 2) Require that new and recycled structures and sites be designed to convey visual interest, character and compatibility by using the following review criteria:
 - a) Architectural design treatment of all building elevations;
 - b) Use of landscaping in open spaces and parking lots, including broad landscaped setbacks from principal peripheral streets;
 - c) Enclosure of storage areas with decorative screening or walls;
 - d) Location of site entries to minimize conflicts with adjacent residential neighborhoods;
 - e) Mitigation of noise, odor, lighting and other impacts.

CHAPTER 8 LAND USE

Objective 8.1.1

The land-use map and attendant policies shall be the official guide for development of the planning area and shall be implemented through zoning and development review.

Policy 8.1.1.1

The Land Use/Zoning Consistency Matrix shall identify the zoning districts that are permissible within each land-use designation. Conformance with the Land Use/Zoning Consistency Matrix shall be a necessary finding of approval for all zone changes and conditional uses, unless one or more of the forms of flexibility identified in the policies under Objective 2 are implemented.

Policy 8.1.1.2

Zone change requests that are consistent with the Land Use/Zoning Consistency Matrix and the policies of the *Boise City Comprehensive Plan* should be approved by the City pursuant to appropriate findings related to service levels and other requirements of the *Boise City Comprehensive Plan*.

Land Use / Zoning Consistency Matrix

Table 8.1-3 Definitions of Land Use Map Designations		
Land Use	Applies To	Allowed Uses and/or Limitations
General Industrial	Standard industrial land use	Heavy and light manufacturing, warehousing, mini-storage, open storage, multi-tenant industrial parks, automotive repair and similar uses are permitted. Limited office and commercial uses may be permitted as ancillary uses.

Land Use/Zoning Consistency
Matrix 1)

Land Use	A	U	R-1A	R-1B	R-1C	R-1M	R-2	R-3	N-O	L-O	R-O	C-1	C-2	C-3	C-4	C-5	T-1	T-2	M-1	M-2	M-4
General Industrial	X								X	X		X					X	X	X	X	X

Policy 8.10.1

Special design treatments shall be required to provide compatibility of new development with existing development such as building orientation, increased setbacks, height limitations, size restrictions, design requirements, special fencing, landscaping requirements or other methods to be determined through the development review process.

CHAPTER 9

ECONOMIC DEVELOPMENT

Objective 2

Protect the economic climate for existing businesses and maintain opportunities for business expansion.

9.2.6 Protect existing business and industrial areas from encroachment of incompatible or non-complimentary uses.

CHAPTER 10 GROWTH MANAGEMENT

Goal 10.1

Preserve, protect and enhance the overall quality of life in Boise and its Area of Impact by ensuring that growth occurs in an orderly manner and that public services are available along with development.

Objective 1

Ensure that growth is planned and directed in a way that minimizes sprawl and creates a functional and pleasing community.

6) It is the city's intent to annex the Area of City Impact, when it can be demonstrated that the proposed annexation is a logical outgrowth of the city and is consistent with the policies of the *Boise Comprehensive Plan*, including substantial compliance with the service standards identified in this chapter.

6. Boise City Zoning Ordinance

Section 11-06-03 ANNEXATION

The corporate boundary of the City may be expanded whenever the Council deems it to be for the public convenience or necessity or for the general welfare. A request for the annexation of property into the City may be initiated by the City Council, the Planning and

Zoning Commission or by one or more property owners or holders of valid options to purchase the property. When the annexation request is initiated by the property owner, the Planning and Zoning Commission may expand or modify the annexation request.

Section 11-06-03.01 Application Required

Every person seeking annexation into the City of Boise shall file, with the Planning Director, an application as prescribed in Sections 11-3-2 and 11-3-3.

Section 11-06-03.02 Public Hearing

The Commission shall hold at least one public hearing for each annexation request as prescribed in Section 11-3-6 of this Ordinance.

Section 11-06-03.03 Commission Shall File Recommendation

The Commission shall file its recommendation on each annexation application with the City Clerk in accordance with Section 11-6-3.4. The Commission's recommendation on annexation applications shall be in accordance with the following policies:

- A. That the annexation shall incorporate the Boise sewer planning area.
- B. Honor negotiated area of impact agreements.
- C. Attempt to balance costs of services with anticipated revenues.
- D. Promote other goals of population balance, contiguous development and prevention of costs due to leap frog development.

Section 11-06-03.04 Action by the Commission

At every hearing before the Commission, the Commission shall hear all persons interested in the subject matter then pending before it. Not later than ten (10) days after the conclusion of the proceedings, the Commission shall file with the City Clerk a written report of the hearings before and by the Commission at each hearing and its recommendations to the Council.

Section 11-04-08.01 Purpose of Industrial District M-1

The M-1 District is established to provide for and encourage the grouping together of light industrial uses capable of being operated under such standards that they will be unobtrusive and will not be detrimental to surrounding commercial or residential uses. Areas set aside as M-1 may be classified as such in conformity with the Comprehensive Plan, and where it is found that in the public interest there is a need for industrial activities substantially free from residential or retail commercial activities with the subsequent finding that industrial uses are the highest and best use for the land involved.

Section 11-04-08.07 Industrial Districts Dimensional Requirements

Table 8 shows the dimensional and area standards for the Limited Industrial (M-1), General Industrial (M-2), Planned Industrial (M-4), Technological-Industrial Park (T-1), and the Technological - Manufacturing Park (T-2) districts.

TABLE 8 INDUSTRIAL DISTRICTS (M-1, M-2, M-4, T-1 & T-2) Dimensional Requirements				
<u>MINIMUM REQUIREMENTS</u>	<u>M-1</u> <u>M-2</u> <u>M-4</u>	<u>T-1</u> <u>1-Story</u>	<u>T-1</u> <u>2-Story</u>	<u>T-2</u>
Minimum Lot Area	-0-	-0-	-0-	-0-
Minimum Street Frontage	30'	30'	30'	30'
Minimum Site Size (Acres)	0.00	20	20	200
Maximum Lot Coverage-Buildings	80%	35%	35%	60%
Maximum Lot Coverage-All others	100%	70%	70%	80%
Maximum Building Height (including all antennas and appurtenances)	55'	45'	45'	Controlled by 45 degree angle of bulk plan from all exterior property lines, up to a maximum building height of 150' ⁽¹⁾⁽²⁾
(1) Stacked buildings are allowed where a 45 degree angle of bulk plane is maintained. (2) The height of structures may be further restricted by Title XII (Air Terminal Regulations) of the Boise City Municipal Code.				
<u>BUILDING SETBACK STANDARDS</u>				
<u>MINIMUM REQUIREMENTS</u>	<u>M-1</u> <u>M-2</u> <u>M-4</u>	<u>T-1</u> <u>1-Story</u>	<u>T-1</u> <u>2-Story</u>	<u>T-2</u>
Front Yard (including caretaker residence)	20'	60'	75'	45' + 1' for every 1' increase in building height above 45'.
Side Yard	0'	60'	70'	45' + 1' for every 1' increase in building height

				above 45'.
Street Side Yard	15'	60'	75'	45' + 1' for every 1' increase in building height above 45'.
Rear Yard	0'	60'	70'	45' + 1' for every 1' increase in building height above 45'.
Yard adjacent to the Interstate or Connector	20'	60'	75'	45' + 1' for every 1' increase in building height above 45'.
<u>BUILDING SETBACKS - TRANSITIONAL YARDS</u>				
<u>MINIMUM REQUIREMENTS</u>	<u>M-1</u> <u>M-2</u> <u>M-4</u>	<u>T-1</u> <u>1-Story</u>	<u>T-1</u> <u>2-Story</u>	<u>T-2</u>
Front (when across street from or adjacent to "R" District or Residential Use)	20'	100'	125'	45' + 1' for every 1' increase in building height above 45'.
Street side yard	20'	100'	125'	45' + 1' for every 1' increase in building height above 45'.
Side (where side lot line coincides with side or rear lot line in an adjacent "R" district)	15'	100'	125'	45' + 1' for every 1' increase in building height above 45'.
Yard adjacent to the Interstate or Connector	20'	100'	125'	45' + 1' for every 1' increase in building height above 45'.
<u>SERVICE DRIVE AND PARKING LOT SETBACKS - STANDARD</u>				
	<u>M-1</u> <u>M-2</u> <u>M-4</u>		<u>T-1</u>	<u>T-2</u>
Front	7'		20'	20'

Side	0'		15'	15'
Street Side Yard	7'		20'	20'
Rear	0'		15'	15'
Yard adjacent to the Interstate or Connector	10'		20'	20'
<u>SERVICE DRIVE AND PARKING LOT SETBACKS-TRANSITIONAL YARD</u>				
	<u>M-1</u> <u>M-2</u> <u>M-4</u>		<u>T-1</u>	<u>T-2</u>
Front and Side Street: Across the street from a "R" or "A" district or residential use	20'		30'	30'
Interior side and rear: Abutting a "R" or "A" district or residential use	15'		30'	30'
Yards adjacent to the Interstate or Connector	20'		30'	30'