



Planning & Development Services

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1/2

Planning Division Staff Report

File Number CAR09-00011 & CUP09-00017
Applicant Ethel Ficks
Property Address 5600 W. Hill Road
Public Hearing Date June 1, 2009
Heard by Boise City Planning and Zoning Commission
Planning Analyst Susan A. Riggs
Planning Supervisor Cody Riddle

Table of Contents

1. Executive Summary	2
2. Facts and Standards of Review	3
3. Background and Analysis	5
4. Reason for the Decision	10
5. General Information	12
6. Boise City Comprehensive Plan	13
7. Boise City Zoning Ordinance	16
8. Recommended Conditions of Approval	17

Attachments

Vicinity/Zoning Map
Aerial Photograph
Site & Landscape Plan
Floor Plan
Site Photos
Letters of Justification
Applications
Agency Comments
Correspondence

1. Executive Summary

Description of Applicant's Request

Ethel Ficks is requesting annexation of ±0.635 acres located at 5600 W. Hill Road with R-1B (Single Family Residential) zoning. A conditional use permit is also requested to operate a community social center on a 3.145 acre parcel at the same address.

Staff's Recommendation

Staff recommends **approval** of CAR09-00011 and CUP09-00017.

Summary

The annexation with an R-1B zone designation will maintain and preserve compatibility of surrounding zoning and development. The adjacent parcels are large lots developed with single family homes. The parcels west and north of the site are zoned R-6. The parcel to the east is zoned R-1B and the parcels on the south side of Hill Road are zoned R-1C. The *Boise City Comprehensive Plan* Land Use Map designates the site as Estate Density 2 DU/acre. The annexation does not constitute leap-frog development and will not place a strain on public services or utilities. The site is located within Boise City's Area of Impact and within the Boise Sewer Planning Area. The parcel is adjacent to city limits at the east and south property boundaries. City services such as sewer, police, and fire are already available to the site. The annexation of the site conforms to the goals and objectives of the *Comprehensive Plan* by promoting proper growth management which will minimize sprawl (Objective 10.1). It will facilitate the orderly expansion of the city boundaries and will conform to the Level of Service standards found in Figure 10-1 of the *Comprehensive Plan*.

The social center is compatible with the surrounding uses and will not adversely affect other property of the vicinity. The indoor events will be relatively small with a maximum 35 guest and the outdoor events will be limited to attendees 75. The size and layout of the property provides buffering from the adjoining parcels. Conditions of approval limit the hours of operation and restrict outdoor music to Friday and Saturday with an end time of 10:00 pm. The rear of the parcel slopes upward to the north providing a visual buffer as well as a sound barrier from the noise of the outdoor events. The family will continue to live in the home and oversee the operation of the business. The site is large enough to accommodate the proposed use and the required parking. No new structures or additions are proposed and the 30 required parking spaces have been provided. Agency comments confirm the proposed use will not place an undue burden on transportation.

The project is supported by the goals, objectives, and policies of the *Comprehensive Plan*. Objective 7.2.1 encourages the preservation of neighborhoods. The site will preserve the existing character of the neighborhood by maintaining the single-family home and limiting the hours of operation of the social center. *Goal 8.0* encourages a city that minimizes suburban sprawl and provides for a diverse mixture of life-styles with an atmosphere and sense of place that varies throughout the different areas of the City. The proposed use will provide the northwest and surrounding areas with a unique environment for business and social gathering while maintaining its residential character.

2. Facts and Standards of Review

Type Application

Annexation

Conditional Use Permit for a community social center

Applicant/Status

Ethel Ficks / Owner

Location and Site Description

This application is comprised of two parcels which are located on the northwest corner of West Hill Road and Plano Lane. The western parcel, which is proposed for annexation, is developed with an accessory structure. The eastern parcel is comprised of a single-family home and accessory structure. Both parcels are densely wooded. The property is located within the boundaries of the Northwest Planning Area as designated on the Land Use Map of the Boise City Comprehensive Plan and within the Collister Neighborhood Association.

Zoning, Zoning Allowances, and Comprehensive Plan Designation

The parcel proposed for annexation is ±0.635 acres and currently zoned Ada County R-6 (Medium Density). The *Boise City Comprehensive Plan* Land Use Map designates the site as Estate Density Residential-2 DU/acre. The Land Use/Zoning Consistency Matrix lists A-1, A-2, R-1A, N-O and L-O as permissible zones for this land use designation. The applicant is requesting annexation with R-1B zoning, which is not identified as an acceptable zone by the Matrix. However, for parcels 1.5 gross acres or less in size, the Matrix does not need to be adhered to provided that other policies in the Comprehensive Plan can be found to support the proposed zone. The 2.51 acre parcel to the east is zoned R-1B (Single Family Residential). The square footage of the two parcels is 3.145 acres. A community social center is proposed on both parcels and requires a conditional use permit in the R-1B zone.

History of Previous Actions

None

Public Services Available:

Service	Yes	No
Sewer	x	
Water	x	*x
Fire Protection	x	

**There are two wells on the property, one of which is currently active.*

Standards of Review

Section 11-06-01.02 Application Required

Every person seeking the reclassification of any land as regulated by this Ordinance shall file an application and fee with the Planning Director in accordance with Section 11-03-02.

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.

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 11-06-03.03 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 11-08-05 ANNEXATION

Requests for annexation of property into the City of Boise must be heard by the City Council after receiving recommendation by the Planning and Zoning Commission, and must meet one or more of the following conditions:

- A. The land lies contiguous or adjacent to the City or to any addition or extension thereof has been divided into parcels containing not more than five (5) acres of land each; or
- B. Any property owner by or with his/her authority has sold or begun to sell off such contiguous or adjacent land by metes and bounds into parcels not exceeding five (5) acres; or
- C. An owner or any person by or with his/her authority requests annexation in writing to the Council; or
- D. A parcel of land is entirely surrounded by the properties lying within the City boundaries.

Section 11-06-04 Conditional Use Permits

- A. That the location of the proposed use is compatible to other uses in the general neighborhood; and
- B. That the proposed use will not place an undue burden on transportation and other public facilities in the vicinity; and
- C. That the site is large enough to accommodate the proposed use and all yards, open spaces, pathways, walls and fences, parking, loading, landscaping and such other features as are required by this title; and
- D. That the proposed use, if it complies with all conditions imposed, will not adversely affect other property of the vicinity; and
- E. That the proposed use is in compliance with and supports the goals and objectives of the Comprehensive Plan.

3. Background and Analysis

Annexation: The applicant is requesting annexation of ±0.635 acres located at the northeast corner of Plano Lane and W. Hill Road with R-1B (Single Family Residential) zoning. The site is currently zoned Ada County R-6 (Medium Density Residential). The *Boise City Comprehensive Plan* Land Use Map designates the site as Estate Density 2 DU/acre. The Land Use/Zoning Consistency Matrix lists A-1, A-2, R-1A, N-O and L-O as permissible zones for this designation.

The R-1B zone is not identified as a permissible zone by the Consistency Matrix. However, for parcels 1.5 gross acres or less in size, the Matrix does not need to be adhered to provided that other policies in the Comprehensive Plan can be found to support the proposed zone.

Staff finds the request is supported by other elements of the Plan. Goal 8.0 encourages a city that minimizes suburban sprawl, provides for a diverse mixture of life-styles and atmospheres and a sense of place that varies throughout the different areas of the City, and that efficiently provides basic services and facilities in close proximity to where people live. Although residential development of the site is not currently proposed, over time it is likely that at this parcel will redevelop. The annexation will promote proper growth management which will minimize sprawl (Objective 10.1). It will facilitate the orderly expansion of the city boundaries and will conform to the Level of Service standards found in Figure 10-1 of the Comprehensive Plan. The annexation will attempt to balance costs of services with anticipated revenues.

Both the R-1A and R-1B zones are intended for predominantly single-family residential uses. The R-1A zone allows a density of 2.1 DU/acre and the R-1B 4.8 DU/acre. Other than density, the only difference between the two zones is the average lot width and minimum lot size, all other dimensional requirements and permitted uses are the same. The proposed R-1B classification is much closer to the density allowed under the current County zoning.

The proposed annexation does not constitute leap-frog development. The site is located within Boise City's Area of Impact and is adjacent to city limits at the north, east, and southern boundary of the property. The annexation will maintain and preserve compatibility of surrounding zoning and development. The adjacent parcels are large lots developed with single-family homes. The parcels west and north of the site are zoned R-6. The parcel to the east is zoned R-1B and the parcels on the south side of Hill Road are zoned R-1C. There is one accessory storage building on the subject site and the remainder of the property is planted with a variety of trees. The primary residence is located on the eastern parcel. Both parcels are the subject of the associated conditional use permit.



The annexation will not place a strain on public services or facilities. City services such as sewer, police, and fire are already available to the site. City water is not currently available to the site; however there are two wells located on the parcel. According to the applicant, he intends to construct an in-ground tank that will accommodate the water required for sprinklers and hydrants (\pm 90,000 gallons).

He also intends to install a sprinkler system within the building. The applicant has met with the Building and Fire Department to discuss water concerns as it relates to the future use of the property. These concerns will need to be resolved prior to the issuance of any building permits. Sewer is available in Hill Road and fire services will be provided by Fire Station #9 located at Sycamore Drive and State Street which is 2 1/4 miles from the site. No agencies have responded stating the annexation will adversely affect the delivery of services.

The proposed annexation will not negatively impact the transportation system. The property has frontage along Hill Road and Plano Lane. Hill Road is classified as a minor arterial and Plano Lane is classified as a local street. Hill Road is operating at a Better than “C” level of service. According to ACHD, the proposed annexation/use will not place an undue burden on the existing vehicular and pedestrian transportation system within the vicinity impacted by the proposed development.

Roadway	Frontage	Functional Classification	Traffic Count	Level of Service*	Speed Limit
Hill Road	280'	Minor Arterial	3,269 east of Pierce Park Hill on 2/28/09	“C”	35 MPH
Plano lane	195'	Local	112 north of Hill Rd on 4/3/08	N/A	25 MPH

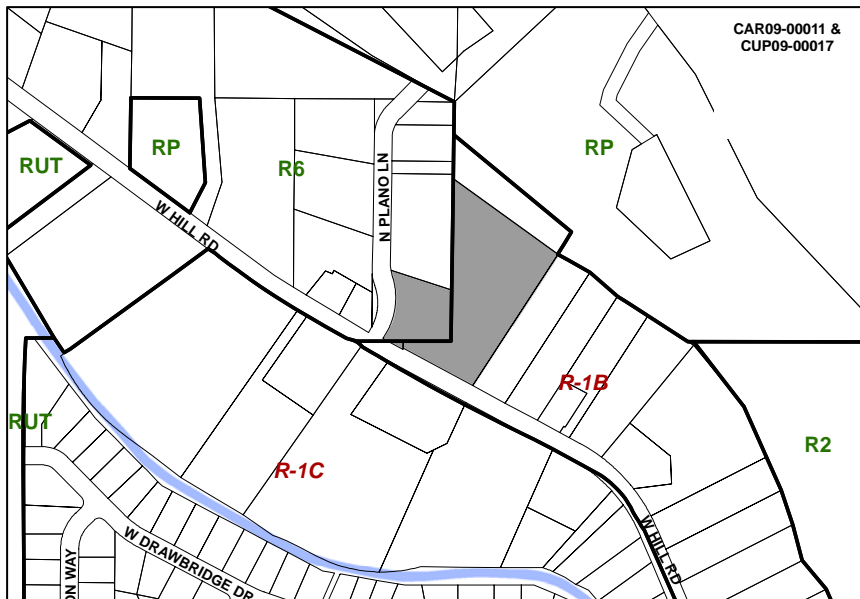
*Acceptable level of service for 2-lane minor arterial roadways is “E” (14,000 VTD).

Conditional Use: The applicant is requesting a conditional use permit to allow a community social center on the 3.145 acre parcel located at 5600 W. Hill Road. The large lawn area on the west parcel is proposed for wedding ceremonies only. No other activities related to the conditional use permit are proposed on this site. The site is known as the Book Farm. In 1975, the applicant was issued a home occupation permit under the jurisdiction of Ada County for the sale of used books; however, this business is in the process of being phased out. The proposed social center will continue under this same name. The site consists of a single-family home and accessory building. The family intends to live in the front portion of the home while utilizing the rear or north portion for special events. This section of the home is approximately 2,324 square feet and includes a large foyer, kitchen, and multipurpose room. Outside, there are two separate lawn areas, natural terraces and a wildlife area. Several Idaho native plants grow on this property and will remain as part of the landscaping. The applicant intends to add and restore the fruit and grape vines that once covered the terraces behind the home.

The Book Farm is proposing to provide both year-round and seasonal outdoor events consisting of retreats, business meetings, training workshops, bridal showers and weddings. The multipurpose room would be the primary venue for indoor events and could be configured with chairs, tables, and audio visual equipment. During weddings and outdoor events, the intent would be to make this room available for indoor seating, music, multi-media presentations, etc. Outdoor receptions and events with music will be required to take place on the reception lawn that is located directly north of the facility and the most distant from adjacent homes. No other uses are proposed on that parcel. The outdoor events would be limited to a maximum of 75 guests and the indoor events would be restricted to a maximum of 35 attendees.

Weddings are restricted to Friday and Saturday with no more than one wedding per day. The applicant is proposing the following hours of operation: 9:00 am to 10:00 pm Monday through Thursday, 9:00 am to 11:00 pm Friday and Saturday and noon to 9:00 pm on Sunday. Staff recommends a condition of approval restricting outdoor music to Friday and Saturdays only with music ending no later than 10:00 pm.

Staff finds the social center compatible with the surrounding uses. The rear of the parcel slopes upward to the north providing a visual buffer as well as a sound barrier from the noise of the outdoor events. The mere size of the combined 3.145 acre parcel provides buffering from the adjoining parcels. The parcels abut a 0.22 and 0.6 acre parcel on the west side of Plano Lane; both developed with single-family homes. To the north is a 1.13 acre parcel with a single family home and a 0.73 acre undeveloped parcel owned by the applicant. North of these parcels is a 12.2 acre undeveloped parcel. To the east is a 0.98 acre parcel developed with a single-family home. Hill Road is to the south with single family homes and R-1C zoning.



According to the applicant, he has discussed this use with his neighbors over the past year and most recently at a neighborhood meeting. The applicant indicated he has spoken to the majority of his immediate neighbors and believes he has their support. The fact that the family will continue to live in the home will provide additional safety, noise and control measures to help insure compatibility with the neighborhood. To date, staff has received four

letters in support of and two letters in opposition to the use. The letters in support are from the neighbor to the south and the adjacent neighbor's immediately north of the annexed parcel and east of the site. The Collister Neighborhood Association submitted a letter indicating the applicant gave a presentation at their March 25, 2009 meeting and there were no objections to the proposed use. The neighbors who are opposed to the use are concerned with compatibility, traffic, and property values. A concern was also raised about sewer capacity and water use. As stated above, city sewer is available in Hill Road and the applicant will be required comply with fire requirements. Conditions of approval regarding hours of operation, music, number of guests, parking and landscaping will help assure compatibility with the neighborhood. According to ACHD, the proposed use will not negatively impact the transportation system.

Staff finds the site large enough to accommodate the proposed use and all required parking. No new structures or additions are proposed, all remodeling will take place within the existing building and as such, there are no changes to the building setbacks. The residence is set back approximately 60 feet from the east property line which abuts the closest neighbor.

This property has historically been used as a residence. If the social center is approved, the occupancy for the proposed use will change from residential to commercial-residential which will require significant improvements. The applicant will be required to comply with the 2006 International Building Code for the change of occupancy. The applicant has contacted Dan Stuart in the Building Division and Mark Senteno with Boise City Fire to discuss some of the requirements.

There are three different parking standards which may be considered for this application. Two parking places are required for the single-family home. The applicant will retain the two parking spaces currently located in front of the residence. The parking requirement for a social center is one parking space per 100 sq. ft. of gross floor area, requiring 23 spaces. The closest standard for a wedding is that of a church which requires 0.25 parking spaces per seat, requiring 19 spaces. There will never be two events occurring at the same time and as such, staff is requiring the most restrictive standard. Staff anticipates five additional parking spaces would be necessary for caterers and other outside services for a total of 30 spaces. The applicant's site plan proposes 30 parking spaces, two of which are handicapped accessible. A pathway from the parking lot to the entrance of the building is proposed along the west side of the home. A condition of approval requires a landscape plan prior to the issuance of a building permit. This plan shall include the required five foot detached sidewalk along Hill Road and all existing and proposed landscaping. The parking lot is setback approximately 85 feet from Hill Road and 10 feet from the east property line meeting or exceeding all setback requirements. Sufficient landscaping to screen the parking lot from the south and east property boundaries shall be provided.

As stated in the discussion of the annexation, agency comments confirm the proposed use will not place an undue burden on transportation in the vicinity. In fact, ACHD's report states that proposed development is expected to generate an additional 21 vehicle trips per day (10 existing trips). The report also describes the current conditions of Plano Lane and Hill Road and makes some recommendations to improve these roadways.

Plano Lane is described as a two lane local roadway that consists of 18-feet of pavement with no curb, gutter or sidewalk abutting the site. ACHD has recommended the applicant provide a total of 24 to 29 feet of pavement and three foot gravel shoulders on Plano Lane. This will require the applicant to provide an additional 6 to 11 feet of pavement (or 15 to 20 feet of pavement from the centerline) on the east side of Plano Lane as well as three foot gravel shoulders on both the east and west side of Plano Lane. Hill Road is described as a two lane minor arterial roadway that consists of 32 feet of pavement with no curb, gutter or sidewalk abutting the site. ACHD has recommended the applicant provide a five foot detached concrete sidewalk abutting the site. This will require the sidewalk to be located outside of the right-of-way. The applicant will need to construct the sidewalk on private property within an easement.

ACHD has also approved the applicant's proposal to close the existing driveway that intersects Hill Road approximately 190-feet east of Plano Lane and relocate the driveway to be located approximately 135-feet east of Plano Lane. Staff is supportive of ACHD's recommendations in regard to roadway improvements on Plano Lane due to the fact that the roadway widening and the addition of gravel shoulders will meet AASHTO guidelines in regard to safety and will provide more than the 20 feet that is required by the City of Boise for a standard two way drive aisle. Staff is also supportive of the five foot detached concrete sidewalk that has been required on Hill Road. Hill Road is a highly traveled roadway for vehicles and bicyclists. With these two modes of transportation utilizing the roadway, there is not a specific location for pedestrians to use. As more parcels develop along Hill Road, the City can continue to obtain sidewalks until a complete pedestrian network is obtained.

Staff believes ACHD's estimate that the site will generate a total of 31 vehicle trips per day is relatively low. Staff believes the estimated vehicle trips per day will likely be closer to 80 due to the fact that there will be a maximum of 75 wedding seats and 35 "retreat/meeting" seats. Staff believes the majority of the wedding related vehicle trips per day will occur during off peak hours as they will occur on Friday evenings or Saturday mid-day or evening while the "retreat/meeting" related vehicle trips per day will likely occur during peak hour similar to an office or business use. Regardless of whether we utilize ACHD's estimate or our own, these newly generated vehicle trips will not adversely affect the current level of service on Plano Lane or on Hill Road in this specific location. Also, when taking a more regional approach, staff has examined the number of vehicle trips per day on Hill Road to the east and west of this site. Based on the existing levels of service on Hill Road in addition to the added vehicle trips per day that are generated by this site, staff is comfortable that the level of service on Hill Road will not deteriorate until you reach Harrison Boulevard which is approximately 3.6 miles to the east of the site and is currently operating at a level of service F.

The project is supported by the goals, objectives, and policies of the Comprehensive Plan. *Objective 6.1.2* states that a land use decision should be supportive of the service level standards. According to ACHD, all adjacent streets will continue to operate at an acceptable level of service. *Objective 7.2.1* encourages the preservation of neighborhoods. The site will preserve the existing character of the neighborhood by maintaining the single-family home and limiting the hours of operation of the social center. The parking lot will be set back approximately 85 feet from Hill Road and will be screened from the road with a landscape berm. *Goal 8.0* encourages a city that minimizes suburban sprawl and provides for a diverse mixture of lifestyles, atmospheres, and sense of place that varies throughout the different areas of the City. The proposed use will provide the northwest and surrounding areas with a unique environment for business and social gathering while maintaining its residential character.

4. Reasons for the Decision / Annexation

The annexation with an R-1B zone designation will maintain and preserve compatibility of surrounding zoning and development. The adjacent parcels are large lots developed with single family homes. The parcels west and north of the site are zoned R-6.

The parcel to the east is zoned R-1B and the parcels on the south side of Hill Road are zoned R-1C. The *Boise City Comprehensive Plan* Land Use Map designates the site as Estate Density 2 DU/acre. The Land Use/Zoning Consistency Matrix does not list R-1B as a permissible zone for this designation. However, for parcels 1.5 gross acres or less in size, the Matrix does not need to be adhered to provided that other policies in the *Comprehensive Plan* can be found to support the proposed zone. Goal 8.0 encourages a city that minimizes suburban sprawl, provides for a diverse mixture of life-styles and atmospheres and a sense of place that varies throughout the different areas of the City, and that efficiently provides basic services and facilities in close proximity to where people live. Although residential development of the site is not currently proposed, over time it is likely that at this parcel will redevelop.

Both the R-1A and R-1B zones are intended for predominantly single-family residential uses. Other than the density, the only difference between the two zones is the average lot width and minimum lot size; all other dimensional requirements and permitted uses are the same. The proposed R-1B classification is much closer to the density allowed under the current R-6 County zoning.

The proposed annexation does not constitute leap-frog development and will not place a strain on public services or utilities. The site is located within Boise City's Area of Impact and within the Boise Sewer Planning Area. The parcel is adjacent to city limits at the east and south property boundaries. City services such as sewer, police, and fire are already available to the site. No agencies have responded stating that the proposed application will adversely affect the delivery of services.

The annexation of the site conforms to the goals and objectives of the *Comprehensive Plan* by promoting proper growth management which will minimize sprawl (Objective 10.1). The annexation of this site will facilitate the orderly expansion of the city boundaries and will conform to the Level of Service standards found in Figure 10-1 of the *Comprehensive Plan*. The annexation will attempt to balance costs of services with anticipated revenues.

Reasons for the Decision / Conditional Use Permit

The community social center is compatible with the surrounding uses and will not adversely affect other property of the vicinity. The indoor events will be relatively small with a maximum 35 guest and the outdoor events will be limited to attendees 75. The size and layout of the property provides buffering from the adjoining parcels. Conditions of approval limit the hours of operation and restrict outdoor music to Friday and Saturday with an end time of 10:00 pm. The rear of the parcel slopes upward to the north providing a visual buffer as well as a sound barrier from the noise of the outdoor events. The family will continue to live in the home and oversee the operation of the business.

The site is large enough to accommodate the proposed use and the required parking. No new structures or additions are proposed.

The existing residence is well outside of required setbacks. The thirty required parking spaces have been provided. A condition of approval requires landscaping to help buffer the parking lot and the adjacent property to the east. Agency comments confirm the proposed use will not place an undue burden on transportation. In a staff report dated April 15, 2009, the Ada County Highway District indicated the local and arterial road network in the vicinity would continue to operate at an acceptable level of service. Prior to the issuance of a Building Permit all requirements of the Building and Fire Department must be met.

The project is supported by the goals, objectives, and policies of the Comprehensive Plan. *Objective 6.1.2* states that a land use decision should be supportive of the service level standards. According to ACHD, all adjacent streets will continue to operate at an acceptable level of service. *Objective 7.2.1* encourages the preservation of neighborhoods. The site will preserve the existing character of the neighborhood by maintaining the single-family home and limiting the hours of operation of the social center. The parking lot will be set back approximately 85 feet from Hill Road and will be screened from the road with a landscaping. *Goal 8.0* encourages a city that minimizes suburban sprawl and provides for a diverse mixture of life-styles with an atmospheres and sense of place that varies throughout the different areas of the City. The proposed use will provide the northwest and surrounding areas with a unique environment for business and social gathering while maintaining its residential character.

5. General Information

Notifications

Neighborhood Meeting held on: March 12, 2009

Newspaper notification published on: May 15, 2009

Radius notices mailed to properties within 300 feet on: May 16, 2009

Staff posted notice on site on: May 15, 2009

Size of Property:

Parcel proposed for annexation / 0.635 acres

Parcel proposed for social hall / 2.51 acres

Total combine acreage 3.145

Land Use

Existing Land Use

The 0.635 acre parcel is comprised of an accessory building and the 2.51 acre site is developed with a single-family home, carport and accessory building. Both parcels have mature landscaping.

Hazards

None known

Adjacent Land Uses and Zoning (both parcels)

North: 1.13 acre parcel with single family residence zoned R-6 and a 0.73 acre undeveloped parcel zoned R-1B
 South: Hill Road, then single family home zoned R-1C
 East: 0.98 acres parcel developed with a single-family home zoned R-1B
 West: 0.22 and 0.6 acre parcel developed with a single-family home / Ada County zoned R-6

Site Design

Percentage of site devoted to building coverage: 2%
 Percentage of site devoted to landscaping: 78%
 Percentage of site devoted to paving: 20%

Parking

Proposed		Required	
Handicapped spaces proposed:	2	Handicapped spaces required:	2
Parking spaces proposed:	30	Parking spaces required:	30
Number of compact spaces proposed:	0	Number of compact spaces allowed:	10
Bicycle parking spaces proposed:	1	Bicycle parking spaces required:	1
Parking Reduction requested?	No	Off-site Parking requested?	No

Setbacks

Yard	Building		Parking	
	Required	Proposed	Required	Proposed
Front (Hill Road)	20'	170'	20'	85'
Side (west)	10'	±60'	10'	±85' to Plano Lane
Side (east)	10'	65'	10'	10'
Rear	30'	±217'	30'	±300'

6. Boise City Comprehensive Plan

This project is located in the **Northwest Planning Area** of the *Boise City Comprehensive Plan*. There are no goals, objectives or policies for this planning area that apply to this application.

Boise City Comprehensive Plan Goals, Objectives and Policies

Chapter 2 PUBLIC FACILITIES, UTILITIES AND SERVICES

Goal 1

Provide efficient, cost-effective and environmentally sound public central sewer collection and treatment facilities for all existing and future land uses within the city's area of impact.

Policy 2.1.1

Construct new sewage collection and treatment improvements as needed and as funding is available.

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 6.1.2

Maintain a land use decision-making process that is supportive of the service level standards identified in the most recent Regional Transportation Plan for Ada County of record, and which is protective of living environments along streets.

Chapter 7.0 - COMMUNITY QUALITY

Goal 7.2

Create a community composed of neighborhoods in which services and amenities are convenient, visually pleasing and properly integrated and designed to encourage walking, and cycling.

Objective 7.2.1

Promote and establish a physical framework of development in the City, which encourages the development of form and character of its districts, the preservation of its neighborhoods and the conservation of its historical identity.

Objective 7.2.3

Provide for the protection of character and the enhancement of services in existing residential neighborhoods.

CHAPTER 8 - LAND USE

Goal 8.0: Achieve a city that minimizes suburban sprawl, that provides for a diverse mixture of life-styles and atmospheres and a sense of place that varies throughout the different areas of the City, and that efficiently provides basic services and facilities in close proximity to where people live.

Objective 8.1

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 8.0.1.1

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 8.0.1.2

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

Land Use	A-1	U	R-1A	R-1B	R-1C	R-1M	R-2	R-3	R-O	L-O	C-1	C-2	C-3	C-4	C-5	PC	H-S	M-1	M-2	M-4	T-1	T-2	
Estate Residential 2	X		X							X													

<p>Table 8.1-3 (excerpt) Definitions of Land Use Map Designations</p>		
Land Use	Applies To	Allowed Uses and/or Limitations
Estate Residential 2	Along the eastern stretches of the Boise River, and in the Airport Impact Area in the Southwest.	Single-family housing on 20,000 square-foot lots, up to 2 units per gross acre, except clustering on small lots may be permitted.

CHAPTER 10 - GROWTH MANAGEMENT

Goal 10.0

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 10.0.1

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

Figure 10-1
Level of Service Standards for Community Services and Facilities
Service Standards Service Area

Figure 10-1
Level of Service Standards for Community Services and Facilities

Service	Service Standards	Service Area
TYPE I — CONCURRENT WITH THE ISSUANCE OF ANY DEVELOPMENT PERMIT		
Fire*	4 minute response, unless excepted by Fire Department	1.5 mile
Water	35 psi residential/1,500 gpm fire flow	Community
	40 psi non-residential/1,500 gpm fire flow	Community
Sewer **	Available to site	Community
	Treatment: Federal Standards + capacity	
	Collection: capacity	
Schools	System capacity	Community
Streets	Authorization by ACHD	Community
Police/Sheriff	Available	
Solid Waste	Weekly pick-up	Community
Electricity	Available	Community
Telephone	Available	Community
Storm Drainage	Approved on site or public system	Community

* Fire Station "set-a-side" shall be required within the City Area of Impact.		
** See the exception for the Southwest Planning Area identified under Objective 2, Policy 2 in the Sewer Facilities section of the "Public Facilities, Utilities and Services" chapter of this plan.		

7. Boise City Zoning Ordinance

Section 11-04-03.02 Purpose of R-1A, R-1B and R-1C Districts

It is the purpose of the R-1A, R-1B and R-1C District Classifications to provide various regulations and districts for predominantly single family residential uses within the urban community. Land may be classified to these respective classifications in conformity with the goals and objectives of the Comprehensive General Plan, for location, topographic or other reasonable purposes to guide the physical growth and stability of the City.

Section	Description
11-06-01-03	Public hearing
11-08-05	Annexation
11-08-05.01	Annexation Classifications
11-08-05.03	Annexation Procedures
11-06-04	Conditional Use Permits
11-06-04.13	Criteria and Findings
11-10-01	General Provisions

8. Recommended Conditions of Approval

Site Specific

1. Construction, use and property development shall be in compliance with plans and specifications on file with the Boise City Planning and Development Services Department date stamped received on **April 21, 2009** except as may be expressly modified by the following conditions:
2. The occupancy for the proposed use will change from residential to commercial-residential. The applicant will be required to comply with the 2006 International Building Code for the change of occupancy.
3. Outdoor events shall be limited to no more than 75 guests. Indoor guests will be limited based on the building occupancy requirement and in no case shall exceed 35 guests.
4. Outdoor receptions and events with music will be required to take place on the reception lawn which is located directly north of the facility.
5. Wedding ceremonies are allowed on all three lawn areas as identified on the site plan dated **April 21, 2009**.
6. The permitted hours of operation are 9:00 am to 10:00 pm Monday through Thursday, 9:00 am to 11:00 pm Friday and Saturday and noon to 9:00 pm on Sunday.
7. Outdoor music is limited to Friday and Saturdays only, with music ending no later than 10:00 pm.
8. No more than one event may be held on the premises at a time.
9. All event parking must be provided on site.

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10. A six foot high cedar site obscuring fence shall be constructed along the east property line. At a minimum, the fence shall extend from the south end of the parking area to just north of the reception area.
 11. The applicant shall submit a revised, detailed landscape plan. This plan must be prepared by a landscape professional. The plan should include the following information at a minimum:
 - a) A buffer comprised primarily of upright evergreen shrubs and/or trees shall be installed along the length of the eastern property line. The planting shall begin just north of the existing tree cluster by the parking lot, extending to the north end of the reception area. These evergreens shall be a minimum height of 6' at the time of planting. A similar buffer shall be installed along Hill Road to screen the parking lot.
 - b) The location of all existing trees larger than 2" in caliper and whether they are to be retained or removed. Any tree larger than 2" in caliper removed from the site shall be replaced with a tree or tree(s) with an equal or greater caliper.
 - c) The location of all proposed plant materials including trees and shrubs. All species should be represented by their approximate size at maturity.
 12. The applicant shall construct a "detached" sidewalk along the frontage of Hill Road. If the sidewalk is located outside of the right-of-way, the applicant will be required to provide ACHD with an easement for the sidewalk.
 13. All landscaping and underground irrigation shall be installed or bonded for prior to issuance of an occupancy permit. For bonding, the applicant is required to provide a minimum of 2 bids for the landscaping materials and the installation. Bids shall be turned into Vicki Descalfani at the Subdivision desk on the 2nd floor of City Hall. She may also be reached at 384-3998.
 14. Interior landscaping shall be at least 5% of the total parking and driveway area. This is in addition to the required perimeter landscaping.
 15. Existing mature vegetation shall be retained wherever possible.
 16. All landscaping shall be maintained in a healthy and attractive condition and shall be irrigated by an appropriate underground irrigation system.

General

17. Trash receptacles, shall be screened from public view by use of an approved sight-obscuring fence and/or hedging.

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18. The applicant shall comply with the standards and conditions of the City of Boise Solid Waste Commercial and Multi-Family Centralized Trash Requirements per attached email from Peter McCullough dated **April 3, 2009**.
 19. All conditions of the Boise Fire Department report dated **April 13, 2009** shall be complied with. Any deviation from this plan is subject to fire department approval. For further information contact Mark Senteno, at 570-6567.
 20. Specific building construction requirements of the Uniform Building and Uniform Fire Codes will apply. However, these provisions are best addressed at the Building Permit application.
 21. The applicant shall comply with the requirements of the Boise City Public Works Department (BCPW) for drainage, sewers and street lights per department comments dated **April 3, 2009**. Please contact BCPW at 384-3900. All items required by BCPW shall be included on the plans/specifications that are submitted for a Building Permit. Please note that any changes or modifications by the owner to the approved Storm Water Plan must be resubmitted to BCPW for approval.
 22. All of the Ada County Highway District conditions of approval related to the development of the subject property shall be complied with per staff report dated April 15, 2009.
 23. Vision Triangles as defined in Section 11-01-03 and Section 11-10-04.4G. of the Boise City Zoning Ordinance shall remain clear of all sight obstructions.
 24. The applicant or his/her contractor shall obtain a right-of-way permit from the Ada County Highway District prior to any construction in the public right-of-way.
 25. All parking areas and driveways shall be paved, marked and provided with approved wheel restraints, and shall be designed and laid out to conform to the minimum standards required by the Boise City Zoning Ordinance.
 26. Hook-up to wet line sewers shall be required prior to issuance of an Occupancy Permit.
 27. A detailed grading and drainage plan shall be submitted for review and approval by the Ada County Highway District and Boise City Public Works Department before a Building Permit is issued.
 28. This approval does not include approval of any signage. A separate Sign Permit will be required from the Boise City Planning and Development Services Department prior to installation of sign(s).

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29. Exterior lighting fixtures must be designed and located so as to prevent glare or direct light from falling onto adjoining properties or streets.
 30. No change in the terms and conditions of this approval shall be valid unless in writing and signed by the applicant or his authorized representative, and an authorized representative of the City of Boise. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon the City of Boise.
 31. Any change by the applicant in the planned use of the property which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant or its successors in interest advises the City of its intent to change the planned use of the property described herein unless a variance in said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.
 32. An Occupancy Permit will not be issued by the Boise City Building Department until all conditions of approval have been complied with. In the event a condition(s) cannot be met by the desired date of occupancy, the Boise City Planning and Development Services Department Planning Director will determine whether the condition(s) is bondable or should be completed, and if determined to be bondable, a bond will be required in the amount of one hundred ten percent (110%) of the value of the condition(s) which are incomplete.
 33. This conditional use shall be valid for a period not to exceed eighteen (18) months from the date of approval by the Planning and Zoning Commission. Within this period, the holder of the permit must:
 - A. Acquire construction permits and commence placement of permanent footings and structures on or in the ground. The definition of structures in this context shall include sewer lines, water lines, or building foundations; or
 - B. Commence the use permitted by the permits in accordance with the conditions of approval; or
 - C. For projects, which require platting, the plat must be recorded within this period. The Commission may also fix the time or period within which the permit shall be completed, perfected or bonded. If the conditions of approval shall not be completed or bonded within such period, said permit shall lapse.
 34. Any future division of this parcel into individual lots or parcels, for the purpose of selling the separate lots to individual owners, will be required to comply with all provisions of Boise City Code, Title 9, Chapter 20, including lot frontage on a public or approved private street, and all requirements for preliminary and final platting.

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35. Construction, use and property development shall be in conformance with all applicable requirements of the Boise City Code.
 36. Upon written request by the holder, prior to expiration of this Conditional Use Permit, the Commission may grant a one-year time extension. A maximum of three (3) one-year time extensions may be granted to an unexpired permit. The Commission reserves the right to require additional conditions or modifications to the revised plans.
 37. Failure to abide by any condition of this approval may be grounds for revocation by the Boise City Planning and Zoning Commission.
 38. The Conditional Use Permit shall be completed within 5 years (60 months) of the Commission's approval or a new Conditional Use Permit shall be required.

Construction Practices

39. The practices required below are intended to mitigate the impact and disturbance of residential property owners during the construction of adjacent buildings or structures. The following conditions apply to all construction-related activities ranging from grading and demolition activities to final occupancy on any land or parcel falling under the proprietary ownership of the permit applicant.
 - a) Prior to the issuance of a building permit and prior to the commencement of any construction on-site, an Erosion and Sediment Control (ESC) permit must be obtained from the Planning and Development Services Department. No grading, demolition or earth disturbing activities may start until an approved ESC permit and the associated site work or grading permits have been issued.
 - b) To reduce the noise impact of construction on nearby residential properties, all exterior construction activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. for Saturday and Sunday. Low noise impact activities such as surveying, layout and weather protection may be performed at any time. After each floor of the structure or building is enclosed with exterior walls and windows, interior construction of the enclosed floors can be performed at any time.
 - c) Applicant shall comply with Boise City Fire Department requirements for water, access, and/or other requirements as determined by the Fire Marshal.
 - d) Any conditions to be enforced during construction shall remain posted at each street abutting the construction site for the duration of the project. In addition to the posted conditions the permit holder shall also post an 11"x 17" laminated sign containing a project contact phone number, name of project contact and the Boise City contact number, 384-3845, to address issues as they arise. Failure to abide by any conditions set

forth shall be grounds for revocation of Conditional Use Permit and/or Building Permits and may be subject the owner or owner's agents to fines and criminal citations.