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Planning & Development Services

September 25, 2009

Aase's Canyon Point Development, LLC
3750 West 500 South
Salt Lake City, UT 84104

Re: **CAR07-00042/DA / 6890 N. Plano Road**

Dear Applicant:

This letter is to inform you of the action taken by the Boise City Planning and Zoning Commission on your request to annex ± 296.12 acres, combined with ± 36.63 acres within Boise City Limits for a total of ± 332.75 acres located at 6890 N. Plano Road with zoning designations of R-1A/DA (Single Family Residential with a Development Agreement-2.1 DU/Acre) and A-1/DA (Open Land with a Development Agreement).

The Boise City Planning and Zoning Commission, at their meeting on September 21, 2009 recommended to the Mayor and the Boise City Council, approval of the request with the zoning designation of A-1/DA (Open Land with a Development Agreement), based on the attached Reasons for the Decision.

This 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 any questions, please contact this department at (208) 384-3830.

Sincerely,

Bruce Eggleston, AICP
Planning Analyst II
Boise City Planning and Development Services

BE/bjc

Attachment

cc: Capital Development, Inc. / 6200 N. Meeker Place / Boise, ID 83713
Stewart Land Group / 6995 S. Union Park Ctr. / Midvale, UT 84047

Reasons for the Decision

ANNEXATION

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.

Finding: The proposed annexation is contiguous with City boundaries, and it is within the Boise sewer planning area. Boise Public Works Department states that sewers are available to the subject property in a letter dated August 17, 2009.

B. Honor negotiated area of impact agreements.

Finding: The proposed annexation area is in the Boise City Area of Impact and the proposal honors the Area of Impact Agreement with Ada County in compliance with Boise City Code 11-15. The site is subject Boise City Comprehensive Plan and the *Foothills Policy Plan*, and the proposal is generally in compliance with those plans.

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

Finding: The proposed land use within this annexation is single-family residential dwellings with approximately 31% of the land in development and 69% in open space. The gross density would be 0.5 units per acre, half of the density allowed in Boise's R-1A Zone. Higher densities represent a smaller cost per unit for the urban services package. It is a matter of efficiency and economies of scale, the greater the density per acre, and the lower overall costs to service the area on a per unit basis.

The site is accessed up steep hills and is perched on ridge tops, which tends to increase the costs of road maintenance, sewer maintenance and water system maintenance. The cost of school bus transportation would be higher for the same reasons, and because the proposed neighborhood would be at the end of a gulch, requiring a looping back to access other neighborhoods. The proposed neighborhood is within the area where range fires occur. Range fires are difficult and costly to fight and contain, and they require specialized equipment to fight them, at an additional cost to the City.

Finding: The revenues from the proposal would tend to be on the high end for assessed value per residence. It is not clear if the revenues would balance the costs of services, as that data is not available.

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

Finding: The proposed annexation is contiguous with City boundaries. City sewer, Police, Fire and Parks and Recreation resources serve the area. United Water has indicated that they would provide municipal water supply via a water tank installation at the top elevation of the subject site. The subject site is adjacent to public rights-of-way and has access to them. This is a logical extension of the City boundaries as all the urban services are available to the site.

RECLASSIFICATION OF ZONING DISTRICTS

Section 11-06-01.01 Power to Amend

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. The 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 and the regulations and the standards thereof:

A. Comply with and conform to the Comprehensive Plan;

Finding: The proposed annexation and zone change area is in the Boise City Area of Impact and the proposal honors the Area of Impact Agreement with Ada County in compliance with Boise City Code 11-15. The site is subject to the *Boise City Comprehensive Plan* and the *Foothills Policy Plan*. The proposal is generally in compliance with those plans, with the exception of the policies (Chapter 3 Goal 1 Objective 1 Policies 1, 2, 3 and 4) concerning site design and the grading of prominent ridge tops.

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

Finding: The proposal is in the City's area for police, sewer, parks, and library services. It is served by Ada County Highway District (ACHD) for street services and has received a recommendation for approval from their Board of Commissioners on May 25, 2008, and restated in a memo and revised staff report dated September 18, 2009.

Finding: The Independent Boise School District includes the site in its service area. United Water of Boise would provide municipal water services. These agencies have all indicated by letters in the file that they could provide services to the project site. The provision of services to this site would not diminish services to other parts of the region.

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

- Finding: The proposed zone change and annexation area is contiguous to City residentially zoned neighborhoods on the south. Ada County Rural Preservation (RP) surrounds it on the north and east, and a residential neighborhood with R6 zoning on the west. The proposed use and zone change are compatible with the surrounding zones.
- Finding: The recommended zone is A-1/DA, open space with development agreement. This zone is derived from the regulations of the Boise City Zoning Code Chapter 11 Section 11-06-05.07, the Foothills Planned Development Ordinance. The ordinance requires that requests for annexation and/or zone change would result in the R-1A/DA and A-1/DA or A-2/DA Zones.
- Finding: The proposed development is in character with, and similar in use and density with the surrounding neighborhoods.
- Finding: The City should annex this property with the A-1/DA (Open space), recognizing fully that there is a base density right associated with the current zones.
- Finding: The development agreement should state that there is a base density right associated with the current zones. It should further state that it would be appropriate to rezone the subject property to R-1A/DA and A-1/DA when a different conditional use permit may be granted that was found to be in compliance with the *Foothills Policy Plan* and the Foothills Planned Development Ordinance.
