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Planning & Development Services

July 30, 2008

Memorandum

To: Boise City Planning and Zoning Commission

From: Bruce Eggleston, AICP, Planner II

Subject: Work session report for the July 31, 2008 meeting on the Plano Road Subdivision proposal, CAR07-00042/DA, CUP07-00084, CFH07-00022 and SUB07-00065

The July 14, 2008 hearing on the above cases resulted in a work session scheduled for July 31st and a hearing to be continued on August 11, 2008. The attached report is comprised of questions that arose at the hearing and the staff's responses and the applicant's responses to those questions.

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Plano Road Subdivision Proposal Work Session Topics

Density

1. Show how the density bonus was calculated and how base density was calculated. The following tables show how the density bonus was calculated. The acreages come from a GIS map file dated March 25, 2008. The same data is portrayed on the attached exhibit "Boise Foothills Concept Plan" dated 6/26/2008.

May 29, 2008

PROPOSED PLANO LANE SUBDIVISION FOOTHILLS AREA DENSITY BONUS CALCULATION			
SUMMARY			
PARAMETERS	OWNERSHIP	ACRES	FORMULA/SOURCE
1. Total Land in Slope Analysis:	Aase's Canyon LLC, Capital Development, Marie E. Casey, Kelly E. Troutner and Perry Harding		1. Application
TOTAL ACRES		332.8	1. Application
2. Total Buildable Land (Slopes less than 25 %:)			
Used (proposed development)		47.8	2. Application
Not used (Open Space Dedicated)		25.3	3. Application
*Aase's Onion fields (Open Space Dedicated)		81.9	4. Application
TOTAL ACRES		155.0	5. Sum
*See Zoning Code 11-06-05.07.04 Density Bonus			
Proposed developed land		47.8	2. Application
Percent of Buildable land to be developed		30.8%	2. Application / 5. Sum
Percent of Buildable land to be set aside in open space =		69.2%	100% - 30.8%

Density Bonus on remaining buildable land - in units/acre		2.99	+see calculations below
		UNITS	FORMULA
DENSITY BONUS - Based on implementation of Plan SUBMITTED March 27, 2008, using a maximum of 47.78 acres of the 332.8 acres of slopes less than 25%, including the credit for the Aase's Onion fields, the density bonus value is =		143	47.8 ac. X 2.99 Units/ac. Density Bonus =
Base Density =		8	Base Density = Total Land-acres/40 u/acre
TOTAL POTENTIAL UNITS =		151	DENSITY BONUS + BASE DENSITY

FOOTHILLS AREA DENSITY BONUS CALCULATIONS

+Find y, Units per acre multiplier, given the percentage of set-aside buildable land below		FORMULA
% of Set-aside buildable land =	69.17%	
	2.99	y=mx+b
Density Bonus on remaining buildable land - units/acre	2.99	Calculated by y=mx+b from Table 1 below
Y intercept is	-1.389	Constant per ordinance derived from Table 1
Slope is	6.333	Constant per ordinance derived from Table 1

Table 1 - Density Bonus Formula (Boise City Zoning Code 11-06-05.07.04, Page 17 of 51)

Density Bonus Formula - Foothills Planned Development Ordinance

PROPOSED PLANO LANE SUBDIVISION			Total acres =		332.75
Base Density = 1 unit per 40 acres			Base Units @ 1/40 =		8
PROPOSED PLANO LANE PROJECT TOTAL BUILT ACREAGE < 25% SLOPES =					47.8
Built Area	Open Space Dedicated Per Cent	Density Bonus Units /Acre	Buildable Area On 332.8 acres	# of Bonus Units	Potential Total Units
75%	25%	0.5	116.2	58	66
69%	31%	0.75	106.6	80	88
63%	38%	1	96.9	97	105
56%	44%	1.25	87.2	109	117
50%	50%	1.5	77.5	116	124
44%	56%	1.75	67.8	119	127
38%	63%	2.25	58.1	131	139
31%	69%	3	48.4	145	153
25%	75%	4	38.7	155	163

City staff calculation regarding base density and density bonus

The City calculated base density at 1 per forty for 8 units and the bonus density at 143 units = 151 units total.

Response to Applicant's comments on base density.

The applicant gave testimony at the hearing and in the attached "Applicant's Responses to Plano Road Subdivision Proposal Work Session Topics" to the effect that the base density for the proposal is at least 917 dwelling units. They state, "... that, because the 917-unit base density is far greater than the 155 homes proposed by the Applicants, no density bonus is actually being utilized by the Applicants. Or put otherwise, the actual size of the density bonus is largely irrelevant to the pending development proposal."

In working with the Applicant for 3 years on this project, all were in agreement to utilize a base density of one unit per forty acres. Staff agrees that the ordinance allows a base density in accordance with Section 11-06-05.07.04. A 1. This section states that the base density for development is that given for the existing Boise City and Ada County zones. However, the base density is also regulated by the ordinance in its entirety, not just one statement in the Foothills Planned Development Ordinance according to the following statements from that section of the Code.

Boise Zoning Code 11-06-05.07.03. General Application and Development Requirements

1. All developments shall be processed as Planned Developments (PDs) under Section 11-06-05 of the *Boise City Zoning Ordinance*.

2. The base density of one per forty acres for the entire project area may be added to the number of units allowed by the density bonus formula.
3. Upon annexation the buildable areas of the PD shall be zoned "R-1A," Single-Family Residential, **with the density and design further controlled by the provisions of this ordinance (emphasis added)**. Slope protection and preserved open space areas shall be zoned A-1 or A-2.

One of the most significant concerns with the Developer's contention concerning the base density is that he fails to take in consideration the buildable slope and cluster density into his analysis. That is to say that the FPP and FPDO restrictions against siting development clusters on slopes greater than 25% still prevail in development proposal in both the City and the County. Thus, applying all of the ordinance requirements, a realistic estimate of base density is 332 units, as estimated by the applicant. This number would be reduced further by traffic impact constraints on the road system. Thus a maximum estimated density is 290 to 300 units as demonstrated in the table below.

The subject site is zoned as shown in the table below and map, Exhibit 1:

Current Zoning for the Plano Road Subdivision Application	Current Zoning	Acres in Zone, Approx.	Maximum Density allowed under current zoning = U./Ac.	Buildable acres in Zone
Sub-Total, Boise City	A-1	16.4	1	
Sub-Total, Boise City	R-1C	20.1	8	
Sub-Total, Ada County	R6	122.9	6	
Sub-Total, Ada County	RP	173.1	0.025	
Total		332.5		73.1

Staff concurs with the interpretation of the base density allowances in Section 11-06-05.07.04. A 1 for the existing Boise City and Ada County zones. Staff calculated the base density in accordance with the Foothills Policy Plan at the rate of one unit per forty acres. Staff also concurs that the base density given the existing zoning would exceed the 155 units requested by the applicant. An exact number would require map analysis that there was not time to do. Therefore the density bonus methodology is not necessary to qualify for 155 units.

For purposes of this application, the applicant is bound by densities reflected in the application and proposed development agreement. The applications express the intent of the applicant for the proposal. Their applications (zone change, development agreement and conditional use permit) invoked the density bonus regulations and went to great lengths to comply with those regulations. The applicant followed the density bonus and the calculations are expressed on the (24" x 36") aerial map and site plan labeled "Foothills Concept Plan" and in several work sheets in the record.

Furthermore, in **KMST v County of Ada**, the Supreme Court found that there was no taking when the developer voluntarily agreed to a condition on his application. Likewise, the Applicant has limited his development proposal to 155 units on his application. That is the application being processed and the Applicant cannot, request a greater number at this point.

Also, when land is annexed into the City, a zone is assigned based upon the policies of the Comprehensive Plan, its ordinances and other considerations such as availability of services and infrastructure. The most pertinent policies are cited above from the FPP in regards to the density bonus and the base density. The application includes a development agreement that would govern the zone change and density; it is also based on the 1 unit per 40-acre base density. The proposed development agreement (DA) refers to compliance with the Foothills Planned Development Ordinance (FPDO) in the recitals D and E on page 1, and in sub-sections 1 and 2 on page 2 and in Exhibit D depicting the lot layout and set-aside of permanent open space. Sub-section 4 and Exhibit F also shows the lands proposed for permanent open space for the onion conservancy. Upon annexation, the City does not have to assign a zone that is equivalent to the County zoning.

There are other parts of the ordinance that also address the density issues. 11-06-05.04, item 3 the table and the line below the table all refer to the City's analysis.

3. Upon annexation the buildable areas of the PD shall be zoned "R-1A," Single-Family Residential, with the density and design further controlled by the provisions of this ordinance. Slope protection and preserved open space areas shall be zoned A-1 or A-2.

11-06-05.07.04.B. Table 1 - Density Bonus Formula*

Table 1 - Density Bonus Formula*

Built Area Percent	Open Space Dedicated Percent	Density Bonus Units /Acre	Example	
			Buildable Area On 100 acres After Open Space Set-Aside	# of Bonus Units
75%	25%	0.5	75.0	38
69%	31%	0.75	68.8	52
63%	38%	1.0	62.5	63
56%	44%	1.25	56.3	70
50%	50%	1.5	50.0	75
44%	56%	1.75	43.8	77
38%	63%	2.25	37.5	84
31%	69%	3.0	31.3	94
25%	75%	4.0	25.0	100

- *1) The base density of one unit per forty acres for the entire project area may be added to the number of units allowed by the density bonus formula.

Even if the Commission believes the Applicants contention that the density is high enough without the density bonus, they would still need to protect priority Open Spaces. The FPDO and the Comp. Plan still require this compliance. Refusing to acknowledge the existence and

protection of the 11 priority open space characteristics refutes the entire reason for the Foothills Plan and its goals to tailor development to the environmental values of the land.

The City contends that the whole of the Boise Zoning Code, Subdivision Code, the Uniform Fire Code, recommendations from Ada County Highway District, and the *Boise City Comprehensive Plan* must also be taken into consideration in the matter of density in this location.

Relevance of Maximum Density

The potential maximum density could come into play if the City does not annex the property. The City has entered into an area of impact agreement with Ada County. Part of that agreement states that when land is contiguous to the City, the landowner must request annexation from the City. If the City denies the annexation request, the landowner may develop the land through the County. The County has agreed that for County development within Boise's area of impact, the County shall adopt and apply the City's Comprehensive Plan. However, the agreement also states that County zoning will apply in the area of impact.

As stated in the case of *Bone v City of Lewiston*, the comprehensive plan and the zoning ordinance are distinct concepts serving different purposes. A comprehensive plan does not operate as legally controlling zoning law, but rather serves to guide and advise the governmental agencies responsible for making the zoning decisions. Further, in *Urrutia v Blaine County, Idaho*, the Idaho Supreme Court held that a governing board should not rely only on the comprehensive plan in denying a specific application, and should instead craft its findings of facts and conclusions of law to demonstrate that the goals of the comprehensive plan were considered, but were simply used in conjunction with the zoning ordinances in evaluating the proposed development. Thus, when reviewing a development application, Ada County would need to consider the *Boise Comprehensive Plan* and *The Boise Foothills Policy Plan* (FPP), but would also need to consider existing zoning. A County analysis would have to recognize the restrictions on 25% slope. Therefore, the claim for a potential of 917 dwelling units under current zoning is based solely upon the theoretical maximum allowed density for the zones and not the real world of steep geography and slope-constrained site design.

The following policies from the FPP apply regardless of whether development is in the City or County.

Boise Foothills Policy Plan Figure 1 - 2

Base Densities, Density Transfers, and Density Bonus Formula for Open Space Preservation

- 1) Base Densities: **The base density shall be one unit per 40 acres for all areas designated as buildable (less than 25% slopes) and non-buildable (greater than 25% slopes).**
- 2) Density Credit Transfer: **Density credits for non-buildable areas may be transferred to buildable areas at a rate of one unit per 40 acres.**
- 3) Density Bonus: **Density Bonuses earned through open space preservation will be in addition to the one unit per 40 acres base density.**

Density Bonus Formulas

Open Space Preservation Within Buildable Areas	Density Bonus Within Buildable Areas*
25% .50 units/acre	
50% 1.5 units/acre	
75% 3.0 units/acre	

2. Demonstrate how the public benefit requirements were met for the density bonus, that is the intent of the ordinance with respect to public benefits and how those were determined.

This would only apply if the applicant required credit for open space in steeply sloped areas. This is not needed for density, but it is required to satisfy the parts of the FPDO and FPP to protect and conserve sensitive areas.

The following analysis demonstrates that the applicant has made an effort to establish at least five of the eleven Priority Open Space Characteristics. It is up to the Commission to make the determination as to how well the application establishes these characteristics.

Staff analysis: [The following Times New Roman font sections are from the Foothills Planned Development Ordinance, 11-06-05.07, the plain Aerial font is the staff analysis.]

See (in the July 14, 2008 Planning and Zoning Commission Packet, not reprinted here for space considerations) Ecological Design, Inc. Reports: "A Report Documenting the Presence of Wetlands and Riparian Areas, February 28, 2008 Boise Foothills Property Between North Collister Drive and North Plano Lane and a Portion of Quail Ridge Subdivision, Boise, Idaho"; "A Report Documenting a Survey For Occurrences of Aase's Onion (*Allium Aaseae*), February 28, 2008, Boise Foothills Property Between North Collister Drive and North Plano Lane and a Portion of Quail Ridge Subdivision, Boise, Idaho"

C. Other Open Space Allowances:

The City recognizes that the foothills provide a great degree of variability in landforms, environmental habitats and cultural resources. Some areas may have a combination of characteristics that cause them to be considered worthy of special incentives for preservation, even if they do not meet the normal size, slope or dimensional requirements necessary to qualify as Open Space Eligible for a Density Bonus as per Section 11-06-05.7.4.B above. When these areas are identified on a property and proposed for preservation, the Planning and Zoning Commission may classify them as Priority Open Space and allow all or a portion of them to qualify for the granting of a density bonus.

In order to qualify for a density bonus, Priority Open Space lands must demonstrate at least four of eleven characteristics established for high priority open space lands. There must also be a demonstrable increase in the public value of the resource by such allowance that would not be realized by strict adherence to the other provisions of this code.

Priority Open Space Characteristics:

Of the following eleven characteristics of high priority open space, at least four must co-exist on a property for consideration as Priority Open Space Eligible for a Density Bonus:

1. Wetlands

The application includes an environmental site analysis "A Report Documenting the Presence of Wetlands and Riparian Areas" (PWRA) that delineated a small patch of wetlands in the lower south-central part of the subject property north of upper Collister Drive.

2. Riparian areas

The PWRA report documents a riparian area at the bottom of Polecat Gulch in and around its deeply incised channel.

3. Rare plant communities

This is documented in "A Report Documenting a Survey For Occurrences of Aase's Onion (*Allium Aaseae*)," February 28, 2008, Boise Foothills Property Between North Collister Drive and North Plano Lane and a Portion of Quail Ridge Subdivision, Boise, Idaho. The location and the treatment of the species are discussed in detail in other parts of this topic paper.

4. Critical deer and elk winter range and migration corridors

The applicant contends that the priority open space on the site provides deer and elk winter range and migration corridors. See attached map submitted July 28, 2008, Exhibit 5.

5. Boise City Historic Preservation Committee: Potential Public Preservation Sites

N/A

6. Unique geologic or visual features

N/A

7. Archeologic or other historic sites

N/A

8. Trails and trail-heads designated in the Ada County Ridge to Rivers Pathway Plan

N/A

9. Other public trails and trail heads as approved by the Boise City Parks and Recreation Board

Board

The applicant has proposed a trailhead facility at the end of Collister Drive on the City's property in the Polecat Gulch Reserve.

10. Lands adjacent to publicly-held open spaces

The application includes property at the end of Collister Drive that is proposed for priority open space and is adjacent to Polecat Gulch Reserve.

11. Lands adjacent to areas that are, or have the potential to be, designated and set aside as public open space lands in accordance with the provisions of this ordinance.

N/A

Criteria for Determining Demonstrable Increase in Public Value of Priority Open Space:

In allowing density bonus credit for priority open space in steeply sloped areas or in fragmented pieces, there must be a demonstrable increase in the public value of the resource by such allowance. Demonstrable increase in value may include but is not limited to the following:

1. Allowance for public access.

Public access would be provided to Polecat Gulch Reserve through the extension of upper Collister Drive and the construction of a cul-de-sac, parking area and trailhead on the City's property. The extension of upper Collister Drive to the adjoining property, regardless of the

ownership, reflects a standard requirement of the subdivision and conditional use processes. The City usually requires the provision of public r-o-w access to adjoining properties, particularly when they are landlocked.

2. Protection from alteration of important vegetation, terrain or scenic views and vistas that could otherwise occur from a permitted use such as mining, logging, grazing or construction of utilities or infrastructure.

The proposed Aase's Onion Conservancy fulfills part of this criterium.

3. Linkage of interspersed eligible open space areas into a more biologically complete and continuous wildlife corridor.

The application includes a parcel adjacent to Polecat Gulch Reserve, south of the proposed extension of upper Collister Drive that would provide some open space buffering to the Reserve and protection of the riparian area at the bottom of the Gulch. This could be argued as a fulfillment of this criterium.

4. Dedication or discounted sale to a willing public agency.

The proposed Aase's Onion Conservancy is designed as conservation easement over property that would be conveyed fee simple to the Land Trust of the Treasure Valley, according to the proposed development agreement.

Planning and Zoning Commission Consideration of Priority Open Space:

It is not the intent of this section to broadly allow the designation of highly fragmented or steeply sloped land as open space, to the total exclusion of the normal requirements of clustering and set aside of buildable area open space. Priority Open Space, when it exists, should be used in balance with other forms of eligible open space to meet the requirements of this code.

When the applicant demonstrates that a portion of his property not otherwise qualified as Open Space Eligible for a Density Bonus as per Section 11-06-05.7.4.B, does meet the above-listed criteria, the Commission may classify it as Priority Open Space and allow some or all of it to qualify for the granting of a density bonus. The amount allowed to qualify as Open Space Eligible for a Density Bonus shall be discretionary based upon the degree to which it meets or exceeds the minimum criteria established in this section. The Planning and Zoning Commission shall seek the input of the Idaho Department of Fish and Game, the Boise City Parks and Recreation Board and other public agencies with expertise in the issue at hand, in determining the proper amount to be allowed to be set aside in return for a density bonus.

The proposal attempts to meet the requirements for priority open space and staff recommends that the applicant has met the minimum criteria for this section of the Code. The Commission will make the decision on this issue.

8. Some of the building pads themselves, not just the building lots, exceed the 25% slope pre-grade contours. Does this meet the intent of the Foothills Ordinance?

The proposed development meets the definition for development pockets. These areas will be largely less than 25% slope, but may contain fragments of steeper areas as needed. The attached Exhibit 4 is the review staff did of the individual lots that demonstrate the

methodology used to evaluate the compliance with the ordinance. See ordinance definition for development pockets below.

11. What are the issues concerning the timing of the proposed facilities on the Parks' Polecat Gulch Reserve?

The Boise Foothills Advisory Committee and the Parks and Recreation Department have requested in a letter dated June 27, 2008, that the Developer install the proposed access road, cul-de-sac, trailhead and parking lot as part of phase one of the project. Staff supports that request.

The Developer requests that those features would not be required to be built until phase 4, potentially two+ years into the project. Their concern is that the installation is not warranted until there are dwelling lots along the proposed extension of Collister Drive to support the cost of the proposed installation of the Parks facilities.

- 14. Examine the issue of buildable vs. non-buildable areas of the proposed site; are they truly buildable. If not, then they should be removed from the calculation. I had asked the applicant about the sandpit and why the development wasn't being placed there on ground that had already been disturbed. His response was that it wasn't really constructible, that the amount of fill that you would have to put in there to be able to engineer it to support housing, that he was much more comfortable placing the housing on ground that has been there for hundreds of years rather than new ground that would be filled and constructible.**

Buildable is defined below as it pertains to the development pockets, where some areas of non-buildable land are allowed to accommodate the site design. The attached table and detailed maps, Exhibit 4, Plano Road Proposal - Building Envelope Placement Within Buildable Area, also examines each proposed lot to determine if they comply with the standards.

11-06-05.07.09. Definitions

BUILDABLE AREA:

Lands with a slope of 25% or less are buildable areas, if outside floodways or geologic hazards. Buildable areas must be designated in the Conditional Use site plan as either development pockets or permanent open space in the ratio chosen under the density bonus formula. Buildable area is determined by natural topography, not by post-construction graded contours.

DEVELOPMENT POCKETS:

These are the buildable areas designated on the site plan and plat map where the structures and appurtenances will be clustered. These areas will be largely less than 25% slope but may contain fragments of steeper areas as needed to accommodate the site design.

11-06-05.07.06. Building and Grading Disturbance Envelopes

1. Building envelopes depicting the limits of building footprints shall be shown on the final Conditional Use site plan for all structures and facilities in the planned development.
2. Parcels with slopes greater than 25% shall be shown on the Conditional Use permit with a disturbance envelope that defines the area outside of which no grading will be allowed. The purpose is to protect neighboring properties, storm water drainage systems, and other infrastructure from the collapse or failure of non-approved poorly designed cuts and fills.

The sand pit can only be built upon if materials from ridge tops are utilized to build up the sand pit. This would be counter to the policies.

15. What we actually are looking at when we are calculating the 25% slope or less, is it pre-built?
How do we define "excessive fill"?

The slope analysis is based upon the original contours, pre-grading. In order for the areas to count as buildable they must be at least one acre in size, with a minimum average width of 30 feet and must be connected or in close proximity to other such areas.

Excessive fill is not defined. The amount of fill could possibly be defined by the harm that it is causing. Public Works believes that the fill is okay as it will be utilized on site. Another factor could be a determination as to whether this development adequately protects ridge tops. A third factor could be how visible the development is from the valley. The intent of the foothills ordinance was for development to blend in with the foothills. However, this factor should be weighed against safety requirements for a safe development.

Excessive fill is not defined, even though the FPDO and the Hillside Ordinances both recommend against it through various descriptions such as, "4. Disturbance of the land shall be minimized and development shall be avoided in areas that would necessitate excessive grading, cut and fill." See discussion on this in next section.

16. Look at the sandpit as a possible alternative for reconfiguring the lots on some parts of this development.

See the discussion under item three below.

17. What are some alternatives to sky lining dwellings on the ridge lines?

See the discussion below in the Design and Grading section on this issue.

18. The density bonus and clustering are subjective in so many ways and are we really getting the most bang for the buck here by protecting these onions the way that the applicant has proposed?
Or should we recognize that perhaps we aren't obtaining that much value and that the density bonus shouldn't be as high.

Onions are specifically listed in the ordinance and the Foothills Policy Plan as something that needs to be protected as development occurs. So we have to adhere to the ordinance. The application has to be processed pursuant to the ordinance in place at the time the application was filed. Further, the Applicant is entitled to rely on the ordinance in designing his development. We can make sure that adequate protection is in place. Also, onions are only 1 of 4 reasons for density bonus. Staff has made findings in this report and in the July 14, 2008 staff report that the applicant has met the letter of the law in regards to the criteria for open space.

19. I'm interested in comments about the statutory provision that states "there must also be demonstrable increase in the public value of the resource that such allowance that would not be realized to strict adherence to other provisions of this code".

See the discussion above in item 2.

Design and Grading

3. Explore any alternatives that might be available to building on the ridge tops.

There are two significant areas with buildable land that have been set aside for permanent open space. They are the sand pit and the area south of Collister Drive. Each area would be less visible from off-site and each would be accessible from the proposed roads. The sand pit is not buildable as is; it would have to be filled, graded and compacted to be buildable. The area south of Collister has significant riparian areas in the Polecat Gulch and some onion population. Either area could be used for building sites if efforts were made to protect the sensitive areas therein.

Ridge tops are largely less than 25% slopes and represent the majority of the buildable areas capable of providing areas for development clusters. The only way to prevent all ridge top development on this site would be to deny the conditional use permit and Hillside permit then recommend annexation with a holding zone.

Design is governed by 11-06-05.07.05.A General Design Criteria. Cited and discussed below.

11-06-05.07.05.A General Design Criteria

A. Foothills Planned Developments shall be designed to meet the following general criteria:

1. Residential uses shall be clustered within development pockets rather than scattered throughout the property, while preserving the remaining land in separate parcel(s) of permanent open space.

Analysis: This criterion remains problematic in its application of the design criteria. The proposed clustering is on the ridge tops, as that is where the buildable land is found, but the layout is linear, not clustered. The applicant has been advised to tighten up the layout with narrower lots, with consideration for attached dwellings in the lower areas.

The open space component of these criteria is in compliance.

2. Designated open space areas shall be linked to other open spaces to the greatest extent possible.

Analysis: The open space areas are linked for the most part, but are separated by the road system in all cases. The area south of Collister Drive is not linked, but it is adjacent to Polecat Gulch Reserve.

3. Road and trail access to adjacent properties shall be provided to prevent landlocked parcels and/or breaks in the trail systems.

The extension of upper Collister Drive would provide access to the landlocked Polecat Gulch Reserve and a trailhead facility.

There are no public trails proposed on this project site.

4. Disturbance of the land shall be minimized and development shall be avoided in areas that would necessitate excessive grading, cut and fill.

Analysis: This finding can't be made with a certainty either pro or con even though the proposed development is focused on the more or less buildable ridge tops. The reason for some of the excessive cut and fills results from the effort to minimize filling gulch areas that contain parts of the proposed onion conservancy. Under other circumstances these areas

would be filled and the overage would be considerably less than the current proposal. So the issue becomes a trade-off between minimizing either grading or the impacts on the sensitive species. The resulting plan minimizes the impact on the sensitive species. On this site any development plan would face the same task of minimizing either grading or the impacts on the sensitive species with the hope of finding a balance between the two.

5. Development pockets shall be sited and designed in compliance with policies in The Plan concerning clustering, environmental protection, open space conservation and scenic and aesthetic goals.

Analysis: This finding can be made in part as the proposed development is focused on the more or less buildable ridge tops, provisions have been made for open space conservation and environmental protection. The scenic and aesthetic goals have been met to some extent through the proposed mitigation of the visual impacts of the structures through the design review process. The clustering of the development pockets could be tighter and could utilize attached housing and/or smaller lots. Lots and structures could be designed for "hill-hugging" styles of dwellings in some areas, to avoid grading, or excessive grading. Another attempt could be made to come up with a site layout and grading plan that reduces the overage situation for the fill. Tighter clustering may provide part of the solution for this issue. Another approach would involve routing the proposed road on the front side of the ridge (the southwest facing ridge), flipping the design to the northeast instead of the southwest side of the road as proposed. Another method to minimize fill would entail placing the level of the ridge roads below relative level of the building envelopes, so that most driveways would slope up from the road. The net result would be less earth moved when compared to the current approach to lower the building envelope to the same level as the road. This would also narrow the overall width of the grading on the ridge tops.

This finding is difficult to make fully either pro or con. The applicant has made some efforts to address these concerns, but staff feels that there are additional measure that could be taken to further comply with the spirit of this requirement.

The City cannot re-design this project and is not aware of what the difficulties would be with either suggested approach. The Commission may want to discuss this matter with the Applicant. A re-design would have to be agreed to by the Applicant. Otherwise, the Commission would need to make decisions based on the application as submitted.

6. Fire safety and protection measures to reduce the threat of wildfires shall be incorporated into the design in accordance with Uniform Fire Code and Boise City Code Title 7. Such measures shall include internal residential sprinkling systems, defensible space for the structures and the provision of safe evacuation routes for residents in case of wildfire.

Analysis: This finding can be made. The development agreement and the design guidelines address these issues. The protection measures would also become part of the CC&Rs.

7. Gated developments are prohibited due to the potential for such limited access to restrict or delay emergency response in the Foothills.

Analysis: Compliance with this prevails in the discussion of the proposed road connecting Plano Lane and Collister Drive. Staff does not support the proposal to place a gate on the proposed Daylight Rim Drive, because to do so might compromise the safety of potential residents and the activities of public safety personnel. Further, if gate placement would make

this into a gated development, a gate would be prohibited under the ordinance. This requirement is not discretionary and must be complied with.

8. The crossing of designated open space, floodways, wetlands and areas of high wildlife habitat value with roads and infrastructure shall be avoided to the greatest extent possible.

Analysis: The compliance with this is adequate given the terrain and the location of the buildable area on the site.

9. A mixture of dwelling unit types is allowed, including single family and multi-family units.

Analysis: Some attempt should be made to incorporate this into the design and layout of the proposal. It would provide more affordable housing and may present a partial means to intensify the clustering of the development pockets. Presumably this would help to minimize grading as well.

10. Neighborhood commercial and service commercial uses are allowed, but they must be designed to reflect and conform to the height, mass, materials and site design of the residential structures in the PD.

N/A

11. Setbacks and other dimensional standards may be varied to suit the conditions.

Analysis: Some instances of this are proposed.

Summary:

The Commission must evaluate the application presented; however, alternatives may be suggested to the applicant to bring the project more into compliance with the code. Alternatives include flipping the road to the front side of the ridge and building the dwellings on the back, or far side; tightening the lots along the road frontage, making them narrower in width and smaller; build in sand pit, post filling; multifamily or attached housing could be placed in the lower parts of the site; put more units in the bottom of the gulley, along the proposed Doe Valley Drive, and move units off the prominent ridges; require minimum of 30 ft. frontage for all properties (no shared driveways). The ridge top building envelopes could be graded to a level higher than the road, thereby lessening the amount of dirt to be moved.

The areas where houses can be located are severely restricted by the prohibition on building on slopes that are currently steeper than 25%.

4. How do we evaluate the policy and requirement of minimum grading to create the layout of the subdivision? Explore a little bit more on the large amount of overage. If in fact we are seeing the largest amount of grading overage in all of the Foothills development history that we have seen so far, then I think we are really calling into question what minimize grading means.

Minimized grading is a judgment call based on 11-06-05.07.05 (4) and (5) cited above. The City cannot require applicant to leave all the open space and not give them the benefit of clustered developable area. On the other hand, this development is not hill hugging development – another design could reduce grading and more closely adhere to 11-06-05.07.05 (4) and (5). The Ordinance is designed for minimum grading in development and increased grading for roads and infrastructure to allow proper access and serviceability.

12. What are the standards and regulations concerning excessive grading?
General design is regulated by Sections 11-06-05.07.05 (4) and (5) cited above, and the provisions of the Hillside Ordinance.

The following section is for the Hillside Ordinance, 11-14, and it contains the standards that would seek to minimize grading.

Section 11-14-04 HILLSIDE DEVELOPMENT AND STANDARDS

All development proposals shall take into account and shall be evaluated by the way in which land use planning, soil mechanics, engineering geology, hydrology, civil engineering, environmental and civic design, architectural and landscape design, and related disciplines are applied in hillside areas, including but not limited to:

A. Planning of development to take into account the topography, soils, geology, vegetation, outstanding features such as outcropping and cliffs, hydrology and other conditions existing on the proposed site;

This finding can be made inasmuch as the basic criteria of site design have been taken into account in the grading and drainage plans and they have been deemed functional by the Public Works Department.

B. Orientation of development on the site so that grading and other site preparation is kept to a minimum;

This speaks to the ridge top layout that has been discussed elsewhere in this report. If the priorities are to prevent excessive grading of the ridge tops along with the prominent citing of the structures then this finding can't be made, where there are other places to build on the site.

C. Completion of essential grading during site preparation, rather than left for future lot owners so that:

1. Shaping shall blend in with existing natural land forms to minimize the necessity of padding and/or terracing of building sites; and

This finding can't be made as the plans do not minimize the necessity of padding or terracing building sites.

2. Building pads and terracing shall be graded with contour rounding and other techniques to blend into the natural contours.

This finding can be made inasmuch as the basic criteria of site design have been taken into account in the grading plans and they have been deemed functional by the Public Works Department.

D. Projects shall be phased into workable units for which construction shall be scheduled to minimize soil disturbance and to control erosion in accordance with the approved erosion control plan.

This finding can be made inasmuch as the basic criteria of site design have been taken into account in the grading plans and they have been deemed functional by the Public Works Department. These items are also addressed by the Subdivision and Building Codes.

E. Completion of paving within sixty (60) days after final grading (final grading deemed to be the grading done after the placement of utilities).

Standard condition of approval and platting.

F. Allocation for open spaces and recreational uses of areas not well suited for development because of soil, geology, vegetation or hydrology limitations.

This finding can be made given the amount of dedicated open space proposed that would serve to protect sensitive areas of the site.

G. Minimizing disruption of existing plant and animal life.

This finding can be made given the amount of dedicated open space proposed that would serve to protect sensitive areas of the site.

H. Minimizing soil disturbance.

This finding can't be made as the plans do not minimize the necessity of padding or terracing building sites, with the presumed results of 1,000,000 cubic yards of overage that would be used to fill the sand pit.

21. We need to be looking at the less visible locations to site dwellings. There is not only that sandpit area and I know that fill can be engineered to support anything. There are also some portions on the far eastern side that probably don't have highly desirable views and that is why they are not being used.

See earlier answer – you can request that they redesign, but you need to rule on this design unless they acquiesce to a re-design.

Any grading that is done on the site will be engineered and will be able to support roads and structures.

Environmental Issues

5. Take a look at big game migration routes and how these are impacted by development and how these have been accommodated if at all within the project

Report came in late, but the City is asking the Developer to preserve migration routes. Fish and Game states some protection is necessary as this is big game winter range. A wildlife migration map was received from the applicant July 28, 2008 that depicts wildlife corridors on the site. The Developer has stated that migration routes are being preserved. The City has asked them to get a sign off from Fish and Game. See Exhibit 5 – Proposed Mule Deer Daily Movement Corridors, June 6, 2008.

7. What are the potential impacts on down streams wells and runoff and whether or not these are issues.

The report by SPF Water Engineering, LLC, July 1, 2008, looked at the impact of the proposed retention basins on the down gradient wells along Plano Lane. It concluded that the wells are adequately protected by a thick clay layer and a relatively thick unsaturated zone that will provide filtration and or adsorption of suspended solids and dissolved materials. Further the report indicates that well contamination is much more likely to be caused by surface activities and septic drain fields in the immediate vicinity of the wells.

22. What are the obligations of the Treasure Valley Land Trust in the management of the proposed onion conservancy? Are there specific tasks and benchmarks required of the Land Trust in order to protect the onion species? Should the conservation plan be more detailed and specific? The only other thing I would mention is some question about the Land Trust's obligation in terms of hearing for the onion preserve. Looking back to the Harris Ranch proposal there were specific tasks that the Land Trust had to undertake each year in inspecting the preserved land in that development, which is much larger than this.

Ask Developer to enhance the conservation plan. The provisions of Harris Ranch analogous to this involve the wildlife habitat management program that was funded through a real estate fee exaction. Ask Developer to address what happens if Land Trust goes under.

23. There should be a more detailed plan to protect the threatened species of onion. There is a letter from the Land Trust, but I feel that with Harris Ranch we had much more accountability when it came to a protection plan. If we could get more information either from them or from a proposal from City staff to see how we follow up with that in the future.

See above.

25. Staff mentioned that they would have liked to have seen a little tighter build. I would like to see a drawing of what the City would have liked to have seen as far as density where and the tightness that they didn't get in this proposal. How could the project be redesigned to enable a tighter clustering of the proposed dwellings?

Staff can't redesign their project. We can say there are some other ideas that could be explored – such as: flipping the road to the front side; tightening the lots making them narrower and smaller; build in sand pit post fill; they could do some multifamily or attached housing in the gulley; put more units in the bottom of the gulley and move off the prominent ridges; require minimum of 30 ft. frontage for all properties (no shared driveways), etc. per the discussions above.

Traffic and Roads

6. Should there be improvements on Collister Drive to the pavement and drainage systems? What is needed to accommodate the traffic volumes that are projected?

ACHD is the expert in this area and they say there are no concerns. We cannot ask the Developer to resolve issues that ACHD has not identified. ACHD has recommended that the proposal is good to go.

Please review the Ada County Highway District's comments in the attached ACHD Letter to Boise Planning and Zoning Commission dated July 30, 2008, Exhibit 7.

ACHD Staff Response: While the rideability and aesthetics of upper Collister Drive are not ideal, the condition of the roadway is not a limiting factor for increased traffic from the proposed Plano Road development. The upper portion of Collister Drive is sufficient to accommodate both current and projected traffic volumes and drainage requirements at build-out of this proposed development. Members of the public have expressed concerns that although upper Collister Drive is currently classified as a collector roadway, that it is too narrow and degraded to operate as one. However, projected build-out traffic volumes will be approximately 1,335 north of Quail Ridge Drive. This is well below the 2,000 daily trip threshold for even an existing local street.

9. Explore the issue of placing a gate along the proposed Daylight Rim Drive that would connect Plano Lane and Collister Drive. Can it be similar to what we see in other subdivisions and emergency roads that could be gated?

ACHD does not want a gate and Fire would prefer there to be no gate. The FPDO and the FPP do not allow gated communities, as cited above.

ACHD Staff Response: The ACHD Commission considered the proposal of a gated emergency access, and rejected it in the interests of connectivity and safety goals. In addition to connectivity and safety goals, ACHD Commissioners and staff have concerns over the long term maintenance of a private gated emergency access between two public streets. ACHD Commission determined that, due to the size and scope of the proposed development, that a full public street connection between Plano Lane and Collister Drive shall be required at build-out. After significant deliberations on the timing of this requirement, the ACHD Commission decided that a gated emergency access road shall be required prior to the first final plat, and that the full public street connection shall be required prior to the final plat of more than 53 buildable lots. Once Daylight Rim Drive is opened as a public street, it cannot be gated.

The ACHD Commission WILL NOT approve a final plat of more than 53 buildable lots in Plano Road Subdivision prior to the dedication of Daylight Rim Drive as a full public street connection between Plano Lane and Daylight Rim Drive.

10. Does the traffic light at Hill and Collister Roads required by ACHD do more harm than good? ACHD is the expert in this area and they say there are no concerns. We cannot ask the Developer to resolve issues that ACHD has not identified. ACHD has recommended that the proposal is good to go.

ACHD Staff Response: The installation of a traffic signal at the intersection of Hill and Collister Drive will improve its peak hour capacity and level of service. This is particularly true for the westbound approach, which currently experiences the greatest delays at this intersection during the PM peak hour. This intersection is currently four-way stop controlled. Although the Hill Road approaches experience the greatest volumes and delays at this intersection, the limited site distance onto Hill Road from the Collister Drive approaches precludes the possibility configuring it as a two-way stop control (with stops on the Collister approaches) in order to improve its level of service. If a traffic signal is not installed, and the intersection remains under all-way stop control, the Plano Road development will cause the intersection to operate at an unacceptable level of service due to average vehicle delay time. Even without the Plano Road development, this intersection is projected to operate at an unacceptable level of service in 2015.

13. Mr. Watt had some interesting phase-in proposals that I would like to see the applicant respond to that would address some of the issues on Plano Road and resolve those issues. It seems that these suggestions had something to do with phasing access to the Polecat Gulch Reserve to a later phase when the homes are built, and advocating a gated emergency road for the Daylight Rim Drive proposed connecting road. ACHD does not want a gate and Fire would prefer there to be no gate. The FPDO and the FPP do not allow gated communities, as cited above. Staff does not support either part of these suggestions to the extent that the information about them is correct.

24. In addition to looking at the Plano Lane ideas, can we get anything more without going into ACHD's territory on Collister Road improvements; sidewalk, safety issues that are going to come from this development if we approve it?

ACHD is the expert in this area and they say there are no concerns. We cannot ask the Developer to resolve issues that ACHD has not identified. Some of the safety issues come from a local practice of residents parking along the road rather than in their garages and driveways. ACHD has recommended that the proposal is good to go.

ACHD Staff Response: Boise City may levy requirements above and beyond what is required by ACHD. Collister Drive north of Hill Road currently exceeds what the District would normally require for off-site improvements in accordance with District policy 7203.3 (24-feet of pavement and 3-foot gravel shoulders on each side). Even if the existing portion of Collister Drive were internal to the proposed Plano Road development, the existence of sidewalk on the south/east side of Collister meets the requirements of District policy of 7204.4.7 for developments in hillside areas. Boise City can choose to direct the installation of sidewalk along the north/west side of Collister Drive. There appears to be sufficient right-of-way along the north/west side of Collister Drive north of Outlook Avenue to allow for the installation of a 5-foot attached sidewalk. However, the installation of sidewalk on this side of Collister Drive would require coordination with and approval of the adjoining homeowners, as well as a substantial degree of grading, encroachment removal, and retaining wall installation. ACHD staff is willing to discuss any proposals that Boise City might have to address their concerns regarding Collister Drive.

Comprehensive Plan Policies and Zoning Ordinances

20. It gets down to what is the intent of the Foothills Policy Plan. I think what we see here may be construed to meet the letter of the plan. I don't think it meets the intent. It is staff's duty to present the facts, provide an analysis of those facts and make recommendations and findings based upon them. The Ordinance and Foothills Policy Plan each contain standards and requirements that call for application of policy and/or regulation that aren't well defined or may be prioritized one above another. One example is the discussion on how much of each buildable footprint should be on land with less than 25% slope. Staff's recommendation dwells more in the "Letter" of the Plan where the facts reside. The ordinance, in Section 11-06-05.07.04.C, gives the power to the Commission to accept all or part of the Density Bonus allows the intent to be respected. "...the Commission may classify it as Priority Open Space and allow some or all of it to qualify for the granting of a density bonus."

Please Review Exhibit 6 - Foothills Policy Plan and Ordinance Review – Presented to City Council on 7/08/08 that provides a discussion of the many issues surrounding Foothills development and open space preservation.

26. It seems to me that a lot of the staff report hinged on this idea that the western Foothills area is the highest priority for development in the Foothills. Yet there was very little in the report that gave us anything more than that. I would like to see more about that. What the intent was. How they, meaning the Foothills Policy Committee back in the 1990's, how they came up with that. What it was based on. I know that Hal did a Foothills Plan and Ordinance Review training with the Commission prior to my time on the Commission. But I know from the handout that he gave me, all I have for that particular point is that it is a priority development area based on lack of

wildlife, and availability of street capacity. It seems to me based on the packet that we have and the information we have from the Idaho Department of Fish & Game, that there is evidence of ample wildlife as well as from the testimony we heard tonight.

Foothills development issues have been studied for 20 years. The foothills plan and ordinance took 7 years to bring to fruition. It is an intricate plan that looks at all areas of the foothills. This area is not void of wildlife; rather it simply has less wildlife than other areas. Further, eastern foothills are set up to protect wildlife while this area is not set up that way. Eastern foothills – top priority is protection of wildlife habitat; Central foothills has limited development capability due to limited road capacity. Western Foothills are the priority area for development due to minimal wildlife and availability of street capacity. Legally, the Developer is allowed to rely on the plan and the ordinance and we cannot change it mid application.

27. Testimony states that this is going to be another Quail Ridge, or it is going to look exactly like Quail Ridge. Does the *Foothills Policy Plan*, the way it is construed in the staff report, really provide just another way to get us a Quail Ridge, and if so, what was the vision of that plan. The plan requires sensitivity to the Foothills. Quail Ridge did stair-step grading plan that was not very sensitive. The current proposal requires design review and restrictions on material and colors for exteriors of the homes and the landscape design. Quail Ridge did not require design review or restrictions on material and colors for exteriors of the homes. There is also a proposed Wildland and Urban Interface setback required to enable more protection from wild fires and enables better fire-fighting access to the area. Fire safety access, plans and construction techniques are required with the current proposal, where they were not a feature of Quail Ridge.

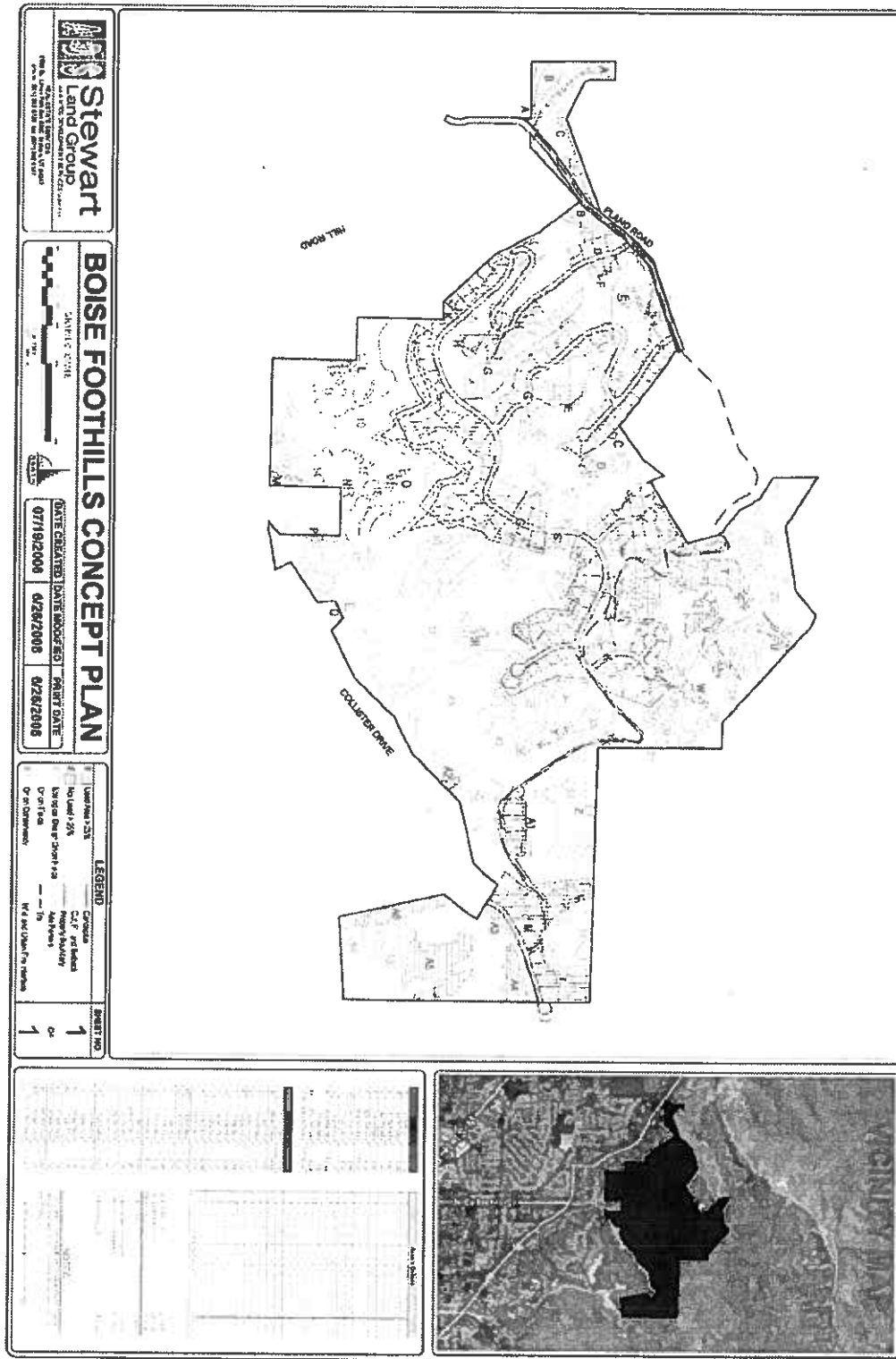
The plan is designed to create a balance between development, open space preservation, and community development. Quail Ridge does not include a component of the Ridge-to-Rivers Trail system, which is a feature of the current proposal. As an example, the City could not afford to put the trailhead in for 5 to 10 years, and with the development the community will get a trailhead several years earlier. Another difference is the proposed preservation of a species of concern. The Plan and ordinance require set-aside of open land and protection for threatened and endangered species. There is no such set-aside of land, nor protection of sensitive areas in Quail Ridge.

The density is a function of the proposal is controlled by slope and the set-aside of buildable open land and the cumulative efforts to conserve sensitive areas and species. The density in Quail Ridge was a function of the standard zone modified by the conditional use permit and Hillside regulations. The net result may seem similar, but the regulatory basis is very different.

The vision of the plan was to allow developments in the Western Foothills Planning Area that provided set-aside of open space around clustered lot layouts. The difficulty in achieving that vision lies in the unique geography and location of developable properties and the task of fitting the standards and requirements to a unique piece of land. How well this proposal fits the pattern or vision of the *Foothills Policy Plan* is up to the Planning and Zoning Commission to decide.

Exhibits

Exhibit 1- "Boise Foothills Concept Plan"



Applicants' Responses

To

Plano Road Subdivision Proposal Work Session Topics

Density

1. Show how the density bonus was calculated and how base density was calculated.

~~Response-1:~~ The formula and calculations showing how the density bonus was calculated are set forth in Exhibit A to the Planning Division Staff Report, as amended (the "Staff Report"). The base density for the project is prescribed by the Foothills Planned Development Ordinance ("Foothills Ordinance") as follows:

The base density on parcels proposed for development is that given for the *existing Boise City or Ada County zone(s)*.

Foothills Ordinance § 11-06-05.07.04 (emphasis added). Thus, the project's base density of 917± homes is readily determined by the mere mathematical extension of the information set forth in the table found on page 5 of the Staff Report, as reflected in **Exhibit 1** attached hereto.

It should be noted that, because the 917-unit base density is far greater than the 155 homes proposed by the Applicants, no density bonus is actually being utilized by the Applicants. Or put otherwise, the actual size of the density bonus is largely irrelevant to the pending development proposal. See Foothills Ordinance § 11-06-05.07.03.5 ("Density bonuses do not add to buildable area to be developed, they simply add to the number of units allowed.").

2. Demonstrate how the public benefit requirements were met for the density bonus, that is the intent of the ordinance with respect to public benefits and how those were determined.

~~Response-2:~~ Foothills Ordinance Section 11-06-05.07.04.C provides that each of the following criteria, among others, demonstrates an increase in public value of "Priority Open Space":

"1. Allowance for public access." – Here, the Applicants are constructing a public trail through the project from N. Collister Drive to Plano Road, together with access to the trailhead at Polecat Gulch Reserve.

"2. Protection from alteration of important vegetation . . . that could otherwise occur from a permitted use" – Here, as reflected in Exhibit 1, Boise's denial of the project could result in the development of up to 917 homes on the subject property by the Applicants' development of their property in accordance with the existing Ada County and Boise City zoning, which alternative developments would be exempt from the protections afforded by the Foothills Ordinance. See Foothills Ordinance

§ 11-06-05.07.02 (ordinance applies “where an annexation or rezone is required.”).

“4. Dedication or discounted sale to a willing public agency.” – Here, 165 acres of open space (including 82 acres of onion fields) are being conveyed to the Land Trust of the Treasure Valley (the “Land Trust”), with the Applicants agreeing to the perpetual endowment of the Land Trust’s maintenance and preservation of the dedicated area through the payment of .25% of the sales price for each sale or resale of a lot or home on the property (estimated at \$1,500 to \$2,500 based on current values). See Applicants’ Narrative, Plano Road Subdivision, at p. 3 (“Rare plant communities”) and proposed Development Agreement at Section 4.

8. Some of the building pads themselves, not just the building lots, exceed the 25% slope pre-grade contours. Does this meet the intent of the Foothills Ordinance?

~~Response 8:~~ “Development Pockets” are defined in the Foothills Ordinance as follows:

These are the buildable areas designated on the site plan and plat map where the structures and appurtenances will be clustered. These areas will be *largely less than 25% slope* but may contain fragments of steeper areas as needed to accommodate the site design.

Foothills Ordinance § 11-06-05.07.09 (emphasis added). Here, as set forth in the detailed analysis included in the Staff Report, 75% of all the building pads are being constructed where none of the slope exceeds 25%; 16% of the pads are being constructed where not more than 10% of the slope exceeds 25%; 8% of the pads are being constructed where not more than 20% of the slope exceeds 25%; and none of the pads are being constructed where more than 25% of the slope exceeds 25%. Thus, unless “largely less than 25% slope,” as such phrase is used in the Foothills Ordinance, means something less than a quarter of the area, all of the Applicants’ proposed building pads meet the intent of the Foothills Ordinance.

11. What are the issues concerning the timing of the proposed facilities on the Parks’ Polecat Gulch Reserve?

~~Response 11:~~ Because the Applicants intend to start the project on the western (or opposite) side of their property, they are requesting that they not be required to construct the improvements required by the Department of Parks and Recreation (“Parks & Rec.”) until the earlier of either (a) starting phase two (instead of phase one) of the project or (b) starting the improvement of lots along the northerly extension of N. Collister Dr. The Applicants’ full performance is assured by the terms of the proposed Development Agreement (see Section 5). It should be noted (i) that the Applicants do not contest the specified timing for the dedication of the right-of-way necessary to get to Boise’s Polecat Gulch Reserve, but only the requirement for the premature and uneconomic construction of improvements that could result in the delay of any improvements at all being constructed (including those required by Parks & Rec.) because of the imposition of additional front-end costs, and (ii) that none of the contributions required by Parks & Rec. (including the dedication of the right-of-way necessary to get to Polecat Gulch Reserve) can or will be made by the Applicants until it is economically possible to commence construction

on their project. Thus, the Applicants' proposed modification of Condition of Approval 11.j is in both Boise's and the Applicants' best interests.

14. Examine the issue of buildable vs. non-buildable areas of the proposed site; are they truly buildable. If not, then they should be removed from the calculation. I had asked the applicant about the sandpit and why the development wasn't being placed there on ground that had already been disturbed. His response was that it wasn't really constructible, that the amount of fill that you would have to put in there to be able to engineer it to support housing, that he was much more comfortable placing the housing on ground that has been there for hundreds of years rather than new ground that would be filled and constructible.

~~Response-14:~~ The Applicants' civil engineer confirmed after the July 14 hearing that the sand pit and other areas having a slope of 25% or less located on the property are "buildable." The Applicants apologize for any confusion caused by the erroneous response to the contrary given at the hearing. However, because no density bonus is actually being utilized by the Applicants, the question of whether the sand pit and other areas are buildable is largely irrelevant to the pending development proposal.

15. What we actually are looking at when we are calculating the 25% slope or less, is it pre-built? How do we define "excessive fill"?

~~Response-15:~~ The 25% slope requirement is measured "pre-grading." See Foothills Ordinance § 11-06-05.07.09 (first two definitions). The term "excessive grading, cut and fill," as used in Foothills Ordinance § 11-06-05.07.05.A.4, is not defined in the ordinance. However, by its logical definition, the term must be viewed in the context of what grading would otherwise occur if the proposed project were not approved. Here, the Applicants maintain that the only economically viable alternative to the development being proposed is to develop their property in accordance with the existing Ada County and Boise City zoning, which alternative developments would be exempt from the protections afforded by the Foothills Ordinance and allow for a density of up to 917 homes (with the possibility of significantly more grading). Moreover, as depicted in the Applicants' computer modeling of the project presented at the July 14 hearing, the proposed grading is designed to protect the general shapes and textures of the foothills by integrating the cut and fill slopes into the surrounding terrain.

16. Look at the sandpit as a possible alternative for reconfiguring the lots on some parts of this development.

~~Response-16:~~ The Applicants maintain that the only economically viable alternative to the development being proposed is to develop their property in accordance with the existing Ada County and Boise City zoning, which alternative developments would be exempt from the protections afforded by the Foothills Ordinance and allow for a density of up to 917 homes. Thus, the reconfiguration of the proposed project to allow for the construction of significantly less valuable lots would also require the development of a substantially greater number of homes.

17. What are some alternatives to sky lining dwellings on the ridge lines?

~~Response 17:~~ As depicted in the Applicants' computer modeling of the project presented at the July 14 hearing, there is, in fact, virtually no sky lining of dwellings on the ridge lines. (The one limited exception being the view from a small portion of Hill Road looking directly up the hill.) Moreover, the color, materials, height, and setback restrictions being imposed as conditions of approval (*see also* Section 8 of the proposed Development Agreement) will mitigate any visual impacts from homes to the extent reasonably possible. *See also* Response 16 (p. 4), above.

18. The density bonus and clustering are subjective in so many ways and are we really getting the most bang for the buck here by protecting these onions the way that the applicant has proposed? Or should we recognize that perhaps we aren't obtaining that much value and that the density bonus shouldn't be as high.

~~Response 18:~~ *See* Responses 1 and 2 (pp. 1-2), above.

19. I'm interested in comments about the statutory provision that states "there must also be demonstrable increase in the public value of the resource that such allowance that would not be realized to strict adherence to other provisions of this code".

~~Response 19:~~ *See* Responses 1 and 2 (pp. 1-2), above.

Design and Grading

3. Explore any alternatives that might be available to building on the ridge tops.

~~Response 3:~~ *See* Response 16 (p. 4), above.

4. How do we evaluate the policy and requirement of minimum grading to create the layout of the subdivision? Explore a little bit more on the large amount of overage. If in fact we are seeing the largest amount of grading overage in all of the Foothills development history that we have seen so far, then I think we are really calling into question what minimize grading means.

~~Response 4:~~ The amount of the grading being proposed is driven largely by the road requirements (particularly the $\leq 10\%$ slope limitation), the requirement that storm water run-off be maintained on site, and the quantity of material required to mitigate and restore the unsightly and potentially dangerous sand pit located on the property. Further, by its logical definition, the minimization of grading must be viewed in the context of what grading would otherwise occur if the proposed project were not approved. *See also* Response 15 (p. 3), above.

12. What are the standards and regulations concerning excessive grading?

~~Response 12:~~ *See* Response 15 (p. 3), above.

21. We need to be looking at the less visible locations to site dwellings. There is not only that sandpit area and I know that fill can be engineered to support anything. There are also some portions on the far eastern side that probably don't have views and that is why they are not being used.

~~Response 21:~~ *See* Response 16 (p. 4), above.

Environmental Issues

5. Take a look at big game migration routes and how these are impacted by development and how these have been accommodated if at all within the project.

Response 5: The Idaho Department of Fish and Game ("IDFG") has identified no migration routes on the property. Nevertheless, the Applicants have implemented multiple open-space corridors in their design and agreed to implement fencing policies proposed by IDFG that will allow for the free movement of wildlife throughout the property, over 70% of which will remain in or be restored to its natural condition.

7. What are the potential impacts on down streams wells and runoff and whether or not these are issues.

Response 7: As reflected by the storm water infiltration analysis that was prepared by SPF Watering Engineering, LLC and included in the Staff Report, there are no expected adverse impacts to existing domestic wells. Moreover, because the project is designed to divert all runoff within the development footprint to a series of on-site detention ponds, existing residences along Plano Road will realize a 90% reduction of possible water flows from a 100-year event (from a current 6.8 cubic feet per second to .5 cubic feet per second) and existing residences along N. Collister Drive will realize a similar reduction (from a current 25 cubic feet per second to 3.5 cubic feet per second).

22. What are the obligations of the Treasure Valley Land Trust in the management of the proposed onion conservancy? Are there specific tasks and benchmarks required of the Land Trust in order to protect the onion species? Should the conservation plan be more detailed and specific? The only other thing I would mention is some question about the Land Trust's obligation in terms of hearing for the onion preserve. Looking back to the Harris Ranch proposal there were specific tasks that the Land Trust had to under take each year in inspecting the preserved land in that development, which is much larger than this.

Response 22: As set forth in Section 4 of the proposed Development Agreement: "Prior to recording a final plat for any portion of the Property, [the Applicants] shall . . . (b) enter into a written agreement with the Land Trust or other approved entity for the protection and preservation of [the] onion fields *on terms approved by the Planning Director.*" (Emphasis added.) Thus, the specific tasks and benchmarks required of the Land Trust to protect the onions are open to direction by P & Z and the Boise City Council.

23. There should be a more detailed plan to protect the threatened species of onion. There is a letter from the Land Trust, but I feel that with Harris Ranch we had much more accountability when it came to a protection plan. If we could get more information either from them or from a proposal from City staff to see how we follow up with that in the future.

Response 23: See Response 22 (p. 6), above.

25. Staff mentioned that they would have liked to have seen a little tighter build. I would like to see a drawing of what the City would have liked to have seen as far as density where and the

tightness that they didn't get in this proposal. How could the project be redesigned to enable a tighter clustering of the proposed dwellings?

~~Response-25:~~ See Response 16 (p. 4), above.

Traffic and Roads

6. Should there be improvements on Collister Drive to the pavement and drainage systems? What is needed to accommodate the traffic volumes that are projected?

~~Response-6:~~ The ACHD projects that the intersection of Collister Drive and Hill Road will operate at Level of Service E or F in 2013 even if the Applicants build nothing on their property. Thus, by both constructing improvements to Plano Lane and the signalized intersection at Collister and Hill required by the ACHD and, in addition, contributing over \$531,000 in traffic impact fees to the ACHD, the Applicants are contributing to the mitigation of existing road and traffic problems, not causing them. Further, the traffic impact fees can, of course, be utilized for constructing additional improvements on N. Collister Dr. if such improvements can be shown to be needed.

9. Explore the issue of placing a gate along the proposed Daylight Rim Drive that would connect Plano Lane and Collister Drive. Can it be similar to what we see in other subdivisions and emergency roads that could be gated?

~~Response-9:~~ The Applicants support the proposal.

10. Does the traffic light at Hill and Collister Roads required by ACHD do more harm than good?

~~Response-10:~~ See Response 6 (p. 6), above.

13. Mr. Watt had some interesting phase-in proposals that I would like to see the applicant respond to that would address some of the issues on Plano Road and resolve those issues.

~~Response-13:~~ The Applicants are unclear on what "phase-in proposals" are at issue, but would be happy to address the issue at the July 31 work session if requested to do so. See also Response 9 (p. 6), above.

24. In addition to looking at the Plano Lane ideas, can we get anything more without going into ACHD's territory on Collister Road improvements; sidewalk, safety issues that are going to come from this development if we approve it?

~~Response-24:~~ See Response 6 (p. 6), above.

Comprehensive Plan Policies and Zoning Ordinances

20. It gets down to what is the intent of the Foothills Policy Plan. I think what we see here may be construed to meet the letter of the plan. I don't think it meets the intent.

Response 20: The Applicants have worked for three years with Staff to design a project that meets the letter and intent of the Foothills Ordinance, while still providing an economically viable development. In this regard, the Applicants fully concur with the following conclusion set forth in the Staff Report:

The development proposal meets the standards and regulations in the Foothills Planned Development Ordinance with the recommended conditions from City Departments and other agencies with jurisdiction, including the Ada County Highway District and Idaho Department of Fish and Game. The anticipated impacts from this proposal seem to be in balance with the mitigation measures. There is never a way to accommodate all impacts and all property rights, but staff believes this application represents a good faith effort to try to achieve that balance.

Id. at p. 4. Moreover, the Applicants wish that it be clearly understood that a denial of the proposed project will necessarily result not in the preservation of the Applicants' highly valuable (and expensive) property as undeveloped open space, but in the Applicants developing their property in accordance with the existing Ada County and Boise City zoning, which alternative developments would be exempt from the protections afforded by the Foothills Ordinance.

26. It seems to me that a lot of the staff report hinged on this idea that the western Foothills area is the highest priority for development in the Foothills. Yet there was very little in the report that gave us anything more than that. I would like to see more about that. What the intent was. How they, meaning the Foothills Policy Committee back in the 1990's, how they came up with that. What it was based on. I know that Hal did a Foothills Plan and Ordinance Review training with the Commission prior to my time on the Commission. But I know from the handout that he gave me, all I have for that particular point is that it is a priority development area based on lack of wildlife, and availability of street capacity. It seems to me based on the packet that we have and the information we have from the Idaho Department of Fish & Game, that there is evidence of ample wildlife as well as from the testimony we heard tonight.

Response 26: The Applicants will have to rely on Staff to provide the requested historical information, with respect to which the Applicants have no particularized knowledge. Additionally, although the Applicants fully acknowledge that there is wildlife on their property, they rely on the report by Ecological Design, Inc. contained in the Staff Report (entitled, A Report Discussing General Design Criteria, Special Areas Analysis, and Preliminary/Conceptual Design Requirements) for the proposition that the property has been determined by IDFG to comprise merely "low density" winter range.

27. Testimony states that this is going to be another Quail Ridge, or it is going to look exactly like Quail Ridge. Does the *Foothills Policy Plan*, the way it is construed in the staff report, really provide just another way to get us a Quail Ridge, and if so, what was the vision of that plan.

Response 27: See Response 17 (p. 4), above. Additionally, as summarized in the conclusion to the Applicants' Narrative, Plano Road Subdivision, contained in the Staff Report:

As a base for comparison, the neighboring Quail Ridge Subdivision was developed with 176 lots on 250 acres, for an average

density of one lot for every 1.42 acres. When compared with Quail Ridge Subdivision, and after adjustment for the differential in acreage, the Plano Road Subdivision reflects a reduction of over 80 building lots and 37% in grading. Moreover, in order to minimize grading, most of the homes will be located along “single-loaded” streets, rather than using the “double-loaded” street alignment found in the Quail Ridge Subdivision. Thus, by virtually any measure, the Plano Road Subdivision will impose significantly fewer impacts on the surrounding area and environment—while at the same time providing significantly greater benefits—than did perhaps the premiere residential subdivision in northwest Boise, the neighboring Quail Ridge Subdivision.

Id. at p. 5.



Planning & Development Services

Exhibit 1

Bruce
Director

CAR07-00042 DA, CUP07-00084, CFH07-00022, SUB07-00065
Boise City Planning and Zoning Commission / July 14, 2008

1-3

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dwelling units on 332.75 acres, with dedication of some 152.6 acres for the preservation of the threatened species of the Aase's Onion plants, and 81.9 acres open space for the Homeowners' Association and 97.8 acres in the building lots and infrastructure. It would also include road and trail connection to the Polecat Gulch Reserve, as well as riparian areas and private trails.

✓
✓
✓

The Hillside and Foothills Area Development permit application, CFH07-00022, requests approval for grading and hydrology systems.

There is also a preliminary plat application, SUB07-00065.

Applicant/Status

Stewart Land Group, Kerry Winn, representing Aase's Canyon Pointe, LLC, and Capitol Development, Inc.

Mayor
David H

City Cc
Preside
Elaine C

Council
David E

Vernon
Maryon
Alan W
Jim Tibb

Location and Site Description

The proposed development is located between Plano Lane and the end of Collister Drive in the Boise Foothills, nominally at 6890 N. Plano Lane. The site is a series of very steep ridges looming above Collister Drive with the relatively flatter areas on the ridge tops. The Boise Polecat Reserve is on the east, the Collister Drive neighborhood is on the south; to the north are a few single family residences; and to the west is largely vacant Foothills land.

Zoning, Zoning Allowances, and Comprehensive Plan Designation

The site is currently zoned R-1C (Single Family Residential), A-1 (Open Space/ 1 unit/acre), RP (Rural Preservation-Ada County) and R6 (Medium Density Residential-Ada County). Planned unit developments require conditional use approval in this Planning Area.

The subject site is zoned as shown in the table and map below:

Current Zoning for the Plano Road Subdivision Application	Current Zoning	Acres in Zone, Approx.	Maximum Density allowed under current zoning - U./Ac.	Current Maximum Allowed Density
Sub-Total, Boise City	A-1	16.4	1	16
Sub-Total, Boise City	R-1C	20.1	8	160
Sub-Total, Ada County	R6	122.9	6	737
Sub-Total, Ada County	RP	173.1	0.025	4
Total		332.5		917

Exhibit 1

Exhibit 3 - Plano Road Planned Development Application, Zoning, May 29, '07

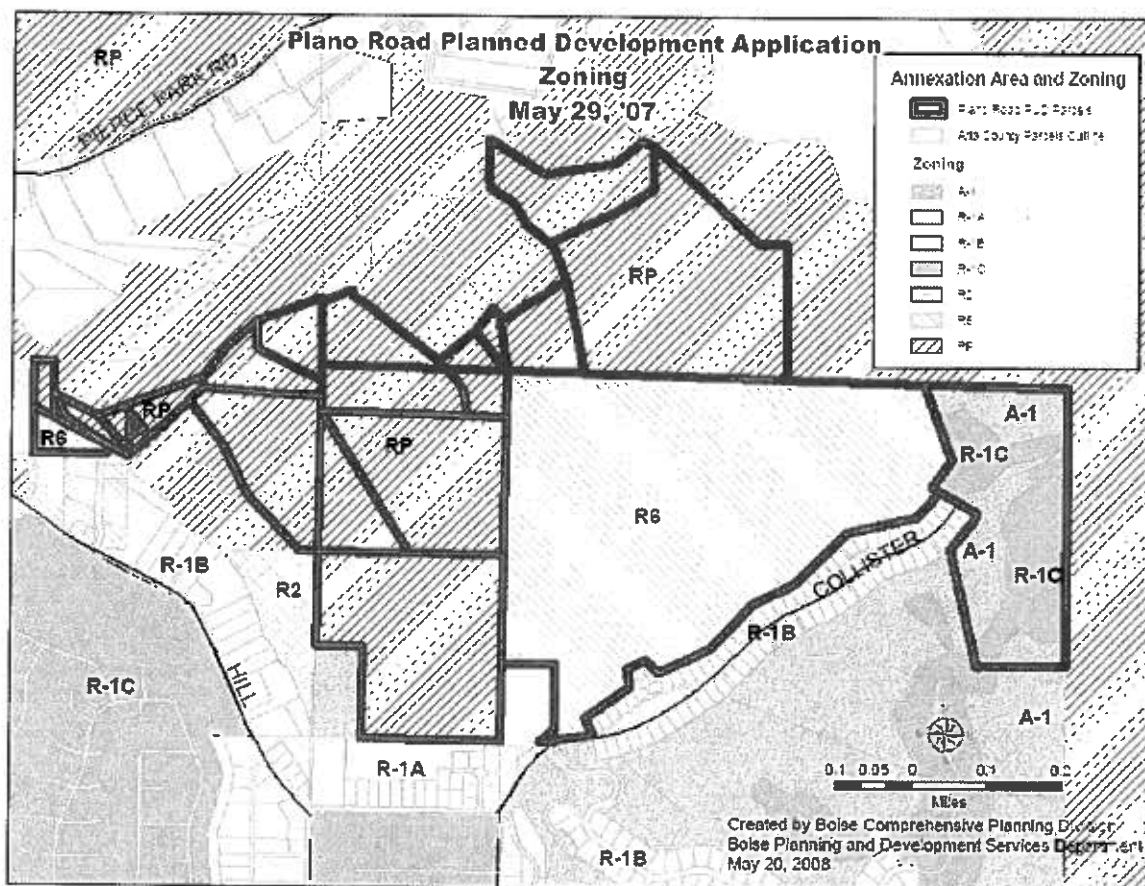


Exhibit 4 - Plano Road Proposal - Building Envelope Placement Within Buildable Area

Plano Road Proposal - Building Envelope Placement Within Buildable Area

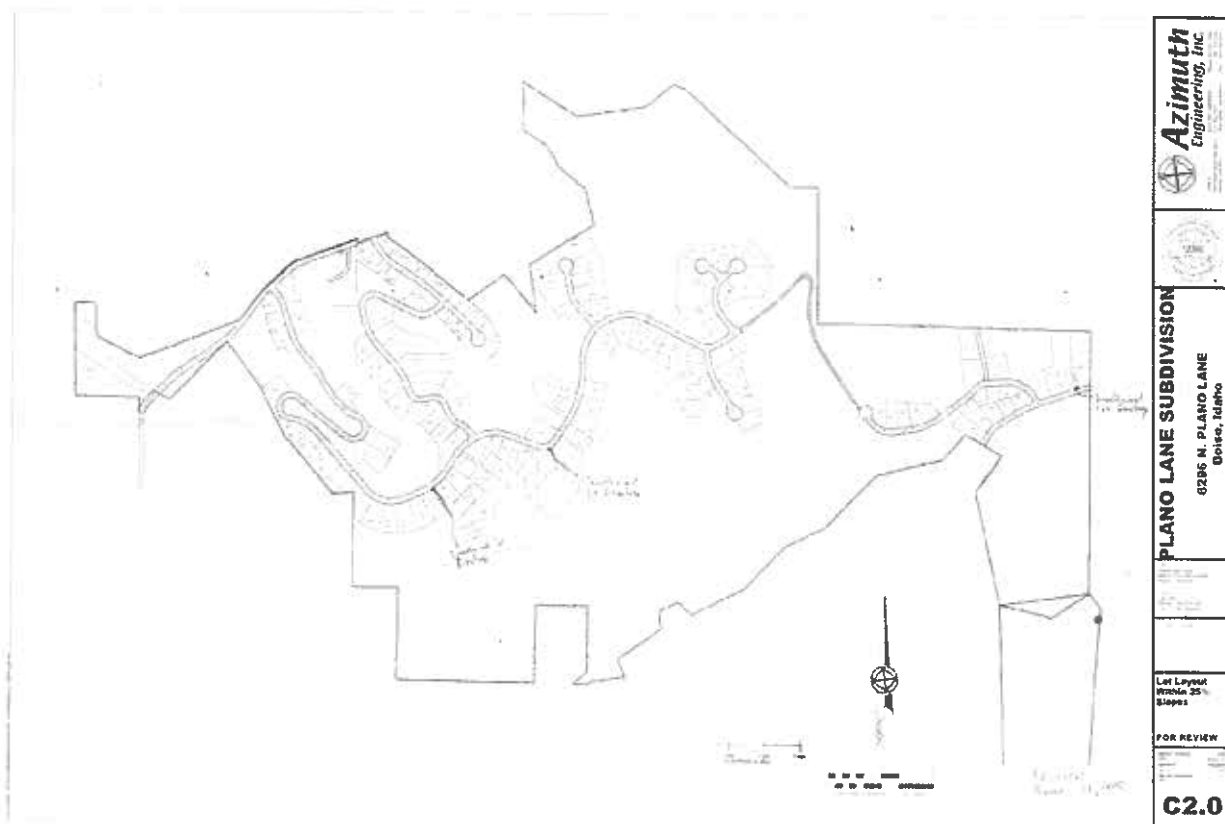
21-Jun-08

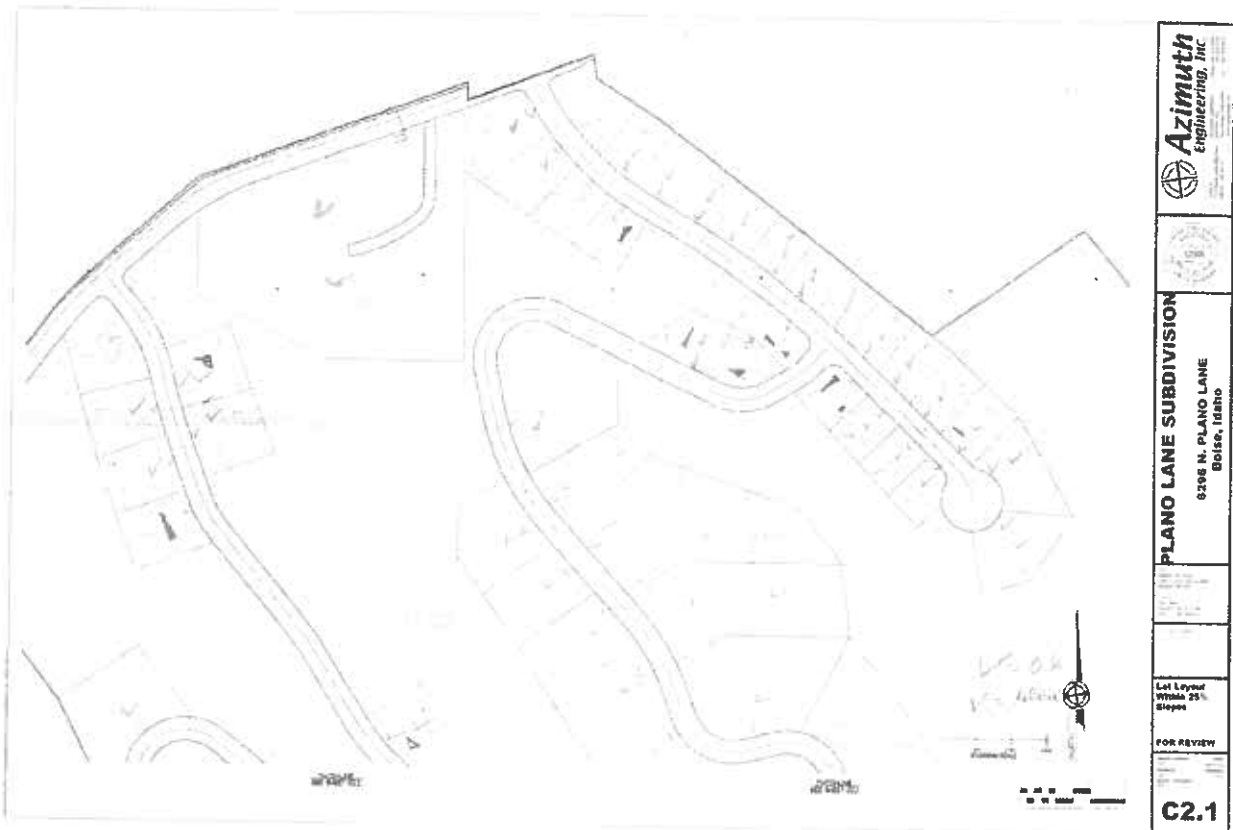
Lot #	Less than 50%, fail	Less than 85%	O.K. > 85%	Setback(s) short	Notes
1			1		
2			1		Short on frontage-failed
3		1			Short on frontage-failed
4			1		
5			1		
6			1		
7			1		
8			1		Requires private road status
9			1		
10			1		
11			1		
12			1		
13			1		
14			1		
15			1		
16			1		Reduced envelope size
17			1		Reduced envelope size
18			1		Reduced envelope size
19			1		Reduced envelope size
20			1		
21			1		
22			1		
23			1		
24			1		
25			1		
26			1		
27			1		Rear yard short-failed
28			1		
29			1		
30			1		Front yard short, can be fitted
31			1		
32		1			Front yard short, can be fitted, reduced envelope size
33			1		
34			1		
35			1		
36			1		
37			1		
38			1		
39			1		Envelope size reduced

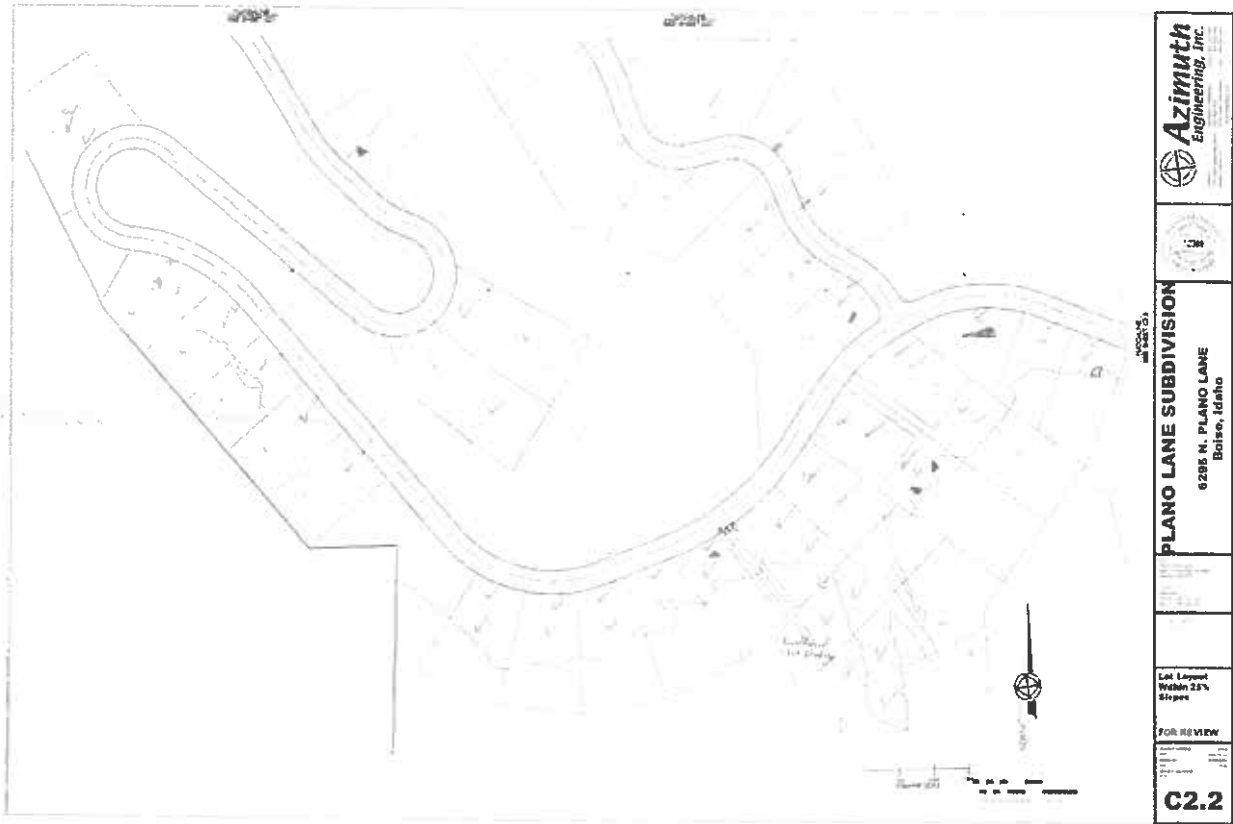
40	1	
41	1	Short on lot frontage-failed
42	1	Short on lot frontage-failed
43	1	
44	1	
45	1	
46	1	
47	1	
48	1	
49	1	Envelope size reduced
50	1	
51	1	
52	1	
53	1	
54	1	
55	1	
56	1	
57	1	
58	1	
59	1	
60	1	
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70	1	
71	1	
72	1	
73	1	
74	1	Short on lot frontage-failed
75	1	Short on lot frontage-failed
76	1	Short on lot frontage-failed
77	1	
78	1	
79	1	
80	1	
81	1	
82	1	
83	1	

84	1	
85	1	
86	1	
87	1	Short on lot frontage-failed
88	1	Short on lot frontage-failed
89	1	Short on lot frontage-failed
90	1	
91	1	
92	1	
93	1	
94	1	
95	1	
96	1	
97	1	
98	1	
99	1	1 Front setback short
100	1	
101	1	
102	1	1 sideyard short
103	1	
104	1	
105	1	
106	1	
107	1	
108	1	
109	1	Envelope depth reduced
110	1	
111	1	
112	1	
113	1	
114	1	
115	1	
116	1	
117	1	
118	1	
119	1	1 Front setback short
120	1	
121	1	
122	1	
123	1	
124	1	
125	1	
126	1	Envelope size reduced
127	1	Envelope size reduced

128		1		Envelope size reduced
129		1		Envelope size reduced
130		1		Envelope size reduced
131		1		Envelope size reduced
132		1		
133		1		
134		1		Envelope size reduced
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136		1		Envelope size reduced
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140		1		Envelope size reduced
141		1		Envelope size reduced
142		1		Envelope size reduced
143		1		Envelope size reduced
144		1		Envelope size reduced
145		1		
146		1		
147		1		Envelope size reduced
148		1		Envelope size reduced
149		1		Envelope size reduced
150	1		1	Rear setback short, Envelope size reduced
151		1		Envelope size reduced
152		1		
153		1		
154		1		
155		1		
Totals	0	8	147	4
			155	











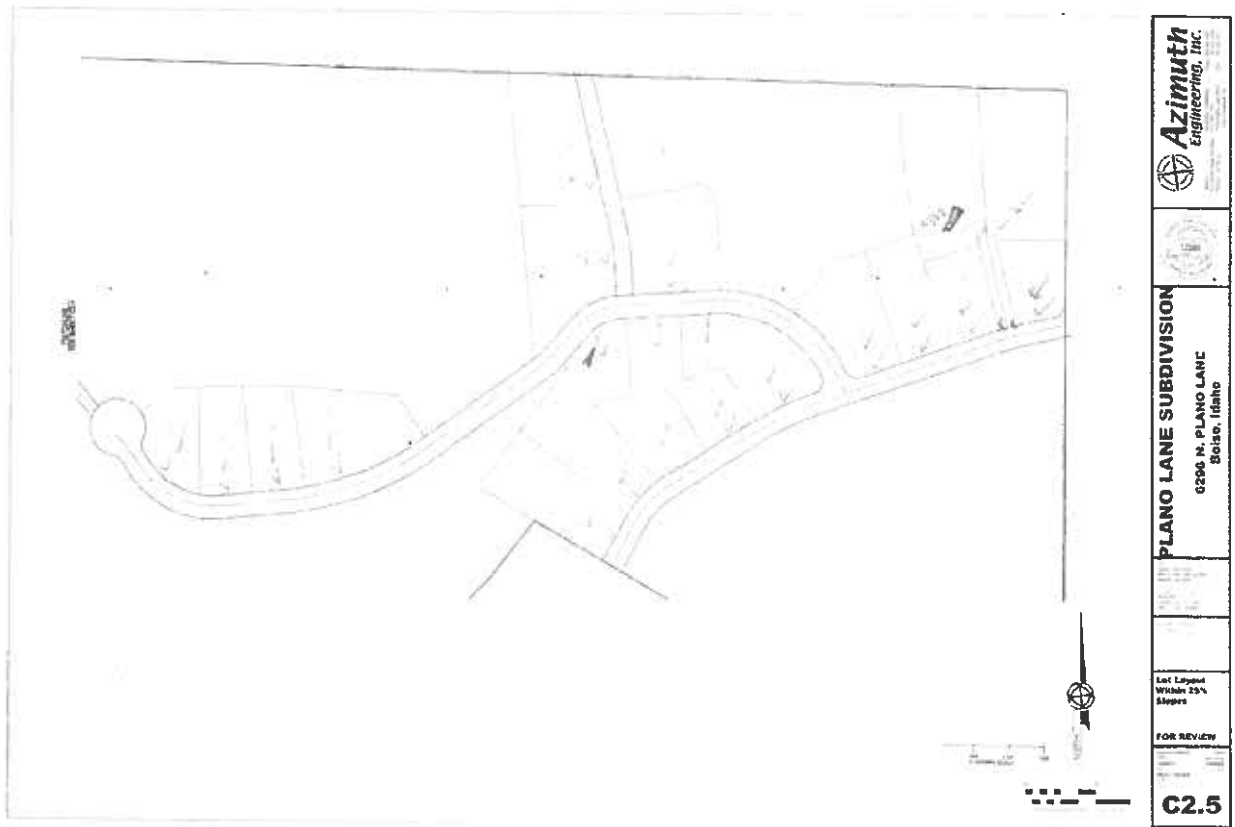


Exhibit 5 –

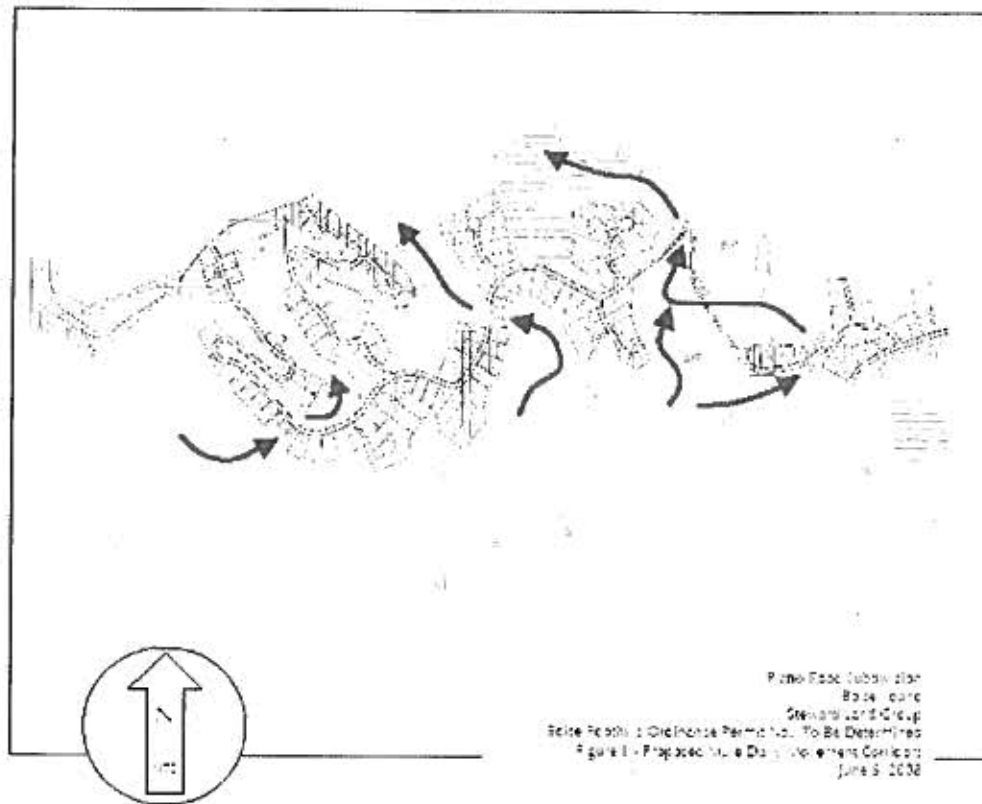


Exhibit 6 – Foothills Policy Plan and Ordinance Review
-Presented to City Council on 7/08/08-

Foothills Policy Plan the outcome of 10-years of public debate. Adopted in 1997.

Basic Policy Decisions

1. Foothills will share in growth of the community.
2. Development will be limited to slopes of less than 25%
3. Development should be clustered away from sensitive areas
4. Establishment of three Foothills Areas of differing priority:
 - a. Eastern Foothills – Wildlife habitat protection first priority
 - b. Central Foothills – Development okay but limited by traffic capacity
 - c. Western Foothills – Priority development area based on lack of wildlife and availability of street capacity.
5. Creation of Density Bonus Formula
 - a. Base Density of 1 Unit/40 Acres, increasing to 3 units per acre as flat open space is set aside.
6. Foothills Development to be protective of environment, shapes and texture of foothills
7. Street improvement plan to include:
 - a. 36th Street extension to Cartwright Road/Bogus Basin Road
 - b. Diversions from Hill Road to State Street,
 - c. No connection to Table Rock from Warm Springs
8. Foothills to meet Urban Standards for Services and Infrastructure
 - a. Sewer
 - b. Fire
 - c. Paved roads and secondary access

Foothills Planned Development Ordinance Adopted in 1999

1. Added quantification and detail to the concepts in the Policy Plan
2. Density bonus process needed much more detail.
 - a. Minimum size to count as eligible open space (1 acre)
 - b. More points defined in formula
 - c. More areas (Priority Open Space) eligible for open space bonus
 - i. Protection of sensitive species/areas
 - ii. Protection of unique geologic/archeological sites
 - iii. Provision of public access
 - iv. Dedication of land to public ownership

- v. Linkage of natural corridors
- 3. Design Criteria
 - d. Clustering
 - e. Linking of Open Space
 - f. Minimizing of grading
 - g. Building/disturbance envelopes
 - h. Prohibition on gating
 - i. Trail access (Ridge to Rivers)
 - j. Maintenance of Open Space in natural condition
- 4. Review and Approval Process
 - a. CUP and Development Agreement required
 - b. Properties with existing urban zoning not subject to Foothills Ordinance
- 5. Required Process of Analysis
 - a. Preliminary/Conceptual Designs Based on:
 - i. Slope analysis
 - ii. Special Area analysis
 - iii. Infrastructure analysis
 - iv. Adjacent Parcel analysis

Gray Areas in Foothills Planning and Development

1. How much grading around the edges of < 25% slope areas to create development pads is acceptable?
2. To what extent can Priority Open Space that is NOT flat land count toward the required open space set-aside for Density Bonus purposes?
3. What does “minimize grading” (cut and fill) really mean?
4. How tight does clustering have to be?
5. How much “sky-lining” of ridges is acceptable?
6. Are all urban services feasible in foothills settings?

Key Points to Remember About Foothills Development

1. Existing policy plan specifically allows for foothills development
2. No two sites in the foothills are the same. It is almost impossible to create standards that will apply equally well to all properties.
3. Foothills development is expensive and it takes a significant amount of development to cover those costs.
4. The priority development area in the foothills (Western Foothills) is difficult to develop from a technical standpoint, due to steep slopes.

5. Most developable land is on ridge lines, where it will be most visible.

6. There is a dichotomy between getting extra density credit for protecting rare species on a site, when that credit results in more intensive development of that same site.

Exhibit 7 – ACHD Letter to Boise Planning and Zoning Commission dated July 30, 2008



Carol A. McKee, President
Sherry R. Huber, 1st Vice President
Dave Bivens, 2nd Vice President
John S. Franden, Commissioner
Rebecca W. Arnold, Commissioner

July 30, 2008

TO: Boise City Planning and Zoning Commission

RE: Plano Road Subdivision

On June 25, 2008 the Ada County Highway District Commission approved the applications for annexation, rezone, preliminary plat, and conditional use regarding Plano Road Subdivision. This memorandum is in response to questions raised at the Boise City Planning and Zoning Commission Hearing held on July 14, 2008 regarding this proposed development.

Item 6: Should there be improvements on Collister Drive to the pavement and drainage systems? What is needed to accommodate the traffic volumes that are projected?

ACHD Staff Response: While the rideability and aesthetics of upper Collister Drive are not ideal, the condition of the roadway is not a limiting factor for increased traffic from the proposed Plano Road development.

The upper portion of Collister Drive is sufficient to accommodate both current and projected traffic volumes and drainage requirements at build-out of this proposed development. Members of the public have expressed concerns that although upper Collister Drive is currently classified as a collector roadway, that it is too narrow and degraded to operate as one. However, projected build-out traffic volumes will be approximately 1,335 north of Quail Ridge Drive. This is well below the 2,000 daily trip threshold for even an existing local street.

Item 9: Explore the issue of placing a gate along the proposed Daylight Rim Drive that would connect Plano Lane and Collister Drive. Can it be similar to what we see in other subdivisions and emergency roads that could be gated?

ACHD Staff Response: The ACHD Commission considered the proposal of a gated emergency access, and rejected it in the interests of connectivity and safety goals. In addition to connectivity and safety goals, ACHD Commissioners and staff have concerns over the long term maintenance of a private gated emergency access between two public streets.

ACHD Commission determined that, due to the size and scope of the proposed development, that a full public street connection between Plano Lane and Collister Drive shall be required at build-out. After significant deliberations on the timing of this requirement, the ACHD Commission decided that a gated emergency access road shall be required prior to the first final plat, and that the full public street connection shall be required prior to the final plat of more than 53 buildable lots. Once Daylight Rim Drive is opened as a public street, it cannot be gated.

The ACHD Commission WILL NOT approve a final plat of more than 53 buildable lots in Plano Road Subdivision prior to the dedication of Daylight Rim Drive as a full public street connection between Plano Lane and Daylight Rim Drive.

Ada County Highway District • 3775 Adams Street • Garden City, ID • 83714 • PH 208-357-6100 • FX 345-7650 • www.achd.ada.id.us

Item 10: Does the traffic light at Hill and Collister Roads required by ACHD do more harm than good?

ACHD Staff Response: The installation of a traffic signal at the intersection of Hill and Collister Drive will improve its peak hour capacity and level of service. This is particularly true for the westbound approach, which currently experiences the greatest delays at this intersection during the PM peak hour.

This intersection is currently four-way stop controlled. Although the Hill Road approaches experience the greatest volumes and delays at this intersection, the limited site distance onto Hill Road from the Collister Drive approaches precludes the possibility configuring it as a two-way stop control (with stops on the Collister approaches) in order to improve its level of service.

If a traffic signal is not installed, and the intersection remains under all-way stop control, the Plano Road development will cause the intersection to operate at an unacceptable level of service due to average vehicle delay time. Even without the Plano Road development, this intersection is projected to operate at an unacceptable level of service in 2015.

Item 24: In addition to looking at the Plano Lane ideas, can we get anything more without going into ACHD's territory on Collister Road improvements; sidewalk, safety issues that are going to come from this development if we approve it?

ACHD Staff Response: Boise City may levy requirements above and beyond what is required by ACHD.

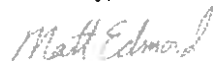
Collister Drive north of Hill Road currently exceeds what the District would normally require for off-site improvements in accordance with District policy 7203.3 (24-feet of pavement and 3-foot gravel shoulders on each side). Even if the existing portion of Collister Drive were internal to the proposed Plano Road development, the existence of sidewalk on the south/east side of Collister meets the requirements of District policy of 7204.4.7 for developments in hillside areas.

Boise City can choose to direct the installation of sidewalk along the north/west side of Collister Drive. There appears to be sufficient right-of-way along the north/west side of Collister Drive north of Outlook Avenue to allow for the installation of a 5-foot attached sidewalk. However, the installation of sidewalk on this side of Collister Drive would require coordination with and approval of the adjoining homeowners, as well as a substantial degree of grading, encroachment removal, and retaining wall installation.

ACHD staff is willing to discuss any proposals that Boise City might have to address their concerns regarding Collister Drive.

If you have any questions, please feel free to contact me at (208) 387-6187.

Sincerely,



Matt Edmond
Planner II
Right-of-Way and Development Services

CC: Project file
Bruce Eggleston, Boise City Planning & Development Services

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**Boise City Planning & Zoning Commission Work Session
July 31, 2008
Council Chambers, Third Floor, City Hall
Work Session Will Start at 6 P.M.**

<u>Item</u>	<u>Presenter</u>	<u>Time</u>
1. CAR07-00042/DA, SUB07-00065 CUP07-00084 & CFH07-00022	Bruce Eggleston	2 hrs.



Bruce D. Chatterton
Director

Boise City Hall
150 N. Capitol Boulevard

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Mayor
David H. Bieler

City Council
President
Elaine Clegg

Council ProTem
David Eberle

Vernon L. Bisterfeldt
Maryanne Jordan
Alan W. Shealy
Jim Tibbs

Planning & Development Services

July 18, 2008

Memorandum

To: Boise City Planning and Zoning Commission Hearing

From: Bruce Eggleston, Planner II

Subject: Work session topics for the July 31, 2008 meeting on the Plano Road Subdivision proposal, CAR07-00042/DA, CUP07-00084, CFH07-00022 and SUB07-00065

At the July 14, 2008 hearing on the Plano Road Subdivision applications the Commission scheduled a work session to gather more information about the requests. A second hearing date was set for August 11, 2008 in the Le Bois Room on the Third Floor of City Hall. It was noted that the hearing will be open on new topics and evidence resulting from the work session.

The July 31, 2008 work session on the above applications will be held at 6:00 p.m. in the Bonneville Room on the Third Floor of City Hall.

Plano Road Subdivision Proposal Work Session Topics

Commissioner Barker:

1. Show how the density bonus was calculated and how base density was calculated. In the report – Bruce to point out and clarify with graphics
2. Demonstrate how the public benefit requirements were met for the density bonus, that is the intent of the ordinance with respect to public benefits and how those were determined. See Tiederman Report of June 6, 2008
3. Explore any alternatives that might be available to building on the ridge tops. 1- the pit is not buildable as is – it would have to be filled to be buildable. 2- ridge tops are flat and buildable 3 – ordinance design is governed by 11-06-05.07.05 4- the Commission must evaluate the application presented, however, alternatives include flipping the road to the front side; tightening the lots making them narrower and smaller; build in sand pit post fill; they could do some multifamily or attached housing in the gulley; put more units in the bottom of the gulley and move off the prominent ridges; require minimum of 30 ft. frontage for all properties (no shared driveways), Build "hill-hugging houses, cascade down slope,
4. How do we evaluate the policy and requirement of minimum grading to create the layout of the subdivision? Explore a little bit more on the large amount of overage. If in fact we are seeing the largest amount of grading overage in all of the Foothills development history that we have seen so far, then I think we are really calling into question what minimize grading means. Judgment call based on 11-06-05.07.05 (4) and (5) - we cannot require them to leave all the open space and not give them the benefit of clustered developable area. To avoid a regulatory taking, developable area must include to some degree the cost of infrastructure and to ensure that the building area is somewhat safe. On the other hand, this development is not hill hugging development – another design would reduce grading and more closely adhere to 11-06-05.07.05 (4) and (5). Ordinance is designed for minimum grading in development and increased grading for infrastructure – see ordinance definition for development pockets, also see Hillside Ord. & Foothills Poling Plan
5. Take a look at big game migration routes and how these are impacted by development and how these have been accommodated if at all within the project Report came in late, but City is asking the Developer to preserve migration routes – Fish and Game states some protection is necessary as this is ^{part of the F.H.} big game winter range. Will there be enough open space to provide for sustainable habitat?
6. Should there be improvements on Collister Drive to the pavement and drainage systems? What is needed to accommodate the traffic volumes that are projected? ACHD is the expert in this area and they say there are no concerns. We cannot ask the Developer to resolve issues that ACHD has not identified. ACHD has clarified good to go. ^{the proposal is} on Collister. There are no recommendations to improve Collister in the ACHD conditions of approval. The projected traffic volumes are under 2,000, which is the standard for a local road.

7. What are the potential impacts on down streams wells and runoff and whether or not these are issues. According to report from SPF water engineering LLC July 1, 2008, there will be no impacts. Public Works agrees.
8. Some of the building pads themselves, not just the building lots, exceed the 25% slope pre-grade contours. Does this meet the intent of the Foothills Ordinance? see ordinance definition for development pockets – these areas will be largely less then 25% slope, but may contain fragments of steeper areas as needed...

Commissioner Fadness:

9. Explore the issue of placing a gate along the proposed Daylight Rim Drive that would connect Plano Lane and Collister Drive. Can it be similar to what we see in other subdivisions and emergency roads that could be gated? ACHD does not want a gate and Fire would prefer there to be no gate.
10. Does the traffic light at Hill and Collister Roads required by ACHD do more harm than good? ACHD are the experts – they have held two hearings and a reconsideration and feel this is the best way to go.
11. What are the issues concerning the timing of the proposed facilities on the Parks' Polecat Gulch Reserve? See Developer and letter from Julia Grant – Parks and Rec – the Commissions call.
12. What are the standards and regulations concerning excessive grading? General design sec. 4 and 5
13. Mr. Watt had some interesting phase-in proposals that I would like to see the applicant respond to that would address some of the issues on Plano Road and resolve those issues. ACHD does not want a gate and Fire would prefer there to be no gate.
- 14.

Chairwoman Wilson:

15. Examine the issue of buildable vs. non-buildable areas of the proposed site; are they truly buildable. If not, then they should be removed from the calculation. I had asked the applicant about the sandpit and why the development wasn't being placed there on ground that had already been disturbed. His response was that it wasn't really constructible, that the amount of fill that you would have to put in there to be able to engineer it to support housing, that he was much more comfortable placing the housing on ground that has been there for hundreds of years rather than new ground that would be filled and constructible. Buildable is a slope analysis only - quote ordinance – Sand Pit can only be built on if ridge tops are utilized to build up sand pit – this would be counter to the policies - see Terry

Commissioner Baskin:

16. What we actually are looking at when we are calculating the 25% slope or less, is it pre-built? How do we define “excessive fill”? - see earlier answer
17. Look at the sandpit as a possible alternative for reconfiguring the lots on some parts of this development. - see earlier answer
18. What are some alternatives to sky lining dwellings on the ridge lines? - see earlier answer
19. The density bonus and clustering are subjective in so many ways and are we really getting the most bang for the buck here by protecting these onions the way that the applicant has proposed? Or should we recognize that perhaps we aren’t obtaining that much value and that the density bonus shouldn’t be as high. Onions are specifically listed in the ordinance as something that needs protected. So we have to adhere to the ordinance. We can make sure that adequate protection is in place. Also, onions are only 1 of 4 reasons for density bonus.
20. I’m interested in comments about the statutory provision that states “there must also be demonstrable increase in the public value of the resource that such allowance that would not be realized to strict adherence to other provisions of this code”. Re-state the 4, plus wildlife migration route

Commissioner Cooper:

21. It gets down to what is the intent of the Foothills Policy Plan. I think what we see here may be construed to meet the letter of the plan. I don’t think it meets the intent. This would be a good place to put in Hal’s document.
22. We need to be looking at the less visible locations to site dwellings. There is not only that sandpit area and I know that fill can be engineered to support anything. There are also some portions on the far eastern side that probably don’t have views and that is why they are not being used. See earlier answer – you can request that they redesign, but you need to rule on this design unless they acquiesce.
23. What are the obligations of the Treasure Valley Land Trust in the management of the proposed onion conservancy? Are there specific tasks and benchmarks required of the Land Trust in order to protect the onion species? Should the conservation plan be more detailed and specific? The only other thing I would mention is some question about the Land Trust’s obligation in terms of hearing for the onion preserve. Looking back to the Harris Ranch proposal there were specific tasks that the Land Trust had to under take each year in inspecting the preserved land in that development, which is much larger than this. Ask Developer to tighten plan – pull out Harris Ranch and show them that we are about there. Ask Developer to address what happens if Land Trust goes under.

Commissioner McLean:

24. There should be a more detailed plan to protect the threatened species of onion. There is a letter from the Land Trust, but I feel that with Harris Ranch we had much more

accountability when it came to a protection plan. If we could get more information either from them or from a proposal from City staff to see how we follow up with that in the future. Ask Developer to tighten plan – pull out Harris Ranch and show them that we are about there. Ask Developer to address what happens if Land Trust goes under.

25. In addition to looking at the Plano Lane ideas, can we get anything more without going into ACHD's territory on Collister Road improvements; sidewalk, safety issues that are going to come from this development if we approve it? We could ask Developer to work with ACHD to see if any education of neighbors is needed – like park along the road and cause hazards.
26. Staff mentioned that they would have liked to have seen a little tighter build. I would like to see a drawing of what the City would have liked to have seen as far as density where and the tightness that they didn't get in this proposal. How could the project be redesigned to enable a tighter clustering of the proposed dwellings? Be careful here – we can't redesign there project – we can say there are some other ideas that could be explored – such as : flipping the road to the front side; tightening the lots making them narrower and smaller; build in sand pit post fill; they could do some multifamily or attached housing in the gulley; put more units in the bottom of the gulley and move off the prominent ridges; require minimum of 30 ft. frontage for all properties (no shared driveways)

Commissioner Stevens:

27. It seems to me that a lot of the staff report hinged on this idea that the western Foothills area is the highest priority for development in the Foothills. Yet there was very little in the report that gave us anything more than that. I would like to see more about that. What the intent was. How they, meaning the Foothills Policy Committee back in the 1990's, how they came up with that. What it was based on. I know that Hal did a Foothills Plan and Ordinance Review training with the Commission prior to my time on the Commission. But I know from the handout that he gave me, all I have for that particular point is that it is a priority development area based on lack of wildlife, and availability of street capacity. It seems to me based on the packet that we have and the information we have from the Idaho Department of Fish & Game, that there is evidence of ample wildlife as well as from the testimony we heard tonight. Foothills development issues have been studied for 20 years. The foothills plan and ordinance took 7 years to bring to fruition. It is an intricate plan that looks at all areas of the foothills. This area is not void of wildlife, rather it simply has less wildlife then other areas. Further, eastern foothills are set up to protect wildlife while this area is not set up that way. Eastern foothills – top priority is protection of wildlife habitat; Central foothills has limited development capability due to limited road capacity. Western foothills is the priority area for development due to minimal wildlife and availability of street capacity. Legally, the Developer is allowed to rely on the plan and the ordinance and we cannot change it mid application.
28. Testimony states that this is going to be another Quail Ridge, or it is going to look exactly like Quail Ridge. Does the *Foothills Policy Plan*, the way it is construed in the staff report, really provide just another way to get us a Quail Ridge, and if so, what was the vision of that

plan. The plan requires sensitivity to the foothills. Quail Ridge did stair step development that was not very sensitive. We are requiring design review and restrictions on material and colors for exteriors of the homes. Quail Ridge did not require design review or restrictions on material and colors for exteriors of the homes. The plan is designed to create a balance between development, open space preservation, and community development. As an example, the City could not afford to put the trail head in for 5 to 10 years, and with the development the neighbors will get a trailhead years earlier.



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Planning Division Staff Report Work Session January 26, 2009

File Number	CAR07-00042/DA, CUP07-00084, CFH07-00022 and SUB07-00065
Applicant	Aase's Canyon Pointe Development LLC
Property Address	6890 N. Plano Lane
Work Session Date	January 26, 2009
Heard by	Boise City Planning and Zoning Commission
Planning Analyst	Bruce Eggleston, AICP
Planning Supervisor	Patricia Nilsson, AICP

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1. Summary

History

The applications for Aase's Canyon Pointe Development LLC at 6890 N. Plano Lane were heard by the Planning and Zoning Commission on August 11, 2008 and the findings and conditions were approved on September 8, 2008, as stated below.

The Boise City Planning and Zoning Commission annexation and zone change to an A-2/DA holding zone with a Development Agreement that contains the following condition:

- 1) Any development application shall be required to comply with the *Boise Foothills Policy Plan*, the Foothills Planned Development Ordinance 11-06-05.07, and the Hillside and Foothill Areas Development Ordinance 11-14.

They denied the request for a Conditional Use Permit, CUP07-00084; the Hillside and Foothills Area Development permit application, CFH07-00022; and the preliminary plat application, SUB07-00065.

The applicant appealed the decisions and recommendation to City Council. The Boise City Council, at their meeting of December 9, 2008, concurred with the appeal and determined that the Planning & Zoning Commission erred by not recognizing the base rights associated with the current zoning on the applicant's parcels. They found that the Foothills Planned Development Ordinance does allow the current zoning to be used to establish the base unit count for a subdivision in the foothills. They remanded all of the associated applications back to the Planning & Zoning Commission to be reviewed and heard again in consideration of this determination on base zoning rights. They specifically directed that the Foothills Ordinance be followed and that the Commission address the applicant's three questions as stated in their appeal Memorandum.

Staff arranged a public work session on January 26, 2009 for the forum where these issues could be addressed.

Topics for the Work Session

The purpose of the work session is to:

- 1) Address the questions at issue in the appeal;
- 2) Address the project design issues raised by the public and the Planning and Zoning Commission;
- 3) Establish the process for review of the applications. The Commission should determine the process to get this proposal back to a hearing. The applicant has indicated that they intend to proceed as quickly as possible to move this proposal forward.

2. Questions Raised in the Appeal

The applicants raised these questions in their appeal for consideration in light of the recommendations and decisions made by the Commission. The public testimony and Council discussion on the motion to

remand provided some insight and direction for the following issues.

1. Does FPDO establish that the base density on parcels proposed for development is that given for the existing zones on the property?
2. Does the Foothills Planned Development Ordinance (FPDO) require that upon annexation, the buildable areas be zoned R-1A?
3. Does FPDO implement by reference the intent to allow for density transfers among parcels within a project in accordance with the Foothills Policy Plan?

The Council also asked the applicant to work further with the neighborhood in an effort to arrive at a project design that is more acceptable to them. They suggested that a City-initiated Mediation process may be used if agreement cannot be reached.

There was considerable discussion on the motion about the subject property being located in the “Western Foothills ... first priority area for development, subject to adequate street capacity and infrastructure”. (*Foothills Policy Plan* Goal 1 Objective 2 Policy 5) It is clearly within that area, the ACHD has found that adequate street capacity exists, with proposed off-site improvements, and the infrastructure is available. The subject property also has urban density zoning on 43% of the proposal which establishes entitlement for some level of development in compliance with the Comprehensive Plan.

Detailed Discussion:

1. Does FPDO establish that the base density on parcels proposed for development is that given for the existing zones on the property?

Yes, but it is dependant on the conditional use permitting process to determine the allowable density and the areas upon which the units could be distributed.

Commentary:

The Council’s decision states that, “They found that the Foothills Planned Development Ordinance does allow the current zoning to be used to establish the base unit count for a subdivision in the foothills.”

There has been much discussion on the manner in which base density is calculated under the FPDO. The ordinance only says that, “The base density on parcels proposed for development is that given for the existing Boise City or Ada County zone(s)”. (Boise Municipal Code 11-06-05.07.04.A.1. Density Bonus)

Staff has examined several methodologies to calculate the base density that would apply to all applications in the Foothills Planning Area. The method that is consistent with the density calculations for planned developments under Chapter 11-06 is as follows in the Base Zoning Table, the map and the expanded base zoning density table:

Base Density for Existing Zoning =
(Buildable Area* minus 20% for roads, infrastructure and terrain)
divided by
(Minimum lot size for given zone)

Base Density Units in Existing Zoning for the Plano Road Subdivision application

R6 Zone= (446,070 square feet) divided by (1 unit per 6,000 square feet) = 74 units

R-1C Zone= (360,090 square feet) divided by (1 unit per 5,000 square feet) = 72 units

A-1 Zone= (136,643 square feet) divided by (1 unit per 5,000 square feet) = 3 units

RP Zone= (173.1 acres) divided by (1 unit per 40 acres) = 4 units

RP Zone includes three permitted lots in County under other ownership = 3 units

Total Base Units **157 units**

The map demonstrates hypothetically how those base density units might be distributed on the buildable areas in compliance with the FPDO.

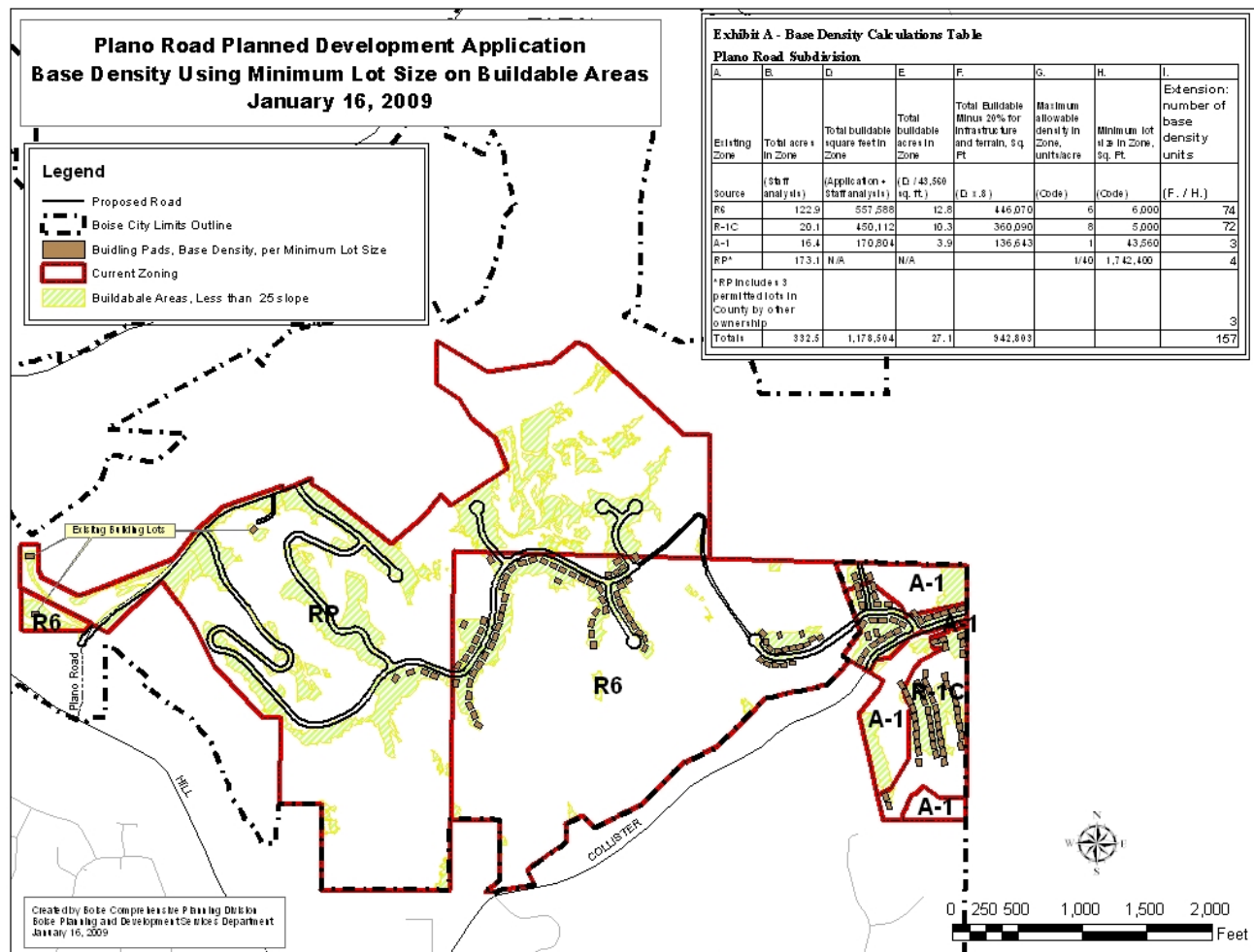


Exhibit A - Base Density Calculations Table**Plano Road Subdivision**

A.	B.	C.	D.	E.	F.	G.	H.	I.	J.
Existing Zone	Total acres in Zone	Percent of Total Acreage	Total buildable square feet in Zone	Total buildable acres in Zone	Total Buildable Minus 20% for infrastructure and terrain, Sq. Ft.	Maximum allowable density in Zone, units/acre	Minimum lot size in Zone, Sq. Ft.	Extension: number of base density units	Proposed lots in the Zone
Source	(Staff analysis)	(B. / Total Acres)	Staff analysis)	(D. / 43,560 sq. ft.)	(D. x .8)	(Code)	(Code)	(F. / H.)	(Application)
R6	122.9	37%	557,588	12.8	446,070	6	6,000	74	38
R-1C	20.1	6%	450,112	10.3	360,090	8	5,000	72	13
A-1	16.4	5%	170,804	3.9	136,643	1	43,560	3	3
RP*	173.1	52%	N/A	N/A		1/40	1,742,400	4	101
*RP includes 3 permitted lots in County by other ownership								3	
Totals	332.5	100%	1,178,504	27.1	942,803			157	155

As defined by the Foothills Planned Development Ordinance in 11-06-05.07.09.Definitions*AREA WITH A SLOPE OF 25% OR LESS:**

An area with a natural (pre-grading) slope of 25% or less, mapped to a minimum resolution of 6,000 square feet in area, also called a Buildable Area.

BUILDABLE AREA:

Lands with a slope of 25% or less are buildable areas, if outside floodways or geologic hazards. Buildable areas must be designated in the Conditional Use site plan as either development pockets or permanent open space in the ratio chosen under the density bonus formula. Buildable area is determined by natural topography, not by post-construction graded contours.

DEVELOPMENT POCKETS:

These are the buildable areas designated on the site plan and plat map where the structures and appurtenances will be clustered. These areas will be largely less than 25% slope but may contain fragments of steeper areas as needed to accommodate the site design.

2. Does the Foothills Planned Development Ordinance (FPDO) require that upon annexation, the buildable areas be zoned R-1A?

Yes. The conditional use permitting process determines the buildable areas where this zoning could be granted.

Commentary:

The Council's discussion and the staff report on the appeal make clear that a development proposal that meets the policies of the *Foothills Policy Plan* and the requirements of the FPDO should receive the R-1A Zone for buildable or developable areas as described in 11-06-05.07.03.

The Planning and Zoning Commission's findings for the denial of the conditional use permit and Hillside and Foothill Areas Development permit applications demonstrate that the applicant has a challenge to comply with the *Foothills Policy Plan* and FPDO. The applicant's appeal failed to address those findings.

3. Does FPDO implement by reference the intent to allow for density transfers among parcels within a project in accordance with the *Foothills Policy Plan*?

Yes. The conditional use permitting process determines the buildable areas where this zoning could be granted.

Commentary:

The only way to transfer density is through a CUP/PUD process. The problem is that the Plano Lane developer has no approved County or City CUP to transfer those units (a CUP independent of the Foothills CUP process). The City Code doesn't consider something potentially allowable under a theoretical CUP to be counted as base zoning rights. The base zoning rights are only what could be developed by straight subdivision without CUP flexibility. It must be clear that this non-allowed, not Foothills PUD-related transfer is not the same as the transfer that can be allowed through the Foothills PUD process.

Some confusion with this issue may relate to the applicant's contention that they have a base right to 917 units. The only way they could ever achieve 917 units under the existing R6 and R1-C zoned (and steeply sloped) properties would be to transfer the otherwise non-achievable units from the non-buildable sloped areas and cluster them at very high density on the small flat areas on the ridge tops. The only way to do that would be through a CUP/PUD process. The problem is that the Plano Lane developer has no approved County or City CUP to transfer those units.



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MEMORANDUM

TO: Mayor and Boise City Council

FROM: Hal Simmons
Planning Director
Boise City Planning and Development Services

DATE: October 14, 2008

RE: Staff Memorandum of Response to the APPEAL of DENIAL for CUP07-00084, Conditional Use Permit application; CFH07-00022, the Hillside and Foothills Areas Permit; and SUB07-00065, Preliminary Subdivision Plat application,; located at 6890 Plano Road; and, RECOMMENDATION FOR APPROVAL of CAR07-00042/DA Annexation and Zone Change with Development Agreement

The following applications have been scheduled for **hearing on December 9, 2008:**

Aase's Canyon Pointe Development LLC and Capitol Development, Inc. are appealing the Planning and Zoning Commission's denial of the Conditional Use Permit CUP07-00084 to build 155 dwelling units in the Boise Foothills Planning Area, as well as the supporting Hillside and Foothills Areas Development application, CFH07-00022, and Preliminary Plat application SUB07-00065 located at 6890 Plano Road in an Ada County R6 (Medium density residential zone) and RP (Rural preservation zone), and Boise City R-1C (Single Family Residential) and A-1 zones.

The Planning and Zoning Commission recommended approval of CAR07-00042/DA, annexing in the entire project site, 332 acres +/-, into the City with an A-2/DA Zone with Development Agreement, (Open space with a density of one unit per forty acres with a development agreement).

PUBLIC NOTIFICATION

Newspaper publication: November 22, 2008

Radius Notices: November 21, 2008

Site Posting: November 21, 2008

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ACTION BY THE BOISE CITY PLANNING AND ZONING COMMISSION

After reviewing the evidence, and hearing all testimony, the Planning and Zoning Commission **denied** the conditional use permit CUP07-00084 to build 155 dwelling units in the Boise Foothills Planning Area, as well as the supporting Hillside and Foothills Areas Development application, CFH07-00022, and preliminary plat application SUB07-00065 located at 6890 Plano Road in an Ada County R6 (Medium density residential zone) and RP (Rural preservation zone), and Boise City R-1C (Single Family Residential) and A-1 zones.

After reviewing the evidence, and hearing all testimony at their August 11, 2008 hearing, the Planning and Zoning Commission **recommended approval** of CAR07-00042/DA, annexing in the entire project site, 332 acres +/-, into the city with an A-2/DA Zone with Development Agreement, (Open space with a density of one unit per forty acres with a development agreement). The development agreement shall state that development proposals shall comply with the *Foothills Policy Plan*, the "Foothills Planned Development Ordinance" and the "Foothills and Hillside Area Development Ordinance".

ZONING ORDINANCE

11-03-07 - Quasi-judicial Appeals; Form; Content:

Any administrative, committee or Commission level decision may be appealed to the appropriate Commission, or Council in accordance with the procedures established herein. All such appeals must be written, accompanied by the appropriate fee and submitted to the Planning Director prior to the deadlines set forth herein. If the appeal deadline falls on a weekend or holiday the appeal period is automatically extended to the next workday. Each appeal must clearly state the name, address and phone number of the person or organization appealing and specify the issues, items or conditions that are being appealed.

11-03-07.2: Quasi-judicial Appeals to City Council of Decisions of the Planning & Zoning Commission, Hearing Examiner and Historic Preservation Commission

7. The City Council may find error on the following grounds:

(a) The decision below is in violation of constitutional, State or City provisions. An

example would be that the review body's decision would be a taking or failed to comply with mandatory notice required under the local planning act.

- (b) The review body's decision exceeds its statutory authority. An example would be when there is no authority for the decision in federal or Idaho law, local ordinance or the Comprehensive Plan. Because the decision-makers below are experts in their substantive areas, the City Council shall give due consideration to a reasonable interpretation of a City Ordinance adopted by the review body.
- (c) The decision below is made upon unlawful procedure. An example would be if inadequate notice of the hearing was provided.
- (d) The decision below is arbitrary, capricious or an abuse of discretion. For the City Council's actions to be deemed arbitrary or capricious, it must be shown that that its actions were done without rational basis; or in disregard of the facts and circumstances presented; or without adequate determining principles. Where there is room for two opinions, action is not arbitrary and capricious when exercised honestly and upon due consideration, even though it may be believed that an erroneous conclusion has been reached.
- (e) The decision below is not supported by substantial evidence.

APPEAL

The appellant contends the Planning and Zoning Commission committed error in denying the conditional use permit, the Hillside permit and the preliminary plat, based on improper procedure. Four grounds were included in the appeal and supporting memoranda. Each ground has been summarized below, along with staff's response.

1. The decisions below are in violation of constitutional, state or city law.

Response: The appellant contends that the Planning and Zoning Commission's decisions violate constitutional, state or city law.

The appellant's memorandum of October 2, 2008 largely addresses the issues of annexation and zone change that the Boise Planning and Zoning Commission (P&Z) at their hearing of August 11, 2008 made as recommendations to City Council. Recommendations to City Council on annexation and zone change are not subject to appeal, and the normal statutory course of hearing review and decision-making on these issues reside only at City Council. Because the issues of annexation and zone change are so intertwined with the application for conditional use permit in this case, we will address those issues as well in this memorandum stating the City's analysis of the appeal of the conditional use permit.

Staff disagrees as City code is clear that the Planning and Zoning Commission has the authority to make decisions concerning requests for conditional use permits, Hillside and

Foothill Areas Development permits and preliminary plats as outlined in the following code sections:

Section 11-06-04.04 Commission Action

Following the hearing, the Commission shall approve, deny or modify the application for a conditional use permit, imposing any conditions needed to establish the findings of Section 11-06-04.11.

Section 11-06-05.03 Development Standards

The Planning and Zoning Commission may approve planned unit developments in accordance with the following standards:

A. Changes from the development standards of the underlying zone may be approved.

Section 11-06-05.07 FOOTHILLS PLANNED DEVELOPMENT ORDINANCE

11-06-05.07.01. Purpose and Intent

The purpose of the Foothills Planned Development Ordinance is to implement residential subdivision density and design elements of the *Boise City Foothills Policy Plan* (The Plan) and the *Boise City Comprehensive Plan*. It is also designed to protect and promote preservation of contiguous areas of Foothills open space that contain important and significant natural and cultural resource values, as identified in The Plan and this ordinance.

11-06-05.07.02. Applicability

The Foothills Planned Development Ordinance shall apply to all proposed developments in the Boise City Foothills Planning Area where an annexation and/or rezone is required.

11-06-05.07.03. General Application and Development Requirements

1. All developments shall be processed as Planned Developments (PDs) under Section 11-06-05 of the Boise City Zoning Ordinance.

2. In excess of the statutory authority of the agency.

Response: The appellant contends that the Planning and Zoning Commission's decisions exceed its statutory authority.

Staff disagrees as City code is clear that the Planning and Zoning Commission has the authority to make decisions concerning requests for conditional use permits (CUP), Hillside and Foothill Areas Development (Hillside) permits and preliminary plat as outlined in the code sections cited in the previous section. The appellant's claims to this effect address the recommendations for annexation and zone change, not the findings for the CUP, Hillside and preliminary plat. Therefore this basis for appeal has not been demonstrated in regards to the P&Z's decision on CUP07-00084, and the supporting Hillside and Foothills Areas Development application, CFH07-00022, and preliminary plat application SUB07-00065.

3. The decisions are arbitrary, capricious or an abuse of discretion.

Response: The appellant further argues that the decisions are arbitrary, capricious or an abuse of discretion. Staff disagrees in light of the testimony from all parties, and that the discussion, findings and conclusions of the Commission were relevant to the body of evidence and a response to that evidence. The appellant's discussion of this is again focused on the recommendations for annexation and zone change and do not address the findings and conclusions approved by the Commission on September 11, 2008.

4. The decisions are not supported by substantial evidence.

Response: The appellant further argues that the decisions by P&Z are not supported by substantial evidence. Staff would agree that this may be the case in regard to the issue of base density associated with current zoning on the parcels and the extent to which the base density may have impacted the applicant/appellants need for a density bonus under the terms of the CUP. While Staff made every effort to provide the Commission with the entire body of evidence pertaining to the CUP, Hillside and Preliminary Plat, it became evident during the public hearing that there was an unresolved question about how the Foothills Planned Development Ordinance addressed base zoning and base dwelling unit allowances. As described in the narrative that follows, that unresolved issue may constitute error on the part of the Planning & Zoning Commission in a portion of their justification for denial of the CUP.

The following is a narrative developed by Staff to summarize the history of this application; the Planning & Zoning Commission's rationale for their actions; the appellant's bases for appeal; staff's responses and a discussion of possible remedies; and a recommendation to City Council.

Project Proposal

Aase's Canyon is a request for Annexation/Zoning, Conditional Use Permit, Hillside Permit and Subdivision for a 155-unit Foothills planned development on 332.5 acres. The property is located in the Western Foothills north of Hill Road and west of Collister Drive. The majority of the property is currently in the unincorporated County and is contiguous to Boise City limits. The property has a combination of R6 (six units per acre) and RP (one unit per 40 acres) county zoning as well as some R-1C and A-1 city zoning. The geography of the property is characterized by unbuildable steep slopes topped with a relatively narrow ridgeline that constitutes the majority of the buildable area less than 25% in slope. The steep hillsides are heavily populated with Aase's Onion, a relatively rare plant species of concern.

The applicant has proposed a CUP for development of the property in accordance with the standards of the *Foothills Policy Plan* and Foothills Planned Development ordinance. Their proposal is to develop the ridgelines with single-family homes and to provide vehicular access from both Plano Lane and Collister Drive. In accord with the *Foothills Policy Plan*, the applicant and staff assumed a starting base density of one dwelling unit per 40 acres with an option to increase to a density of 2 units per acre on the 73 buildable acres in return for set-aside of open

space consistent with the density bonus formula in the Foothills Planned Development Ordinance. With a starting base density of one unit per 40 acres, the property initially only qualifies for eight dwelling units.

Under normal circumstances, open space set-aside to qualify for the density bonus must be on developable lands of less than 25% slope. However, the ordinance also makes provision for steeply sloped lands to count toward the density bonus if they meet the definition of "Priority Open Space." In this case, the steep slopes of the property:

- 1) contain a strong population of Aase's Onion (a threatened plant species) that will be placed in a land trust for management;
- 2) are contiguous to public open space (Polecat Gulch Reserve);
- 3) include a small area of wetlands/riparian zone that will be protected; and
- 4) the project will provide public access and a trailhead for the Polecat Gulch Reserve.

In consideration of these factors, the applicant has proposed that these sloped areas should be termed "Priority Open Space" as defined by the ordinance and used to calculate their density bonus. Consequently, the project proposes that almost all of the available flat area be developed and that the majority of the steeply sloped areas, which cannot be developed under the ordinance, be counted as their set-aside open space. The amount of sloped area set-aside (83 acres) and buildable area set-aside (25.97 acres) has yielded a density bonus that raised the allowable unit count on the property from eight units to 155 units.

Planning Commission Action

The Planning and Zoning Commission held a public hearing, followed by a work session and another public hearing. After hearing testimony from the applicant, their various consultants and the public, the Commission voted to deny the CUP/Hillside Permit and Subdivision and recommend to the City Council annexation with A-2 (Open Space - One Unit/40 Acres) rather than the applicant's requested combination of R-1A and A-2 zoning. The Planning Commission based this decision on a number of findings.

Density Bonus. The Commission's most significant concern was that the applicant had placed too much reliance on the use of steeply sloped onion conservation areas for their density bonus and as a result had received more density bonus than was appropriate for the property or consistent with the intent of the Foothills Plan and Ordinance. They based this decision in part upon testimony from the applicant's own biological consultant and the land trust representative who both testified at the work session that they had no definitive management plan in mind for the Aase's onion fields and that in fact none was necessary since all the onions really needed to survive was to be left alone and not disturbed by grading or development.

The Commission noted that the basic standards of the Foothills Ordinance said that steeply sloped areas could not be developed, so the onions were already adequately protected by the ordinance and did not need public ownership or management to be adequately protected. As such, the Commission did not believe that the onion-populated slopes should be counted as "Priority Open Space" and should not be used to calculate the density bonus. The Commission further stated that the wetlands areas were similarly protected already and also should not count

as Priority Open Space. They also discounted the suggestion that deer corridors had been adequately demarcated as part of the Priority Open Space formula. The result of these determinations was that the applicant should have set aside flat land on the ridge tops for their density bonus credit.

Subdivision Design. The Commission also expressed concerns with the layout of the subdivision. They noted that the front ridge (southwest-facing ridgeline) was a visually prominent ridge and should not have been developed to the extent proposed by the applicant. They suggested that the most prominent ridges should have been preserved as open space set-aside with development concentrated on the northern and western portions of the property, primarily in the area currently occupied by a sand and gravel pit, which was proposed by the applicant to be filled and used as open space.

Grading. Lastly, the Commission expressed general disagreement with the amount of grading proposed by the applicant for the project overall. They felt that the proposed 1-million cubic yards of grading was excessive and inconsistent with the Hillside Ordinance and the Foothills Plan/Ordinance which both require “minimizing” grading.

Zoning. After stating reasons for denial of the CUP, the Commission debated what zoning to place on the property. The applicant had requested a combination of R-1A zoning for the developable areas and A-2 zoning for the sloped and non-built areas. Ultimately, the Commission voted to recommend A-2 zoning for the entire property along with a Development Agreement requiring that the property cannot be developed or rezoned in any way until a CUP application consistent with the *Foothills Policy Plan* and Foothills Planned Development Ordinance is approved. This zoning recommendation was made despite the applicant’s contention that based on current City and County zoning, they really have a starting density of up to 12 units per acre on the 73 buildable acres of their development, not one unit per 40 acres. The P&Z Commission disagreed and cited the *Foothills Policy Plan* statement that one unit per 40 acres is the base.

Grounds for Appeal

The applicant has appealed the Planning and Zoning Commission’s denial of the CUP/Hillside Permit/Subdivision and is also contesting the recommended zoning of A-2 Open for the entire property. Their primary contention is that they have a base right to development of up to 917 units on the property (based on current city and county zoning) and that the Commission should have approved their request for 155 units on that basis, or at least approved the R-1A zoning on the 73.5 buildable (less than 25% slope) acres of their property.

Their contention of a base allowance of 917 units comes from a statement in the Foothills Planned Development ordinance regarding how base (starting) density in the Foothills should be calculated. Although the *Foothills Policy Plan* states that the base density is one unit per 40 acres, the Foothills Ordinance provides additional clarification that base density is actually to be calculated using the existing zoning on the property as follows: “The base density on parcels proposed for development is that given for the existing Boise City or Ada County zones;” and “the base density may be added to the density bonus units without the requirement for additional open space preservation.”

In this case, the applicant has 122.8 acres currently zoned R6 in the County, 165.5 acres zoned RP in the County, 20.1 acres zoned R-1C in the City and 16.4 acres zoned A-1 in the City. Based

on the zones and the acreages associated with each, the applicant is claiming a base right to construct up to 917 dwelling units on the property. Accordingly, they are arguing that they have no need for the density bonus formula requirements contained in the Foothills Ordinance, and that all they need to gain approval of a 155-unit subdivision is a CUP and Hillside permit that demonstrate basic consistency with the design requirements of the Foothills and Hillside ordinances.

During the Planning & Zoning Commission work session and public hearing the applicant noted that their project design provides "linear" clustering of the units along the buildable areas of the ridgelines, with single-loading of the roadway used in some locations to minimize grading and other disturbance of the ridge. In order to minimize visual impacts (skylining) of the ridge tops, the applicant's design includes extra-large setbacks for the homes from the ridge slopes, thus preventing the homes from looming over the tops of the slopes and becoming less visible from vantage points below the project. They submitted perspectives from various points in Boise to demonstrate that the setbacks will minimize the visual impact of the units on the ridge tops. They also proposed design review conditions and building height limitations for the homes on the prominent ridges in order to further ensure non-intrusive home designs.

The applicants also contend that the layout of the subdivision includes breaks in the development at critical locations that will allow for passage by resident mule deer and other wildlife in the area. They also contend that the grading is minimal given the steepness of the property and the fact that the excess grading will be used to fill in and restore the existing gravel pit on the back of the property in order to create useable open space and eliminate an unattractive scar on the landscape.

Lastly, the applicants have asserted that they are providing significant protection and enhancement of the priority open space in and around their development by dedicating the sloped areas to a land trust for ownership and management, by providing access to and trailhead development for Polecat Gulch Reserve, and by protecting existing wetlands and riparian areas from development. They have argued that this combination of factors meets the intent of the Foothills Ordinance for Priority Open Space and as a result the steeply sloped portions of their property should be allowed to be counted toward their open space set-aside in order to meet the density bonus formula requirements.

In summary, the applicants/appellants contend that:

1. Their project complies with the Foothills Policy Plan/Foothills Planned Development Ordinance and Hillside Ordinance in all respects including density bonus allowances, cluster design, environmental protection and aesthetics.
2. The density bonus/open space set aside portion of their application is essentially voluntary since they have a base zoning right for 917 units, or nearly six times the number of 155 units they are actually requesting.
3. The P&Z Commission erred in not giving them credit for a base allowance of 917 units and thus erred in denial of the CUP based on lack of proper open space set aside.



4. Based on the existing zoning rights associated with their property, they should be annexed with R-1A zoning on the 73 acres of buildable (less than 25% slope) land area on their property.

Planning Staff Response

This application has provided a difficult case for interpretation and use of the *Foothills Policy Plan* and Foothills Planned Development Ordinance. The subject property is located within the portion of the Western Foothills that is designated as the area of highest priority for development based primarily upon downstream traffic capacity as well as upon general lack of critical deer and elk winter range on the property itself. The property is located adjacent to the recently City-acquired Polecat Gulch Reserve and is positioned to provide much needed public access to the park. High quality and biologically valuable Aase's onion fields on the steep southern slopes characterize much of the property. Planning staff agreed that if these onion fields were actively owned, managed and protected by a public agency or land trust and if public access and related improvements were granted to the City owned Polecat Gulch Reserve, it may be within the standards of the Foothills Planned Development Ordinance to allow the steeply sloped portions of the property to count toward their open space/density bonus requirements. Staff took an admittedly liberal approach to this issue largely in recognition that this property was within the priority development area defined in the Foothills Plan.

A key part of staff's agreement to this approach also had to do with the potential long term value to the onion fields of active management and protection. However, the applicant prepared an inadequate management plan for the onion fields and their own consultants discounted the value or feasibility of such a plan. The Planning & Zoning Commission, therefore, determined that in the absence of a more detailed management plan that the sloped areas should not be allowed to qualify as Priority Open Space to the extent that they were. In light of the applicant's own testimony, Planning staff cannot disagree with the Planning & Zoning Commission's decision and thus we do not believe that they erred in this regard. We do believe, however, that there should be some credit given for access granted to the public property to the northeast (Polecat Gulch) and that some density credit for the sloped areas may be factored into this, but not to the extent proposed by the applicant and initially agreed to by staff.

In regard to the subdivision design and grading issues, staff would offer the following commentary. Steeply sloped areas in the Foothills are inherently difficult to develop in an unobtrusive manner because in most cases the only area that meets the slope criteria for development is on the ridge tops. That is the situation with this property. While the Policy Plan and Ordinance both say that grading and ridge toping should be minimized, we believe that the intent is to minimize grading in the context of the individual unique nature and constraints of the property that is being developed. In this case is it not possible to develop the property without significant grading. Nor is it possible to define large areas for development apart from the ridge tops. We do not believe it was the intent of either the Policy Plan or the Foothills Ordinance to disallow development of a property if the strictest interpretation of the design standards cannot be met.

We believe that the applicant has made efforts to minimize grading by proposing single-loaded sections of the roadway in some areas. We believe they have also addressed aesthetic concerns by establishing large setbacks in conjunction with design review conditions for the homes on the most prominent ridges. However, we also agree in some regards with the Planning & Zoning Commission that too much emphasis was placed on conventional development of the ridge lines

and that additional effort should have been made to locate units in other areas such as the filled gravel pit on the upper end of the property and/or to reduce lot widths so that units could be clustered along the ridge tops rather than spread uniformly upon them. The proposed breaks in development along the ridgelines are minimal. Staff believes that rather than outright denial of the subdivision design, the Commission could have considered directing the applicant to explore design modifications such as smaller lot widths to better meet the intent of the ordinance. But such direction should not have implied that development of the ridge tops is prohibited or that grading could be significantly reduced.

A most significant difficulty with this application arose during the public hearing process when the applicant suddenly changed their position on how base density for their project should be calculated. They had initially agreed with staff that the base density was one unit per 40 acres as stated in the *Foothills Policy Plan*. When they realized that there may be concerns with the Priority Open Space/Density Bonus determinations they were proposing, they then focused their argument on the existing zoning of the property and the fact that they may have enough base zoning rights to avoid the need for a density bonus all together. The Planning & Zoning Commission was not swayed by this last-minute argument and determined that the applicants' initial agreement to a base density of one unit per 40 acres had committed them - and the City - to that approach and that it should not be changed at this late point in time.

Planning staff believes that the applicants are correct in their assertion that the starting or base density should be based upon the combination of city and county zoning that currently exists on the property. As noted at the beginning of this memorandum, the property is zoned RP (one unit per 40 acres), R6 (6 units per acre), R-1C (8 units per acre) and A-1 (one unit per acre). It is clear what the base unit allowance of the RP zoned property is, but the base allowance of the other properties is subject to interpretation. The most logical method may be to apply the minimum lot size of the zone to the amount of buildable area of the property, where it is applied after first subtracting a percentage of land for roads. Since the majority of the R6 zoned property is very steep and unbuildable under any possible scenario, the buildable area is much less than the total acreage of the property.

The buildable area is in fact only what the applicant has already proposed to develop under the CUP. They have proposed a total of 38 units on the R6 property and 13 units on the R-1C property. Since the proposed lot size is equal to or greater than the minimum lot size of the R6 and R-1C zones, that may be considered a reasonable starting point for determining the base allowance of that property. The same general approach may hold true for their A-1 zoned properties, although no subdivision lots are currently proposed for the A-1 properties and staff would need to assume a subdivision layout with one-acre lots to generate a base right for that property. Planning staff did in fact verbally suggest this approach to determining base density or unit allowance at the August 11th public hearing, so this issue is a part of the public record. Staff had suggested a base unit allowance of at least 54 units.

The applicant, however, is not taking actual buildable area into account under their base unit calculations, nor are they taking into account roads, grading or minimum lot sizes. Rather, they are taking the maximum density allowed in the zone by CUP and multiplying that number by total acreage to arrive at 917 units as a base right. Further, they are assuming the ability to spread that unit count across all their lots despite the low density (RP) zoning on 52% of the subject property. Planning staff and the Planning & Zoning Commission strongly disagree with this approach to determining base zoning rights.

Planning staff would note that the Foothills Planned Development Ordinance contains an overly simplified statement about how to calculate base unit allowances and essentially leaves it up to the planning review process to resolve a reasonable base allowance, taking into account the unique circumstances of the property. In this case, planning staff can see a potential base allowance of at least 54 units and perhaps significantly more, depending upon which exact set of assumptions about lot size, buildable area, zone density allowances, subdivision layout and averaging of density across parcels are applied; perhaps even approaching the requested 155-units. However, such an upper end calculation would rely almost entirely upon the R6 and R-1C zoned portions of the property where in this case the fewest number of units are actually proposed and assume some right to apply that excess density to the RP zoned property where the majority of development is actually proposed to occur.

It is unfortunate that this base allowance approach was not resolved early on by staff and the applicant. However, our initial assessment of the site and the proposal seemed to suggest enough confidence in the ability to obtain adequate density bonus through Priority Open Space set aside that there was no need to tackle the difficult issue of base zoning allowances other than one unit per 40 acres. The applicant was in agreement with this approach at the time.

In consideration of the potential base zoning rights associated with the property, it seems clear to staff that the applicant does in fact have an ability to assume a much higher starting unit count prior to putting into effect the density bonus formula. However, it is not proven that the base rights equal the 155 units that they have requested and there may still be a need for set-aside of either flat developable land or sloped Priority Open Space land, or some combination of the two in the context of the Foothills Ordinance.

Staff's assessment is that the Planning & Zoning Commission did err in determining that the applicant's base density was only one unit per 40 acres. We also believe that the applicant is incorrect in the assertion that they have a right for 917 units. Staff believes that a more appropriate action for the Planning Commission to have taken may have been to defer action on all of the applications so that staff and the applicant could jointly work to resolve the base unit allowance issue. Two or three reasonable approaches for determining base unit allowance could have been prepared for consideration by the Commission. We believe it could be determined they acted on the density issue with insufficient information and should instead have set the items over for further work.

STAFF RECOMMENDATION

Planning staff recommends that the City Council find that the Commission erred in not adequately resolving the base zoning allowance for the property. Not resolving the base density issue prevented the Commission from fully understanding how many units were permitted on the property by CUP either with or without the requested density bonus. Planning staff also does not agree with the applicant/appellant that the R-1A zoning should be applied to the buildable portion of the property in the absence of an approved CUP.

Recommendation: City Council should remand all of the applications back to the Planning & Zoning Commission for further study, revision and recommendation/action.

Staff would also ask that the City Council provide some policy guidance on how to resolve the issues related to Priority Open Space and subdivision clustering, design and grading.

Exhibit B

December 11, 2008

AASE's Canyon Point Development, LLC
8899 South 700 East, Ste. 180
Sandy, UT 84070

Capital Development, Inc.
6200 N. Meeker Place
Boise, ID 83713

Re: **CAR07-00042/DA / 6890 N. Plano Road**
CUP07-00084, CFH07-00022 & SUB07-00065 / Appeal

Dear Applicants:

This letter is to inform you of the action taken by the Boise City Council 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). Also your appeal of the Planning and Zoning Commission's denial of Conditional Use CUP07-00084, Hillside and Foothills Development Areas Permit CFH07-00022 and Subdivision SUB07-00065 for the construction of a 155 unit Planned Residential Development on ± 332 acres located at 6890 N. Plano Road in a proposed R-1C/DA (Single Family Residential) and A-1/DA (Open Space with a Development Agreement) zones.

The Boise City Council, at their meeting of December 9, 2008, voted to remand the entire application back to the Planning and Zoning Commission with explicit directions to follow the ordinance as detailed in their decision.

The Boise City Council finds that the Commission erred in their findings and decisions and directed a reconsideration of the applications based upon the following:

zoning ordinance 11-06-05.07.03 which addresses the buildable lot during the annexation the buildable lot area being zoned as R-1A.

Secondly, the appellant raised the issue of the base density and that was referred to as the buildable lot and I specifically direct the Planning and Zoning Commission to look at the section ordinance 11-01-03.01 which sets forth the decision of a buildable lot and reconcile that with the section 11-06-05.07.03.

Third, that they discuss they wanted clarification of the ruling on the density transfer issue and I referred them as was also articulated by the appellant themselves to the density transfer was to meet the objectives of the foothills ordinance and that is in fact section 11-14-01.01 and that is the area where most of you probably wanted to

discuss tonight is that these density transfers must meet the objectives of the foothill policy.

The Council issued specific instructions that will need to be followed. A workshop to discuss these issues will be scheduled for late January.

You will be notified when dates for the workshop and the Planning and Zoning hearings have been made.

If you have any questions, please contact Bruce Eggleston in this department at 208/384-3830.

Sincerely,

Hal Simmons
Planning Director
Boise City Planning and Development Services

cc: Moffatt Thomas Barrett Rock & Fields, CHTD. / Robert Burns /
US Bank Plaza Building / 101 S. Capitol Blvd., 10th Fl. / Boise, ID 83701

Exhibit C

City Council Hearing December 9, 2008

Aasee's Canyon Pointe Development, LLC, CAR07-00042, CUP07-00084, CFH07-00022 & SUB07-00065 Appeal

Transcription of the Motion:

Council Member Eberle:

I move that the Council finds that the Commission erred in their findings and that the error was such that it made the decision of the Planning and Zoning Commission essentially defective. That we remand the entire application back to the Planning and Zoning Commission with explicit directions to follow the ordinance.

Now, the appellant asked for a couple of points of clarification therefore I would direct the Planning and Zoning Commission to specifically address... zoning ordinance 11-06-05.07.03 which addresses the buildable lot during the annexation the buildable lot area being zoned as R-1A.

Secondly, the appellant raised the issue of the base density and that was referred to as the buildable lot and I specifically direct the Planning and Zoning Commission to look at the section ordinance 11-01-03.01 which sets forth the decision of a buildable lot and reconcile that with the section 11-06-05.07.03.

Third, that they discuss they wanted clarification of the ruling on the density transfer issue and I referred them as was also articulated by the appellant themselves to the density transfer was to meet the objectives of the foothills ordinance and that is in fact section 11-14-01.01 and that is the area where most of you probably wanted to discuss tonight is that these density transfers must meet the objectives of the foothill policy.

Now I suspect as they go through those and address them specifically, this subdivision will not look the same as it was brought forth tonight. And that there should be opportunity to get your concerns aired at the Planning and Zoning level.

Motion passes, All in favor



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

Planning Division Transmittal

File Number: CAR07-00042, CUP07-00084 **Hearing Date:** 09/21/09
X-Ref: CFH07-00022 **Hearing Body:** Planning and Zoning Commission
Address: 6890 N PLANO ROAD **Transmittal Date:** 08/13/09
Applicant: AASE'S CANYON

- Submit comments at least **10 Calendar Days** prior to the hearing date listed above so your comments can be included in the staff report. For Staff Levels, please comment within **7 Calendar Days** of the transmittal date.
- If responding by e-mail, please send comments to PDSTransmittals@cityofboise.org and put the file number in the subject line.
- Paper copies are available on request. Please call 384-3830 and have the file number available. If you encounter problems with the electronic transmittals or want to provide feedback, please call 384-3830.

Boise City

- ☒ Police-Curt Crum
- ☒ Fire-Mark Senteno
- ☒ Public Works-(2)
- ☒ Public Works-Environmental
- ☒ Public Works-Barbara Edney
- ☐ Public Works-Jim Wyllie
- ☒ Public Works-Terry Records
- ☒ Parks-Cheyne Weston
- ☒ Forestry-Dennis Matlock
- ☐ City Clerk-Susan Churchman
- ☐ Airport-(3)
- ☒ Library-Kevin Booe
- ☒ DFA-James Thomas
- ☐ Parking Control-Stu Prince
- ☐ Legal-Mary Elizabeth Watson
- ☐ PDS-Subdivisions-Dave Abo
- ☐ PDS-GAP Planner- _____
- ☒ PDS-Permit Plan
- ☒ PDS-Kathleen/Stacey

Ada County

- ☒ ACHD-(3)
- ☐ Commissioners-(3)
- ☒ Sheriff Dispatch
- ☒ Development Services
- ☒ COMPASS-Ryan Head
- ☐ Parks & Waterways-Pat Beale

Idaho State

- ☐ Transportation District III-(2)
- ☐ Division of Public Works
- ☐ Dept. of Water Resources
- ☐ *Historical Society*
- ☐ Fish & Game (Region III)
- ☐ Dept. of Lands-(2)
- ☐ Dept. of Parks & Recreation
- ☐ DEQ

Federal

- ☐ BLM-(2)
- ☐ *Fish & Wildlife Service*
- ☒ EPA
- ☐ Army Corp of Engineers

Schools

- ☒ Boise School District
- ☐ Meridian School District
- ☐ Boise State University

Sewer Districts

- ☐ *West Boise Sewer*
- ☐ *Northwest Boise Sewer*
- ☐ Bench Sewer

Utilities

- ☒ Idaho Power
- ☒ Qwest Communications
- ☒ United Water
- ☐ Chevron Pipeline-(2)
- ☐ Capitol Water Corporation

Irrigation Districts

- ☐ *Nampa & Meridian*
- ☐ *New York Irrigation*
- ☐ Boise City Canal
- ☐ Boise Valley
- ☐ *South Boise Water Co.*
- ☐ S. Boise Mutual Irrigation Co.
- ☐ *Bureau of Reclamation*
- ☒ *Board of Control*
- ☐ Drainage District # _____
- ☐ Other _____

Miscellaneous

- ☐ CCDC-(2)
- ☐ Union Pacific Railroad
- ☐ *Central District Health*
- ☐ City of Garden City
- ☐ City of Meridian
- ☐ City of Eagle
- ☒ Valley Reg. Transit-Margaret Harvey
- ☐ *Warm Springs Historic District*
- ☐ Other _____

Neighborhood Associations

- ☐ Boise Heights
- ☐ Borah
- ☐ ~~Central Bench~~
- ☐ Central Foothills
- ☐ Central Rim
- ☒ Collister
- ☐ Depot Bench
- ☐ Downtown-(2)
- ☐ East End
- ☐ Glenwood Rim
- ☐ ~~Harrison Boulevard~~
- ☐ Harris Ranch
- ☐ Highlands
- ☐ Hillcrest
- ☐ *Maple Grove – Franklin*
- ☐ Mesa
- ☐ Morris Hill
- ☐ North End
- ☐ ~~Northwest~~
- ☐ Pierce Park
- ☐ Pioneer
- ☒ Quail Ridge
- ☐ Riverland East
- ☐ South Boise Village
- ☐ South East
- ☐ Stewart Gulch
- ☐ Sunrise Rim
- ☐ Sunset
- ☐ SW Ada County Alliance
- ☐ Veterans Park
- ☐ Vista
- ☐ West Bench
- ☐ West Cloverdale
- ☐ West Downtown
- ☐ West Valley
- ☐ ~~Winstead Park~~



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: 208/384-8758

208/384-8007 or 208/384-3529

Website: www.cityofboise.org/pds

RECEIVED

MAY 29 2007

Annexation/Rezone Application

DEVELOPMENT
SERVICES

This box for office use only

File #: CAR 07-00042/DA

Fee: RAI

Cross Referenced File(s): CUP 07-00084

Zone(s): RP

Are Pre-Application materials attached? ☒ Yes ☐ No

This application is a request to construct, add or change the use of the property as follows:

annex 322 acres at R-1A and
Troutners 26 acres (less 36.63 acres, Sub 20110108,
already in Boise City.) = 296.12 acres requested
for annexation

Pre-Application Conference/Submittal Information

A pre-application conference with staff and pre-application neighborhood meeting are required prior to the submittal of this application. Contact a Procedures Analyst at 384-3830 for details.

Applications for annexations *will not be accepted* without a property description and map that meets the guidelines listed on page 3.

Current Zone: AG (RP)

Requested Zone: R-1A

Applicant Information

Applicant: AASE'S CAMDEN POINT DEVELOPMENT, LLC.
CAPITAL DEVELOPMENT, INC.

(861) 924 1777
Phone: (208) 377-3939

Applicant's Address: 3750 W. 500 E., SALT LAKE CITY, UT
6200 N. MERICK PL, BOISE, ID

Zip: 84104
83713

Agent/Representative: STEWART LAND GROUP

Phone: (801) 263-9126

Agent/Representative's Address: 6995 S. UNION PARK CTR
MIDVALLEY, UT

Zip: 84047

Contact Person (If different from above): KERRY WINN

Phone: (801) 573-7205

Address of Subject Property: 6890
6296 N. PLANO RD, BOISE, ID 83703

Mapping Division must initial here CP to signify address verification.

Property Description (Lot, Block & Subdivision name or recorded deed with a metes and bounds description):

Parcel Number: SEE ATTACHED

Quarter: SW

Section: 17, 18, 19, 20

Township: 4N

Range: 2E

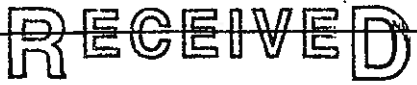
6/04

CAR 07 00042

Development Information

1. Size of Property: _____ Square Feet or 322.88 Acres
2. How is the property now used? OPEN Foothills WITH ONE HOME ON PLANO ROAD - ONE OPERATIONAL SAND PIT
3. How are the adjoining properties used?

North: <u>THREE HOMES</u>	South: <u>SINGLE FAMILY HOMES</u>
East: <u>SINGLE FAMILY HOMES</u>	West: <u>SINGLE FAMILY HOMES</u>
4. Are there any existing land uses in the general area similar to the proposed use? If yes, what are they, and where are they located?
QUAIL RIDGE SUBDIVISION IMMEDIATELY TO THE EAST.


 MAY 29 2007
 DEVELOPMENT SERVICES
5. On what street(s) does the property have frontage?
PLANO LANE
6. Why are you requesting annexation into the City of Boise?
WE ARE CONTIGUOUS AND WANT TO HOOK INTO PUBLIC SEWER
7. What use, building or structure is intended for the property?
SINGLE FAMILY RESIDENCES
8. What changes have occurred in the area that justify the requested rezone?
THIS PROPERTY BORDERS OTHER SINGLE FAMILY RESIDENTIAL SUBDIVISIONS. GENERAL GROWTH IN THE AREA.

CAR 07 00042

9. Any additional comments?

WE HAVE BEEN WORKING WITH BOISE CITY
PLANNING & ZONING AND OTHER PUBLIC AND PRIVATE
AGENCIES FOR TWO YEARS TO MAKE SURE WE
MEET THE CONDITIONS OF THE FOOTHILL ORDINANCE.

Note: When an application has been submitted, it will be reviewed in order to determine compliance with application requirements. It will not be accepted if it is not complete. A hearing date will be scheduled only after an application has been accepted as complete.

Submittal Requirements

Note: The Boise City Council requires the following information to be submitted to the Planning & Development Services Department for every application for annexation. Applications for annexations *will not be accepted* without a property description and map that meets the guidelines listed below.

- ☒ 1. (1) **Completed application**, including signature of applicant.
- ☒ 2. (1) **Submittal requirements list**.
- ☒ 3. (1) **Detailed letter of explanation** or justification for the proposed project.
- ☒ 4. (1) **Affidavit of Legal Interest** (attached). Form must be completed by the legal owner of record.
- ☒ 5. (1) **Current Vicinity Map**. (8½" x 11") at 1" = 300' scale, showing location and current zoning of the property. Map must be dated. Map is available from the Mapping Division. Please indicate the location of your property on the map). Map must contain the following information.
 - A. A precise copy that matches the description (ordinance numbers, all bearings, distances, commencing and beginning points, etc.)
 - B. Cross-hatched area showing the annexation property
 - C. Street names
 - D. Address grid
 - E. Names of surrounding subdivisions
 - F. The annexation area shall be located as close to the center of the map as possible.
- ☒ 6. (1) **Land Description**. Attach a description of the actual property which you wish to have rezoned or annexed on a separate page. All land descriptions must be certified by a land surveyor registered to the State of Idaho.
 - A. All property description shall be labeled as "Exhibit A."

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- B. The property description shall have a narrative paragraph, which names the section, township, range and meridian in which the property is located. The narrative shall also contain a rough description of the property. For example, "An area of land located in the southwest quarter of the northwest quarter of section _____, more particularly described as follows: ..."
- C. The commencing point must be a government-surveyed corner, such as a section corner or a quarter corner.
- D. The commencing point can be the point of beginning if the point is a section or quarter corner.
- E. All descriptions must have a Point of Beginning.
- F. Bearings and distances shall continuously define an area boundary with a closure accuracy of at least one part in five thousand.
- G. The property description shall duplicate the metes and bounds of all existing annexations, or shall reference the former annexation.
- H. The property description shall not overlap or leave gaps from previous annexations.
- I. The property description shall clearly define where the property is located by calling out known points or courses such as subdivision, lot corners, streets, canals and water courses.
- J. The all-property description shall state a return to the Point of Beginning.
- K. The all-property description shall state the number of acres annexed to one-hundredth of an acre.

☒ 7. (1) **Photographs.** Photographs of existing site conditions.

☒ 8. (1) **Annexation Map.** Map must contain the following information.

- A. Section
- B. Township
- C. Range
- D. North arrow

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Kerry Wynn
Signature Applicant/Representative

5/29/07
Date

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LEGAL DESCRIPTION

A parcel of land located in Sections 17, 18, 19, and 20, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho. Being further described as follows:

BASIS OF BEARINGS:

The North line of Section 20, Township 4 North, Range 2 East, Boise Meridian, derived from found monuments and taken as South 88°43'54" East with the distance between monuments found to be 5,284.21 feet.

BEGINNING at the Northeast corner of Section 20, Township 4 North, Range 2 East, Boise Meridian, thence along the East line of said Section 20 South 00°00'29" West a distance of 1,893.36 feet to a point from which the East 1/4 corner of said Section 20 bears South 00°00'29" West a distance of 732.12 feet; thence leaving said East line South 82°44'52" West a distance of 639.45 feet; thence North 13°09'17" West a distance of 851.05 feet to the Southeasterly Boundary of Briarhill Subdivision No. 3, Book 42, Page 3413; thence along the boundary of said Briarhill Subdivision No.3 the following nine(9) courses:

North 38°38'55" East a distance of 236.07 feet;
North 29°38'55" East a distance of 84.14 feet;
North 60°21'05" West a distance of 310.00 feet;
South 37°38'55" West a distance of 130.01 feet;
South 45°38'55" West a distance of 120.00 feet;
South 76°38'55" West a distance of 487.94 feet;
South 44°38'55" West a distance of 523.90 feet;
South 63°38'55" West a distance of 315.00 feet;
South 43°38'55" West a distance of 268.16 feet to the Northeasterly Corner of Briarhill Subdivision No.2, Book 42, Page 3411; thence along the boundary of said Briarhill Subdivision No.2 the following ten(10) courses:

South 43°38'55" West a distance of 161.84 feet;
South 63°38'55" West a distance of 410.00 feet;
North 46°21'05" West a distance of 130.00 feet;
South 63°38'55" West a distance of 148.97 feet;
South 06°21'05" East a distance of 130.00 feet;
South 54°38'55" West a distance of 379.29 feet;
South 25°21'05" East a distance of 132.27 feet to the northerly right-of-way of Collister Drive;
along said right-of-way South 80°38'55" West a distance of 233.18 feet;
along a curve to the left with a radius of 265.50 feet and a central angle of 35°25'27" an arc length of 164.15 feet (with a chord bearing of South 62°56'12" West, and a chord distance of 161.55 feet);
South 44°46'32" East a distance of 5.00 feet;

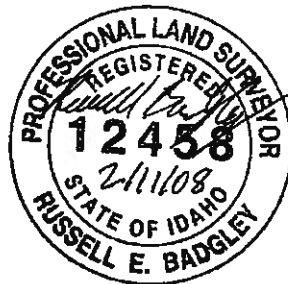
thence leaving said boundary of Briarhill Subdivision No.2 South 45°13'28" West a distance of 47.08 feet;
 thence along a curve to the left with a radius of 566.92 feet and a central angle of 19°40'00" an arc length of 194.59 feet (with a chord bearing of South 35°23'28" West, and a chord distance of 193.64 feet);
 thence leaving said right-of-way North 01°30'58" West a distance of 205.50 feet;
 thence South 89°31'28" East a distance of 20.00 feet;
 thence South 02°56'51" East a distance of 70.87 feet;
 thence North 49°26'32" East a distance of 294.50 feet;
 thence North 00°26'32" East a distance of 467.52 feet;
 thence North 89°31'28" West a distance of 379.35 feet to the East line of the Southwest 1/4 of the Northwest 1/4 of said Section 20;
 thence along said East line South 00°27'54" West a distance of 555.61 feet to the Center West 1/16 corner of said Section 20;
 thence along the South line of said Southwest 1/4 of the Northwest 1/4 also being the North boundary line of Outlook Heights Subdivision, Book 60, Pages 6040-6041, North 89°01'58" West a distance of 990.48 feet;
 thence leaving said South line and North boundary North 00°33'13" East a distance of 650.00 feet;
 thence North 89°01'58" West a distance of 335.00 feet to the West line of said Southwest 1/4 of the Northwest 1/4;
 thence along said West line North 00°33'13" East a distance of 671.88 feet to the North 1/16 corner common to Sections 19 and 20, from which the Section Corner common to Sections 17, 18, 19 and 20 bears North 00°33'53" East a distance of 1,322.03 feet;
 thence South 88°57'43" West a distance of 133.68 feet;
 thence North 43°35'09" West a distance of 547.46 feet;
 thence North 26°51'56" West a distance of 381.96 feet;
 thence North 37°36'19" West a distance of 406.83 feet;
 thence South 86°01'33" East a distance of 591.90 feet;
 thence South 89°11'34" East a distance of 248.19 feet to the West line of said Section 20;
 thence along said West line North 00°33'53" East a distance of 1,322.03 feet to the Section Corner common to Sections 17, 18, 19 and 20;
 thence along the West line of said Section 17 North 01°01'17" West a distance of 440.55 feet;
 thence North 68°30'00" East a distance of 234.01 feet;
 thence South 06°56'41" East a distance of 40.89 feet;
 thence South 58°51'08" East a distance of 122.41 feet;
 thence South 53°01'30" East a distance of 599.99 feet;
 thence South 45°43'28" East a distance of 49.26 feet;
 thence North 50°03'16" East a distance of 348.41 feet;
 thence South 38°06'15" East a distance of 355.86 feet to the West 1/16 corner common to Sections 17 and 20 from which the Section Corner common to Sections 17, 18, 19 and 20 bears North 88°43'54" West a distance of 1321.22 feet;
 thence along the North line of the Northeast 1/4 of the Northwest 1/4 of said Section 20 South 88°43'54" East a distance of 12.01 feet;

thence leaving said North line North 09°45'20" West a distance of 352.45 feet;
thence North 57°17'56" East a distance of 551.95 feet;
thence North 21°33'31" West a distance of 257.33 feet;
thence North 52°45'13" West a distance of 240.86 feet;
thence North 31°10'54" West a distance of 179.81 feet;
thence North 57°25'54" West a distance of 200.31 feet;
thence North 02°47'46" West a distance of 338.23 feet;
thence South 58°28'54" East a distance of 458.34 feet;
thence North 80°53'46" East a distance of 504.32 feet;
thence North 50°34'54" East a distance of 275.98 feet;
thence South 70°08'04" East a distance of 85.51 feet;
thence South 48°01'55" East a distance of 1,018.83 feet;
thence South 89°38'20" East a distance of 200.38 feet;
thence South 00°08'46" East a distance of 977.84 feet to the North line of the Northeast
1/4 of said Section 20;
thence along said North line South 88°43'54" East a distance of 1,967.75 feet to the
POINT OF BEGINNING.

Said Parcel containing 13,710,749 square feet or 314.76 acres, more or less and is
subject to all existing easements and rights-of-ways of record or implied.

END OF DESCRIPTION

Russell E. Badgley, P.L.S. 12458
Timberline Surveying
847 Park Centre Way, Suite 3
Nampa, Idaho 83651
(208) 465-5687





Planning & Development Services

Boise City Hall, 2nd Floor
150 N. Capitol Boulevard
P. O. Box 500
Boise, Idaho 83701-0500

Phone: 208/384-3839
Fax: 208/384-3753
TDD/TTY: 800/377-3529
Website: www.cityofboise.org/pds

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Conditional Use Application

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File #: CUP07-00084

Fee: 2237

Cross Referenced File(s): CA707-00042/DA

Zone(s): RP

Are Pre-Application materials attached? ☐ Yes ☐ No

The application is a request to construct, add or change the use of the property as follows:

ADD CUP for 48 dwelling unit as part of
POD in foothills
also submit annex, Hillside and Subdivision

☐ Commission Level ☒ Planned Development ☐ Special Exception ☐ Other: _____

Note: When an application has been submitted, it will be reviewed in order to determine compliance with application requirements. It will not be accepted if it is not complete. A hearing date will be scheduled only after an application has been accepted as complete.

AASE'S CANYON POINT DEVELOPMENT, LLC

(801) 924-1777

Applicant: CAPITAL DEVELOPMENT

Phone: 377-3439

☒ Owner ☐ Purchaser ☐ Lessee ☐ Renter

Applicant's Address: 3750 W. 500 S., SALT LAKE CITY, UT

84104

Zip: 83713

Agent/Representative: STEWART LAND GROUP

(801) 263-9187

Phone: (801) 263-9126

Agent/Representative's Address: 6995 S. UNION PARK CIR.

Zip: 84047

Contact Person (if different from above): KERRY WINN - STEWART LAND GROUP

Cell: (801) 573-7265

Address of Subject Property: 6890 6296 N. PLANO RD. BOISE, ID 83703

Mapping Division must initial here CP to signify address verification.

Property description (Lot, Block & Subdivision name or recorded deed with a metes and bounds description):

SEE ENCLOSED

Parcel Number: SEE ENCLOSED

Section: 12, 18, 19, 20 Township: 4N Range: 2E Quarter: NW1/4, SW

CUP 07 00084

1. Size of property (square feet and/or acres): 333
323.86 acres
2. Water Issues:
- a. What are your fire flow requirements? 1,000 GPM @ 3600 SF.
(Please see Appendix 111-A of Uniform Fire Code)
- b. What volume of water is available? New Water System and Tank Be
(Contact United Water of Idaho, Inc. at 362-7330)
Constructed.
3. Existing uses and structures on the property are as follows:
Existing Home - To remain
Land is currently not being used for any uses.
4. Are there any known hazards on or near the property? (such as canals, hazardous material spills, soil or water contamination). If so, describe them and give their locations.
NOT found
5. Adjacent properties have the following building types and/or uses:
North: Residential - 3 HOMES
South: Residential - SINGLE FAMILY
East: ~~None~~ - 3 HOMES - RESIDENTIAL - SINGLE FAMILY
West: Residential - SINGLE FAMILY
6. Maximum proposed structure height(s): NA
Number of Stories: NA

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7. Structures

- NA a. Number of proposed non-residential structures: _____
Square footage of proposed non-residential structures or additions (if applicable):

	<u>Gross Square Feet</u>	<u>Net Leasable Sq. Ft.</u>
1st Floor	_____	_____
2nd Floor	_____	_____
3rd Floor	_____	_____

- NA b. Number of existing non-residential structures to remain: 3
Square footage of existing non-residential structures to remain:

	<u>Gross Square Feet</u>	<u>Net Leasable Sq. Ft.</u>
1st Floor	_____	_____
2nd Floor	_____	_____
3rd Floor	_____	_____

- c. Number of proposed residential structures (if applicable): _____
- d. Size of proposed residential units (if applicable):

	<u>Number of Units</u>		<u>Sq. Ft. per Unit</u>		<u>Total Sq. Ft</u>
Studio	_____	x	_____	=	_____
One-bedroom	_____	x	_____	=	_____
Two-bedroom	_____	x	_____	=	_____
Three-bedroom	_____	x	_____	=	_____
Total Number	148 157	x	?	=	?

Number of existing units to remain: _____

8. **Landscaping:** Is any proposed? NA - Individual Owners

9. **Site Design:**

- Percentage of site devoted to building coverage: _____

Percentage of site devoted to landscaping: _____

Percentage of site devoted to paving: _____

Percentage of site devoted to other uses: _____

Describe: Open Space

3%
6%
4.5%
67%
Total: 100%

10. **Parking**

NA a. Handicapped spaces proposed: _____

Handicapped spaced required: _____

b. Parking spaces proposed: _____

Parking spaces required: _____

c. Bicycle parking spaces proposed: _____

Bicycle parking spaces required: _____

d. Number of compact spaces proposed: _____

Compact spaces allowed: _____

e. Width(s) of garage door(s): _____

f. Restricted parking spaces proposed: _____

g. Are you proposing off-site parking? No

h. Are you requesting a shared parking or parking reduction? ND SERVICES

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Note: If you are requesting a shared parking or parking reduction, you must submit a survey of persons using and working on the premises and any additional information demonstrating that use by the regular employees and visitors to the premises will require fewer off-street parking spaces than required by the Zoning Ordinance.

11. **Setbacks:** Follow Residential Ord.

	<u>Building Proposed</u>	<u>Required</u>	<u>Parking Proposed</u>	<u>Required</u>
Front	<u>20'</u>	_____	_____	_____
Rear	<u>30'</u>	_____	_____	_____
Side	<u>10'</u>	_____	_____	_____
(St) Side	_____	_____	_____	_____

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12. Exterior NA

Building Materials:

Colors:

Roof

Walls

Windows/Doors

Fascia, Trim, Etc.

13. Loading facilities (if proposed): NA

Number & Size:

Location:

Screening:

14. Drainage (proposed method of on-site retention): CATCH BASINS, LARGE RetentionBasin

15. Floodways and Hillside

- a. Is any portion of this property located in a Floodway or a 100-year Floodplain? NO
- b. Does any portion of this parcel have slopes in excess of 15%? YES

Note: If either of the above answers to Number 15 is yes, then you will be required to submit an additional Floodplain and/or ~~Hillside~~ application and additional fee. You must submit the additional required application(s) for review at the same time as this request.

16. Airport Influence Area

Is subject site located within the Airport Influence Area? ☐ Yes ☒ No

If so, you must obtain an aviation easement from the Boise Airport Director. The easement must be obtained before the issuance of building permits.

17. Is the applicant requesting an infill P. U. D?

☐ Yes ☒ No

Applications for infill P.U.D's must include documentation that shows the site is an infill site, including:

- a. A written statement explaining why this site may qualify as an infill site.
- b. A vicinity map (8½" x 11" at 1"=300' scale, available for review at the Planning & Development Services office).
1. The property lines of the subject lot.
 2. The property lines and uses of all lots within 300' of the exterior boundaries of the subject lot.
- c. Evidence (map) showing the location of sewer and water utilities.

Note: It is intended that "infill" PUDs are restricted to the City core area and generally are not applicable to parcels of land located on the periphery of the City or recently annexed lands.

CUP 07 00084

18. Street Layout**a. Review of public street layout:**

The impacts of proposed development on adjacent land uses and transportation facilities must be considered. A "Traffic Impact Study" (TIS) will be generally required by the Ada County Highway District, if the proposed development contains more than 100 dwelling units (includes hotels and motels as well as private dwelling units), more than 30,000 square feet of commercial use, or more than 50,000 square feet of industrial or institutional use, or has associated with it special circumstances deemed by ACHD to warrant an impact study. A copy of this study must be submitted with this application.

Is a Traffic Impact Study required? ☒ Yes ☐ No

Submitted

b. Review of private street layout:

The impacts of proposed development on adjacent land uses and transportation facilities must be considered. A "Traffic Impact Study" (TIS) prepared by a traffic engineer will be required by Public Works and Planning & Zoning for the interior roadway and parking system. This requirement may be waived when it can be shown by the applicant that no section of on-site roadway will exceed 240 vehicle trips per day.

Is a Traffic Impact Study required? ☐ Yes ☐ No

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Any revisions to the application must be received 14 days prior to hearing date or your application will be deferred to the next meeting.

Kerry W. [Signature]
Signature Applicant/Representative

5/29/07
Date

Narrative PLANO ROAD SUBDIVISION A Foothills Development

Plano Road Subdivision is a proposed single-family residential subdivision located in the Foothills Northwest of downtown Boise located between North Collister Road and Plano Road just Northwest of Quail Ridge Subdivision. Plano Road Subdivision is located on 333 acres and has a proposed 154 single-family lots, a density of one lot per 2.18 acres. Plano Road Subdivision is being developed under the Boise Foothill Ordinance.

Developing under "The Ordinance" and "The Plan"

"The purpose of the **Foothills Planned Development Ordinance (The Ordinance)** is to implement residential subdivision density and design elements of the **Boise City Foothills Policy Plan (The Plan)** and the **Boise City Comprehensive Plan**. It is also designed to protect and promote preservation of contiguous areas of Foothills open space that contain important and significant natural and cultural resource values, as identified in The Plan and this ordinance" (Boise Municipal Code, Section 11-06-05.07.01).

We have worked diligently with the Planning & Zoning Staff, the Parks & Recreation Department, Fire Department, Public & Private Utilities and ACHD for two and a half years to comply with provisions of these documents. **With 154 lots on 333 acres (an average of one lot every 2.18 acres) Plano Road Subdivision implements a low residential subdivision density.**

The Purpose of The Plan

Although generally broader in its language and qualifications than The Ordinance, the purpose of The Plan is to, "Protect existing neighborhoods, to preserve and enhance the environmental, recreational and aesthetic values of the Foothills while allowing controlled development" (The Plan, Preface, pg. iii, para.3) The necessary primary elements in the design of Plano Road Subdivision are safety and protecting the immediate neighbors from unacceptable adverse impacts of development (The Plan, pg. 21 Goal). Grading the roads to 10% or less grade, providing a secondary access for emergency services and maintaining all surface water on-site are the required baseline components for safety for future Plano Road Subdivision residents and protecting immediate lower elevation neighbors.

Plano Road Subdivision preserves and enhances identified environmental resources located on the project by:

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2. Restoring the large sandpit scar.
3. Protecting wetlands.
4. Improving riparian areas located on the project.

Also, Plano Road Subdivision would provide a western access and improved trailhead to the 640-acre Polecat Gulch Reserve recreational area (The Plan, Intro pg. iv.6). This Reserve currently can only be accessed from Cartwright Road. The aesthetic values are preserved as much as possible in this development by minimizing the disturbance of natural vegetation and by replanting and restoring disturbed areas. Seventy Five percent (75%) or about 246 acres of the project's 333 acres will be preserved or restored to a natural state and set aside as open space. Also, home color and materials restrictions, height restrictions and mandatory setbacks from ridgeline cuts will help the Plano Road Subdivision blend into the natural terrain. **With the recommended setbacks and restrictions it will eliminate or substantially reduce the visual impacts to the neighboring subdivisions and protect homes from natural wildfires.**

Located in Boise Priority Development Area

The location of this project is compatible with the Comprehensive Plan and is **designated as a priority area for development in the Foothills**. It also has adequate access to public sewer and water facilities.

The Ordinance and Density (Section 11-06-05.07)

The basic tenets determining density are: 1) Buildable area of 25% or less of pre-grading slope; 2) Density Bonus for buildable area left as open space; 3) Priority Open Space.

1. **Buildable area of 25% or less** of pre-grading slope (.07.04.B1; .07.09). The 25% restriction for buildable area is 5% less than traditional restrictions of 30% found in most foothill areas around the country including Salt Lake City, Denver, Phoenix and Los Angeles. Traditional engineering standards consider slopes of 30% as safe buildable terrain. This limiting factor creates a natural clustering component as well as restricting the density allowed for this project. Plano Road Subdivision has 73 total qualifying acres of 25% or less slope.
2. **Density Bonus** for buildable area left as open space (.07.04.B3). Identified buildable area left as open space creates a higher density per acre on used buildable area. Plano Road Subdivision has 25 qualifying acres of buildable area left as open space that creates Density Bonus.
3. **Priority Open Space** (.07.C). To preserve areas that exhibit at least four of 11 qualifying characteristics Bonus Density is granted for these areas. Plano Road Subdivision has 82 qualifying acres of Priority Open Space.

Qualifying for Seven of the 11 listed Priority Open Space Characteristics

(.07.04.C)

1. **Wetlands.** A Wetlands area located at the end of N. Collister Drive will be preserved following Idaho Department of Fish and Game's, "Prescription for Revegetation of Wetlands Within a Typical Southwest Idaho Stream Corridor." (For details see Ecological Designs Presence of Wetland Area and Conceptual Plan for Repair and Restoration reports.)
2. **Riparian areas.** A Riparian area located at the end of N. Collister Drive will be preserved and improved following Idaho Department of Fish and Game's, "Prescription for Revegetation of Riparian Areas Within a Typical Southwest Idaho Stream Corridor." (For details see Ecological Designs Presence of Riparian Area and Conceptual Plan for Repair and Restoration reports.)
3. **Rare plant communities.** The boundaries of Plano Road Subdivision contain a unique concentration of a rare plant species, the Aase's Onion. Rob Tiedeman, a licensed Biologist from Ecological Design and Greg Carson from Millennium Science & Engineering spent weeks qualifying, documenting and mapping the occurrence of this rare plant community. Rob has evaluated several other areas close to this property and other locals around Boise and determined that this property contains the, "Mother lode of Aase's Onions." (See Ecological Design Occurrence of Aase's Onion Report.)

This unique location of this rare plant community will be preserved, enhanced and managed, with the consent of the Parks & Recreation Department, by the Land Trust of the Treasure Valley (Land Trust). About 150 of the 333 acres will be deeded to the Land Trust for a permanent conservancy. A preliminary management plan provided by the Land Trust is included in this application. This plan includes preservation objectives, monitoring and protection procedures that will protect and enhance this rare plant community. A roadside turnout with a permanent educational plaque will be constructed at the base of the property on N. Collister Drive to promote environmental awareness and information about the Aase's Onion. A continual endowment will be set up that will provide funding for this permanent conservancy by requiring a percentage (.25%) of each sale or resale of a lot or home in the Plano Road Subdivision be donated to the Land Trust. (Estimated at \$1,500.00 - \$2,500.00 for each home sale or resale)

8. **Trails and trailheads** designed in the Ada County Ridge to Rivers Pathway Plan. The Parks & Recreation Board is very desirous to provide trail and trailhead access for the public at the end of N. Collister Dr. to the 640-acre Polecat Gulch Reserve that currently can

only be accessed from Cartwright Road. This new access will be enhanced with the construction of a public road and a proposed railhead parking lot.

9. **Other public trails and trailheads** as recommended by Boise City Planning & Zoning. A public trail with access to the Polecat Gulch Reserve from Plano Road is part of the project design.
10. **Land adjacent to publicly held open spaces.** This project borders and allows access to the Polecat Gulch Reserve.
11. **Lands adjacent to areas that are, or have the potential to be, designated and set aside as public open space land in accordance with the provisions of this ordinance.** The entire north side of this project has the potential to be or have large corridors of open space or trails designated that connect to other public open spaces as a result of this ordinance in order to obtain bonus density for future development.

Qualifying for Three of the Four Characteristics for Determining Demonstrable Increase in Public Value of Priority Open Space + One (.07.04.C)

Also, a qualifying criteria for allowing density bonus is a, “Demonstrable increase in public value.” Four main criteria are listed though not limited to these four criteria. “The Planning and Zoning Commission determine the Priority Open Space based on the degree to which it meets or exceeds these criteria...with input from the Parks and Recreation Board” (See also .07.09 Priority Open Space).

1. **Allowance for public access.** Trail and trailhead access through this project to the Polecat Gulch Reserve off N. Collister Drive and Plano Road.
 2. **Protection from alteration of important vegetation,** ...that could otherwise occur from a permitted use such as mining, grazing or construction of utilities or infrastructure. Through management of the Land Trust and Plano Road CC&R’s the unique concentration of Aase’s Onions that is considered by the Natural Heritage Program and Conservation Data Center to be both a global and state rare species and the U.S. Bureau of Land Management as an imperiled species, will be protected from future sand removal, possible grazing or human degradation. Also, the presence of this rare plant community and its effects towards Bonus Density negates the need to transfer density from the Polecat Gulch Reserve to obtain public access to the Reserve.
 3. **Dedication or discounted sale to a willing public agency.** In cooperation with the Parks & Recreation Board about 150 acres will be dedicated for a permanent conservancy (.07.07.3).
- + One. **An added public benefit** will be the restoration of a sand pit that has been mined over the past several years creating a large scar that is readily noticed across many parts of the Treasure Valley. Not only has sand mining been stopped but this project will restore that area to a pre-mining appearance. This restoration will also provide the means

where cut and fill materials will be balanced and will not be transported or removed from the property.

Based on the provisions of The Ordinance and The Plan and working with the Planning & Zoning Staff, Plano Road Subdivision qualifies for 163 new building lots. The submitted layout contains 154 building lots.

Summary

We believe that Plano Road Subdivision accomplishes, "...preserving and enhancing the community's quality of life values while allowing for controlled development" (The Plan, Intro, pg. iii). Development under The Ordinance can work if Planning & Zoning Staff, Public Agencies and Developer work together. Because of The Ordinance, Plano Road Subdivision protects and enhances environmental and recreational opportunities for the entire community it otherwise would not have considered.

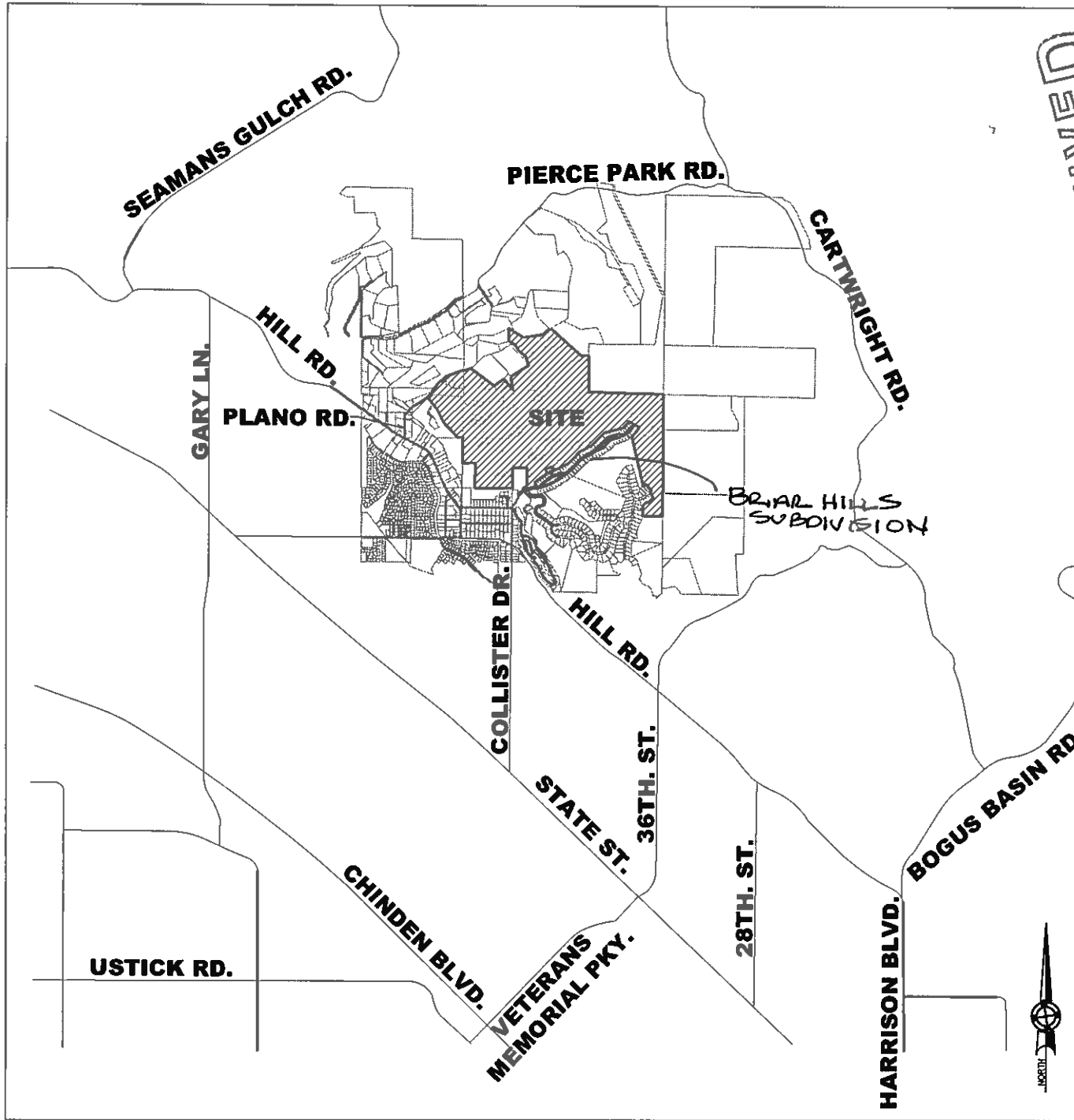
We acknowledge that there will be added traffic and the subdivision will be visible. However, the added traffic is well within current capacities (See Traffic Study by Dobie Engineering) and \$3,400.00 per lot will be paid to ACHD for impact fees for future improvements (154 lots X \$3,400.00 = \$523,600.00). By working with the Planning & Zoning Staff we have mitigated the subdivisions visibility and appearance to blend into the natural terrain by:

1. Clustering homes
2. Requiring ridgeline setbacks
3. Home height restrictions
4. Home color and material limitations
5. Carefully selected road alignments
6. Preserving natural open space corridors to connect existing open space on each side of the ridgeline.

The neighboring Quail Ridge Subdivision was developed prior to the current ordinance restrictions and has 176 lots on 250 acres. If compared to Quail Ridge Subdivision, The Ordinance's effect on Plano Road Subdivision is a reduction of 80 building lots, a 37% reduction in grading as well as providing the afore mentioned public, environmental and aesthetic benefits. Most of the homes will only be located along one side of the streets rather than the double-sided street alignment found in the Quail Ridge Subdivision.

We are appreciative of the Planning & Zoning Staff's time, effort and support they have afforded us in this project's development. It has taken the previous two and a half years of adjusting, readjusting and readjusting again to arrive at "... a plan that balances the economic and environmental components of quality of life and satisfies a broad cross-section of community interests" (The Plan, Intro, pg. iii). Plano Road Subdivision will truly be an added gem to Boise City.

CAR 07 00042



KEY MAP
SCALE: 1" = 4000'

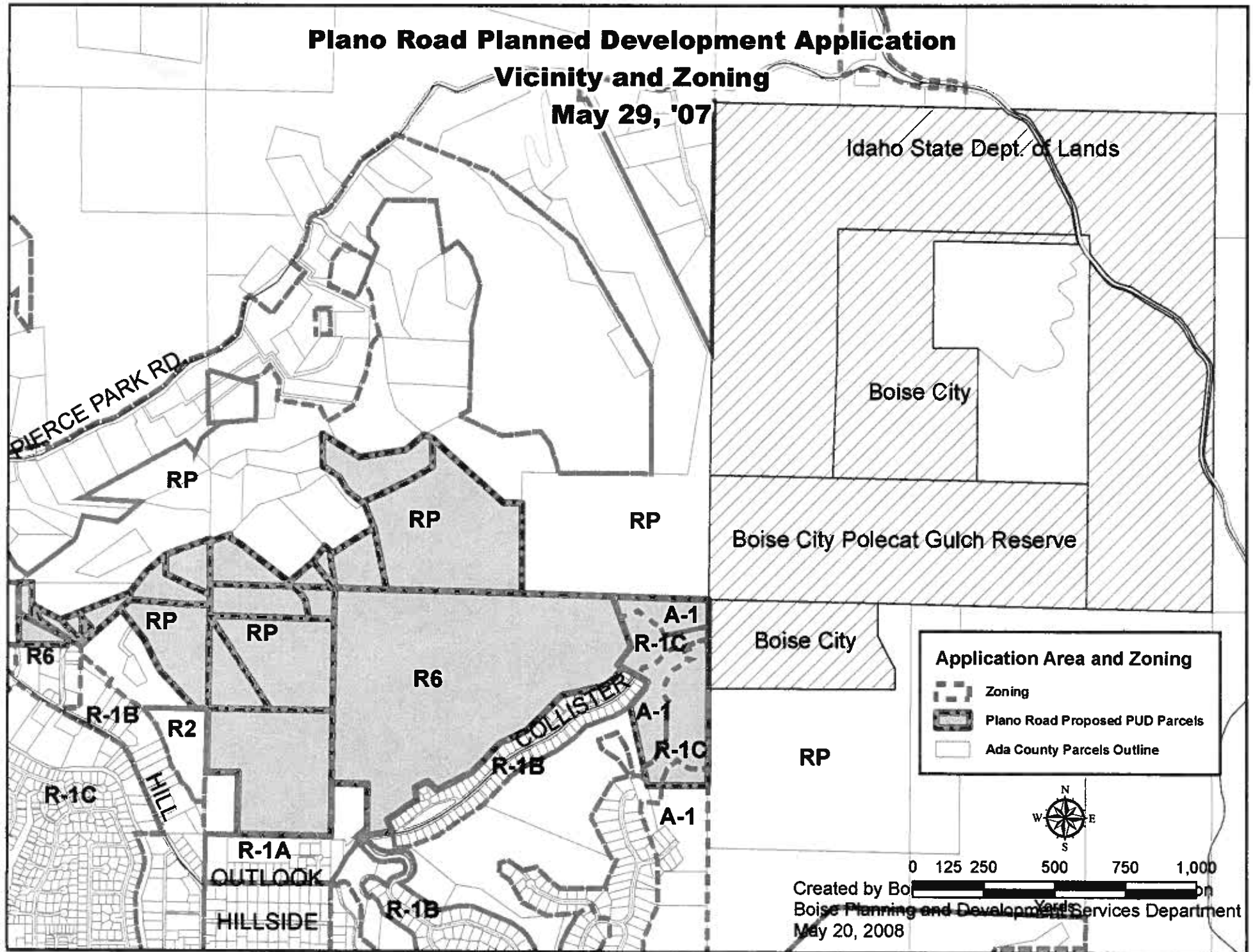


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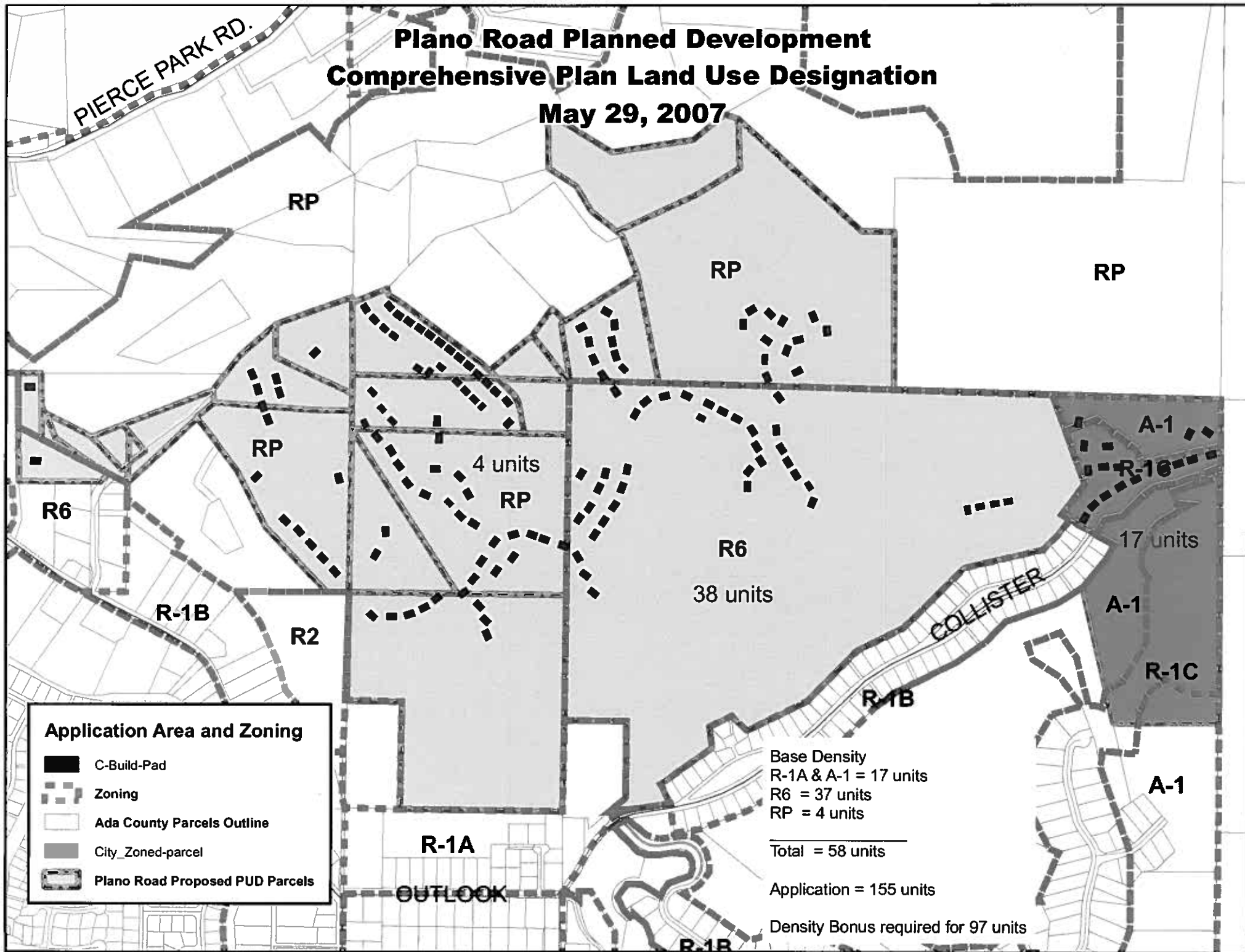
MAY 29 2007
DEVELOPMENT
SERVICES

5/28/07

Plano Road Planned Development Application
Vicinity and Zoning
May 29, '07



Plano Road Planned Development Comprehensive Plan Land Use Designation May 29, 2007



PLANO ROAD SUBDIVISION CHANGE SUMMARY

Removing the lots off of the front ridge parallel to Hill Road eliminates any sky lining issues as well as the need for the connecting road along this front ridge. This results in a total project reduction of over 200,000 cubic yards of cut material and an 11.3% reduction of land disturbance area.

A cul-de-sac will be developed where the current sand pit restoration area is. The effect of this change will cause a greater clustering of units deeper in the project location. This along with a few minor lot line adjustments will result in the total lot count increasing from 155 total lots to 163 total lots.

PLANO ROAD DENSITY CALCULATIONS

Buildable acres of 25% or less slope = 73.08 acres (21% of 332.75 total acres)

163 LOT PLAN

73.08 acres = 24.65 buildable acres left as open space; 48.43 acres used for lots

Base Density	155 lots
Density Bonus only (24.65 X .75, per Density Bonus Formula)	<u>19 lots</u>
(24.65 acres = 33% of buildable acres left as open space)	174 lots

Priority Open Space; Density Bonus calculation is not necessary for this 163 lot proposal.

PLANO ROAD Grading Summary

Grading Volumes for Original Site Plan

Cut: 2,126,000 cubic yards
Fill: 1,745,000 cubic yards

Grading Volumes for Adjusted Site Plan

The removal of the front ridge lots and connecting road will result in the reduction of:

Land Disturbance Area: 15%

Cut: 202,000 cubic yards
Fill: 63,000 cubic yards

The adjusted total Grading Volumes will be:

Cut: 1,924,000 cubic yards
Fill: 1,682,000 cubic yards

Simple grading adjustments in the new three cul-de-sac area or the emergency road connection will make for a balanced cut/fill equation. This will prevent the necessity of off-site materials being transported on or off the project site.

plano road development

site plan

NORTH

0125250500750

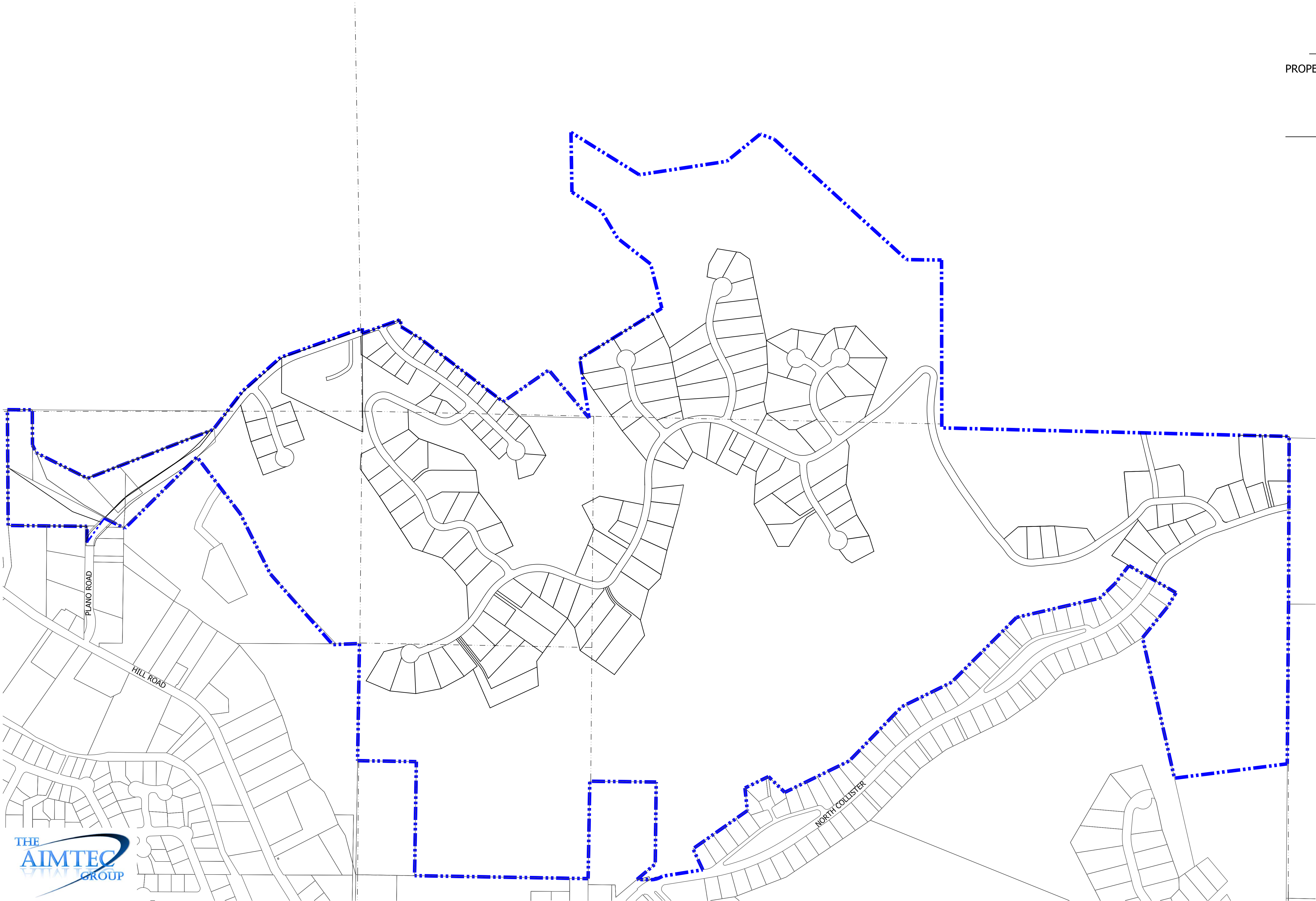
HORIZONTAL SCALE: 1" (INCH) = 250' (FEET)

7-30-2009

LEGEND

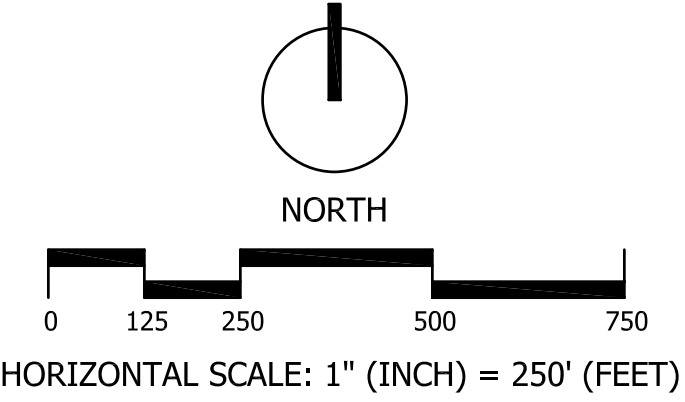
PROPERTY BOUNDARY

SITE SUMMARY	
TOTAL AREA	332.75 AC
TOTAL UNITS	163



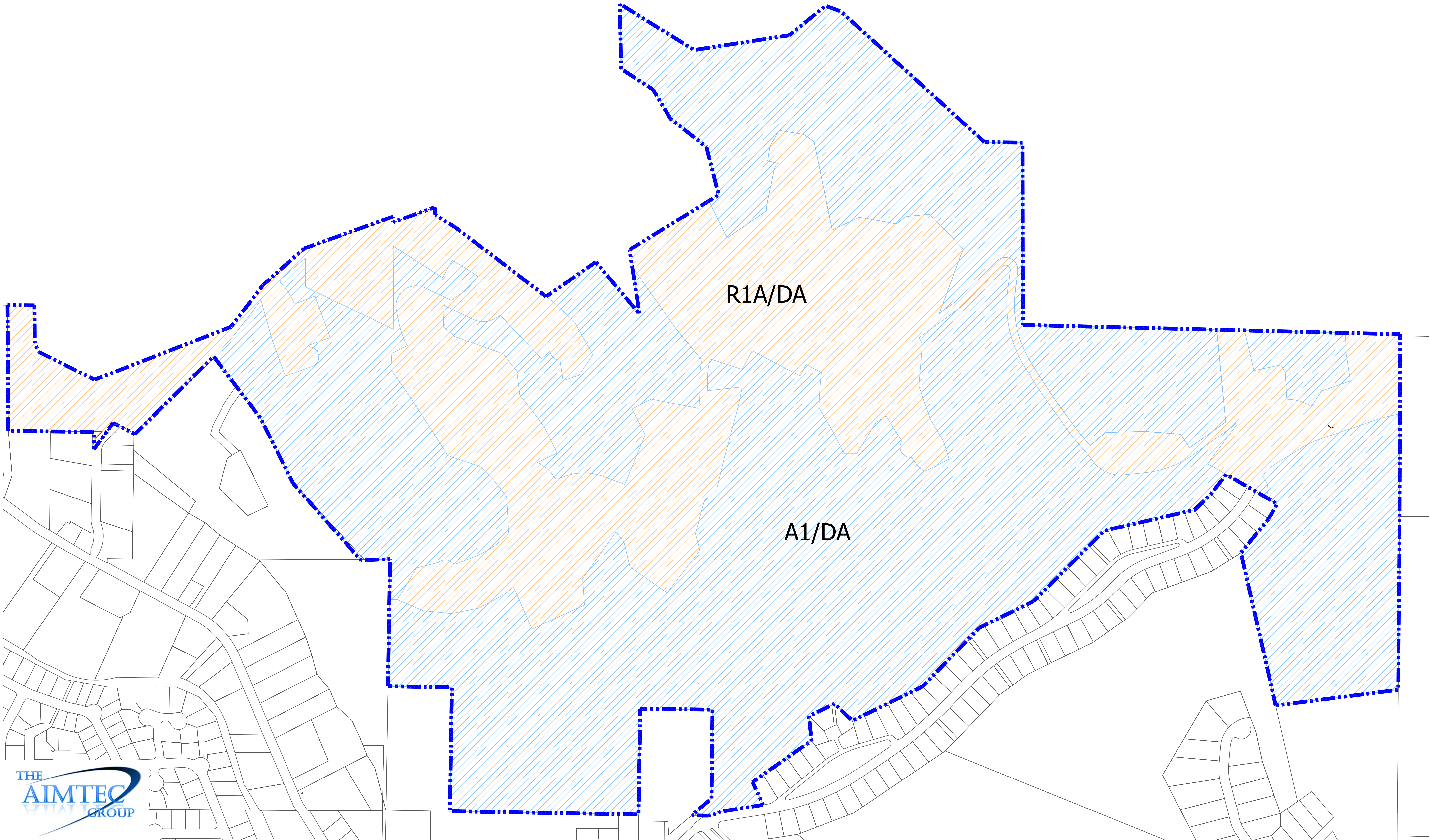
plano road development

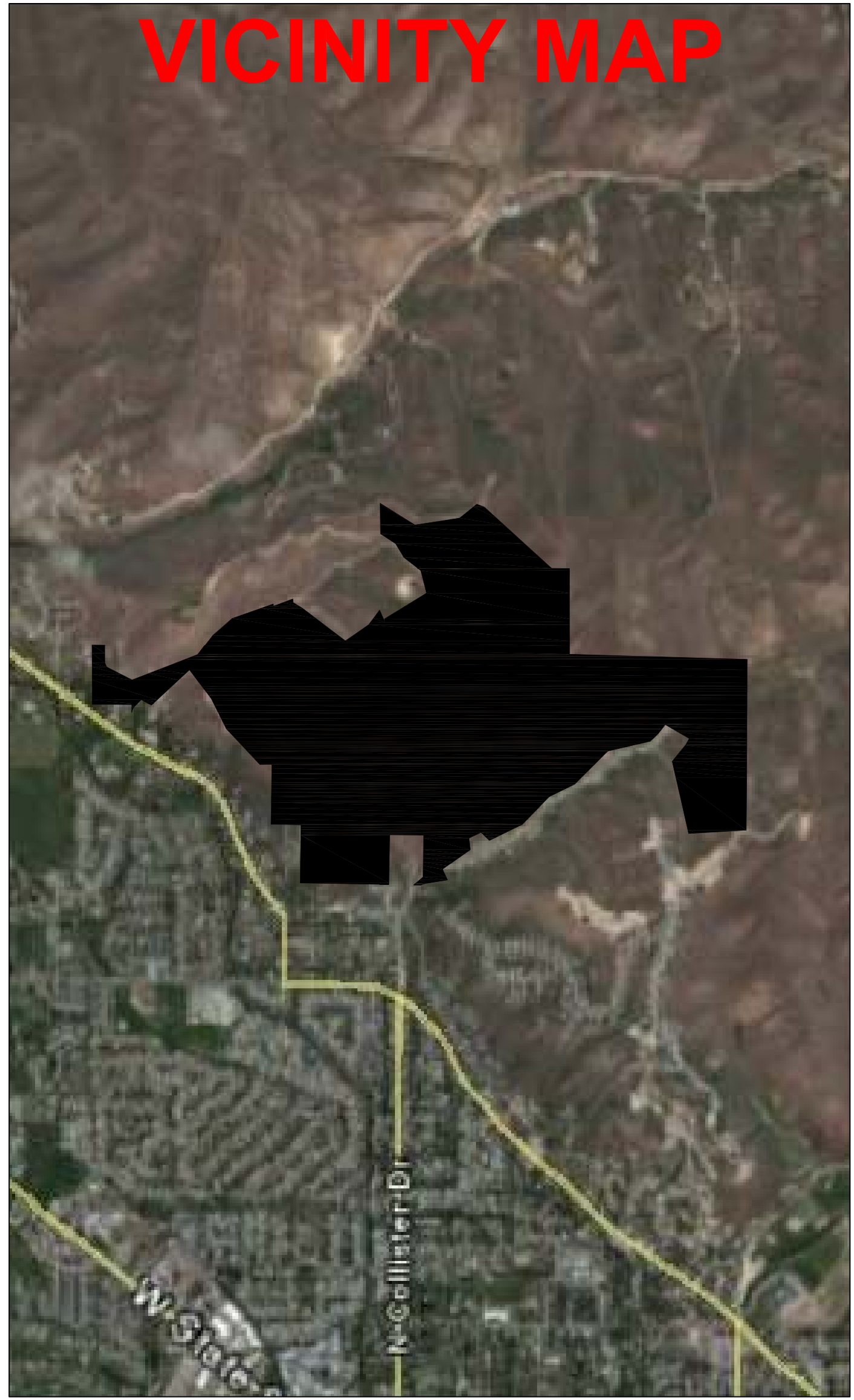
ZONING MAP



7-30-2009
LEGEND

PROPERTY BOUNDARY	
R1A/DA	
A1/DA	





VICINITY MAP

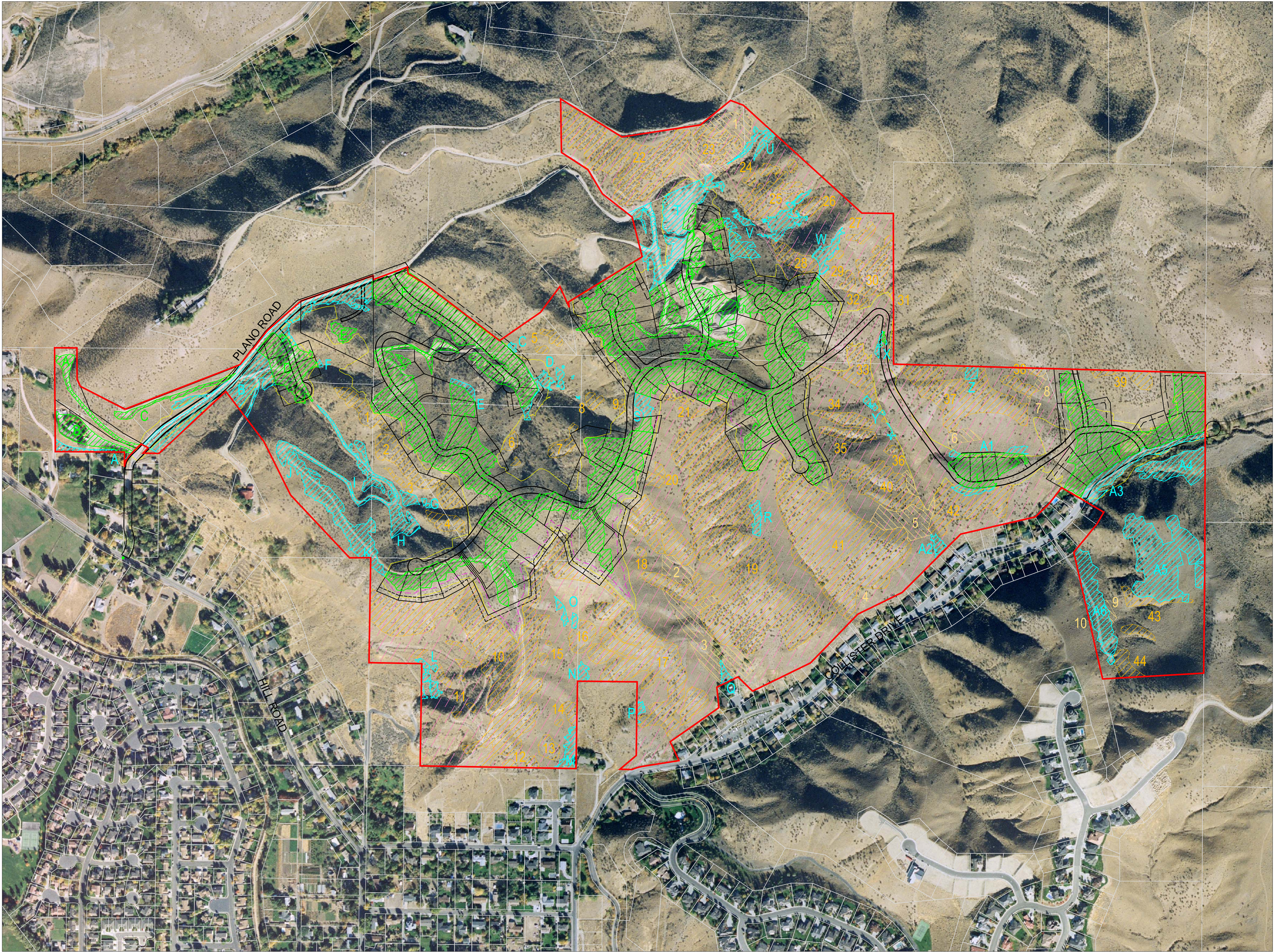
Used 25%			Aase's Onions					
A	23,606.32 sf	0.54	1	32,683.81 sf	0.75	28	33,633.73 sf	0.77
B	41,317.09 sf	0.95	2	67,420.88 sf	1.55	29	12,705.58 sf	0.29
C	17,528.41 sf	0.40	3	4,323.93 sf	0.10	30	47,738.15 sf	1.10
D	82,779.98 sf	1.90	4	21,077.10 sf	0.48	31	2,202.50 sf	0.05
E	11,118.68 sf	0.26	5	11,813.73 sf	0.27	32	3,201.98 sf	0.07
F	221,364.93 sf	5.08	6	9,876.36 sf	0.23	33	47,364.70 sf	1.09
G	654,529.49 sf	15.03	7	18,082.01 sf	0.42	34	25,201.23 sf	0.58
H	13,880.00 sf	0.32	8	8,501.58 sf	0.20	35	22,016.98 sf	0.51
I	35,416.00 sf	0.81	9	1,911.64 sf	0.04	36	4,477.06 sf	0.10
J	31,173.00 sf	0.72	10	496,304.60 sf	11.39	37	159,249.63 sf	3.66
K	633,452.00 sf	14.54	11	22,210.90 sf	0.51	38	19,397.70 sf	0.45
L	71,230.64 sf	1.64	12	8,410.75 sf	0.19	39	19,615.29 sf	0.45
M	272,018.04 sf	6.24	13	15,887.85 sf	0.36	40	87,455.50 sf	2.01
2,109,414.58 Total sf		48.43 Ac	14	12,062.54 sf	0.28	41	414,955.32 sf	9.53
			15	4,148.68 sf	0.10	42	93,985.35 sf	2.16
			16	26,380.84 sf	0.61	43	19,585.03 sf	0.45
			17	272,586.64 sf	6.26	44	28,993.39 sf	0.67
			18	3,431.09 sf	0.08	1	91,403.96 sf	2.10
			19	787,699.42 sf	18.08	2	26,951.20 sf	0.62
			20	12,864.37 sf	0.30	3	112,586.56 sf	2.58
			21	7,674.97 sf	0.18	4	1,391.18 sf	0.03
			22	212,553.69 sf	4.88	5	63,330.55 sf	1.45
			23	40,515.16 sf	0.93	6	15,402.26 sf	0.35
			24	15,405.32 sf	0.35	7	872.44 sf	0.02
			25	62,339.43 sf	1.43	8	4,724.68 sf	0.11
			26	16,288.25 sf	0.37	9	4,472.70 sf	0.10
			27	11,116.48 sf	0.26	10	1,318.87 sf	0.03
			3,567,806.54 Total sf					81.91 Ac

Used Area < 25%	48.43 Ac
Not Used Area < 25%	24.65 Ac
Aase's Onion Fields	81.91 Ac
Total Acres	154.98 Ac
Total Acreage of Property	332.75 Ac
Total Onion Concervancy	152.70 Ac

Total Lots	163 Lots
(including 2 existing homes)	

NOTES

- 1) All Aase's Onion Fields are Observed by Ecological Design and have a Ten (10) foot buffer as per Planning and Zoning
- 2) See Attached Report from Ecological Design, Inc.



stewart

land group

REAL ESTATE SERVICES

6995 So. Union Park Ave #360 Midvale, UT 84047

phone: (801) 263-9126 fax: (801) 263-9187

BOISE FOOTHILLS CONCEPT PLAN

GRAPHIC SCALE

300 0 150 300 600 1200

(IN FEET)

1 inch = 300 ft.

DATE CREATED

DATE MODIFIED

PRINT DATE

07/19/2006

7/28/2009

7/28/2009

Used Area > 25%

Not Used > 25%

Ecological Design Onion Fields

Onion Fields

Onion Conservancy

Conceptual

Cut, Fill and Setback

Property Boundary

Ada Parcels

Trail

Wild land Urban Fire Interface

SHEET NO.

1

OF

1



Planning & Development Services

Boise City Hall, 2nd Floor
150 N. Capitol Boulevard
P. O. Box 500
Boise, Idaho 83720

Phone: 208/384-3830
Fax: 208/384-3753
TDD/TTY: 800/377-3529
Website: www.cityofboise.org/pds

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Hillside & Foothills Development Application

This box for office use only

PLANNING & DEVELOPMENT SERVICES

File #: CFH07-00022 Fee: 2117

Cross Referenced File(s): CFH07-00084 Zone(s): RP

Are Pre-Application materials attached? ☒ Yes ☐ No

This application is a request to construct, add or change the use of the property as follows:

Category II - 148 dwelling unit

Applicant Information

Applicant: AASES CANYON POINT DEVELOPMENT, LLC
CAPITAL DEVELOPMENT

(801) 924-1777
Phone: 377-3939

☒ Owner ☐ Purchaser ☐ Lessee
Applicant's Address: 3750 W 500 S., SALT LAKE CITY, UT
6200 N MEEKER PL, BOISE, ID

84104
Zip: 83713

Agent/Representative: STEWART LAND GROUP

(801)
Phone: 263-9126

Agent/Representative's Address: 6795 S. UNION PARK CTR

Zip: 84047

Contact Person (if different from above): KERRY WINN

(801)
Phone: 573-7205
(CELL)

Property Information

Address and Location of Property: 6890
6296 NORTH PLANO ROAD, BOISE

Mapping Division must initial here to signify address verification.

Property Description (either Lot, Block and Subdivision name or recorded deed with metes and bounds description):

See attached legal descriptions and preliminary plat.

CFH 07 00022

Parcel Number: 106103469(1); 106103469(2); 106050425

Quarter: NW 1/4 NW 1/4 Section: 20, 19, 18 Township: 4N Range: 2E

SW 17 4N 2E
S0618449275 SE 4 18 4N 2E
1061727.22 4N 2E

General Submittal Requirements

Category 1: Single lot, Single Family Residential Development

Shall apply to all requests for exterior additions to existing structures; or for new construction; or for grading on any lot(s) or parcel(s) involving significant modification of the approved topography; or for retaining walls which exceed the parameters described in the Hillside Ordinance (11-14-3.1A).

- ☒ 1. (1) A detailed letter of explanation or justification for the application *is recommended*.
- ☒ 2. (1) Affidavit of Legal Interest (use attached form).
- ☒ 3. (1) Current Vicinity Map (8½" x 11") at 1" = 300' scale, showing location and current zoning of the property. Map is available from the PDS Mapping Division. Indicate the location of your property on map.
- ☐ 4. (3 + 1) Detailed Site Plans including existing site conditions and plan for grading and drainage developed by a licensed professional engineer registered in the State of Idaho (Three copies and one 8½" x 11" reduction) showing:
 - a. All existing structures which will remain, labeled as to existing and proposed uses.
 - b. All proposed structures, labeled as to use.
 - c. North Arrow
 - d. Scale
 - e. Property boundary
 - f. Names of applicant, plan preparer, and project name
 - g. Size of parcel (acres or square feet)
 - h. Existing vegetation, labeled as to remain or be removed
 - i. Drainage features

Existing site conditions:

 1. Existing contours of property using two foot intervals
 2. Location of any existing buildings, structures, rock outcrops and other visual features on the property where the work is to be performed, and on land of adjacent owners within 100' of the property *or* which may be affected by the proposed grading operations.

Grading and Drainage Features:

 1. Elevations and finished contours to be achieved by the grading using two foot intervals.
 2. Retaining walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as part of the proposed work.
 3. Approximate location of all surface and subsurface drainage devices.
 4. Proposed contours which depict the drainage area(s), the complete drainage network, including outfall lines and natural drainage ways which may be affected by the project.
- ☐ 5. (1) Soils report.
- ☐ 6. (1) House plans. **NA**

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General Submittal Requirements

Category II

- ☒ 1. (1) Affidavit of Legal Interest (use attached form).
- ☒ 2. (1) Written legal description of the property. —
- ☒ 3. (1) Current Vicinity Map (8½" x 11") at 1" = 300' scale, showing location and current zoning of the property. Map is available from the PDS Mapping Division. Indicate the location of your property on map.
- ☒ 4. (3 + 1) Detailed Site Plans (Three copies and one 8½" x 11" reduction) showing: *Preliminary Plat*
- ☒ a. All existing structures which will remain, labeled as to existing and proposed uses. *One house to remain - only surmount.*
 - ☒ b. All proposed structures, labeled as to use. *None*
 - ☒ c. North Arrow
 - ☒ d. Scale
 - ☒ e. Property boundary
 - ☒ f. Names of applicant, plan preparer, and project name
 - ☒ g. Size of parcel (acres or square feet)
 - ☒ h. Existing vegetation, labeled as to remain or be removed. *Minimize disturbance*
 - ☒ i. Locations, widths and surface types of existing and proposed streets. *See Revegetation Plan and Erosion Control Plan Limit of Disturbance*
 - ☒ j. Locations of widths of rights-of-way, easements, canals, ditches and subdivision lines
 - ☒ k. Location and sizes of all lots and common areas
 - ☒ l. Drainage features
 - ~~NA~~ ☐ m. Pedestrian paths
 - ☒ n. Proposed lighting location and types
 - ~~NA~~ ☐ o. Building plans and elevations
- ☒ 5. (1) Projects that require conditional use review must submit a conditional use application with this request (Section 11-14-3.1).
- Note: If a Conditional Use is to be reviewed concurrently with this application, then 1.5 do not need to be submitted. They will be submitted with the Conditional Use application.
- ☐ 6. (1) This is a request for a (check appropriate box):
- ☒ Detailed Category II Review
 - ☐ Conceptual Category II Review
 - ☐ Modification

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** letter from Strata*

CFH 07 00022

Route Plan for Hillside Properties

Your lot is located within a hillside area, and as such, it is subject to the Hillside Ordinance. A public hearing may be required. If so, you will be notified and required to submit a hillside application with Planning & Development Services. At this time, however, all information identified on the Building Division supplemental application for hillside projects must be provided.

Lot: _____ **Block:** _____ **Subdivision:** _____

Street Address: _____

Builder/Applicant: _____

The following is to be completed by the City.

Step	Date	Initials
1. Category I, II, or III? Public Works Department Comments: _____ _____ _____ * Do plans require resubmittal? ☐ Yes ☐ No Resubmittal of plans must include: _____ _____ _____ * Category III permits may go directly to step 6 below.	_____	_____
2. Submittal of Hillside Application File # _____ X-Ref File: _____	_____	_____
3. The application was ☐ Approved ☐ Denied	_____	_____
4. Has the application been appealed? ☐ Yes ☐ No	_____	_____
5. Outcome of appeal: _____ _____ _____	_____	_____
6. Final Approval of Building Plans: a. Public Works Department b. Planning Division c. Building Division	_____ _____ _____	_____ _____ _____

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Specific General Submittal Requirements

Category II

Detailed Category II: Shall apply to all requests for conditional use permits, preliminary subdivision plats, or for grading on any lot(s) involving modification of the approved topography that is beyond that allowed under Categories I and III Permits (11-14-3.1B). **Must provide two (2) copies of each report - one copy must be sent to Public Works Department.**

- ✓ 1. The project engineer shall submit a detailed statement of how the soils, geology, hydrology and re-vegetation studies are incorporated into the grading and drainage plans. *See Hydrological & Engineer Report*

- ✓ 2. A preliminary plan for erosion control.

The following, per Section 11-14-15 of the Hillside Ordinance, is required and shall be developed by a licensed professional engineer registered in the State of Idaho. **The plans may not be combined.** Separate drawings for the "existing site plan" and "proposed grading and drainage plan" shall be submitted.

- ✓ 3. Existing site conditions (three copies, not smaller than 1" = 100') showing: *See Preliminary Plat -*

- ✓ a. Property lines
- ✓ b. Existing contours of property (two foot intervals)
- ✓ c. Location of any existing building, structures, rock outcrops and other visual features on the property where the work is to be performed, and on land of adjacent owners within 100' of the property, or which may be affected by the proposed grading operations.

- ✓ 4. Grading and drainage plans (three copies, not smaller than 1" = 100') showing:

- ✓ a. Property Lines
- ✓ b. Proposed elevations at lot corners
- ✓ c. Proposed elevations at 100' maximum intervals along centerline of street
- ✓ d. Elevations and finished contours to be achieved by the grading
- ✓ e. All proposed buildings *(PADS)*
- ✓ f. Approximate limiting dimensions *See Grading & Erosion Control Plan Limits of Disturbance*
- ✓ g. Delineation of cut and fill areas
- ✓ h. Cross sections of both cut and fill slopes
- ✓ i. Retaining walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as part of the proposed work.
- ✓ j. Approximate location of all surface and subsurface drainage devices
- ✓ k. Proposed contours which depict the drainage area(s), the complete drainage network, including outfall lines and natural drainage ways which may be affected by the project.

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5. Estimated runoff in cubic feet per second (c.f.s.) of the area served by the drains:

Drain # 1: _____ Drain # 4: _____
 Drain # 2: _____ Drain # 5: _____
 Drain # 3: _____ Drain # 6: _____

Other: (Please specify): _____

*Hydrology
See Drainage
RE Engineers
Report*

6. Soils engineering report (per 11-14-5A). *STATA*
 7. Geological engineering report (per 11-14-5B). *STATA*
 8. Hydrological engineering report (per 11-14-5C). *W200*
 9. Revegetation plan (per 11-14-5E). *DAVE KONA*

Note: It shall be the responsibility of the developer to ensure that the project engineer incorporates into the grading and drainage plans all appropriate recommendations contained in the soils, geology, hydrology and revegetation reports (per 11-14-6B3).

Conceptual Category II

1. Is the subject property zoned for the intended use? ☐ Yes ☒ No
 If not, then this application must be accompanied by a request for rezoning to the appropriate district (per 11-14-3.6B).
- ✓ 2. Conceptual plans shall include generalized plans and reports for site, drainage, grading, soils, hydrology, geology, revegetation and utility service.

Modification

- General submittal requirements
- Two sets of reports and plans which explain the proposed modifications.

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Kerry Wilm
 Applicant/Representative's Signature

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"EXHIBIT A"

LEGAL DESCRIPTION FOR
BOISE FOOTHILLS
BOUNDARY

A parcel of land located in Sections 17, 18, 19, and 20, Township 4 North,
Range 2 East, Boise Meridian, Ada County, Idaho. Being further described as follows:

BASIS OF BEARINGS:

The North line of Section 20, Township 4 North, Range 2 East, Boise Meridian, derived
from found monuments and taken as South 88°43'54" East with the distance between
monuments found to be 5,284.21 feet.

BEGINNING at the Northeast Section corner of Section 20, Township 4 North,
Range 2 East, Boise Meridian, thence along the East line of said Section 20
South 00°00'29" West a distance of 1,893.36 feet to a point from which the East 1/4
corner of said Section 20 bears South 00°00'29" West a distance of 732.12 feet;
thence leaving said East line South 82°44'52" West a distance of 639.45 feet;
thence North 13°09'17" West a distance of 851.05 feet to the Southeasterly Boundary of
Briarhill Subdivision No.3, Book 42, Page 3413;
thence along the boundary of said Briarhill Subdivision No.3 the following nine(9)

courses:

North 38°38'55" East a distance of 236.07 feet;
North 29°38'55" East a distance of 84.14 feet;
North 60°21'05" West a distance of 310.00 feet;
South 37°38'55" West a distance of 130.01 feet;
South 45°38'55" West a distance of 120.00 feet;
South 76°38'55" West a distance of 487.94 feet;
South 44°38'55" West a distance of 523.90 feet;
South 63°38'55" West a distance of 315.00 feet;
South 43°38'55" West a distance of 268.16 feet to the Northeasterly Corner of Briarhill
Subdivision No.2, Book 42, Page 3411;

thence along the boundary of said Briarhill Subdivision No.2 the following ten(10)
courses:

South 43°38'55" West a distance of 161.84 feet
South 63°38'55" West a distance of 410.00 feet;
North 46°21'05" West a distance of 130.00 feet;
South 63°38'55" West a distance of 148.97 feet;
South 06°21'05" East a distance of 130.00 feet;
South 54°38'55" West a distance of 379.29 feet;
South 25°21'05" East a distance of 132.27 feet to the northerly right-of-way of Collister
Drive;

along said right-of-way South 80°38'55" West a distance of 233.18 feet
along a curve to the left with a radius of 265.50 feet and a central angle of 35°25'27" an
arc length of 164.15 feet (with a chord bearing of South 62°56'12" West, and a

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distance of 161.55 feet);
South 44°46'32" East a distance of 5.00 feet;
thence leaving said boundary of Briarhill Subdivision No.2 South 45°13'28" West a distance of 47.08 feet;
thence along a curve to the left with a radius of 566.92 feet and a central angle of 19°40'00" an arc length of 194.59 feet (with a chord bearing of South 35°23'28" West, and a chord distance of 193.64 feet);
thence leaving said right-of-way North 01°30'58" West a distance of 205.50 feet;
thence South 89°31'28" East a distance of 20.00 feet;
thence South 02°56'51" East a distance of 70.87 feet;
thence North 49°26'32" East a distance of 294.50 feet;
thence North 00°26'32" East a distance of 467.52 feet;
thence North 89°31'28" West a distance of 379.35 feet to the East line of the Southwest 1/4 of the Northwest 1/4 of said Section 20;
thence along said East line South 00°27'54" West a distance of 555.61 feet to the Center West 1/16 corner of said Section 20;
thence along the South line of said Southwest 1/4 of the Northwest 1/4 also being the North boundary line of Outlook Heights Subdivision, Book 60, Pages 6040-6041, North 89°01'58" West a distance of 990.48 feet;
thence leaving said South line and North boundary North 00°33'13" East a distance of 650.00 feet;
thence North 89°01'58" West a distance of 335.00 feet to the West line of said Southwest 1/4 of the Northwest 1/4;
thence along said West line of said Section 20 North 00°33'13" East a distance of 671.88 feet to the North 1/16 corner common to Sections 19 and 20, from which the Section Corner common to Sections 17, 18, 19 and 20 bears North 00°33'53" East a distance of 1,322.03 feet;
thence South 88°57'43" West a distance of 133.68 feet;
thence North 43°35'09" West a distance of 547.46 feet;
thence North 26°51'56" West a distance of 381.96 feet;
thence North 37°36'19" West a distance of 406.83 feet;
thence North 49°31'17" East a distance of 137.00 feet;
thence North 04°31'21" West a distance of 75.07 feet;
thence North 37°23'37" East a distance of 270.62 feet;
thence North 48°22'55" East a distance of 289.89 feet;
thence North 70°19'31" East a distance of 495.60 feet;
thence South 00°07'29" West a distance of 29.42 feet;
thence North 68°30'00" East a distance of 224.53 feet;
thence South 06°56'41" East a distance of 40.89 feet;
thence South 58°51'08" East a distance of 122.41 feet;
thence South 53°01'30" East a distance of 599.99 feet;
thence South 45°43'28" East a distance of 49.26 feet;
thence North 50°03'16" East a distance of 348.41 feet;
thence South 38°06'15" East a distance of 355.86 feet to the West 1/16 corner common to Sections 17 and 20 from which the Section Corner common to Sections 17, 18, 19 and 20 bears North 88°43'54" West a distance of 1321.22 feet

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thence along the North line of the Northeast 1/4 of the Northwest 1/4 of said Section 20 South 88°43'54" East a distance of 12.01 feet;
thence leaving said North line North 09°45'20" West a distance of 352.45 feet;
thence North 57°17'56" East a distance of 551.95 feet;
thence North 21°33'31" West a distance of 257.33 feet;
thence North 52°45'13" West a distance of 240.86 feet;
thence North 31°10'54" West a distance of 179.81 feet;
thence North 57°25'54" West a distance of 200.31 feet;
thence North 02°47'46" West a distance of 338.23 feet;
thence South 58°28'54" East a distance of 458.34 feet;
thence North 80°53'46" East a distance of 504.32 feet;
thence North 50°34'54" East a distance of 275.98 feet;
thence South 70°08'04" East a distance of 85.51 feet;
thence South 48°01'55" East a distance of 1,018.83 feet;
thence South 89°38'20" East a distance of 200.38 feet;
thence South 00°08'46" East a distance of 977.84 feet to the North line of the Northeast 1/4 of said Section 20;
thence along said North line South 88°43'54" East a distance of 1,967.75 feet to the POINT OF BEGINNING.

Said Parcel containing 14,108,404 square feet or 323.88 acres, more or less and is subject to all existing easements and rights-of-ways of record or implied.

END OF DESCRIPTION

Russell E. Badgley, P.L.S. 12458
Timberline Surveying
847 Park Centre Way, Suite 1
Nampa, Idaho 83651
(208) 465-5687

CFH 07 00022

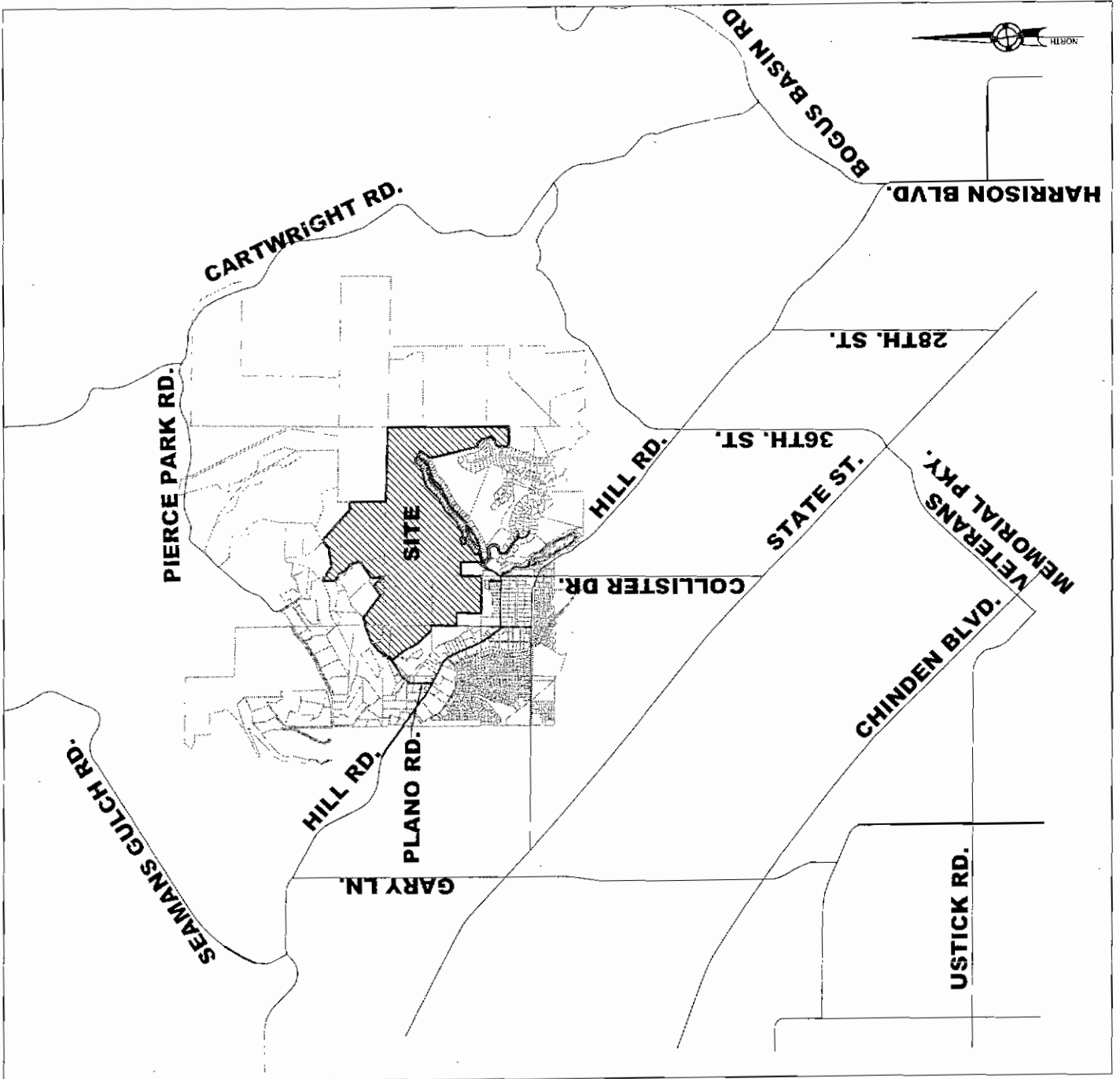
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MAY 29 2007

PLANNING & DEVELOPMENT
SERVICES

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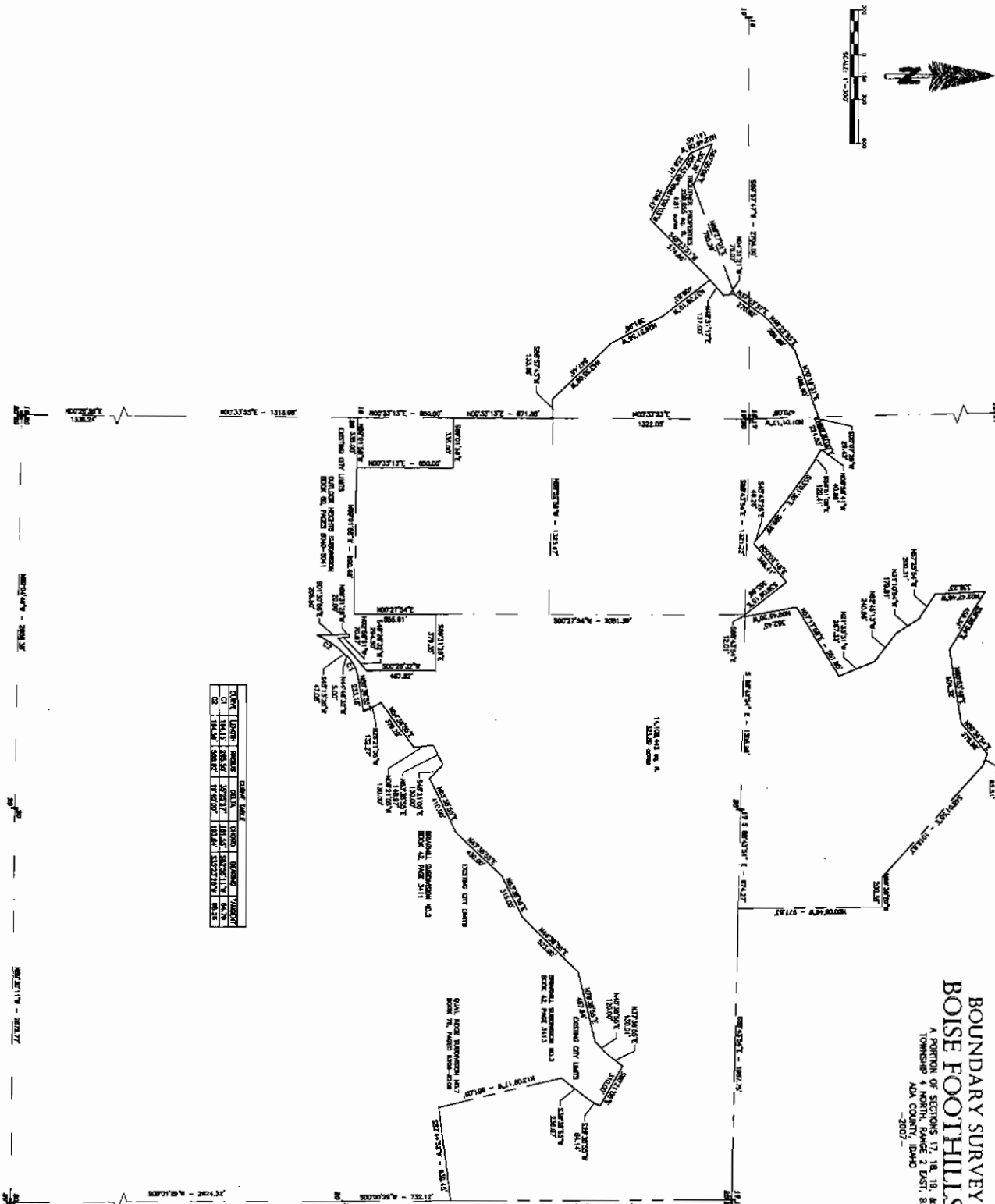
5/28/07



KEY MAP
SCALE: 1" = 4000'

CFH 07 00022

2200020 HJO



DATE	BY	REVISION
10/1/07	REBAH	1.0
10/1/07	REBAH	1.1
10/1/07	REBAH	1.2
10/1/07	REBAH	1.3
10/1/07	REBAH	1.4
10/1/07	REBAH	1.5
10/1/07	REBAH	1.6
10/1/07	REBAH	1.7
10/1/07	REBAH	1.8
10/1/07	REBAH	1.9
10/1/07	REBAH	2.0

**BOUNDARY SURVEY FOR
BOISE FOOTHILLS SUB**
A PORTION OF SECTIONS 17, 18, 19 & 20
TOWNSHIP 36N, RANGE 12E, DIST. 3E, S.W.
BOISE COUNTY, IDAHO
-2007-

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BOISE FOOTHILLS SUB BOISE, IDAHO OWNER: AASES CANYON POINT DEVELOPMENT 3750 WEST 900 SOUTH SALT LAKE CITY, UT 84114 CONTACT: RICH VOLPER (201) 924-1777		BOUNDARY SURVEY FOR AASES CANYON POINT DEVELOPMENT AASES CANYON POINT DEVELOPMENT 06043 REBAH AUA RSH 4/23/07		PLANNING & DEVELOPMENT SERVICES TIMBERLINE SURVEYING 2004-2005 2006-2007									
REVISIONS <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>10-1-07</td> <td>REBAH</td> <td>ADDITION AND CORRECTIONS TO BOUNDARY</td> </tr> </tbody> </table>						NO.	DATE	BY	DESCRIPTION	1	10-1-07	REBAH	ADDITION AND CORRECTIONS TO BOUNDARY
NO.	DATE	BY	DESCRIPTION										
1	10-1-07	REBAH	ADDITION AND CORRECTIONS TO BOUNDARY										



May 29, 2007
File: AASCAN B07039A

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

RE: **LETTER**
Preliminary Soil and Geologic Evaluation
Plano Road Subdivision
Hill Road and Collister Road
Boise, Idaho

Dear Mr. Winn:

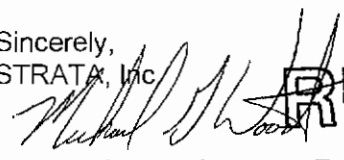
STRATA, Inc. is presently finalizing our preliminary soil and geologic evaluation for the planning phase and preliminary platting of the proposed Plano Road Subdivision to be located north and west of the intersection of Hill Road and Collister Road in north Boise, Idaho. Our services are presently being accomplished referencing conversations with Mr. James Woodruff of Azumuth Engineering and referencing our proposal dated February 21, 2007.

Our preliminary report will summarize the results of our research, geologic reconnaissance, geologic hazards evaluation, and preliminary geotechnical planning recommendations for proposed project infrastructure. The purpose of our services is to provide understanding of the site/subsurface conditions relative to the project concept. Our report, once finalized, will present the important factors we currently believe that should be considered from a geotechnical standpoint at this stage in the project development.

Once project concept planning is nearly complete, further geotechnical evaluation will be required based on a more defined project scope. These services will be required by the City of Boise to address geotechnical issues to assist in completion of final planning, design, and construction of the project infrastructure. Lot-specific evaluation will also be required by the City of Boise to be performed as each lot development plan is proposed.

We plan to publish our completed report on or about June 5, 2007. We appreciate the opportunity to work with you on this project. We remain available to assist the design and development team as the project evolves. Please do not hesitate to contact us if you have any questions or comments.

Sincerely,
STRATA, Inc.


Michael G. Woodworth, P.E.
Design Geotechnical Engineer

MAY 29 2007

**PLANNING & DEVELOPMENT
SERVICES**

CFH 07 00022

6890 N PLANO LN

BOISE 83703

Parcel Information

Parcel: S0617315000

Parcel Owner(s):

LITTLE GARY R
LITTLE DEBORAH

Parcel Acres: 10.400

Municipal Information

City Limits: ADA COUNTY

Area of Impact: BOISE

Planning Information

Zoning: RP

Subdivision:

Block: 1

Lot: 0

Township/Range/Section:
4N2E17

Hillside: True

Floodplain: None

Sewer Availability:

7300

8890

8901

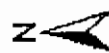
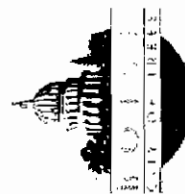
300 0 300 600 900 1200 Feet

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<http://www.cityofboise.org/>

This drawing is to be used for reference purposes. Boise City is not responsible for any inaccuracies herein contained.

Map generated on 5/29/2007



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

Affidavit of Legal Interest

State of Idaho)
) ss
County of Ada)

I, Kelly E. TROUTNER, 2275 Continental
Name Address
Meridian, Idaho
City State

being first duly sworn upon oath, depose and say:

(If Applicant is also Owner of Record, skip to B)

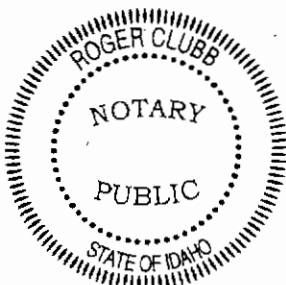
A. That I am the record owner of the property described on the attached, and I grant my permission to STEWART LAND GROUP 695 S. UNION PARK CENTER #360,
Name Address
MIDVALE, UT 84047
to submit the accompanying application pertaining to that property.

B. I agree to indemnify, defend and hold Boise City and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

Dated this 29th day of MAY, 2007

[Signature]
Signature

Subscribed and sworn to before me the day and year first above written.



[Signature]
Notary Public for Idaho

Residing at: Boise Idaho

My commission expires: 12/28/2012

CFH 07 00022

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MAY 29 2007
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SERVICES



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

Affidavit of Legal Interest

State of Idaho)

) ss

County of Ada)

I, Perry Harding

Name

P.O. Box 1839

Address

Boise

City

Idaho 83701

State

being first duly sworn upon oath, depose and say:

(If Applicant is also Owner of Record, skip to B)

- A. That I am the record owner of the property described on the attached, and I grant my permission to STEWART LAND GROUP 695 S. UNION PARK CENTER #360,
 Name Address
MIDVALE, UT 84047
 to submit the accompanying application pertaining to that property.

- B. I agree to indemnify, defend and hold Boise City and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

Dated this 25 day of MAY, 2007

Perry Harding
Signature

Subscribed and sworn to before me the day and year first above written.

Ronni Christianson
Notary Public for Idaho

CFH 07 00022

Residing at: Boise

My commission expires: 6-30-2011

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MAY 29 2007

PLANNING & DEVELOPMENT
SERVICES





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

Affidavit of Legal Interest

State of Idaho)
) ss
County of Ada)

I, ANDY & KATHY COVER, 6296 PLANO LN
Name Address
BOISE, ID
City State

being first duly sworn upon oath, depose and say:

(If Applicant is also Owner of Record, skip to B)

- A. That I am the record owner of the property described on the attached, and I grant my permission to STEWART LAND GROUP 6995 S. UNION PARK CENTER #360,
Name Address
MIDVALE, UT 84047
to submit the accompanying application pertaining to that property.
- B. I agree to indemnify, defend and hold Boise City and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

Dated this 22 day of MAY, 2007

Kathy Cover
Signature

Subscribed and sworn to before me the day and year first above written.

Eva Farnlund
Notary Public for Idaho

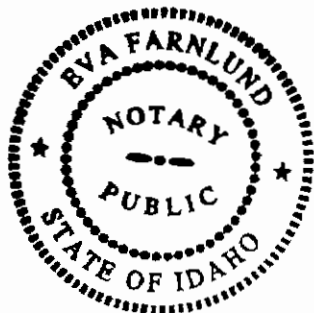
Residing at: Boise

My commission expires: 3-9-2010

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MAY 29 2007

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**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

Affidavit of Legal Interest

State of Idaho)

) ss

County of Ada)

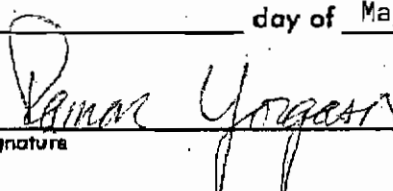
I, Ramon Yorgason
Name6200 N. Meeker Pl.
AddressBoise
CityIdaho 83713
State

being first duly sworn upon oath, depose and say:

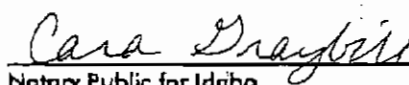
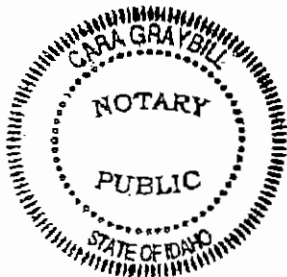
(If Applicant is also Owner of Record, skip to B)

- A. That I am the record owner of the property described on the attached, and I grant my permission to STEWART LAND GROUP 695 S. UNION PARK CENTER #300
Name Address
MIDVALE, UT 84047
to submit the accompanying application pertaining to that property.

- B. I agree to indemnify, defend and hold Boise City and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

Dated this 29th day of May, 2007
Signature

Subscribed and sworn to before me the day and year first above written.


Notary Public for IdahoResiding at: Boise, IdahoMy commission expires: June 8, 2012**RECEIVED**
MAY 29 2007
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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

Affidavit of Legal Interest

State of ^{Utah} ~~Idaho~~

County of ^{ss} ~~Ada~~ Salt Lake

I, Aase's Canyon Pointe Development 3750 W. 500 South
Name Address
Salt Lake City Utah
City State

being first duly sworn upon oath, depose and say:

(If Applicant is also Owner of Record, skip to B)

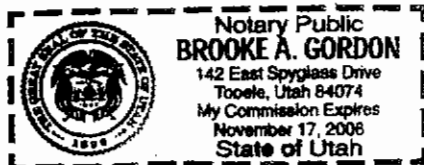
A. That I am the record owner of the property described on the attached, and I grant my permission to STEWART LAND GROUP 695 S. UNION PARK CENTER #360,
Name Address
MIDVALE, UT 84047
to submit the accompanying application pertaining to that property.

B. I agree to indemnify, defend and hold Boise City and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

Dated this 21st day of May, 20 07

Signature [Signature]

Subscribed and sworn to before me the day and year first above written.



Brooke A. Gordon
Notary Public for Idaho Utah

Residing at: Truckee, Utah

My commission expires: 11/17/08 **RECEIVED**

MAY 29 2007

CFH 07 000 PLANNING & DEVELOPMENT SERVICES

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MAY 29 2007

**CAPITAL
DEVELOPMENT, Inc.**PLANNING & DEVELOPMENT
SERVICES

6200 N. Meeker Place, Boise, Idaho 83713

Phone: 208-377-3939

May 29, 2007

4:33 PM

Fax: 208-375-3271**Email:** capdev@cableone.net

Fax Cover Sheet

Send to: David Moser	From: Cara Parker
Office: City of Boise P&Z	Office: Capital Development
Fax number: 384-3753	Re:
cc:	

☐ Urgent☐ Reply ASAP☐ For Your Review☐ As Requested☐ FYI**Total Pages (including cover):** 3**Comments:**

Copy of invitation to the Plano Subdivision neighborhood meeting, including map

If you do not receive all pages, please call as soon as possible. Thank you!

CFH 07 00022



**CAPITAL
DEVELOPMENT, Inc.**

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MAY 29 2007

PLANNING & DEVELOPMENT
April 30, 2007 SERVICES

Dear Resident,

Boise City Code requires an opportunity for a meeting between the applicant of a development proposal and the residents of the neighborhood in which the development site is located. This meeting is to be provided prior to formal submittal of the development application to the City. This letter is such notice of an opportunity to review and discuss Plano Lane Subdivision. This is not a public hearing; public officials will not be present. (If you have any questions regarding this Boise City Code neighborhood pre-application meeting requirement, please contact the Planning Division of the Planning & Development Services Department at 384-3830.)

Purpose: To review and provide comments regarding Plano Lane Subdivision.

When: Tuesday, May 8th, 2007 at 7:00 p.m.

Where: River Glen Jr. High cafeteria, (6801 Gary Lane).

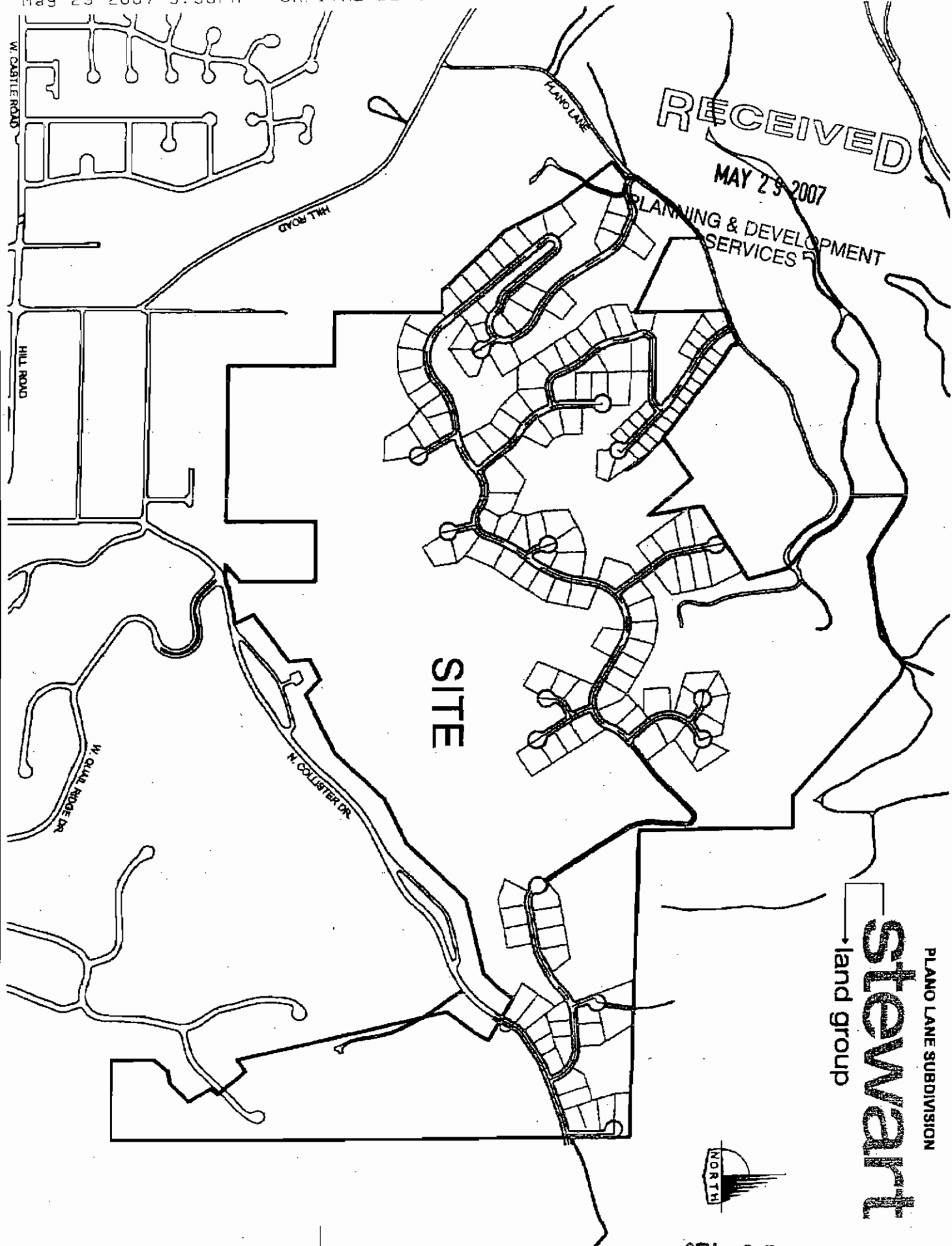
Project: Plano Lane Subdivision will be located above Hill Road between Collister Road and Plano Lane. This proposed subdivision is located on 335 acres and provides lots for 155 single-family homes. Over 75% of the acreage will be open space preserving the natural landscape and vegetation. Applications to be submitted to the city will be Annexation, Rezone, Hillside and Foothills Development and Preliminary Plat.

Enclosed is a site plan of the proposed subdivision. If you have questions about the meeting or proposed development project, please contact: Kerry Winn at: kwinn@stewartlandgroup.com.

6200 North Meeker Place Boise, Idaho 83713

Office: (208) 377-3939 Fax: (208) 375-3271

CFH 07 00022



PLANO LANE SUBDIVISION
stewart
land group



Boise City Planning & Development Services

150 N Capitol Blvd ■ P O Box 500 ■ Boise, Idaho 83701-0500

Phone 208/384-3830 ■ Fax 208/384-3733 ■ www.cityofboise.org/pds

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Pre-Application Conference

PLANNING & DEVELOPMENT SERVICES

In accordance with Ordinance #5525 (Section 11-03-02 of the Zoning Ordinance), a pre-application conference with Staff and an opportunity to a meeting with neighbors within 300 feet is required.

Note: This form must be included when an application is submitted.

Applicant: Stewart Land Group Assay's Canyon Point Development **Date:** Feb. 13, '07

Site Address: Plano Lane + Colliester Road

Planning Staff

☒ SR	☐ TC	☐ DA	☐ SJ	☐ RJ	☐ CH	☐ ACHD
☒ BE	☐ AB	☐ SS	☐ WG	☒ TR	☐ KL	☐ COMPASS
☐ HS	☐ MP	☐ KG	☐ MH	☐ MS	☐ SS	

Proposal Description: Foothills annexation, zone change, conditional use, development agreement, Hillside applications for residential subdivision. 128 building lots on 321.5 acre. Dedication of some land to parks + Rec. Dept. Sand pit should be made safe.

Neighborhood Meeting Required: ☒ Yes ☐ No **Site Plan Presented:** ☐ Yes ☐ No Quail

Comprehensive Planning Area: Foothills **Neighborhood:** Colliester + Ridge

Type of Application

☒ Annexation	☒ Rezone
☐ Special Exception	☒ Conditional Use
☐ Variance	☐ Modification
☐ Parking Reduction	☐ Height Exception
☒ Density Bonus	☐ Infill

Zoning District

☒ R-1A	☐ R-1B	☐ R-1C	☐ R-2
☐ R-3	☐ R-O	☐ C-1	☐ C-2
☐ C-3	☐ C-4	☐ C-5	☐ L-O
☐ T-1	☐ T-2	☐ HS	☐ M-1
☐ M-2	☐ M-4	☐ N-O	☒ A

Planned Development ☐ **Use Exception** ☐

Overlay District ☐ D ☐ HD ☐ DD ☐ P1 ☐ P2 ☐ P3

Airport Overlay ☐ A ☐ B ☐ B-1 ☐ C

Concurrent Reviews

Floodways (FPR) ☐ FW ☐ FF ☐ ASF

Hillside (Categories) ☐ I ☒ II ☐ III

Subdivision Plat ☒ Yes ☐ No

Density/Far

Compatibility

Others

Hydrology reports required.
Boise River System Permit

Test pits required for
geotech/soils + hazards report
Document on-line

Building Permit Required ☐ Yes ☐ No ☒

Bruce Engertson
Staff Representative

CPH 07 00022

Kerry W. ...
Applicant Representative

May 8, 2007
 Neighborhood Meeting Sign-in Sheet
 Proposed Plano Lane Subdivision off of Hill Rd.

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MAY 29 2007

PLANNING & DEVELOPMENT
 SERVICES

Name	Street Address
Page Spencer	5131 N. Cotahel 83703
Julie Klocke	4946 N. Contour Way 83703
Jim Smith	5840 N. Collister Dr. 03
Karan + Jeff Tucker	4922 W. Outlook Ave 83703
Milt Cofbman	5471 Collister
Chris + Anita Thomson	5884 N. Collister
GEORGE + WENDY KEMP	5512 N. COLLISTER DR
BARRY + MARIE WARING	4955 N. Collister
KWn Ehleringer	5124 W. Outlook Ave
Ethel Ficks	5600 Hill Rd.
Sarah + Todd Harris	5485 Collister
Larry + Connie McLean	5499 Collister
Ron Richter	5736 COLLISTER
Nancy Brennan	6025 PLANO LN.
Ron Kirkman	5357 Collister
Landscaping	6262 PLANO
Becky Bunderson	4015 Whithead
Donna Dattilo	5528 CASTLE HILL WAY
ERIN BRENNAN	6025 PLANO LANE
Bob + Susan Hock	5684 N. COLLISTER

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MAY 29 2007

May 8, 2007
 Neighborhood Meeting Sign-in Sheet
 Proposed Plano Lane Subdivision off of Hill Rd.

PLANNING & DEVELOPMENT
 SERVICES

Name	Street Address
Bob & Valerie Zenning	3900 W. Quail Hill Rd
Ed & Rhonda Gentner	6060 Plano Lane
Mark Fogarty	4997 Collister DR
Tiffany Kelly	5570 Collister
JANET FRENCH	4517 SHIRLEY
NANCY BROSSMAN	4507 SHIRLEY
Chad Haip	5561 N Collister.
Jeff Martin	5713 N. Collister.
Sandra & GARY Hawbater	5898 Collister DR
Susan Courtial	5613 W. Collister Dr.
Brent Smith & Stephanie	6024 Plano Lane
Bernie Clark President	208-859-5337
JEFF JENSEN Son & Lisa Cook	Boison
Bonnie Gentil	5853 N. Collister
Dave Gasey	6101 Plano Ln.
Gene Gasey	3901 N. Cambria Way
Gene Wortham	5620 Hill Rd
Justin & Kari Wortham	6801 Plano Ln.
Kelly TROUTNER	PLANO LN Access
REX & JOLENE BEAVER	4270 W. DEER TRAIL LN

DRUGS
 not fed
 deer

CFH 07 00022

May 8, 2007

Neighborhood Meeting Sign-in Sheet

Proposed Plano Lane Subdivision off of Hill Rd.

[illegible]

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SERVICES

CFH 07 00022

Owner

AASE'S CANYON POINTE DEV.
 ALEXANDER BARBARA
 APPLETON STEVE R
 AXELTON JAMES M
 BAGAN JOHN LANCE
 BAGGS JAMES L
 BAKER MICHAEL J
 BALDWIN LEE E
 BEAVER REX E
 BENEDICT KEVIN R
 BENJAMIN FAMILY
 BERG DONALD H
 BODDEKER MARSHALL
 BOISE CITY
 BOISE CITY
 BOLANDER CORY K
 BRENNAN ERIN J
 BRIARHILL HOMEOWNERS ASSOC
 BROWN FLOYD L JR
 BUCKLES TOM R
 BUTLER MICHAEL
 CASEY DAN C
 CASEY GEORGE E
 CATALANO RICKY
 CHASE JEFFREY
 CHRISTOFFERSON ELROY C
 CLARK JAMES L
 COFFMAN MILTON D
 COOK LAWRENCE
 COSCIA ROBERT
 COURTIAL SUSAN K
 COURTRIGHT PATRICK J
 COVER ANDREW and KATHERINE
 D'ANNA ROBERT S
 DAVIDSON DENNIS
 DEEBLE ROBERT R
 DEKEYREL DANIEL
 DITLOW BENJAMIN H
 DVORAK CARMEN
 DWELLO KELVIN G
 EDCOOP INC
 EHLENGER KEVIN
 ELLIOTT ANNABETH D
 EVANS DALE K
 FICKS ETHEL D
 GARBER GABRIEL M
 GENTHER EDWIN
 GENTIL MARCEL
 GOTT DAVID M
 GREGG MICHAEL T
 HANDYSIDE NEIL A
 HANSEN KATHERINE
 HARDING MARY
 HARDING PERRY C

OwnerStreet

3750 W 500 S
 2715 S SNOWFLAKE DR
 2603 S SWALLOWTAIL LN
 5955 N COLLISTER DR
 5553 N QUAIL SUMMIT PL
 5375 N QUAIL SUMMIT WAY
 5595 N QUAIL SUMMIT PL
 6060 N PLANO LN
 4270 DEER TRAIL LN
 10930 N BLACKTAIL PL
 10062 STONE MOUNTAIN
 PO BOX 204
 5826 N COLLISTER DR
 PO BOX 500
 150 N CAPITOL BLVD
 5926 N COLLISTER DR
 6025 N PLANO LN
 PO BOX 140273
 5671 N COLLISTER DR
 5769 N COLLISTER DR
 5998 N COLLISTER DR
 5870 N COLLISTER DR
 6101 N PLANO LN
 953 S ISLAND GLENN WAY
 5477 N QUAIL SUMMIT PL
 5741 N COLLISTER DR
 8006 143RD ST CT NW
 5471 N COLLISTER DR
 402 S BITTERROOT DR
 3801 W QUAIL HOLLOW DR
 5613 N COLLISTER DR
 5612 N COLLISTER DR
 6296 N PLANO LN
 5798 N COLLISTER DR
 PO BOX 5801
 5484 N COLLISTER DR
 5999 N COLLISTER DR
 5470 N COLLISTER DR
 1243 HARDIN DR
 5388 N GOLDIE PL
 6200 N MEEKER PL
 5124 W OUTLOOK AVE
 5698 N COLLISTER DR
 5758 W HILL RD
 5600 HILL RD
 5999 N COLLISTER DR
 6060 N PLANO LN
 5853 N COLLISTER DR
 5389 N GOLDIE PL
 5631 N QUAIL SUMMIT PL
 5971 N COLLISTER DR
 5036 W OUTLOOK AVE
 3748 W QUAIL HOLLOW DR
 PO BOX 1839

OwnerCSZ

SALT LAKE CITY, UT 84104
 BOISE, ID 83706
 BOISE, ID 83706
 BOISE, ID 83703
 BOISE, ID 83703
 BOISE, ID 83703
 BOISE, ID 83703
 BOISE, ID 83703
 BOISE, ID 83703
 BOISE, ID 83714
 SANDY, UT 84092
 CASCADE, ID 83611
 BOISE, ID 83703
 BOISE, ID 83702-0500
 BOISE, ID 83706-9276
 BOISE, ID 83703
 BOISE, ID 83703-4119
 BOISE, ID 83714
 BOISE, ID 83703-3825
 BOISE, ID 83703
 BOISE, ID 83703
 BOISE, ID 83703
 BOISE, ID 83703
 BOISE, ID 83703
 EAGLE, ID 83616
 BOISE, ID 83703
 BOISE, ID 83703-3827
 GIG HARBOR, WA 98329
 BOISE, ID 83703
 BOISE, ID 83709
 BOISE, ID 83703
 BOISE, ID 83703
 BOISE, ID 83703
 BOISE, ID 83703
 BOISE, ID 83703
 BOISE, ID 83705
 BOISE, ID 83703-3810
 BOISE, ID 83703
 BOISE, ID 83703
 EL CAJON, CA 92020
 BOISE, ID 83703
 BOISE, ID 83713
 BOISE, ID 83703
 BOISE, ID 83703-3826
 BOISE, ID 83703
 BOISE, ID 83703-2950
 BOISE, ID 83703
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RECEIVED**MAY 29 2007****PLANNING & DEVELOPMENT
SERVICES****CFH 07 00022**

HARP CHAD D
HARRIS TODD
HAWBAKER GARY
HAY BENJAMIN M
HAYES MARK A
HEIMER DAVID A
HEIMER JOHN T
HELMS HERMAN G
HLADIK VLADI
HOLMSTEAD MARY JO
HOOK SUSAN D
HORNE CRAIG S
IVERSON RUSSELL T
JLC INVESTMENTS INC
JONES GLENN D
JONES VICTOR L
KALIHAR GARY E
KEELEY CHRISTIAN
KELLEY TIMOTHY K
KING JOHN F
KIRKEMO RONALD B
KOLB KEVIN SCOTT
LARKIN JULIE G
LAZECHKO ROBERT J
LEASURE LARRY
LIEN GEORGINE A
LITTLE GARY AND DEBBIE
LOKKEN ROBERT C
MACFARLAND SONYA M
MARTIN JEFFREY
MATTHEWS KRISTIN A
MCDONALD JAMES A
MCGILL EARL
MCLEAN LAWRENCE J
MINERVA LP
MOHN DANIELLE
MORIARTY BLAINE M
NUNES RICHARD G
O'CONNER ANTHONY P
OGDEN MARSHALL D
OUTLOOK HEIGHTS HOMEOWNERS
PACIFIC NORTHWEST PROPERTIES
PAFLIAS ALEX H
PAFLIAS PETROS H
PAGANO SALVATORE
PETERSON GENE V
PHILLIPS ROGER L
PICKER JASON
PLAIN AARON D
POLLARD FRANK J
POURHAMZEH ARDAVAN
QUAIL RIDGE NEIGHBORHOOD ASSOC
RAYMONDI RICHARD R
REGIONAL HOLDINGS LLC
RICE HEATHER B

5561 COLLISTER DR
5485 N COLLISTER DR
5898 N COLLISTER DR
5357 N GOLDIE PL
5498 COLLISTER DR
5854 N COLLISTER DR
4201 N BLUE WING PL
5584 N COLLISTER DR
5799 N COLLISTER DR
5941 COLLISTER DR
5684 N COLLISTER DR
5364 N GOLDIE PL
5020 W OUTLOOK AVE
PO BOX 44354
5527 COLLISTER DR
5727 COLLISTER DR
3719 W QUAIL HOLLOW DR
5570 COLLISTER DR
5699 N COLLISTER DR
5352 N GOLDIE PL
58 W SUTTER DR
5627 N COLLISTER DR
5395 N GOLDIE PL
5770 N COLLISTER DR
416 S 08TH ST STE 200
10531 SILVER CITY CT
PO BOX 140076
5802 W HILL RD
5927 N COLLISTER DR
5713 N COLLISTER DR
5912 N COLLISTER DR
5784 COLLISTER DR
8832 GODDARD PL
5499 COLLISTER DR
PO BOX 812
2896 CARMELO DR
5640 N COLLISTER DR
504 WILSON AVE
17 MESA VISTA DR
7000 N PLANO LN
5389 N GOLDIE PL
4914 DENTON ST
5813 N COLLISTER DR
3900 W OVERLAND RD
3484 WILLIS DR
5899 COLLISTER DR
5585 N COLLISTER DR
5446 N COLLISTER DR
PO BOX 713
5940 N COLLISTER DR
37798 PEACHTREE CT
PO BOX 140273
5670 COLLISTER DR
6610 Overland Rd.
1770 W STATE ST # 194

BOISE, ID 83703-3811
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RAYMOND, WA 98577
HENDERSON, NV 89052-4072
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SACRAMENTO, CA 95833-2238
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NAPA, CA 94558
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IDAHO CITY, ID 83631
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MAY 29 2007

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RICHTER JAMES M
 RICHTER RONALD
 ROSE CORY
 ROTH PATRICIA J
 RUSSELL ROBERT M
 SALINAS SANTOS L
 SCANTLING DONALD J & SANDRA D
 SCHNEIDER STEVEN L
 SCHUKNECHT LOWELL A JR
 SCOTT RICHARD W
 SHARP THOMAS WAYNE
 SILVERSTONE DEVELOPMENT LLC
 SIMEONE KENNETH R
 SMITH FRANKLIN B IV
 SMITH JAMES F III
 STEVENS MICHAEL C
 STOUT JOANN FIFER
 SULJANOVIC CAMIL
 SUNDVIK GARY
 TABOR MIKE
 TATILIAN ROBERT STANLEY
 TEPFER GITA M
 THOMSON CHRISTOPHER D
 TROUTNER KELLY
 TROUTNER PAUL
 TUCKER JEFFREY T
 TURNER RICHARD K
 UECKER MARK E
 VASILENKO MICHAEL JR
 VULGAMORE ROCKY N
 WALKER DEBRA A
 WATT'S JOHN D
 WEISMAN NELSON C
 WELCH JAMES
 WHEELER WENDY M
 WILSON PETER L
 WILT ROBERT
 WORK WILLIAM C
 WORTHAM GENE R
 WORTHAM JUSTIN G
 WRIGHT MICHAEL V
 YORGASON J RAMON
 YOUNG NORMAN C
 ZELINSKY RYAN
 ZUBER CRAIG A

5827 N COLLISTER DR
 5736 N COLLISTER DR
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 5755 N COLLISTER DR
 6091 E GATEWAY CT
 5543 S COLLISTER DR
 6262 N PLANO LN
 3775 W QUAIL HOLLOW DR
 5352 W HILL RD
 5674 N QUAIL SUMMIT PL
 5913 COLLISTER DR
 2000 S EAGLE RD
 5685 N COLLISTER DR
 6024 N PLANO LN
 5840 COLLISTER DR
 5542 N COLLISTER DR
 PO BOX 7053
 2922 S ANDROS WAY
 5012 W OUTLOOK AVE
 6063 N PLANO LN
 4916 W OUTLOOK AVE
 5964 N COLLISTER DR
 5884 N COLLISTER DR
 2275 E CONTINENTAL DR
 5277 KOOTENAI ST APT 225
 4922 W OUTLOOK AVE
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 5108 W OUTLOOK AVE
 3757 W QUAIL HOLLOW DR
 5571 N COLLISTER DR
 19170 NE 43RD CT
 5954 COLLISTER DR
 5006 W OUTLOOK AVE
 1842 E FIRESIDE CT
 5512 N COLLISTER DR
 5380 HILL RD
 5411 N QUAIL SUMMIT WAY
 5553 COLLISTER DR
 5620 W HILL RD
 6801 N PLANO LN
 885 W BEACON LIGHT
 6200 N MEEKER PL
 5712 COLLISTER DR
 8001 MANOR RD
 6009 N DUXBURY PIER AVE

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 BOISE, ID 83703-3830
 BOISE, ID 83703
 BOISE, ID 83707
 MERIDIAN, ID 83642-4642
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 BOISE, ID 83703
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 BOISE, ID 83703
 SAMMAMISH, WA 98074
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 MERIDIAN, ID 83642
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 BOISE, ID 83703-2944
 BOISE, ID 83703-3867
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 LEAWOOD, KS 66206
 GARDEN CITY, ID 83714

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May 8, 2007

Neighborhood Meeting Comment Sheet

Proposed Plano Lane Subdivision off of Hill Rd.

Name: WENDY KEMP

Street Address: 5512 N. COLLISTER DR., BOISE, ID 83703

Phone Number: 863-1312 GEORGEANDWENDYKEMP@GMAIL.COM

Comments:

CAN YOU EMAIL ME THE COLOR MAP & DIAGRAM (AKID)?

THE "BOISE FOOTHILLS CONCEPT PLAN"

THANK YOU

SENT 5/14/07

May 8, 2007

Neighborhood Meeting Comment Sheet

Proposed Plano Lane Subdivision off of Hill Rd.

Name: Kelly Troutner

Street Address: 2275 Continental

Phone Number: 941-0137

Comments:

Kelly, Please call me at 941-0137

TO DISCUSS MOVING THE RD. TO THE
EAST SIDE OF MY PROPERTY

Thank You!

KT CONSTRUCTION@CLEARWATER.NET
WIRE

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Neighborhood Meeting Comment Sheet
Proposed Plano Lane Subdivision off of Hill Rd.

Name: JANET A. FRENCH
Street Address: 4517 SHIRLEY AVE
Phone Number: 639-9627

Comments:

1. Please do not consider keeping the Collister Neighborhood Association well-informed as an option. The best results come from a productive partnership of interests and respect of concerns.
2. Never assume any development in the Collister neighborhood is a given.
3. I have serious traffic and fire protection reservations about the project. Will ACDH require stoplights at Collister + Hill?
4. Hate the idea of houses on ridgelines.

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May 8, 2007
Neighborhood Meeting Comment Sheet
Proposed Plano Lane Subdivision off of Hill Rd.

Name: Faye Spencer
Street Address: 5631 N. Citadel Way Boise 83703
Phone Number: 208-331-5683

Comments:

I am concerned about traffic impact. There is more @ issue than 20 of possible usage projected - increase traffic in what was a quiet residential street & is now being used as a thoroughfare is a problem.

Also traffic back up @ Collister + Hill, Collister + State, Pierce Park + Hill/Castle State. These are already congested & peak traffic times regardless of whether the 20 usage has not peaked.

Also I object to obliteration of foothill view scape by topping ridges.

I want to be notified of all future public needs in this process.

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Neighborhood Meeting Comment Sheet
Proposed Plano Lane Subdivision off of Hill Rd.

Name: Ron Kirkemo
Street Address: 5357 Collister (58 W. Sutter Dr, Engle)
Phone Number: 939-7116 Mailing addn. 53616

Comments:

You have my support!

Please E-Mail me a pdf FILE if you
will so that I can print off a copy of your
plan.

Thanks Ron

LM 5/14/07

*Possibly wants to buy some property

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May 8, 2007
Neighborhood Meeting Comment Sheet
Proposed Plano Lane Subdivision off of Hill Rd.

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Name: Jeff Martin
Street Address: 5713 N. Collister Dr.
Phone Number: (208) 342-2168 (HA CONST.)

Comments: Please give me a call in regards

to the conservancy.

LEFT MESSAGE 5/14/07
5/20/07

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May 8, 2007

Neighborhood Meeting Comment Sheet

Proposed Plano Lane Subdivision off of Hill Rd.

Name:

JS JEAR

Street Address:

N 97th

Phone Number:

952-3387

Comments:

Build it! - STOP TAKING Farm
ground out of PRODUCTION

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Proposed Plano Lane Subdivision
Neighborhood Meeting Notes
May 8, 2007
Kerry Winn, Stewart Land Group – Presenter

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MAY 29 2007

Meeting brought to order at 7:10 p.m.

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Kerry Winn; Welcome to the Proposed Plano Lane Subdivision Neighborhood Meeting. I am from Utah with the Stewart Land Group representing the proposed Plano Lane Subdivision Plan for the developers.

The ground rules for the meeting are as follows: I'll present information regarding the proposed Plano Lane Subdivision (approximately 15 minutes) and then take your questions. If you have not signed up on the sign-up sheets yet please do so before you leave as it is a requirement of the City of Boise to show that we had the Neighborhood Meeting tonight.

In addition, we have also provided you with a Comment Sheets that you can write down any additional questions and concerns that you may have but you did not get the chance to ask during this meeting. I will personally get back to each of you within two weeks of tonight's meeting if you provide me with your contact information. Thank you!

Note: One person in the crowd was very distraught and disruptive during the opening introduction. His main concern was "traffic" and not being able to "walk his dog safely." "What are you doing here? Go back to Utah because we don't want you here." He kept interrupting Kerry and was finally asked to stop and let Kerry speak by someone in the audience. He finally left the meeting shortly afterward as he could not contain his angry comments.

Overview (Kerry):

The proposed Plano Lane Subdivision is in the Foot Hills off of Plano Lane which is off Hill Road and is bordered by Collister Road on the East side of the development. The proposed development is approximately comprised of 335 acres. The proposed subdivision plan plat has a total of 155 homes planned to be built which approximately comes to one home per two acres.

The engineers and developers have been working with the City of Boise Planning and Zoning for two years to come to agreements as to the proposed subdivision. The team has had to comply with both the Boise Foot Hills Comprehensive Plan as well as the Boise City Comprehensive Plan.

In order to have a subdivision there are very restrictive guidelines that must be met. The most strenuous is the "25% slope or less" requirement in order to get a building site in the Foot Hills.

In addition to meeting the "25% slope or less" requirement, the engineers and developers have met five of eleven other requirements to qualify for "Bonus Density" noted to "benefit the public" that will permit us to submit the Preliminary Plat and proposed subdivision applications to the City of Boise for this project. One of the benefits is to provide access for a trailhead in the "Pole Cat Reserve" off of Collister road.

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The Main entrance for the subdivision will be off Plano Lane that comes directly off of Hill road with the secondary access, a requirement of the Fire Department, off of Collister Road.

The city owns the first 700 feet of Plano Lane immediately off of Hill Road. Once the development is completed and all the roads completed to ACHD standards there will be a final dedication to the city of all the projects roads by the Developers.

Note: At this point in time Kerry was interrupted constantly and unable to continue with the presentation. He decided to open the meeting up to questions from the audience.

Q: How wide is the Plano Road currently?

A: Plano Lane is approximately 15 feet, however, in the proposed plan it will likely be widened to 30 feet.

Q: Traffic issues on Collister road are a main concern and if it is used as a secondary access road will it have a locked gate on it to prevent everyone traveling on it?

A: No, the fire department requires accessibility at all times. Once again, the Main entrance will be off of Plano Road.

Q: Is it going to cost us any money to build the roads?

A: No, the Developers will pay \$3,500.00 per lot as Impact Fees to ACHD. These fees help provide for road improvements. Compass, a local company, has worked with ACHD and the Department of Transportation to provide the Capital Improvement Plan for the road system updates in Boise including widening Hill Road to three lanes. The Capital Improvement Plan timeframe for widening this road is between the years 2011 and 2015. We also performed a traffic study that will be included, as a public record, in our application to the city at the end of this month.

Q: How much traffic will there be?

A: According to the traffic study there will be an additional 8 to 9 trips per day from each lot. From the main entrance the study showed 60% of the traffic flow will travel East on Hill road towards Collister Road and 40% of the traffic flow will travel West on Hill Road towards Pierce Park.

Q: On Collister we currently have on-street parking will this change?

A: The laws pertaining to public roads should continue, however, the State of Idaho Transportation department should have information regarding this available for anyone who wants to inquire.

Q: Will ACHD put speed-bumps in on Collister?

A: That is entirely up to ACHD.

Q: Are sidewalks included and do the homeowners have to pay for them?

A: No, the developers will be responsible for building and paying for all of the sidewalks and improvements within the subdivision.

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Q: Is this development in Ada County or Boise City? What is the current zoning for the area?

A: We are submitting the application to have the subdivision Annexed into the City of Boise. The zoning will be for single family residences but does not apply to Ada County as we are making application to the City of Boise. There are five applications including Re-zoning application and Annexation that will be made concurrent of each other during this process.

Q: Will there be a stop light installed at the intersections?

A: Once again, that is up to ACHD the Capital Improvement Plan calls for future stop lights at Hill and Collister roads and Hill and Pierce Park.

Q: What about sewer and water?

A: With re-zoning into the City of Boise it is a requirement to be hooked up to City of Boise for the sewer. We are planning on having a water tank (points to "sand pit" area on the plat map) that will supply water to the subdivision.

Q: What are the lot sizes?

A: 1/3 to 1/2 acre lots. Patio homes are planned in this area (points to Plat map) with 75 foot frontage.

Q: What is the price of the lots and homes to be built?

A: You'll have to ask a Realtor as I am not qualified to say at this time.

Q: Is this going to be a High-end subdivision?

A: Yes, this will be a High-end subdivision as it will be very expensive to engineer each lot and provide the infrastructure for the subdivision. The subdivision will take approximately 7 – 10 years to build.

Q: Will there be a lot of traffic from the Construction vehicles on Collister?

A: I don't know the answer to that as it will probably be up to the contractors who are building the road. They will look to access the construction site from the most convenient roads.

Q: What is the timeframe for this development?

A: First they will construct the main road and infrastructure. The Development will be completed in three phases that should take approximately 7 – 10 years to construct, market and sell all of the lots.

Q: What kind of subdivision will this be?

A: Single family residence.

Q: Do you own the land or is it option and since you have so much land will there be any future developments in this area?

A: First answer; Yes we own 95% of the land the other 5% is currently under contract.

The second answer; As far as our property in the application to the City of Boise.

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required to sign a Development Agreement. This contract states exactly what is to be built and will not allow any additional building sites and or development on the 335 acres above the Development Agreement. However any future changes or what other individuals do with their own property in the foothills or whoever purchases their land (developers) they will have to go through the same process that we did to meet the Boise Foot Hills Comprehensive Plan and the City of Boise Comprehensive Plan and then go before the Commissioner hearings to get approval for their development.

In our plan we also are dedicating a lot of open space (acres) on the South side (points to map) of the Foot Hills for a dedicated Conservancy area. We hired a local botanist to locate and map out the areas of the "Aase" onion plant. This plant is on the rare plant species list and is mostly on the South and West facing slopes of these Foot Hills in what appears to be the highest concentration to be found anywhere in the State of Idaho. To protect this species, this open area will be likely be dedicated to the Treasure Valley Land Trust or the Parks and Recreational Department and they will be in charge of the dedicated Conservancy area. This is also one of the 11 requirements that were outlined as for "public benefit" that we have met to make this application. We meet 5 of the 11 requirements. This dedication of the Conservancy area will also be included in the Development Agreement.

Q: There is an ongoing concern for Fire safety in the Foot Hills. Are you going to build fire suppression into the subdivision?

A: We are working with the Boise Fire Chief to ensure that we are following their recommendations and guidelines for fire suppression in the foothills.

Q: When will the decision be made to start to build the subdivision?

Note: At this point in the meeting there were a lot of remarks from various individuals and they started to disengage from the meeting. One person spoke out and said that Kerry was trying to imply that the subdivision was all ready approved (this was not the case as my previous notes state that Kerry was informing everyone of the process and WHERE the developers were in the process.)

This same individual stated that they would "shut down this subdivision" just like they "shut down the Fire Station." He also stated that this was a Public Forum and they could say and do what they liked. The individual then asked for everyone's name and phone number so they could have time to organize to "shut them down."

Kerry asked that they wait until after the meeting was concluded so he could finish answering the questions from the audience and that they were more than welcome to stay after the meeting adjourned.

Kerry also stated that if he hadn't made it clear by now that this Neighborhood Meeting was only the beginning of the application process. He went on to say that once the application to the City of Boise had been made for full Entitlement then the neighbors would be notified of the Commissioners Meetings and then they would be given the opportunity to oppose the project.

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Another person stood up, very upset, and spoke of not getting notified in time (she was a member of the Collister Neighborhood Association Board. Kerry's response was to let her know that within the Boise City Neighborhood Meetings requirements that the neighbors within a 300 feet of the subject property were notified and that there were only three Neighborhood Associations notified, however, the Collister Neighborhood Association's address did not come up within the 300 foot perimeter. He apologized and offered to meet with them again for a separate meeting which he had all ready set up prior to starting the Neighborhood Meeting with Julie Kloke, President, of the Collister Neighborhood Association (tentative made for May 30th.) He assured everyone that the City of Boise would notify them of the proposed hearing dates.

After this Kerry got the meeting back on tract even though there were still many side conversations taking place making it very difficult to hear what was being discussed.

Q: Can we get a copy of the traffic study from you?

A: Once again, when the applications are in the traffic study will be part of the application and at that time it is a public record and anyone can have access to it. Compass has the proposed plan for the road improvement for Hill Road and Collister.

Q: Is ACHD directly involved in the subdivision and how much is it going to cost us?

A: No, not as of yet, ACHD will be officially notified for comments when application for the subdivision is made. However we have been working with ACHD to get ready for submitting our application to the City of Boise. As stated before the cost of the road construction is part of the impact fees paid by the developer.

Q: Are homes going to be built on top of the ridge?

A: Yes, on most of the ridges on top we have planned to build homes (pointing to plat map on the screen.)

Q: Why not build homes down below on the section of land at the end of Collister road?

A: We are limited to building on the 25% or less slopes. The developer is limited to building in the areas shown in their application only.

In addition, even though through the Bonus Density (resulting from meeting five of the other eleven requirements as stated before) would allow the developers to build an additional 30 lots, however, they are opting NOT to build any more lots because they want to maintain a "QUALITY" subdivision.

Q: Can we get the Traffic study and other reports now?

A: After the application to the City of Boise is made all records included in the application are then considered a public record and available upon request.

The noise from all of the other side conversation made it difficult to continue the meeting. Kerry asked if there were any other questions.

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NO RESPONSE
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Kerry thanked everyone for coming to the meeting and once again informed everyone that he would be available after the meeting to discuss in further questions or concerns from those individuals who still had questions to ask that he did not cover during the meeting.

He asked once again that everyone fill out a Comment Sheet and sign the Sign-in Sheet before they left.

Meeting adjourned at 8:45 p.m.

Prepared by Raelene McGavis

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Planning & Development Services

Boise City Hall, 2nd Floor
150 N. Capitol Boulevard
P. O. Box 500
Boise, Idaho 83701-0500

Phone: 208/384-3802
Fax: 208/384-3867
TDD/TTY: 800/377-3529
Website: www.cityofboise.org/pds

Receipt #: 2200300000000014704

Print Date: 6/6/2007 8:26:05AM

Line Items:

Case No	Tran Code	Description	Revenue Account No	Amount
CAR07-00042	5080	Annex/SpecUse/Rezone 05	101-1300315033	1,991.00
CUP07-00084	5040	Other	101-1300315033	2,237.00
CFH07-00022	5068	Hillside	101-1300315033	2,117.00
SUB07-00065		New Address Numbers	101-2207315560	1,036.00
SUB07-00065		City Preliminary Plat	101-1300316504	947.00
SUB07-00065		Street Light Plan Review	101-2206315032	50.00
SUB07-00065		Hillside Review Preliminary	101-2207315143	1,575.00
SUB07-00065		Subdivision Irrigation Rev/Fee	101-2207315561	100.00

Total Line Items: \$10,053.00

Payments Applied:

Method	Payer	Bank No	Check No.	Confirm No	How Received	Amount
Check	RICH WOLPER		2104		In Person	10,053.00

Payment Total: \$10,053.00

Plano Lane

- Plano Ln/Kangas Deed 486518
Recorded June 21, 1960
- Plano Ln/Genther Deed 491551
Recorded November 22, 1960
- Plano Ln. Deed 893344
Recorded July 18, 1974

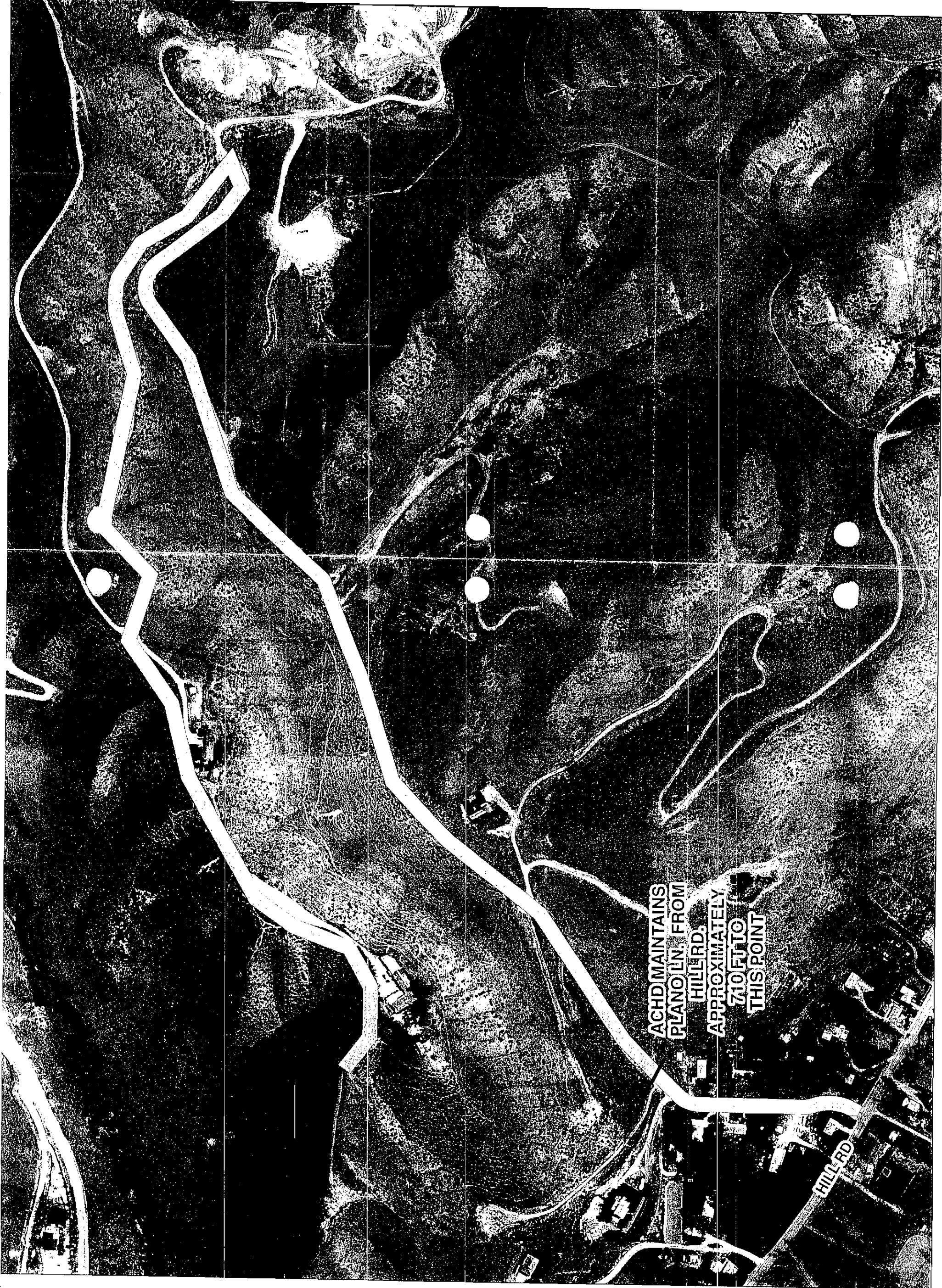
2003 Aerial Photo



1 inch equals 300 feet



Map created by DRausch
Friday, April 06, 2007



Plano Subdivision

Hydrological and Project Engineering Report

May 28, 2007

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MAY 29 2007

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Prepared By:

James "Woody" Woodruff, P.E.



Azimuth
Engineering, Inc.

General Location and Description

Location

1. This proposed project is located between Plano Lane and Collister Road and East of West Hills Road.
2. The existing drainage for this project is divided into 5 major drainage basins labeled on the attached map A-C and E. Basin D is a new Basin created by grading the roads and the development of the Basin A is 46.20 acres, Basin B is 44.43 acres, basin C developed area is 13.98 acres, and basin E developed area is 10.04 acres. Using the TR-55 Graphical Peak Discharge Method we will estimate the existing and proposed runoff for the 100-year storm for the proposed development in the Foothills

Incorporation of Geologic, Soils, Hydrologic, and Revegetation

3. The existing soil conditions include prairie grass, sage brush, sand, and topsoil with limited trees. The existing soil conditions according to the Soils evaluation from Associated Earth Science list these as 'sandy and quite uniform in nature. There is no particle size discontinuity present with several feet of soil surface. The sandy soil extends to 40 to 100 feet on the project area.' (Soils Evaluation by Mark Johnson 2-5-07). These soils will have characteristics of high percolation rates. The Runoff Curve number (CN) for Hydrologic Soil Group A (sandy and well drained). The existing soil is suitable for development and provides adequate drainage for retention and infiltration basins. Conversations with the Geologic and Soils Engineer provide a positive recommendation for grading the site (cut/fill). The Hillside ordinance requires maximum slopes of 2/1 unless authorized by a Geotechnical engineer. They recommend a maximum slope of 1.5/1. We have done our best to follow the guidelines of 2/1 slopes in most cases. Where there are grades less than this, additional erosion protection will be added to stabilize the cut/fill slopes. In one area a series of 6 foot decorative retaining walls will be utilized with 2/1 vegetated slopes. Details of this will be presented in the final design and with the assistance of the geotechnical engineer. See profile of this in grading and drainage plan. An existing sand pit will be filled with existing material on site. No material will need to be transported from the existing project site. After the pit is filled with lifts, it will be restored with topsoil and revegetated.
4. There is one existing house on the property. The drainage from the site either flows north or south from the ridge line (east-west). The basin on north side of the ridge flows north to natural vegetated channels along Plano Road. This channels runs along Plano Lane and drains to North. There is no evidence of an outlet pipe or drainage pipe for the natural channels. There are some natural detention areas for the storm along the natural channels and appear to mostly dissipate the water through detention/retention of the storm water. We are proposing to construct 100-

year Retention Basins for the new project and allow the stormwater to percolate into the soil.

5. South of the ridge line, the drainage is collected in a natural channel along Collister Road. This channel is piped through the Briarhills Development. The size of the existing pipe stubbed to this channel is a 12-inch storm pipe. The existing road along Collister was designed to handle higher flows with the low point at the middle of the road. The road is constructed of concrete pavement. The existing basin drainage area and flows for this existing channel along Collister road was not calculated. If the City has information about this drainage, we would be happy to include these in our design. We are assuming that the existing flows through this channel will be maintained and routed through our proposed detention basin upstream of the existing storm drain piping in Briarhills development.

Drainage Calculations & Proposed Drainage System

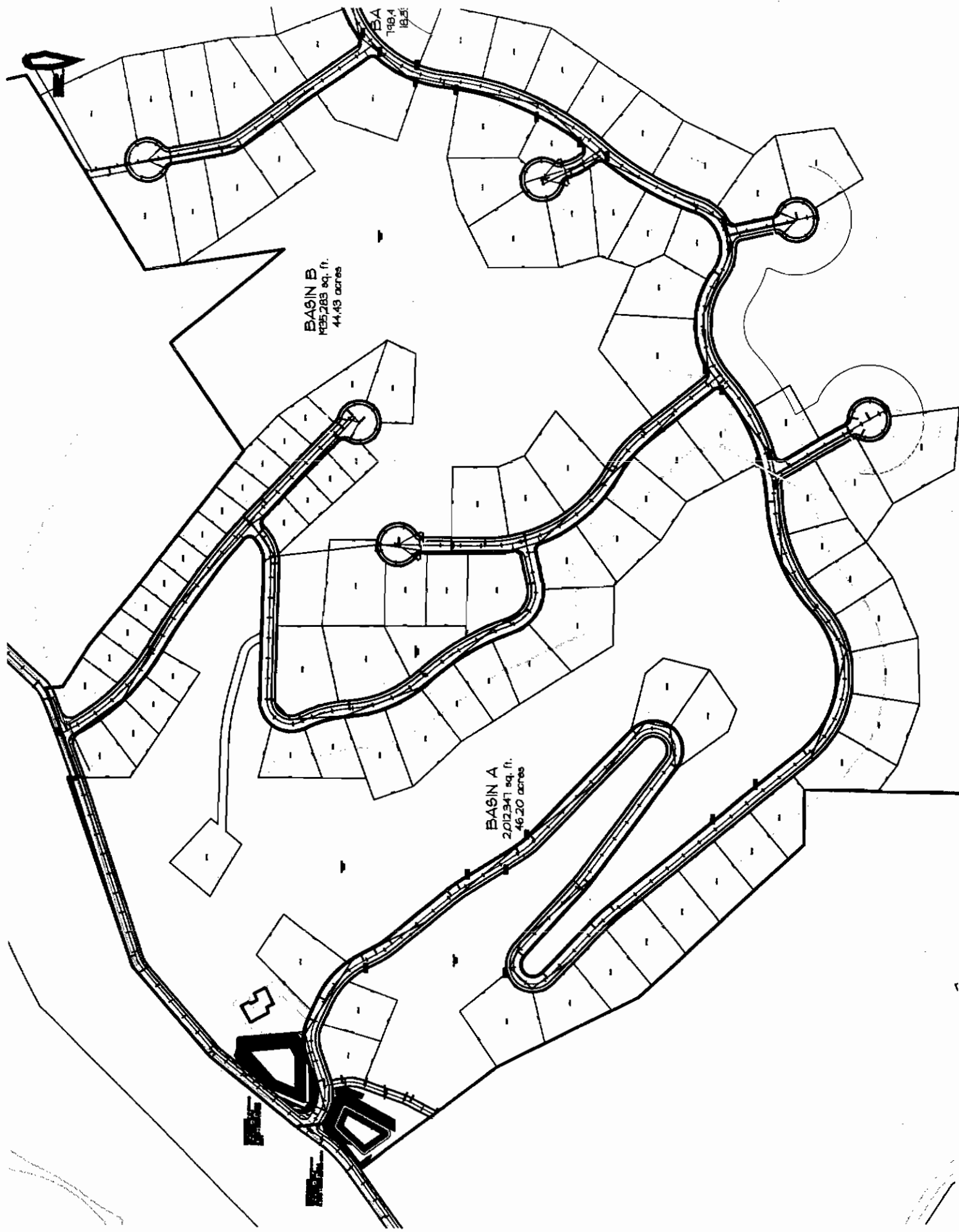
The Peak Runoff for each of these basins is listed below for pre-development and post-development and the required storage requirements. Please see the attached calculations for each basin with the details of the time of concentration, weighted CN, Initial abstraction, Unit peak discharge, runoff and Peak Discharge. The storage for Basins A, B and D are stored in two separate Retention Ponds with a total storage required of 104,361 cubic feet. There is a total of (78,354 + 28,150) 106,504 provided discounting the percolation rate.

	Size (acres)	Peak Runoff (cfs) Pre- Development	Peak Runoff (cfs) Post- Development	Total Storage Required (15% Upsize for Sediment)	Total Storage Provided	Notes
Basin A	32.36	2.9	8.48	20230	78354	Pond North
Basin B	44.43	3.93	13.48	31716		
Basin C	13.98	1.31	4.29	8983	12419	Pond South
Basin D	18.33	2.81	18.96	52415	28150	
Basin E	10.04	1.02	18.96	31581	40262	
Total	119.14	11.97	64.17	144925	159185	

The basins will be routed with a combination of inlets and a storm drain pipe to collect the runoff and carry it to detention/retention basins sized to store a 100- year storm. Drainage from each of the lots will be sloped toward the road and all roof drains from the proposed homes will be tied to the storm drain pipe system with 4-inch laterals. The development has been designed to convey the 100-year storm away from homes and hillside slope to the detention/retention basins.

Basin E is currently designed as a detention basin to pass the existing runoff through the channel downstream to the Briarhills development. We will need to coordinate with the City as to the correct allowable discharge for this basin.

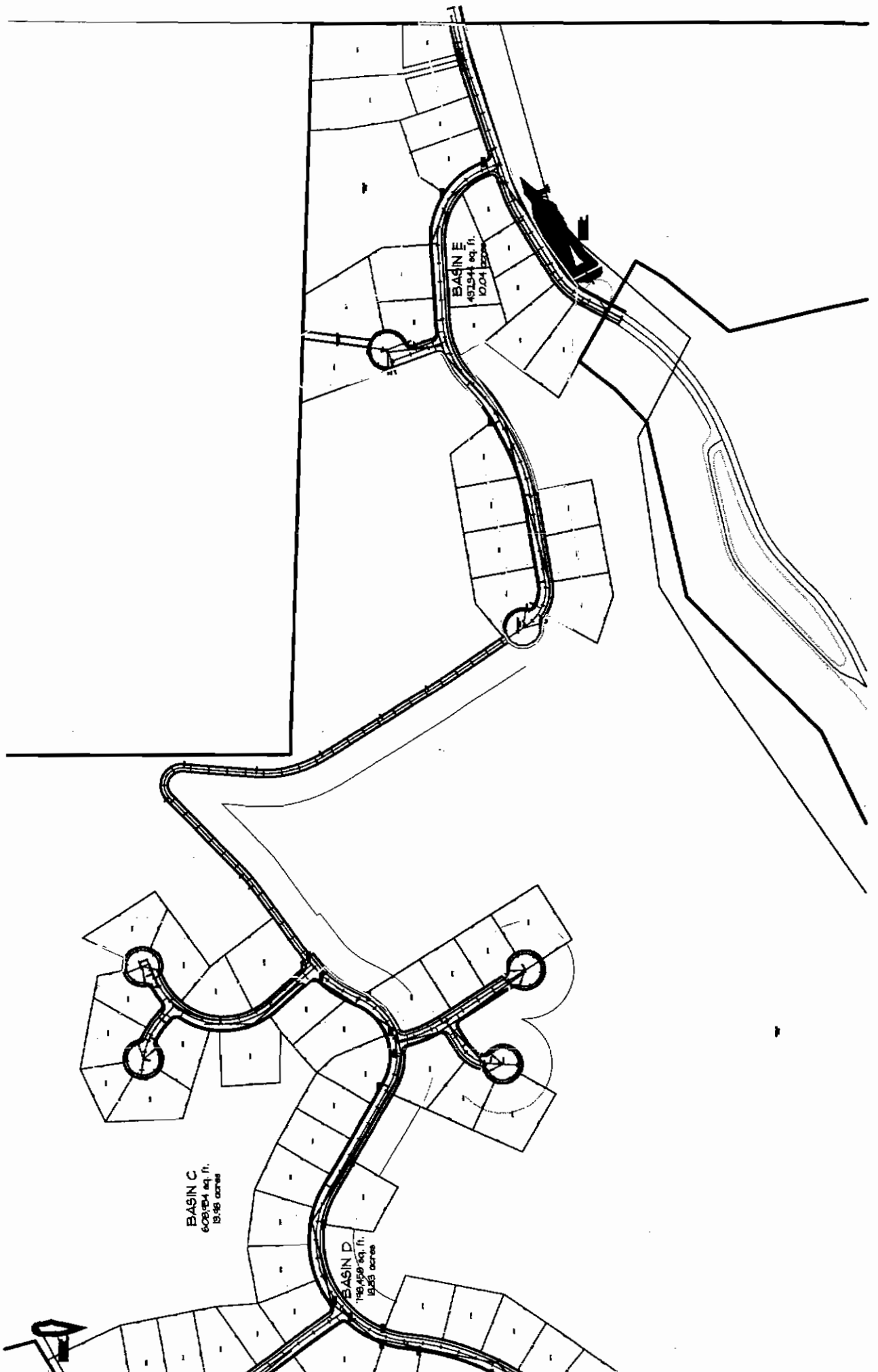
Before the stormwater will be discharged into the basins, oil water separators will be installed to treat the water before discharging and percolating into the existing soil.



BASIN B
185,283 sq. ft.
4.43 acres

BASIN A
202,347 sq. ft.
4.62 acres

BA
188.4
19.25



Basin A Pre-Development

Sheet Flow

Description
Manning's n 0.1500
Flow Length 300.0000 ft
Two Yr, 24 hr Rainfall 1.6000 in
Land Slope 0.2200 ft/ft
Computed Sheet flow time > 12.7876 min

Shallow Concentrated Flow

Description
Surface Unpaved
Flow Length 1429.0544 ft
Watercourse Slope 0.0900 ft/ft
Velocity 4.8403 fps
Computed Shallow flow time > 4.9206 min

Total Time of Concentration > 17.7082 min

Graphical Peak Discharge method

Given Input Data:

Description Basin A Pre-Development
Rainfall distribution Type II
Frequency 100 years
Rainfall, P (24-hours) 3.6000 in
Drainage area 32.3600 ac
Runoff curve number, CN 49
Time of concentration, Tc 17.7082 min
Pond and Swamp Areas 0.0000 % of Area

Computed Results:

Initial abstraction, Ia 2.0816 in
Ia/P 0.5000
Unit peak discharge, qu 296.9932 csm/in
Runoff, Q 0.1933 in
Pond and swamp adjustment, Fp ... 1.0000
Peak discharge, qp 2.9028 cfs

**Basin A Post - Development
Discharge Rate (TR-55)**

Soil Type: Soil Group A Sandy and Well Drained

Composite Runoff Curve Number Calculator

Description	Area (ac)	Curve Number
Existing Open Space	26.6100	49
Paved Roof & Drive	4.0500	98
Landscaping	1.7000	68
Total Area ----->	32.3600	56 <----- Weighted CN

Sheet Flow

 Description Overland Flow-Lots
 Manning's n 0.2400
 Flow Length 80.0000 ft
 Two Yr, 24 hr Rainfall 1.6000 in
 Land Slope 0.0200 ft/ft
 Computed Sheet flow time> 16.8818 min

Shallow Concentrated Flow

 Description Shallow Flow-Streets
 Surface Paved
 Flow Length 1429.0544 ft
 Watercourse Slope 0.9000 ft/ft
 Velocity 19.2850 fps
 Computed Shallow flow time> 1.2350 min

Graphical Peak Discharge method

Given Input Data:

Description Basin A Post-Development
 Rainfall distribution Type II
 Frequency 100 years
 Rainfall, P (24-hours) 3.6000 in
 Drainage area 32.3600 ac
 Runoff curve number, CN 56
 Time of concentration, Tc 18.1168 min
 Pond and Swamp Areas 0.0000 % of Area

Computed Results:

Initial abstraction, Ia 1.5714 in
 Ia/P 0.4365
 Unit peak discharge, qu 402.7083 csm/in
 Runoff, Q 0.4163 in
 Pond and swamp adjustment, Fp ... 1.0000
 Peak discharge, qp 8.4760 cfs

Onsite Storage for Control of Peak Discharge

Area	32.36 acres
Peak Inflow Qi	8.48 cfs
Peak Outflow Qo	2.9 cfs
Outflow/Inflow Ratio = Qo/Qi =	0.34
Appendix C Volume of Storage to Volume of Runoff Vs/Vr =	0.36
Site Runoff	0.42 inches
Runoff Volume Vr = Q x A	48866.19 cubic feet
Storage Volume Vs = Vr x (Vs/Vr)	17591.83 cubic feet

Infiltration Basins

Percolation Rate (To Be Verified)	8 in/hour
Max Ponding Time	24 hours
Basin Depth	16 feet
Basin Area	1099.49 sf

Sediment Deposition (Increase 15%)

Total Storage Volume Required (Basin A)	20230.60 cubic feet	←
Total Storage Volume Required (Basin D)	52415.00 cubic feet	←
Total Storage Volume Required (Basin B)	31715.89 cubic feet	←
	104361.49 cubic feet	←

Pond North Volume Calculations

Contour	Area	Total Volume
2791		0
2792		0
2793		0
2794		0
2795		0
2796	6667	3333.5
2797	7747	7207
2798	8899	8323
2799	10120	9509.5
2800	11414	10767
2801	12494	11954
2802	13617	13055.5
2803	14792	14204.5
Total Storage Volume		78354

High Water Mark

Pond South Volume Calculations

Contour	Area	Total Volume
2780	3158	1579
2781	3939	3548.5
2782	4791	4365
2783	5708	5249.5
2784	6689	6198.5
2785	7730	7209.5
Total Storage Volume		28150

High Water Mark

Total Storage Provided **106504 cubic feet** ←

Basin B Pre-Development

Sheet Flow

Description Pre-Developed
Manning's n 0.1500
Flow Length 300.0000 ft
Two Yr, 24 hr Rainfall 1.6000 in
Land Slope 0.2200 ft/ft
Computed Sheet flow time > 12.7876 min

Shallow Concentrated Flow

Description
Surface Unpaved
Flow Length 1565.1389 ft
Watercourse Slope 0.0900 ft/ft
Velocity 4.8403 fps
Computed Shallow flow time > 5.3892 min

Total Time of Concentration > 18.1768 min

Graphical Peak Discharge method

Given Input Data:

Description Basin B Pre-Development
Rainfall distribution Type II
Frequency 100 years
Rainfall, P (24-hours) 3.6000 in
Drainage area 44.4300 ac
Runoff curve number, CN 49
Time of concentration, Tc 18.1768 min
Pond and Swamp Areas 0.0000 % of Area

Computed Results:

Initial abstraction, Ia 2.0816 in
Ia/P 0.5000
Unit peak discharge, qu 293.1186 csm/in
Runoff, Q 0.1933 in
Pond and swamp adjustment, Fp ... 1.0000
Peak discharge, qp 3.9335 cfs

Basin B-Post Development
Discharge Rate (TR-55)

Soil Type: Soil Group A Sandy and Well Drained

Composite Runoff Curve Number Calculator

Description	Area (ac)	Curve Number
Existing Open Space	34.1700	49
Landscaped	4.2700	68
Paving, Roof	5.9900	98
Total Area	-----> 44.4300	57 <----- Weighted CN

Sheet Flow

 Description Pre-Developed
 Manning's n 0.1500
 Flow Length 300.0000 ft
 Two Yr, 24 hr Rainfall 1.6000 in
 Land Slope 0.2200 ft/ft
 Computed Sheet flow time> 12.7876 min

Shallow Concentrated Flow

 Description
 Surface Unpaved
 Flow Length 1565.1389 ft
 Watercourse Slope 0.0900 ft/ft
 Velocity 4.8403 fps
 Computed Shallow flow time> 5.3892 min

 Total Time of Concentration> 18.1768 min

Graphical Peak Discharge method

Given Input Data:

Description Basin B Post-Development
 Rainfall distribution Type II
 Frequency 100 years
 Rainfall, P (24-hours) 3.6000 in
 Drainage area 44.4300 ac
 Runoff curve number, CN 57
 Time of concentration, Tc 18.1768 min
 Pond and Swamp Areas 0.0000 % of Area

Computed Results:

Initial abstraction, Ia 1.5088 in
 Ia/P 0.4191
 Unit peak discharge, qu 427.9579 csm/in
 Runoff, Q 0.4539 in

Pond and swamp adjustment, F_p ... 1.0000
Peak discharge, q_p 13.4848 cfs

Onsite Storage for Control of Peak Discharge

Area	44.43 acres
Peak Inflow Q_i	13.48 cfs
Peak Outflow Q_o	3.93 cfs
Outflow/Inflow Ratio = Q_o/Q_i =	0.29
Appendix C Volume of Storage to Volume of Runoff V_s/V_r =	0.38
Site Runoff	0.45 inches
Runoff Volume $V_r = Q \times A$	72576.41 cubic feet
Storage Volume $V_s = V_r \times (V_s/V_r)$	27579.03 cubic feet

Infiltration Basins

Percolation Rate (To Be Verified)	8 in/hour
Max Ponding Time	24 hours
Basin Depth	16 feet
Basin Area	1723.69 sf

Sediment Deposition (Increase 15%)

Total Storage Volume Required **31715.89 cubic feet** ←

Basin C Pre-Development

Sheet Flow

Description Pre-Developed
Manning's n 0.1500
Flow Length 300.0000 ft
Two Yr, 24 hr Rainfall 1.6000 in
Land Slope 0.2200 ft/ft
Computed Sheet flow time > 12.7876 min

Shallow Concentrated Flow

Description
Surface Unpaved
Flow Length 1000.8191 ft
Watercourse Slope 0.0900 ft/ft
Velocity 4.8403 fps
Computed Shallow flow time > 3.4461 min

Total Time of Concentration > 16.2337 min

Graphical Peak Discharge method

Given Input Data:

Description Basin C Pre-Development
Rainfall distribution Type II
Frequency 100 years
Rainfall, P (24-hours) 3.6000 in
Drainage area 13.9800 ac
Runoff curve number, CN 49
Time of concentration, Tc 16.2337 min
Pond and Swamp Areas 0.0000 % of Area

Computed Results:

Initial abstraction, Ia 2.0816 in
Ia/P 0.5000
Unit peak discharge, qu 310.2465 csm/in
Runoff, Q 0.1933 in
Pond and swamp adjustment, Fp ... 1.0000
Peak discharge, qp 1.3100 cfs

**Basin C Post-Development
Discharge Rate (TR-55)**

Soil Type: Soil Group A Sandy and Well Drained

Composite Runoff Curve Number Calculator

Description	Area (ac)	Curve Number
Exist Open Space	10.9600	49
Pavement, Roof	1.5800	98
Landscaping	1.4400	68
Total Area ----->	13.9800	56 <----- Weighted CN

Sheet Flow

Description Post-Developed
Manning's n 0.1500
Flow Length 80.8180 ft
Two Yr, 24 hr Rainfall 1.6000 in
Land Slope 0.0200 ft/ft
Computed Sheet flow time > 11.6858 min

Shallow Concentrated Flow

Description
Surface Paved
Flow Length 593.3157 ft
Watercourse Slope 0.0730 ft/ft
Velocity 5.4924 fps
Computed Shallow flow time > 1.8004 min

Total Time of Concentration > 13.4862 min

Graphical Peak Discharge method

Given Input Data:

Description Basin C Post-Development
Rainfall distribution Type II
Frequency 100 years
Rainfall, P (24-hours) 3.6000 in
Drainage area 13.9800 ac
Runoff curve number, CN 56
Time of concentration, Tc 13.4862 min
Pond and Swamp Areas 0.0000 % of Area

Computed Results:

Initial abstraction, Ia 1.5714 in
Ia/P 0.4365
Unit peak discharge, qu 472.3219 csm/in

8

Runoff, Q 0.4163 in
 Pond and swamp adjustment, Fp ... 1.0000
 Peak discharge, qp 4.2947 cfs

Onsite Storage for Control of Peak Discharge

Area 13.98 acres
 Peak Inflow Qi 4.29 cfs
 Peak Outflow Qo 1.31 cfs
 Outflow/Inflow Ratio = $Q_o/Q_i =$ 0.31
 Appendix C Volume of Storage to Volume of Runoff $V_s/V_r =$ 0.37
 Site Runoff 0.42 inches
 Runoff Volume $V_r = Q \times A$ 21110.92 cubic feet
 Storage Volume $V_s = V_r \times (V_s/V_r)$ **7811.04 cubic feet**

Infiltration Basins

Percolation Rate (To Be Verified) 8 in/hour
 Max Ponding Time 24 hours
 Basin Depth 16 feet
 Basin Area 488.19 sf

Sediment Deposition (Increase 15%)

Total Storage Volume Required **8982.70 cubic feet** ←

Pond Volume Calculations

Contour	Area	Total Volume
3081		0
3082		0
3083		0
3084	1225	612.5
3085	1630	1427.5
3086	2078	1854
3087	2568	2323
3088	3091	2829.5
3089	3661	3376
Total Storage Volume		12422.5

High Water Mark

Basin D Pre-Development

Sheet Flow

Description Pre-Developed
Manning's n 0.1500
Flow Length 115.0000 ft
Two Yr, 24 hr Rainfall 1.6000 in
Land Slope 0.2200 ft/ft
Computed Sheet flow time > 5.9382 min

Graphical Peak Discharge method

Given Input Data:

Description Basin D Pre-Development
Rainfall distribution Type II
Frequency 100 years
Rainfall, P (24-hours) 3.6000 in
Drainage area 18.3300 ac
Runoff curve number, CN 49
Time of concentration, Tc 6.0000 min
Pond and Swamp Areas 0.0000 % of Area

Computed Results:

Initial abstraction, Ia 2.0816 in
Ia/P 0.5000
Unit peak discharge, qu 508.4169 csm/in
Runoff, Q 0.1933 in
Pond and swamp adjustment, Fp ... 1.0000
Peak discharge, qp 2.8148 cfs

**Basin D Post Development
Discharge Rate (TR-55)**

Soil Type: Soil Group A Sandy and Well Drained

Composite Runoff Curve Number Calculator

Description	Area (ac)	Curve Number
Existing Open Space	6.1600	49
Paved Roof & Drive	8.1500	98
Landscaping	4.0200	68
Total Area ----->	18.3300	75 <----- Weighted CN

Sheet Flow

Description	Post-Developed
Manning's n	0.2400
Flow Length	80.0000 ft
Two Yr, 24 hr Rainfall	1.6000 in
Land Slope	0.0200 ft/ft
Computed Sheet flow time	> 16.8818 min

Shallow Concentrated Flow

Description	
Surface	Paved
Flow Length	4866.0000 ft
Watercourse Slope	0.0800 ft/ft
Velocity	5.7497 fps
Computed Shallow flow time	> 14.1051 min

Total Time of Concentration

Graphical Peak Discharge method

Given Input Data:

Description	Basin D Post-Development
Rainfall distribution	Type II
Frequency	100 years
Rainfall, P (24-hours)	3.6000 in
Drainage area	18.3300 ac
Runoff curve number, CN	75
Time of concentration, Tc	30.9869 min
Pond and Swamp Areas	0.0000 % of Area

Computed Results:

Initial abstraction, Ia	0.6667 in
Ia/P	0.1852
Unit peak discharge, qu	482.2176 csm/in

Runoff, Q 1.3730 in
Pond and swamp adjustment, Fp ... 1.0000
Peak discharge, qp 18.9632 cfs

Onsite Storage for Control of Peak Discharge

Area 18.33 acres
Peak Inflow Qi 18.96 cfs
Peak Outflow Qo 2.81 cfs
Outflow/Inflow Ratio = Q_o/Q_i = 0.15
Appendix C Volume of Storage to Volume of Runoff V_s/V_r = 0.5
Site Runoff 1.37 inches
Runoff Volume $V_r = Q \times A$ 91156.92 cubic feet
Storage Volume $V_s = V_r \times (V_s/V_r)$ **45578.46 cubic feet**

Infiltration Basins

Percolation Rate (To Be Verified) 8 in/hour
Max Ponding Time 24 hours
Basin Depth 16 feet
Basin Area 2848.65 sf

Sediment Deposition (Increase 15%)

Total Storage Volume Required **52415.23 cubic feet** ←

**Basin E Post-Development
Discharge Rate (TR-55)**

Soil Type: Soil Group A Sandy and Well Drained

Composite Runoff Curve Number Calculator

Description	Area (ac)	Curve Number
Exist Open Space	2.6300	49
Pavement, Roof	3.8800	98
Landscaping	3.5300	68
Total Area ---->	10.0400	75 <---- Weighted CN

Sheet Flow

 Description Post-Developed
 Manning's n 0.2400
 Flow Length 81.7019 ft
 Two Yr, 24 hr Rainfall 1.6000 in
 Land Slope 0.0200 ft/ft
 Computed Sheet flow time> 17.1685 min

Shallow Concentrated Flow

 Description
 Surface Paved
 Flow Length 1919.3996 ft
 Watercourse Slope 0.0730 ft/ft
 Velocity 5.4924 fps
 Computed Shallow flow time> 5.8244 min

 Total Time of Concentration> 22.9929 min

Graphical Peak Discharge method

Given Input Data:

Description Basin E Post-Development
 Rainfall distribution Type II
 Frequency 100 years
 Rainfall, P (24-hours) 3.6000 in
 Drainage area 10.0400 ac
 Runoff curve number, CN 75
 Time of concentration, Tc 22.9929 min
 Pond and Swamp Areas 0.0000 % of Area

Computed Results:

Initial abstraction, Ia 0.6667 in
 Ia/P 0.1852
 Unit peak discharge, qu 562.3683 csm/in
 Runoff, Q 1.3730 in

Pond and swamp adjustment, Fp ... 1.0000
Peak discharge, qp 12.1133 cfs

Onsite Storage for Control of Peak Discharge
Area 10.04 acres
Peak Inflow Qi 12.11 cfs
Peak Outflow Qo 1.02 cfs
Outflow/Inflow Ratio = Qo/Qi = 0.08
Appendix C Volume of Storage to Volume of Runoff Vs/Vr = 0.55
Site Runoff 1.37 inches
Runoff Volume Vr = Q x A 49929.92 cubic feet
Storage Volume Vs = Vr x (Vs/Vr) **27461.46 cubic feet**

Infiltration Basins
Percolation Rate (To Be Verified) 8 in/hour
Max Ponding Time 24 hours
Basin Depth 16 feet
Basin Area 1716.34 sf

Sediment Deposition (Increase 15%)
Total Storage Volume Required 31580.68 cubic feet ←

Pond Volume Calculations

Contour	Area	Total Volume
2965	1044	522
2966	1453	1248.5
2967	1921	1687
2968	2447	2184
2969	3034	2740.5
2970	3699	3366.5
2971	4443	4071
2972	5242	4842.5
2973	6082	5662
2974	6960	6521
2975	7874	7417
Total Storage Volume		40262

High Water Mark

Onsite Storage for Control of Peak Discharge

Area	32.36 acres	
Peak Inflow Q_i	8.48 cfs	
Peak Outflow Q_o	2.9 cfs	
Outflow/Inflow Ratio = $Q_o/Q_i =$	0.34	
Appendix C Volume of Storage to Volume of Runoff $V_s/V_r =$		0.36
Site Runoff	0.42 inches	
Runoff Volume $V_r = Q \times A$	48866.19 cubic feet	
Storage Volume $V_s = V_r \times (V_s/V_r)$	17591.83 cubic feet	

Infiltration Basins

Percolation Rate (To Be Verified)	8 in/hour
Max Ponding Time	24 hours
Basin Depth	16 feet
Basin Area	1099.49 sf

Sediment Deposition (Increase 15%)

Total Storage Volume Required **20230.60 cubic feet** ←