



Planning & Development Services

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7

CUP11-00103 & CVA11-00056 / The Levie Group

Summary

Conditional use permit for a 4-story mixed use building to include 68 residential units, 5 live work units and 5,250 square feet of retail space. A height exception, parking reduction, and variances from the front and street-side setbacks, are included in this request. The 1.75 acre site is located at 916 E. Park Boulevard in an R-OD (Residential Office with Design Review) zone.

Prepared By

Joshua Johnson, Planning Analyst

Recommendation

Staff recommends **conditional approval** of CUP11-00103 and CVA11-00056.

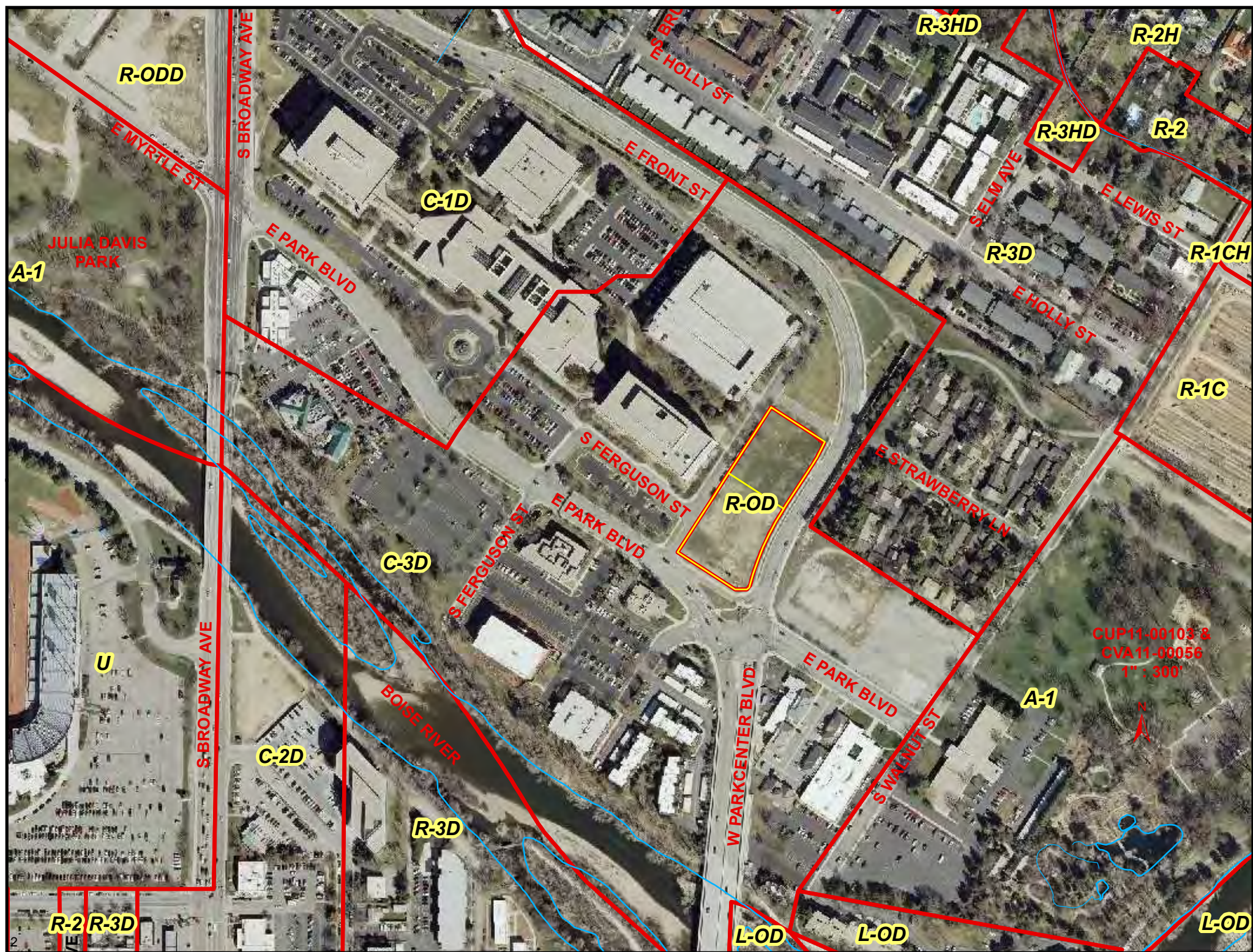
Reason for the Decision

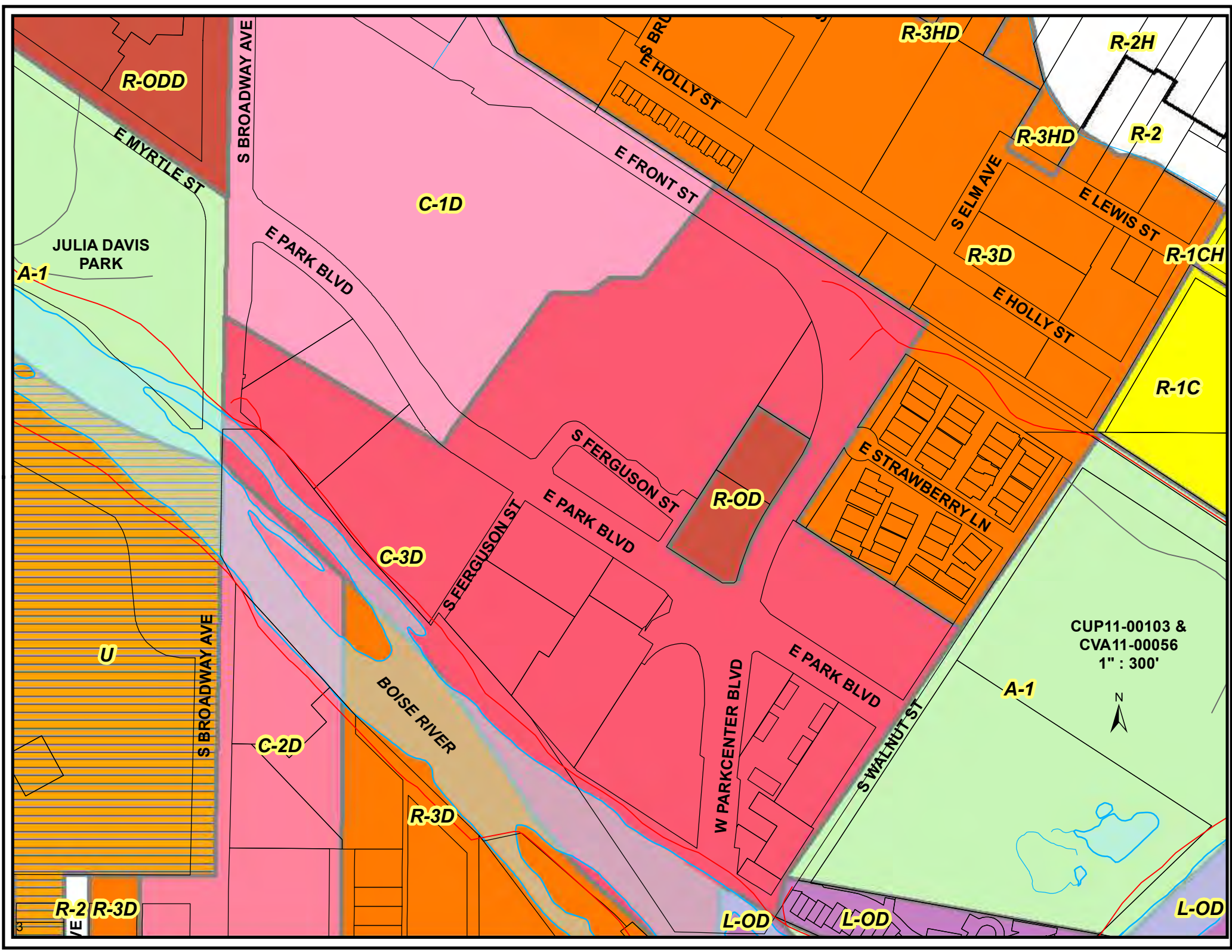
Conditional Use Permit

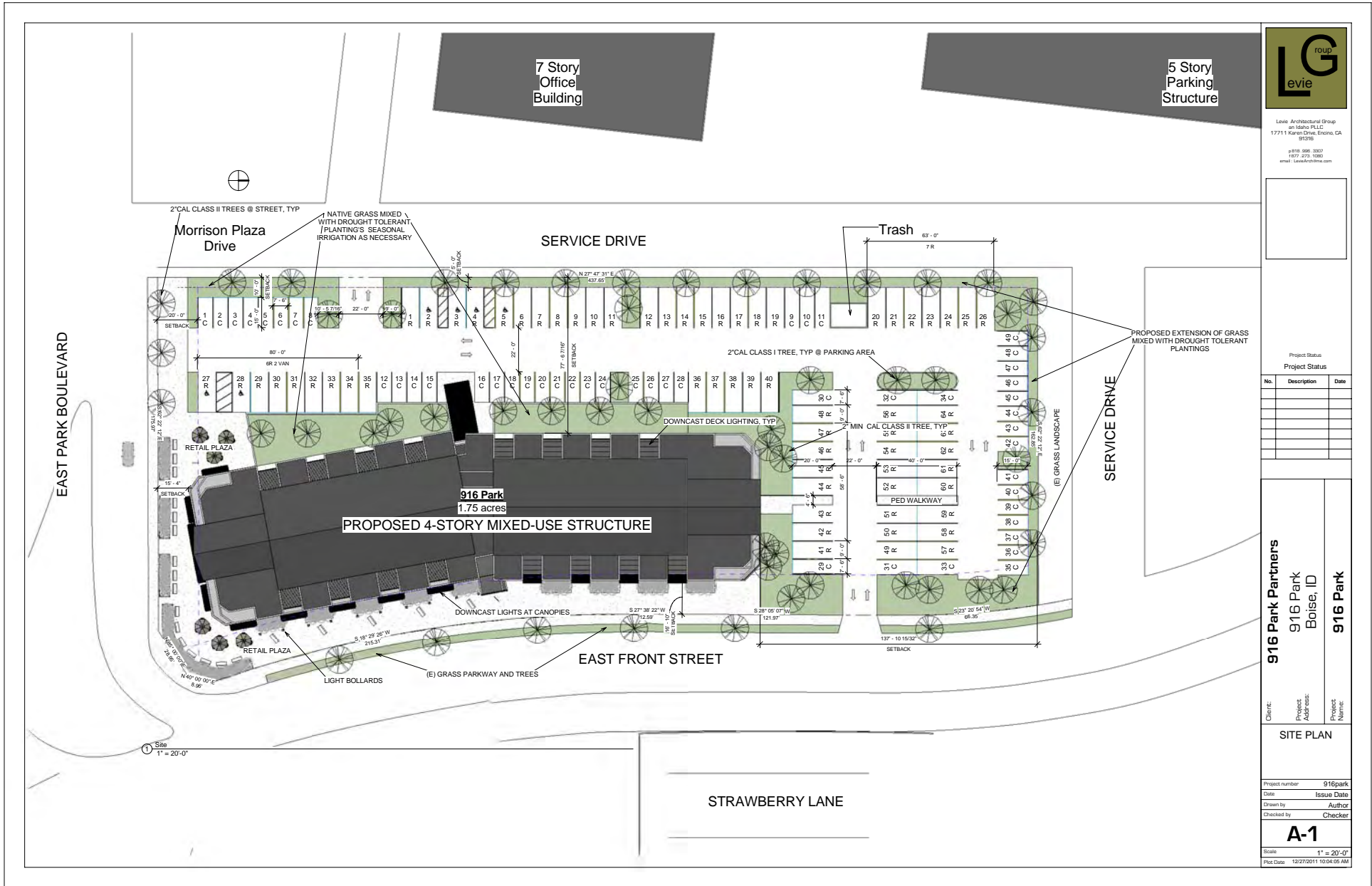
The mixed use building with ground floor retail is compatible with surrounding uses. The retail component will provide services for nearby office workers and residents within walking distance. The height exception provides a transition from the larger offices, to the west, down to the established townhouses to the east. The parking reduction is compatible with the neighborhood due to the fact that the retail uses are within smaller tenant spaces and should mostly be used during the day when residents are working. The proposed use will not place an undue burden on transportation or other public facilities. Traffic counts from surrounding streets indicate this project will not cause unacceptable levels of service. The project, with the accompanying variance and parking reduction, meets all setback and parking requirements. The height exception will not adversely impact surrounding properties as the office uses to the west and south are of similar or larger scale while the townhomes to the east are behind and 18 foot wall that provides a visual buffer. The parking reduction will not negatively impact the neighborhood as the configuration of the building dictates that it will require less parking than traditional multi-family uses. The proposed use is supported by the general goals, objectives and policies of the Comprehensive Plan. The height exception will allow a true mixed use project on a narrow set of parcels. The applicant has provided a vertical mix of uses that includes ground floor retail with residential above. (*GDP-MU.1a*) The project is located within ½ mile of a bus stop. This will reduce the need for onsite parking and reduce vehicle trips. (*CC4.3*)

Variance

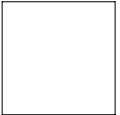
The granting of the variance will not be in conflict with the spirit and intent of the Comprehensive Plan and will not affect a change in zoning. The variances from the front and street side setback are essential to create a mixed-use project that addresses the street. (*GDP-MU.1b*) There is a hardship present with the property in that it is on a corner and is a long narrow set of parcels. The variance will not be detrimental to public health or be injurious to surrounding property owners. The building is not within the clear vision triangle and the variance does not allow the building to encroach close enough to residential uses to cause a privacy concern.







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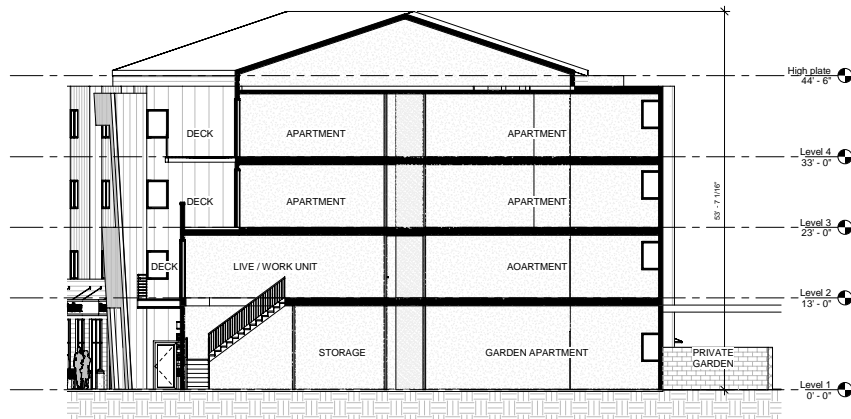


Project Status

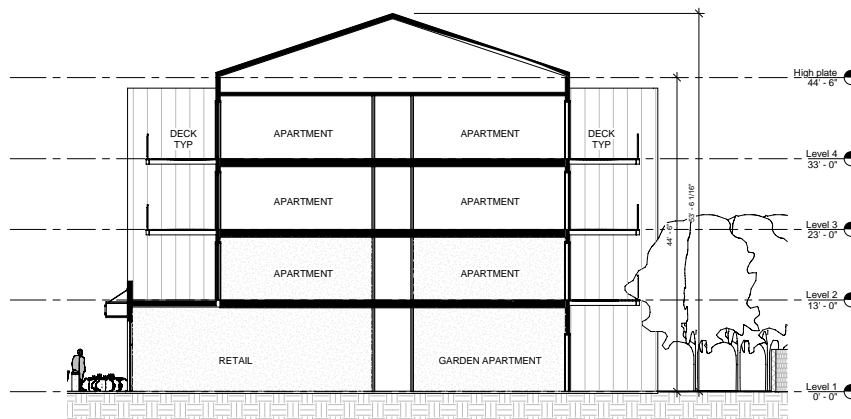
No.	Description	Date

Client:	916 Park Partners
Project Address:	916 Park Boise, ID
Project Name:	916 Park

SITE PLAN	
Project number	916park
Date	Issue Date
Drawn by	Author
Checked by	Checker
A-1	
Scale	1" = 20'-0"
Plot Date:	12/27/2011 10:04:05 AM



① Section 1
1/8" = 1'-0"



② Section 2
1/8" = 1'-0"



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Project Status
Project Status

No.	Description	Date

Client:	916 Park Partners
Project Address:	916 Park Boise, ID
Project Name:	916 Park

SECTIONS

Project number	916park
Date	Issue Date
Drawn by	Author
Checked by	Checker

A-4

Scale 1/8" = 1'-0"
Plot Date: 12/27/2011 10:05:45 AM



① East Front
1/16" = 1'-0"



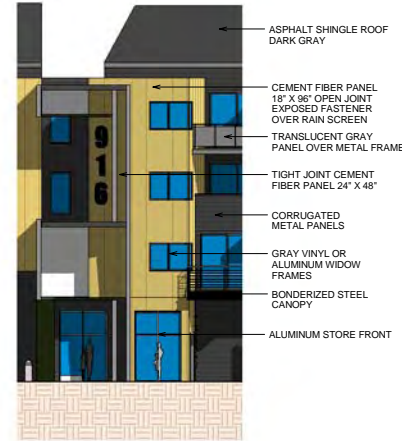
② West Elevation
1/16" = 1'-0"



③ Park Elevation
1/16" = 1'-0"



④ North Elevation
1/16" = 1'-0"



⑤ Callout of East Front
1/8" = 1'-0"



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Project Status

No.	Description	Date

Client:	916 Park Partners	
	Project Address:	916 Park Boise, ID
Project Name:	916 Park	

ELEVATIONS	
Project number	916park
Date	Issue Date
Drawn by	Author
Checked by	Checker
A-5	
Scale	As indicated
Plot Date:	12/27/2011 10:06:23 AM



① 3D View 9



③ 3D View 5



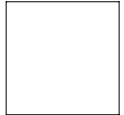
② 3D View 4



④ 3D View 8



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Project Status
Project Status

No.	Description	Date

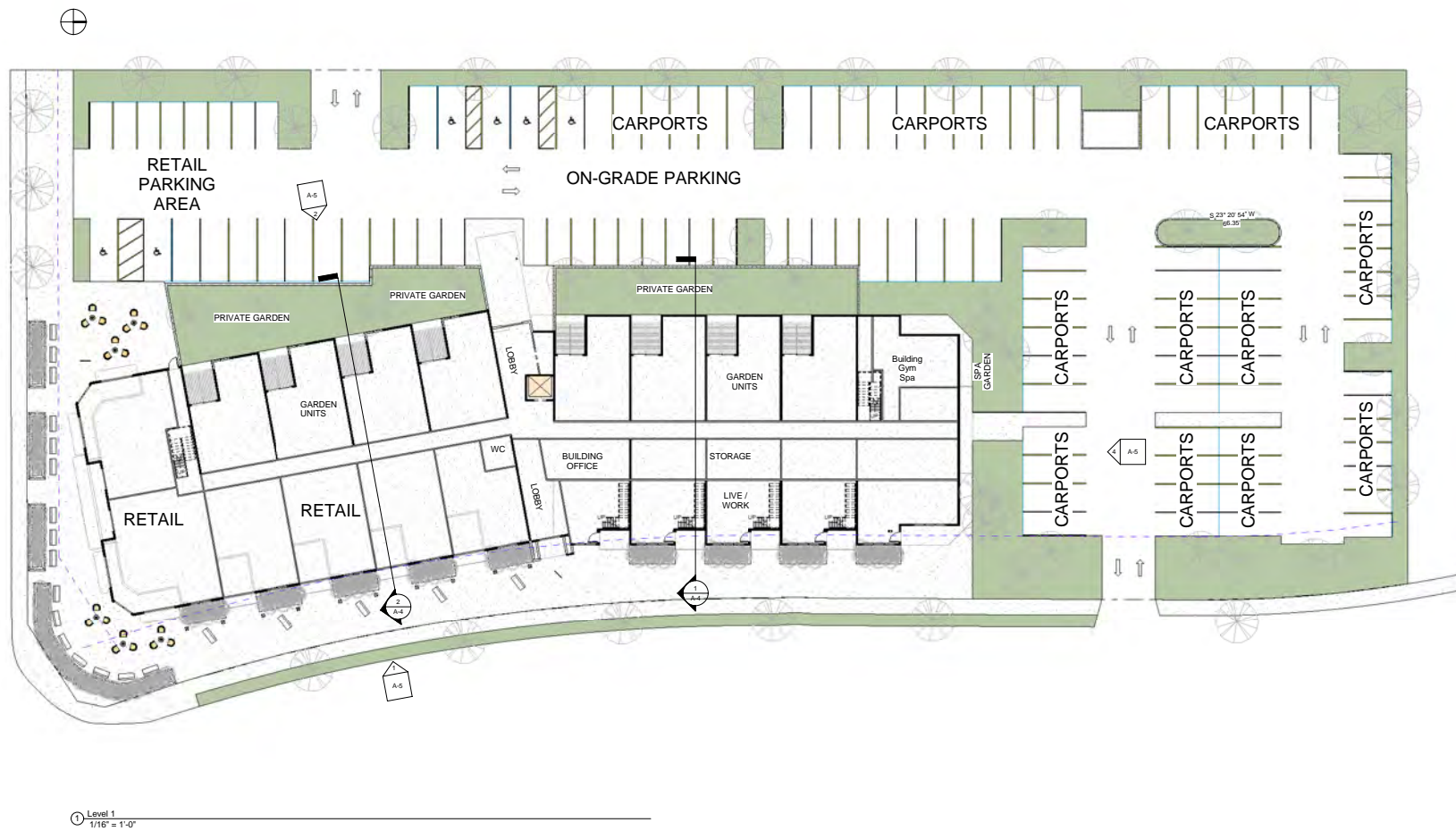
Client:	916 Park Partners
Project Address:	916 Park Boise, ID
Project Name:	916 Park

VIEWS

Project number	916park
Date	Issue Date
Drawn by	Author
Checked by	Checker

A-6

Scale
Plot Date: 12/27/2011 10:06:55 AM



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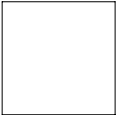
Project Status		
No.	Description	Date

Client:	916 Park Partners
Project Address:	916 Park Boise, ID
Project Name:	916 Park

GROUND FLOOR	
Project number	916park
Date	Issue Date
Drawn by	Author
Checked by	Checker
A-2	
Scale	1/16" = 1'-0"
Plot Date:	12/27/2011 10:04:33 AM



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Project Status
Project Status

No.	Description	Date

916 Park Partners
916 Park
Boise, ID
916 Park

Client:
Project:
Address:
Project:
Name:

**2ND FLOOR
PLAN**

Project number: 916park
Date: Issue Date
Drawn by: Author
Checked by: Checker

A-3

Scale: 3/32" = 1'-0"
Plot Date: 12/27/2011 10:05:08 AM

LEVIE ARCHITECTURAL GROUP

an Idaho PLLC



916 East Park
Conditional Use Justification Statement

Taking advantage of an opportunity within a mixed used land zone, it is the intent of this development to create a responsible planned development.

The primary goal of the complex will be to create a social interactive community through diversity of activities, encouraging collaboration between dwellers and the surrounding community. Project success will be realized through this synergy.

Construction of the project will be conventional wood framed four-story structure with the emphasis on maximizing sustainable building materials. In the best effort to strike an economic balance, LEED materials and systems will be incorporated into the design and operations of the project.

Programming calls for apartments, primarily one-bedroom units on floors two through four. The ground floor space, approximately 5,250 square feet directly facing East Park and the southern half of East Front will be retail space.

It is the intent to lease retail space to businesses that address the needs of apartment residences, tenants of the surrounding commercial buildings and to a lesser extent commuters of the two primary vehicular roadways. Ground floor space along the northern half of East Front will consist of office space of live / work units. Ground floor space along the westerly portion of the building will be apartment units with private gardens.

The project residency is designed to meet the needs of professionals working downtown, Boise State University, St Luke's Hospital campus and Parkcenter. Additionally there will be units for those seeking a live work environment.

Conditional use approval for the retail space is requested and justified by the location of the development as it relates to the surrounding zones and existing developments. The amount of retail space, approximately 8% of the gross development is subordinate to the primary function, apartments. The ground floor orientation of the retail space is logical,

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located along both East Park and East Front roadways and the function is consistent with the comprehensive plan.

Conditional use approval for the building height is requested and justified as follows. The surrounding zones on all sides of the project are 45'. The proposed massing and building height creates a reasonable transition from the adjacent 7-story office structure to the east. Additionally, the wall constructed on the easterly side of East Front provides a significant shield to the mass and height of the proposed development from the existing PUD.

Conditional use approval for reduced parking is requested and justified due to the unit configuration of the apartments. The project is primarily one-bedroom units. Of the 68 proposed units only 15 are two-bedroom units and no units have living loft areas. The 16 required stalls for the retail space are isolated in the southwest corner of the parking area. This leaves a balance of 97 stalls so for the 68 apartment units. Although the code requires 108.8 stalls, due to the limited number of bedrooms, the ratio of parking stalls to bedrooms is 1.43 stalls per bedroom.

Conditional Use Application Form

PDS	Department Application
	# 109

New! Type data directly into our forms.

Case #: _____

Note: Be sure to print this form before closing it or you will lose your data. This form cannot be saved to your computer.

Property Information

Address : Street Number: 916 Prefix: East Street Name: Park

Subdivision: _____ **Block:** _____ **Lot:** _____ **Section:** _____ **Township:** _____ **Range:** _____

***Primary Parcel Number:**

R	1	0	8	8	5	0	0	1	8	7
---	---	---	---	---	---	---	---	---	---	---

Additional Parcels: R1088500187

Applicant Information

***First Name:** GLENN ***Last Name:** LEVIE

Company: THE LEVIE GROUP ***Phone:** (818) 606-5096

***Address:** 17711 KAREN DRIVE ***City:** ENCINO ***State:** CA ***Zip:** 91316

E-mail: GLENN@THELEVIEGROUP.COM **Cell:** _____ **Fax :** (877) 273-1080

Agent/Representative Information

First Name: GLENN **Last Name:** LEVIE

Company: _____ **Phone:** _____

Address: _____ **City:** _____ **State:** _____ **Zip:** _____

E-mail: _____ **Cell:** _____ **Fax :** _____

Role Type: ☐ Architect ☒ Land Developer ☐ Engineer ☐ Contractor ☐ Other

Owner Information

Same as Applicant? ☐ Yes ☐ No (If yes, leave this section blank)

First Name: ED **Last Name:** BOWMAN

Company: PATRA PROPERTIES **Phone:** (208) 921-8585

Address: 280 W Cottonwood Ct **City:** EAGLE **State:** ID **Zip:** 83616

E-mail: _____ **Cell:** _____ **Fax :** _____

Date Received: _____
Revised 10/2008



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1. Neighborhood Meeting Held (Date): 12/21/2011

2. Neighborhood Association: EAST END NEIGHBORHOOD ASSOCIATION

3. Comprehensive Planning Area: NORTH EAST ENDS

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

CONSTRUCT A FOUR STORY MIXED-USE RESIDENTIAL APARTMENT COMPLEX, LIVE WORK UNITS AND RETAIL SPACE AT A PORTION OF THE GROUND FLOOR STREET FRONTAGE

A. Is this a modification? ☐ Yes ☒ No

B. File number being modified: _____

5. Size of property: 1.75 ☒ Acres ☐ Square Feet

6. Water Issues

A. What are your fire flow requirements? (See International Fire Code) 2,625

B. Number of hydrants (show location on site plan): (Note: Any new hydrants/hydrant piping require United Water approval.)

Number of Existing : 2 Number of Proposed: 0

C. Is the building sprinklered? ☒ Yes ☐ No

D. What volume of water is available? (Contact United Water of Idaho at 362-7330.) 3,000 gpm

7. Existing uses and structures on the property are as follows:

NA

8. 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:
NONE

9. Adjacent Property Information

Building types and/or uses:		Zone:
North:	VACANT LAND	C-3D
South:	OFFICE, APARTMENTS	C-3D
East:	VACANT LAND & PUD	C-3D R-3D
West:	OFFICE	C-3D

10. Proposed Non-Residential Structures

A. Number of non-residential structures: **ONE**

Square footage of proposed non-residential structures or additions (If 5+ floors, attach narrative with chart):

	Gross Square Feet	Net Leasable Square Feet
1st Floor:	18,972	5,488
2nd Floor:	18,122	0
3rd Floor:	18,048	0
4th Floor:	18,048	0

B. Maximum Proposed Structure Height(s): **44-6**

C. Number of Stories: **4**

11. Proposed Residential Structures

A. Number of Residential Units (if applicable): **68**

B. Maximum Proposed Structure Height(s): **44-6**

C. Number of Stories: **4**

12. Site Design

A. Percentage of site devoted to building coverage: **25%**

B. Percentage of site devoted to landscaping: **16%**

C. Percentage of site devoted to paving: **45%**

D. Percentage of site devoted to other uses: **14%**

E. Describe other use: **open plaza fronting streets**

13. Loading Facilities, if proposed (For Commercial uses only):

Number: NA Location: _____

Size: _____ Screening: _____

14. Parking

	Required	Proposed
A. Handicapped Spaces:	<u>5</u>	Handicapped Spaces: <u>5</u>
B. Parking Spaces:	<u>125</u>	Parking Spaces: <u>113</u>
C. Bicycle Spaces:	<u>11</u>	Bicycle Spaces: <u>14</u>
D. Proposed Compact Spaces:	<u>49</u>	
E. Restricted (assigned, garage, reserved spaces) parking spaces proposed:	<u>0</u>	
F. Are you proposing off-site parking?	<input type="radio"/> Yes <input checked="" type="radio"/> No	If yes, how many spaces? _____
G. Are you requesting shared parking or a parking reduction?	<input type="radio"/> Yes <input checked="" type="radio"/> No	If yes, how many spaces? _____

Note: If you are requesting shared parking or a 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.

15. Setbacks (Plans that are not graphically dimensioned will not be accepted.)

	Building Required	Building Proposed	Parking Required	Parking Proposed
Front:	<u>20</u>	<u>15-4</u>	<u>20</u>	<u>20</u>
Rear:	<u>5</u>	<u>137'</u>	<u>5</u>	<u>5</u>
Side 1:	<u>10</u>	<u>77-6</u>	<u>10</u>	<u>10</u>
Side 2:	<u>20</u>	<u>16-9</u>	<u>20</u>	<u>20</u>

16. Drainage (proposed method of on-site retention): TBD**17. Floodways & Hillsides**

- A. Is any portion of this property located in a Floodway or a 100-year Floodplain? ☐ Yes ☒ No
- B. Does any portion of this parcel have slopes in excess of 15%? ☐ Yes ☒ No

Note: If the answer to either of the above is yes, 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.

18. Airport Influence Area

Is the subject site located within the Airport Influence Area? (If yes, please mark which area.)

☒ No ☐ Area A ☐ Area B ☐ Area B1 ☐ Area C

19. Solid Waste

A. Type of trash receptacles:

☐ Individual Can/Residential ☐ 3 Yd Dumpster ☐ 6 Yd Dumpster ☒ 8 Yd Dumpster ☐ Compactor

B. Number of trash receptacles: **2** _____

C. Proposed screening method: **Fenced** _____

D. Is the proposed location accessible for collection? (Contact Boise Public Works at 384-3901.) ☒ Yes ☐ No

E. Is recycling proposed? ☒ Yes ☐ No

Verification of Legal Lot or Parcel Status

Acceptance of this application does not validate the legal status of any lot or parcel. Prior to submitting for a Building Permit you must have a Verification of Legal Parcel Status form signed by the Boise City Subdivision Division. It is the applicant's responsibility to provide deeds and/or other documentation to the Subdivision Division. See Verification of Legal Lot or Parcel Worksheet for submittal requirements.

Glenn Levie (Electronic Signature)

Applicant/Representative Signature

12/26/11

Date

Print Form



Planning & Development Services

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7

Planning Division Staff Report

File Number CUP11-00103 & CVA11-00056
Applicant The Levie Group
Property Address 916 E. Park Blvd.
Public Hearing Date February 6, 2012
Heard by Planning and Zoning Commission
Analyst Joshua Johnson
Reviewed by Cody Riddle

Public Notification

Neighborhood meeting conducted: December 21, 2011
Newspaper notification published on: January 21, 2012
Radius notices mailed to properties within 300 feet on: January 20, 2012
Staff posted notice on site on: January 6, 2012

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Exhibits

Public Works Comments
Fire Department Comments
ACHD Comments
School District Comments
Forestry Comments

1. Project Data and Facts

Project Data	
Applicant	The Levie Group
Architect/Representative	Glenn Levie
Location of Property	916 E. Park Boulevard
Size of Property	± 1.75 Acres
Zoning	R-OD
Comprehensive Plan Designation	Mixed Use
Planning Area	North/East Ends
Neighborhood Association/Contact	East End/ Bob Bennett (344-7105)
Procedure	Planning and Zoning Commission decision that can be appealed to City Council.

Current Land Use/Site Characteristics
The site is comprised of undeveloped bare ground.

Description of Applicant's Request
The applicant requests approval of a conditional use permit for a 4-story mixed use building to include 68 residential units, 5 live work units and 5,250 square feet of retail space with a height exception and a parking reduction. A variance for the front and street side setbacks along Park and Front is also requested.

2. Land Use

Description and Character of Surrounding Area
The surrounding area is comprised of a wide variety of uses including offices, apartments, and commercial.

Adjacent Land Uses and Zoning

North:	Vacant land / C-3D
South:	Park Blvd. then residential / C-3D
East:	Parkcenter Blvd. then apartments / R-3D
West:	Morrison Knudsen Plaza Drive then Offices / C-3D

History of Previous Actions	
CUP05-00152 & CVA05-00042	90 unit apartment building with height exception for 147' with setback variances along Park and Front approved in January of 2006
CAR06-00041	Comprehensive Plan amendment from Commercial to Mixed Use approved in December of 2006
CAR06-00042	Rezone from C-3D to R-OD approved in December of 2006
CUP06-00056 & CVA06-00023	90 unit apartment building with a height exception for 79' with ground floor commercial that included setback variances along E. Park Blvd. and Parkcenter approved in October of 2006
CAR11-00004 & CUP11-00019	Denied rezone to C-3 for the purpose of building a drive-through oil change facility and a drive-through coffee kiosk.

3. Project Proposal

Setbacks

Yard	Required	Proposed for Building	Proposed for Parking
Front (Front)	20' (bldg.) 20' (prkg.)	15'*	20'
Front (Park)	20' (bldg.) 20' (prkg.)	15'*	20'
Rear (Morrison Knudsen)	5' (bldg.) 5' (prkg.)	48'	5'
Side (South)	0' (bldg.) 0' (prkg.)	138'	5'

*Addressed by the variance application

Parking

Required		Proposed	
Total parking spaces required:	140	Total parking spaces proposed:	113
Handicapped spaces required:	5	Handicapped spaces proposed:	6
Number of compact spaces allowed:	46	Number of compact spaces proposed:	49
Bicycle parking spaces required:	14	Bicycle parking spaces proposed:	14
Shared Parking	No	Parking Reduction requested?	Yes

4. Zoning Ordinance

Section	Description
11-04-05.03	Regulations for the Residential Office (R-O) District
11-06-04	Conditional Use Permits
11-06-11	Variances to the Zoning Ordinance
11-10-01	Off-Street Parking Requirements

5. Comprehensive Plan

CHAPTER	PRINCIPLES
CHAPTER 2 -CITYWIDE VISION AND POLICIES	NAC3.1 NAC7.1
CHAPTER 3-COMMUNITY STURTURE AND DESIGN	GDP-MU.1a GDP-MU.1b CC4.3

6. Transportation Data

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Existing Plus Project
Front Street	420-feet	Principal Arterial	1,129	Better than "D"	Better than "D"
Park Boulevard	205-feet	Principal Arterial	1,253	Better than "D"	Better than "D"
Morrison Knudsen Plaza	150-feet	Local	79	N/A	N/A

* Acceptable level of service for a three-lane principal arterial is "E" (880 VPH per lane).

*Acceptable level of service for a five-lane principal arterial is "E" (1,770 VPH).

7. Analysis/Findings

The applicant is requesting approval of a conditional use permit for retail space, a parking reduction, height exception, and variance from the front setbacks along Park and Front streets to facilitate construction of a four-story mixed use building in the R-OD zone. The structure would be comprised of 5,250 sq. ft. of retail space with five live/work units on the ground floor. The rest of the structure is planned for 68 apartment units that are broken down into 15 two-bedroom units and 53 one-bedroom units. The site has a history of approved mixed use projects. In January of 2006, a conditional use permit and variances were approved for a 90 unit apartment building with a height exception of 147'. The approval for that project lapsed and due to the City removing provisions for a density bonus, a rezone was necessary. A conditional use permit and variance were also approved in October of 2006 for a 90 unit apartment building with a 79' height exception. Then in 2011 an applicant attempted to rezone the property to C-3D to facilitate a drive-through oil change business and a drive-through coffee kiosk. This request was denied by City Council.

The requested height exception is justified when considering surrounding uses and their heights. The area surrounding the site is comprised of office and residential uses. The Morrison Knudsen office park is located to the west. The office building adjacent to the site is seven stories in height. To the south is Park Boulevard then more office buildings. The important interface occurs to the east where there are residential townhomes. The proposed building provides an appropriate transition between large office buildings and residential uses. The requested height of 54 feet should not negatively impact these residences as there is a three lane arterial roadway then an 18 foot wall. Also, historical approvals have been far larger in scale than the current proposal. The last approved mixed use project, from 2006, was for a 79' tall mixed use building.

A parking reduction has also been requested by the applicant. The applicant is providing 113 total parking spaces where 140 are required. Their justification is that all but 15 of the 68 apartments are one bedroom units. If we break down the parking requirement with this rationale then parking breaks down as follows:

1. 53 spaces for 53 one-bedroom units
2. 22.5 spaces for 15 two-bedroom units
3. 7.5 spaces for guests.
4. 10 spaces for 5 live/work units
5. 17.5 spaces for retail
6. Total required parking is then 111 spaces.

Staff agrees with the applicant's contention due to available access to alternative modes of transportation. There is a crosswalk at the corner of Front and Park that provides access to the greenbelt. This will aid those residents who utilize bicycles for their commute. The applicant is also providing 14 bicycle parking stalls. Staff is recommending that the applicant provide all bike parking as covered to make it more convenient for residents. There is also bus service within ½ mile of the site at the intersection of Broadway and Front.

Variances along Park and Front Street have been requested for the building. The R-O zone normally allows for a 15 foot setback for buildings along streets. When the project is along a principal arterial roadway the setback increases to 20 feet. There is a hardship present in that the site is narrow and is located on a corner. The difficulty is in developing a multi-story mixed use project that is encouraged by the R-O zone and the City's Comprehensive Plan. This area is at the edge of Boise's urban core and is expected to develop at a similar level of intensity. To accomplish this goal the variances are necessary.

FINDINGS

Section 11-06-04.13 Criteria and Findings

The Commission, following the procedures outlined below, may approve a conditional use permit when the evidence presented at the hearing is such as to establish:

A. *That the proposed use is compatible to other uses in the general neighborhood.*

The retail component of the building will provide a service to the surrounding neighborhood. Employees of the office complex and walk up traffic from the greenbelt can utilize proposed businesses. The height exception is compatible with surrounding development. A building 53 feet in height will provide a transition from the taller office buildings to the west to the residential uses to the east. The building will not be visible from the neighborhood to the east due to the 18' screen wall that is currently in place. The parking reduction is also compatible as the reduction is small in scale. Most of the apartments are one-bedroom units and should not require the same level of parking as a two-bedroom unit. Also, the retail uses are within smaller tenant spaces and should mostly be used during the day when residents are working. This should help reduce the burden on parking and prevent anyone from attempting to utilize other property's parking.

B. *That the proposed use will not place an undue burden on transportation and other public facilities in the vicinity.*

In a letter dated January 30, 2012, ACHD stated that the proposed use will generate an additional 56 vehicle trips during the PM peak hour. Traffic counts from surrounding streets demonstrate that the project will not have a negative impact on levels of service for adjacent roadways. The site's frontage is developed with curb gutter and sidewalk and there are no plans to expand the right-of-way. They are only requiring that the applicant utilize existing access points and repair any damaged sidewalk.

In a memo dated January 3, 2012, Public Works stated that the project would need to connect to sanitary sewer. A drainage plan is required prior to issuance of a building permit.

A letter from the Boise School district, received January 13, 2012, states that they are opposed to this project being zoned for residential use and would have difficulty picking up any students at this location. The letter also states that if housing is approved it should be designated for adults only. The subject property is zoned R-O which allows multi-family residential. It would be impossible for the City to restrict a development to adults only as it would violate the Fair Housing Act. Also, the design of the building is not geared towards families. A majority of the apartments are one-bedroom units. After receiving these comments, staff contacted the district representative. They stated that if a child did live on site and alternative arrangement could be made for transportation to school.

In a memo dated January 6, 2012, the fire department stated that a fire hydrant shall be located so that it is more than 600 feet from any part of the building.

No other public agencies have commented on this application.

C. That the site is large enough to accommodate the proposed use and all yards, open spaces, pathways, walls and fences, parking, loading, landscaping and such other features as are required by this title.

The site is large enough to accommodate the proposed use. The site needs a variance from the front and street side setbacks that will be discussed later in the report. The requested setbacks do provide an adequate buffer for residences to the east. The gable peak at 53 feet in height will barely be visible from the townhouse development. The project meets all other setbacks. The parking reduction is also necessary for the mixed-use building to function on the site. As discussed earlier staff is in agreement with the applicant's contention that one-bedroom units should only require one parking space. Factoring this into the parking calculations the amount of parking meets the needs of the proposed building. Sidewalks along the southern portion of the site are currently constructed as attached. Normally in detached sidewalks would be required in this situation. However, attached may be appropriate with a more urban type of site design such as hardscape with tree grates. Final approval of the sidewalk treatment along Park Blvd will be determined at Design Review.

D. That the proposed use, if it complies with all conditions imposed, will not adversely affect other property of the vicinity.

The mixed use building will not adversely affect the neighborhood. The proposed retail space will provide services for employees of the office complex and residents within walking distance. The closest residents are located across Front Street and are behind an 18' tall wall, so hours of operation and noise are not a concern. The height exception will not negatively impact surrounding properties. Office uses to the west are larger than the proposed mixed-use building.

The distance between the subject property, and the 18 foot wall, provide adequate separation for the residential uses to the east. The parking reduction will not negatively impact the surrounding neighborhood. Staff contends that due to room configuration the project meets alternative parking standards. Primarily, that one-bedroom units should only need one parking space. Also, the parking lot will be utilized during the day when the retail business and live-work units are most busy. This should be the same time when residents of the apartments are at work. These two factors indicate that parking from this site will not spill into the adjacent open air lot associated with the office complex.

E. That the proposed use is in compliance with and supports the goals and objectives of the Comprehensive Plan.

The proposed use is supported by the general goals, objectives and policies of the Comprehensive Plan. The height exception will allow a true mixed use project on a narrow set of parcels. The applicant has provided a vertical mix of uses that includes ground floor retail with residential above. (*GDP-MU.1a*) The ground floor retail provides pedestrian interest in conformance with principle *GDP-MU.1b*. The design of building provides visual interest through modulated facades along Park and Front Street as well as a variety of materials. The plan advocates for these types of features through *GDP-MU.5*. The project is located within ½ mile of a bus stop. This will reduce the need for onsite parking and reduce vehicle trips. (*CC4.3*)

Section 11-06-11.04 Criteria and Findings

The Commission, following the procedures outlined below, may approve a variance when the evidence presented at the hearing is such as to establish:

A. That the granting of the variance will not be in conflict with the spirit and intent of the Comprehensive General Plan for the City, and will not effect a change in zoning;

The granting of the variance will not be in conflict with the spirit and intent of the Comprehensive Plan and will not affect a change in zoning. The variances from the front and street side setback are essential to create a mixed-use project that addresses the street. (*GDP-MU.1b*) The variances are not detrimental to the historical identity of the neighborhood. The design of the building respects the scale and character of the surrounding area in conformance with *NAC3.1*. The variance enables the developer to provide a mix of housing through one and two bedroom apartment units that will help transition into the townhouse and detached single-family units to the east. (*NAC7.1*)

B. That there is either a hardship associated with the property itself or an exceptional circumstance relating to the intended use of the property which is not generally applicable to property or permitted uses in the district.

There is a hardship present with the property in that it is on a corner and is a long narrow set of parcels. The front and street side setbacks of 20 feet makes it difficult to develop a vertical mixed-use building as desired by the zoning ordinance and Comprehensive Plan. There is also an unusual circumstance involving the proposed building. The R-O zone is designed to be close to the street and address pedestrians by locating buildings close to the sidewalk. To fulfill the goal of a mixed-use project that does not need excessive height the variances are necessary.

C. The granting of such relief will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements of other property owners, or the quiet enjoyment of such property or improvement.

The variance will not be materially detrimental to public health, safety or welfare and will not be injurious to surrounding property owners. The variances do not allow the building to intrude into the clear vision triangle. As such there are no safety concerns with the application. The variances will not negatively impact surrounding property owners. Those with the most potential to be negatively affected by this application are those residents of the townhome development to the east. The variances will not enable the building to be too close or excessively tall as to cause a privacy concern for the neighbors.

8. Recommended Conditions of Approval

Site Specific

1. Compliance with plans and specifications submitted to and on file in the Planning and Development Services Department dated received **December 28, 2011** except as expressly modified by Staff or the following conditions:
2. Sidewalk design along Park Blvd. shall be determined by the Design Review Committee.
3. The applicant shall comply with the ACHD letter dated **January 30, 2012**.
4. The applicant shall comply with any conditions of the Boise Fire Department from the memo dated **January 6, 2012**. Any deviation from this plan is subject to fire department approval. For additional information, contact Romeo Gervais at 208-384-3967.
5. All bike parking shall be covered.
6. The applicant shall comply with the requirements of the Boise City Public Works Department (BCPW) for drainage, sewers, street lights and subdivisions per Department comments dated **January 3, 2012**. Please contact BCPW at 208-384-3900. All items required by BCPW shall be included on the plans/specifications that are submitted for a

Building Permit. Please note that any changes or modifications by the owner to the approved plans must be submitted to the Public Works Department for approval.

Standard Conditions of Approval

7. Building Permit approval is contingent upon the determination that the site is in conformance with the Boise City Subdivision Ordinance. Contact the Planning and Development Services, Subdivision Section at 208-384-3998 regarding questions pertaining to this condition.
8. Vision Triangles as defined under Section 11-1-3 and Section 11-10-4.4G of the Boise City Code shall remain clear of sight obstructions.
9. Any outside lighting shall be reflected away from adjacent property and streets. The illumination level of all light fixtures shall not exceed two (2) footcandles as measured one (1) foot above the ground at property lines shared with residentially zoned or used parcels.
10. All signs will require approval from the Planning and Development Services Department prior to installation.
11. Utility services shall be installed underground.
12. No change in the terms and conditions of this approval shall be valid unless in writing and signed by the applicant or his authorized representative and an authorized representative of Boise City. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon Boise City.
13. Any change by the applicant in the planned use of the property, which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant, or successors of interest, advise Boise City of intent to change the planned use of the property described herein, unless a variance in said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.
14. Failure to abide by any condition of this Conditional Use Permit shall be grounds for revocation by the Boise City Planning and Zoning Commission.
15. This Permit shall be valid for a period not to exceed two (2) years from the date of approval by the Planning and Zoning Commission. Within this period, the holder of the permit must commence the use permitted by the permits in accordance with the conditions of approval.
16. Prior to the expiration of this conditional use, the Commission may, upon written request by the holder, grant a two-year time extension. A maximum of two (2) extensions may be granted.

BOISE CITY PUBLIC WORKS DEPARTMENT

DEPARTMENT CORRESPONDENCE

Date: January 3, 2012

To: Boise City Planning & Zoning

Re: CUP 11-00103; 916 E. Park Blvd.

CONDITIONS OF APPROVAL

SEWER CONDITIONS – MIKE SHEPPARD (384-3920)

Connection to central sewer is required. Sanitary sewers are available in E. Front St. (384-3900).

Prior to granting of final sewer construction plan approval, all requirements by Boise City Planning and Development Services must be met.

DRAINAGE / STORM WATER CONDITIONS – BRIAN MURPHY (384-3752)

A drainage plan must be submitted and approved by Public Works prior to issuance of a building permit.

STREET LIGHT CONDITIONS – MIKE HEDGE (388-4719)

No comment.

PERSON MAKING OTHER COMMENTS –

OTHER COMMENTS –

RECEIVED
JAN 06 2012
DEVELOPMENT
SERVICES


PUBLIC WORKS REPRESENTATIVE


PUBLIC WORKS REPRESENTATIVE

cc: Applicant

Memo

To: Planning and Development Services
From: Peter McCullough, Solid Waste Coordinator, Public Works Department
Date: 12/30/11
Re: CUP11-00103

Solid Waste staff has reviewed the application for this project and has the following comments. Please contact me with any questions at 384-3906.

1. The location of the enclosure appears to meet City of Boise requirements. Please ensure the size of the enclosure meets specifications for the type and quantity of solid waste/recycling containers desired.
2. Please review all the requirements detailed in the link below and ensure the proposed enclosure will be in compliance prior to final plan submittal.

The following link will provide information regarding City of Boise trash enclosure design, location, and submittal requirements:

http://curbit.cityofboise.org/Trash/Commercial/Commercial_Trash_Home/page51871.aspx

**Project/File: CUP11-00103**

This application is for a conditional-use permit to construct a 4-story mixed-use residential apartment complex, live work units, and retail space. The site is located at 916 Park Boulevard in Boise, Idaho.

Lead Agency: City of Boise

Site address: 916 E. Park Boulevard

Staff Approval: January XX, 2012

Applicant: Glenn Levie
The Levie Group
17711 Karen Drive
Encino, CA 91316

Staff Contact: Jarom Wagoner
Phone: 387-6174
E-mail: jwagoner@achdidaho.org



Tech Review: January XX, 2012

A. Findings of Fact

- Description of Application:** The applicant is requesting to construct a 4-story mixed use building. The building is proposed to contain approximately 5,250 square feet of retail space on the first floor, with apartments on the remaining floors.

2. Description of Adjacent Surrounding Area:

Direction	Land Use	Zoning
North	Service Commercial District	C-3D
South	Service Commercial District	C-3D
East	Multi-Family Residential District	R-3D
West	Neighborhood Commercial District	C-1D

- Site History:** ACHD staff previously reviewed this site as CAR11-00004/CUP11-00019 in April of 2011. The requirements of this staff report are consistent with those of the prior action.
- Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.
- Capital Improvements Plan (CIP)/Five Year Work Plan (FYWP):**
There are currently no roadways, bridges or intersections in the general vicinity of the project that are currently in the Five Year Work Program or the District's Capital Improvement Plan (CIP).

D
R
A
F
T

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 685 additional vehicle trips per day (none existing); 56 additional vehicle trips per hour in the PM peak hour (none existing), based on the Institute of Transportation Engineers Trip Generation Manual, 8th edition.

2. **Condition of Area Roadways**

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Existing Plus Project
Front Street	420-feet	Principal Arterial	1,129	Better than "D"	Better than "D"
Park Boulevard	205-feet	Principal Arterial	1,253	Better than "D"	Better than "D"
Morrison Knudsen Plaza	150-feet	Local	79	N/A	N/A

* Acceptable level of service for a three-lane principal arterial is "E" (880 VPH per lane).

*Acceptable level of service for a five-lane principal arterial is "E" (1,770 VPH).

3. **Average Daily Traffic Count (VDT)**

Average daily traffic counts are based on ACHD's most current traffic counts.

- The average daily traffic count for Front Street north of Park Boulevard was 12,276 on 6/17/2009.
- The average daily traffic count for Park Boulevard east of Broadway Avenue was 14,406 on July 20, 2011.
- The average daily traffic count for Morrison Knudsen Plaza north of Park Boulevard was 1,838 on 3/31/2010.

C. Findings for Consideration

1. **Front Street**

- a. **Existing Conditions:** Front Street is one way westbound and improved with 3-travel lanes, vertical curb, gutter, and 5-foot wide detached sidewalk abutting the site. There is 75-feet of right-of-way for Front Street (35-feet from centerline).

- b. **Policy:**

Arterial Roadway Policy: District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Street Section and Right-of-Way Width Policy: District Policies 7205.2.1 & 7205.5.1 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Front Street is designated in the MSM as a Transitional/Commercial Arterial with 5-lanes and on-street bike lanes, a 69-foot street section within 87-feet of right-of-way.

c. **Applicant Proposal:** The applicant is not proposing any improvements to Front Street.

d. **Staff Comments/Recommendations:** Front Street contains all the elements of a Transitional/Commercial Arterial; as such, staff does not recommend any improvements or right-of-way dedication with this application. If the city of Boise desires additional amenities within the pedestrian zone, the city should coordinate those requests with the applicant.

The applicant should be required to replace any deteriorated or deficient sidewalk, curb, gutter, or pedestrian facilities along Front Street abutting the site, consistent with ACHD's Minor Improvements Policy 7203.3.

2. Park Boulevard

a. **Existing Conditions:** Park Boulevard is one-way eastbound and improved with 5-travel lanes, vertical curb, gutter, and 5-foot wide sidewalk abutting the site. There is 100-feet of right-of-way for Park Boulevard (50-feet from centerline).

b. **Policy:**

Arterial Roadway Policy: District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Street Section and Right-of-Way Width: District Policies 7205.2.1 & 7205.5.1 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

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- c. **Applicant Proposal:** The applicant is not proposing any improvements to Park Boulevard.
- d. **Staff Comments/Recommendations:** Park Boulevard contains all the elements of a Transitional/Commercial Arterial; as such, staff does not recommend any improvements or right-of-way dedication. If the city of Boise desires additional amenities within the pedestrian zone, the city should coordinate those requests with the applicant.

The applicant should be required to replace any deteriorated or deficient sidewalk, curb, gutter, or pedestrian facilities along Park Boulevard abutting the site, consistent with ACHD's Minor Improvements Policy 7203.3.

3. Morrison Knudsen Plaza Drive

- a. **Existing Conditions:** Morrison Knudsen Plaza Drive is improved with 1 to 2-travel lanes, vertical curb, and gutter abutting the site. There is 24 to 42-feet of right-of-way for Morrison Knudsen Plaza Drive (12 to 21-feet from centerline). Morrison Knudsen Plaza Drive has a 20-wide drive aisle (back of curb to back of curb) for the first 95-feet off Park Boulevard, then transitions to two lanes and 32-feet of pavement where it stubs to a private drive aisle.

- b. **Policy:**

Existing Alley Policy: District Policy 7210.2 states that if a proposed development abuts an existing alley, the dedication of additional right-of-way to obtain a minimum width from the centerline of the alley of 8-feet for residential uses and 10-feet for non-residential or commercial uses may be required. Each development will be reviewed by the District on a case-by-case basis. If the proposed development takes access from an alley, the developer will be required to pave the entire width of the right-of-way from the nearest public street to and abutting the development.

Alley Parking & Setbacks Policy: District Policy 7210.3.3 states that parking within the alley right-of-way is prohibited. "No Parking" signs are required to be installed by the developer. The signs should be located at the alley/street intersections. Parking which is entered from the alley shall be designed so the minimum clear distance from the back of the parking stall to the opposite side of the alley is 20-feet for all perpendicular parking.

Setbacks for structures taking access from the alley should be closely coordinated with the lead land use agency. The setbacks shall either discourage parking within the alley (where it may partially block or occur within the right-of-way) or allow adequate area for one perpendicular parking pad. In order to discourage parking, building setbacks shall be minimal from the alley right-of-way line, while still achieving the required 20-feet of back-up space from a garage or other parking structure to the opposite side of the alley (i.e. 4-foot setback + 16-foot alley= 20-feet for back-up space).

- c. **Applicant Proposal:** The applicant is not proposing any improvements to Morrison Knudsen Plaza Drive abutting the site.
- d. **Staff Comments/Recommendations:** Morrison Knudsen Plaza Drive, for the first 95-feet, abutting the site was constructed, and functions as a commercial alley. Therefore, staff recommends that no additional street improvements or right-of-way dedication should be required with this application.

4. Driveways

4.1 Front Street

- a. **Existing Conditions:** There is one 22-foot wide driveway on Front Street abutting the site. The driveway is located 420-feet north of the intersection of Front Street and Park Boulevard (measured centerline to centerline). Front Street is one-way northbound; therefore, the driveway functions as right-in/right-out only.

b. Policy

Access Points Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

Access Policy: District Policy 7205.4.7 states that direct access to principal arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1b under District Policy 7205.4.7, unless a waiver for the access point has been approved by the District Commission. Driveways, when approved on a principal arterial shall operate as a right-in/right-out only, and the District will require the construction of a raised median to restrict the left turning movements.

Driveway Location Policy: District Policy 7205.4.7 requires driveways located on principal arterial roadways to be located a minimum of 355-feet from the nearest intersection for a right-in/right-out only driveway. Full-access driveways are not allowed on principal arterial roadways.

Successive Driveways Policy: District Policy 7205.4.7 Table 1b, requires driveways located on principal arterial roadways with a speed limit of 35 MPH to align or offset a minimum of 355-feet from any existing or proposed driveway.

Driveway Width Policy: District Policy 7205.4.8 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7205.4.8.

Cross Access Easements/Shared Access Policy: District Policy 7202.4.1 states that cross access utilizes a single vehicular connection that serves two or more adjoining lots or parcels so that the driver does not need to re-enter the public street system.

c. Applicant's Proposal: The applicant is not proposing any changes to the existing driveway.

d. Staff Comments/Recommendations: The applicant's proposal does not meet District Access, or Successive Driveway Policies; however, staff recommends a modification of policy to allow the driveway to be located as proposed due to the fact that the existing driveway will function as right-in/right-out only, and it is the only driveway onto a public street being proposed with this development. Additionally, the driveway location was approved with the prior action on the site and the driveways location will facility emergency services entering and exiting the site.

4.2 Morrison Knudsen Plaza Drive

a. Existing Conditions: There is one 44-foot wide driveway on Morrison Knudsen Plaza Drive abutting the site. The driveway is located 150-feet north of the intersection of Park Boulevard and Morrison Knudsen Plaza Drive (measured centerline to centerline).

b. Policy:

Driveway Location Policy: District Policy 7208.4.1 requires driveways located near intersections to be located a minimum of 75-feet (measured centerline-to-centerline) from the nearest street intersection.

Successive Driveways: District Policy 7208.4.1 states that successive driveways away from an intersection shall have no minimum spacing requirements for access points along a local street, but the District does encourage shared access points where appropriate.

Driveway Width Policy: District Policy 7208.4.3 restricts commercial driveways to a maximum width of 40-feet. Most commercial driveways will be constructed as curb-cut type facilities.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7208.4.3, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway.

- c. **Applicant's Proposal:** The applicant is proposing to reduce the 44-foot wide driveway by 22 feet, so as to be 22 feet wide.
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District Driveway Policy and should be approved, as proposed. The applicant should be required to pave the driveway its full width at least 30-feet into the site beyond the edge of pavement.

5. Tree Planters

Tree Planter Policy: Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

6. Landscaping

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

7. Other Access

Front Street and Park Boulevard are classified as principal arterial roadways. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways.

D. Site-Specific Conditions of Approval

- 1. Replace any deteriorated or deficient sidewalk, curb, gutter, or pedestrian facilities along Park Boulevard and Front Street abutting the site, consistent with ACHD's Minor Improvements Policy 7203.3.
- 2. Utilize the existing 22-foot wide driveway on Front Street located 420-feet north of the intersection of Front Street and Park Boulevard (measured centerline to centerline), as proposed. Pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway.
- 3. Reduce and reconstruct the existing driveway on Morrison Knudson Plaza Drive to a width of 22-feet, as proposed. Pave the driveway its full width at least 30-feet into the site beyond the edge of pavement.

4. Other than the access specifically approved with this application, direct lot access is prohibited to Park Boulevard and Front Street.
5. Payments of impact fees are due prior to issuance of a building permit.
6. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

1. Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way.
2. Private sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.6, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

F. Conclusions of Law

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

G. Attachments

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Request for Reconsideration Guidelines



Fire Department

Dennis Doan
Chief

City Hall West
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Council Pro Tem
Alan W. Shealy

Elaine Clegg
David Eberle
Lauren McLean
TJ Thomson

January 6, 2012

Joshua Johnson
PDS – Current Planning

Re: Conditional Use Application – Multifamily mixed use; CUP11-00103
916 E. Park Blvd.

This is a conditional use application to construct a new 4-story mixed-use apartment building.

The Boise Fire Department has reviewed and can approve the application subject to compliance with all of the following code requirements and conditions of approval. Any deviation from this plan is subject to Fire Department approval. Please note that unless stated otherwise, this memo represents the requirements of the International Fire Code (IFC) as adopted and amended by Ordinance 6308.

Comments:

1. A fire hydrant shall be located so that it is not more than 600-feet from any part of the structure. No hydrants are shown on the drawings.

General Requirement:

Specific building construction requirements of the International Building Code, International Fire Code, International Residential Code and Boise City Code will apply. However, these provisions are best addressed by a licensed Architect at building permit application.

Please feel free to have the applicant contact Romeo Gervais at 570-6567 if they have any questions.

Regards,

Romeo P. Gervais, P.E.
Deputy Chief – Fire Marshal
Boise Fire Department



Independent School District of Boise City #1

Boundaries, Transportation, and Traffic Safety

8169 W Victory Rd - Boise, ID 83709

(208) 854-4167 Fax (208) 854-4011

RESPONSE TO PLANNING & DEVELOPMENT SERVICES

DATE: January 13, 2012

TO: PDSTransmittals@cityofboise.org

RE: CUP11-00103 Park Partners Apts

At the present time, the Developer and/or Owner have made arrangements to comply with all requirements of the Boise School District.

The schools currently assigned to the proposed project area are:

Elementary School: **Adams**

Junior High School: **North**

High School: **Boise**

Comments Regarding Traffic Impact: The Boise School District is opposed to these properties being zoned for residential use unless the residential development is designated as "adults only". The existing roadway system's multi-lanes and one-way grid surrounding the property would make it almost impossible to safely pick up and drop off bus students. Due to the one-way grid, buses could not stop on the same side of the roadway as the residential development, as the door of the bus would be facing the lanes of traffic. The curvature of the surrounding roads creates site distance limitations for motorists approaching buses that are stopped to pick up or drop off students. Although the design of the development could potentially create a roadway within the development with adequate clearance for buses, we still have two concerns: (1) the Boise School District does not usually route buses onto private property because of liability issues and (2) exiting from the development onto Parkcenter Blvd (or Front Street) would be a concern because of the site distance limitations and the extra time it takes buses to merge into traffic.

Comments Regarding Safe Routes to School Impact: Elementary and Jr. High students would qualify for busing and would not be expected to walk to and from their designated schools.

If you have any further questions, please feel free to contact this office.

Lanette Daw, Supervisor
Traffic Safety and Transportation

LD/pkw

interoffice

MEMORANDUM

January 26, 2012

TO: Design Review Analyst
Boise Planning & Development

FROM: Debbie Cook, Forestry Specialist
Boise Parks & Recreation Department

SUBJECT: CUP11-00103

The following requirements and recommendations are provided to assist the property owner with selection, placement, maintenance and protection of trees on public and private property.

Required Actions reflect provisions of Boise City Code Title 9, Chapter 16 (Boise Tree Ordinance). Questions relating to these required actions should be directed to this office at (208) 384-4083.

Recommended Actions may be included as a condition of approval, modified or excluded at the request of the Boise Development Services staff.

Required Actions: Boise Community Forestry has no comments at this time but reserves the right to comment once detailed landscape plans are made available.

Recommended Actions:

Comments:

Thank you for the opportunity to comment. If you have any questions about the trees for this project please don't hesitate to call.

Debbie Cook
Forestry Specialist
Boise Parks & Recreation
208-384-4083
Dcook@cityofboise.org