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February 27, 2012

City of Boise
Attn: Planning and Zoning Commission
150 N. Capitol Blvd.
Boise, Idaho 83701

Re: River Edge Apartments (1004 W. Royal Boulevard) – Variance/Conditional Use, Boise River System and Floodplain Applications

Dear Commissioners:

Engineering Solutions, LLP, is pleased to submit the accompanying applications on behalf of The Michaels Organization for the River Edge Apartments. The Michaels Organization proposes a modern, state-of-the-art living environment oriented toward Boise State University students. The subject property is 3.21 acres in size and is located north of Royal Boulevard and west of Lusk Street. Lying adjacent to the Boise River Greenbelt and Ann Morrison Park, the property is currently utilized for industrial purposes by Estes Trucking and Express Freight. Two existing concrete block structures occupy the site with gravel loading/unloading areas and storage for truck trailers. The existing site has no landscape buffers or internal landscaping as required by the Boise City Zoning Ordinance. The parcel is currently zoned R-OD (Residential Office District with Design Review).

Project Overview

The proposed development consists of a five-story, multi-family structure approximately 347,094 square feet in size. The ground floor level includes a lobby, residential amenities (media, fitness, jacuzzi and computer rooms) and 280 parking spaces. The four upper floors will accommodate 175 apartments; 39 two-bedroom units and 136 four-bedroom units. The proposed building will be fully sprinklered. The design highlights will feature a modern motif, incorporating sustainable material materials and practices.

Two enclosed bicycle parking areas (48 spaces) have been provided in the north portion of the structure and adjacent to the greenbelt. Two pedestrian walkways interconnect with the Boise River Greenbelt. The northeast pathway connection includes a walkway from Royal Boulevard to the greenbelt. The Boise Open Space and Trails Sub-Committee discussed the proposed development on October 27, 2011. The Committee found the project adequately addressed the need to conserve the aesthetic views along the river as viewed from the greenbelt. Greenbelt

safety will be enhanced by the construction of an eight-foot-wide illuminated concrete pathway connection on the northeast side of the subject site to the greenbelt, with an auxiliary path at the northwest corner of the property. The pedestrian connections will allow residents to conveniently walk or bike to Boise State University.

The building is oriented toward Royal Boulevard with two vehicular access points in alignment with LaPointe Street and Dale Street. A traffic study was submitted to Ada County Highway District and the City of Boise. The Ada County Highway District Commissioners accepted the traffic study and approved the development application on January 11, 2012. The project will generate approximately 1,055 vehicle trips per day, an increase of approximately 785 daily trips compared to the truck terminals' present traffic generation. The traffic study concluded that none of the study area roadways will require further expansion to accommodate the site-generated traffic volumes. Curb, gutter and an eight-foot-wide detached sidewalk will be installed along Royal Boulevard (designated a local street) in compliance with the Ada County Highway District Policy Manual. An eight-foot-wide landscaped parkway will be installed adjacent to the curb, creating an enhanced entryway into Ann Morrison Park.

Adequate public services are available to the site in Royal Boulevard. The facilities include a Boise City 42-inch sewer main, a United Water six-inch water main, an Idaho Power 12,500-volt distribution line along with Cable One, Intermountain Gas and Qwest lines. United Water has field-verified the available fire flow from the existing six-inch water main is 2,000 gpm. Another water main (12-inch) is within 800 feet of the subject property and could be extended and looped to increase fire flow if required by Boise Fire Department. The existing Idaho Power distribution line installed in the 1940's will be relocated underground.

The easterly driveway will be constructed to a 26-foot-wide travel lane to accommodate emergency aerial fire access. A second emergency access to the north portion of the building is available west of the subject site. Boise Parks and Recreation will allow the applicant to upgrade a portion of the greenbelt to a 20-foot-wide emergency vehicle access from the existing cul-de-sac within Ann Morrison Park. The emergency access will be traffic-rated at 70,000 gv. The applicant is required by Boise City Parks to submit a proposal and a design for review and approval by the Director and staff.

Variance (Waiver of Height Requirement)/Conditional Use Application (Height Exception)

The applicant has submitted a variance/conditional use application for a waiver of the maximum building height of 35 feet height in the R-O(D) zone under Section 11-04-05.05 (Table 2.2A) of the Boise City Zoning Ordinance. The proposed request is an allowance for a building height of 63 feet adjacent to Royal Boulevard and 59-feet adjoining the greenbelt. The additional height allows for modulation of the parapet as requested by the Design Review staff. There are three parapets which vary in height by 6-feet. The Design Review Committee approved the design review application (DRH12-00013) on February 8, 2012, with the modified building height.

The building will be constructed with a non-combustible, concrete slab “podium” forming the first floor ceiling supported by concrete columns at the first floor level. Above the concrete deck will be wood-framed construction for the apartments on the second through fifth floors.

We do not believe this additional height will have any negative impact on the surrounding area. An existing three-story office building (Keynetics) is located east of the subject site. The adjacent Keynetics building received a height exception for 56 feet under CUP-04-00063 and was constructed to a height of 53 feet. The Boise Parks and Recreation maintenance building/yard and administration building are adjacent to the west boundary, north of the proposed project are the Boise River and greenbelt, and south are multiple uses which include three-story apartments (Morrison Park Condominiums), industrial uses (proposed multi-family) and offices.

The Boise Planning and Parks staff has indicated the proposed height of 59 feet at the Boise Greenbelt and 63 feet at Royal Boulevard is consistent with other exceptions (Arid Club, Cottonwood Grille and Keynetics) approved along this section of the Boise River. The Boise Parks and Recreation staff have reviewed and recommended approval of this apartment project, including the request for Boise River System Permit and the height exception. The Boise Parks and Recreation Commission reviewed and approved the site plan, landscape plan and building elevations at their public meeting on November 17, 2011. A copy of the Parks and Recreation Department staff report was attached to the application. The Parks Department requested the applicant note in the application submittal that they recognize the current Parks maintenance building and equipment yard. The existing Parks use shall not be considered a nuisance due to noises associated with its operation.

On February 16, 2012, the Design Review Manager, Sarah Schafer, and Planning and Zoning staff member, Josh Johnson, presented to Boise Parks and Recreation Commission an updated building elevation reflecting an increase of the height at the greenbelt to 59 feet. Design Review staff informed the Commission they desired additional modulation on two sections of the building which adjoin the greenbelt. Sarah indicated the City staff is requesting this modification in height to the Boise River Permit. The Boise Parks and Recreation Commission recommended approval of the increase in height to 59 feet at greenbelt.

The height variance/exception is necessary for the River Edge Apartments for the following reasons:

- The granting of this variance of height is not in conflict with the Comprehensive Plan in effect at the time of submittal on November 29, 2011. The property is located in the Central Bench Planning Area which promotes higher-density housing between Capitol Boulevard and Ann Morrison Park. The Plan encourages New Urbanism principles and standards. Blueprint Boise, adopted on November 29, 2011, includes the parcel within the Downtown Planning Area and designates the subject property on the Land Use Map as Mixed-Use. Policies within Blueprint Boise support the project since it promotes urban housing and redevelopment in the Downtown area. The policies encourage bicycle commuting and pedestrian-friendly development.

- Downtown housing is viewed as a key to offering a sizeable workforce, thereby decreasing fuel consumption and the number of vehicular trips. The granting of the height variance will not effect a change in zoning since all other dimensional standards of the R-OD will apply.
- The conditions or special circumstances related to the intended use of the property that do not generally apply to other lands or uses in the district. The property is 3.21 acres in size and is bounded by the Boise River. To satisfy the parking requirements on the parcel and have a financially viable project, the podium structure is necessary. This mandates the residential units be located above the parking area on four floors. The exposure to the Boise River, greenbelt and Ann Morrison Park entryway corridor were the driving force on the overall design of the building. The building footprint was impacted by an eight-foot-wide detached walk with an eight-foot-wide landscaped parkway along Royal Boulevard, the 70-foot minimum setback from the Boise River 6500 C.F.S. (highwater) mark, an existing ACHD 15-inch drainage pipe along the property's west boundary, the request to add building modulation, and internalize a majority of the parking. All these factors decreased the building area and required an increase in height above the 35 feet for the R-OD zone.
- The granting of the variance will not be detrimental to the public health, safety or welfare of persons residing or working in the vicinity of the property. The variance or waiver of height will not adversely impact other properties in the vicinity. There are no health or safety issues associated with the proposed project. The additional height of the structure is consistent with other structures along the Boise River corridor. The Cottonwood Grille under building permit (BLD11-02361) indicates the height of the structure was 65 feet in the R-OD zone. The Keynetics building was constructed to 53 feet in a C-2D zone which limits height to 45 feet. The Arid Club on the north side of the Boise River was also approved for a height exception.
- The building is the optimum size necessary to provide the vibrant amenities and living spaces that a Boise State University student population demands in an economically feasible fashion.
- The Boise Zoning Ordinance parking standards of 1.5 spaces per dwelling unit and 1 guest space per 10 units requires a significant amount of parking (280 spaces). After evaluating several alternatives, it was determined that placing the apartments above ground-level parking was the only viable solution.
- The Boise River Ordinance requires the finished floor of the proposed structure be one foot above the Base Flood Elevation, which requires filling of the site.
- Given the height required by the ground floor spaces by the ordinance and the necessary height for the interior floors, and recommendation of Design Review Committee; the typical building parapet must be located 59 feet above grade for the north portion of the building adjoining the greenbelt and 63 feet adjacent to Royal Boulevard.

Boise River System Permit and Floodplain Review Applications

This is a formal request for Boise River System and Floodplain Permits. The subject site lies within the 100-year floodplain as delineated in the FIRM Map (Number 16001C0277 H).

The estimated Base Flood Elevation for the property is 2687. The finished floor elevation (excluding the parking area) of the structure will be required to meet a minimum elevation of 2688.

The subject site is designated Class C Lands and Water. No mitigation or enhancement plans are required for the Class C areas. Consulting with Boise Public Works and the U.S. Army Corps of Engineers, there are no heron rookeries or bald eagle perching areas adjacent to this site. The property has no emergent wetlands and no improvements are planned within the riparian areas. Consulting with Eric Gerke of the Army Corps of Engineers, no 404 Permit will be required for this project. The site is considered developed with the current industrial improvements.

The proposed apartment structure complies with the 70-foot Greenbelt Setback from the 6500 c.f.s. line as required by the Boise River Ordinance. The Boise Parks property along the north boundary is improved with the greenbelt, trees and turf. A landscape plan includes additional turf, trees and shrubs to complement the existing manicured area. The landscape plan submitted with this application reflects comments from Boise Parks and Recreation staff, Open Space and Trails Committee and the Commission. The parking area in between the two wings of the structure will be screened from the Boise River Greenbelt with wrought iron fencing, decorative pillars and vegetation. The attached site grading and utility plan delineates the floodway boundary, 6500 c.f.s. line and preliminary grades.

We look forward to your favorable action regarding the accompanying applications. Thank you for your time and consideration.

Sincerely,

Engineering Solutions, LLP

Becky McKay, Partner
Principal Planner

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Attachments