



Hal Simmons
Interim Director

Boise City Hall
150 N. Capitol Boulevard

Mailing Address
P. O. Box 500
Boise, Idaho 83701-0500

Phone
208/384-3830

Fax
208/384-3814

TDD/TTY
800/377-3529

Web
www.cityofboise.org/pds

Mayor
David H. Bieter

City Council
President
Maryanne Jordan

Council Pro Tem
David Eberle

Elaine Clegg
Lauren McLean
TJ Thomson
Ben Quintana

Planning & Development Services

September 11, 2012

Jennifer Wheeler
1173 W. University Drive
Boise, ID. 83725

Re: CUP12-00046 / 1173 West University Drive

Dear Ms. Wheeler:

This letter is to inform you of the action taken by the Boise City Planning and Zoning Commission on your request for a Conditional Use Permit for an approximately 46,000 square foot Alumni Center.

The Boise City Planning and Zoning Commission, at their hearing of September 10, 2012, **approved** your request, based on compliance with the attached Reasons for the Decision and Conditions of Approval. A regulatory takings analysis may be requested by the landowner.

May we also take this opportunity to inform you of the following:

1. This approval will not take effect until after the appeal period has lapsed.
2. The decision of the Boise City Planning and Zoning Commission may be appealed to the Boise City Council within ten calendar days from the issuance of this decision. The appeal must be written, accompanied by the appropriate fee, and submitted to the Boise City Planning and Development Services Department prior to the deadline set forth herein. Appeal application forms are available in the Planning Department or online under Applications at:
www.cityofboise.org/pds/ or <http://www.cityofboise.org/pds/index.aspx?id=apps>
3. All appeals of this permit must be filed by **5:00 P.M.**, on **September 21, 2012**.
4. If this Conditional Use Permit is not acted upon within two years, it will become null and void without further notification from this Department.

This letter constitutes your Conditional Use Permit. If you have any questions, please contact this department at (208) 384-3830.

Sincerely,

Josh Johnson
Planning Analyst
Boise City Planning and Development Services Department

JJ/mc

Attachment

cc: Steve Simmons / LCA Architects / 1221 Shoreline Lane Boise, ID. 83702 / (ssimmons1@lcarch.com)
Brian McDevitt / SENA / President@SouthEastBoise.org
Fred Fritchman / SENA / Ffritchman@msn.com

Reasons for the Decision

Conditional Use Permit

The project is compatible with surrounding uses as the property is already home to the existing alumni center. No public agencies have commented that the project should be denied and their suggested conditions do not significantly alter the project. ACHD's report states surrounding streets have the capacity to handle traffic from this development. The project meets setback and parking requirements with the attached variances. Adverse impacts are not expected as it will be used as office space a majority of the time. The proposed use is supported by the general goals, objectives and policies of the Comprehensive Plan. The site is designated BSU Master Plan on the land use map. It shows that an alumni center is planned at this location.

Variances

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 are for parking and do not create any conflicts related to noise or hours of operation. This is in conformance with *Culture, Education, Arts, and History Policy 9.3* that advocates for developments along the campus boundary to provide an appropriate transition of land uses. There is an unusual circumstance related to the distance between the property line and the curb. There is a large amount of unused right-of-way that provides additional buffering for parking. There is also a hardship related to the intended use of the facility as an alumni center where a large amount of onsite parking is desirable. The variance will not be materially detrimental to public health, safety or welfare and will not be injurious to surrounding property owners.

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 **July 31, 2012** except as expressly modified by the following conditions:
2. The applicant shall comply with the ACHD letter dated **August 30, 2012**.
3. The applicant shall comply with any conditions of the Boise Fire Department from the memo dated **August 7, 2012**. Any deviation from this plan is subject to fire department approval. For additional information, contact Romeo Gervais at 208-384-3967.

4. 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 **August 7, 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.
5. The applicant shall comply with all conditions within the Drainage District letter dated **August 14, 2012**.
6. The applicant shall comply with all conditions within the memo from Boise City Forestry dated **August 9, 2012** and revised comments dated **September 6, 2012**.

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. All signs will require approval from the Planning and Development Services Department prior to installation.
10. Utility services shall be installed underground.
11. 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.
12. 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.
13. Failure to abide by any condition of this permit shall be grounds for revocation by the Boise City Planning and Zoning Commission.
14. 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.

15. Prior to the expiration of this permit, the Commission may, upon written request by the holder, grant a two-year time extension. A maximum of two (2) extensions may be granted.

16. Construction Site Practices

- A. Hours of construction shall be limited to 6am to 8pm Monday through Saturday. Any activity that constitutes excessive noise as defined by Boise City Code must occur in the stated construction hours. The only activity exempt from these requirements is large scale concrete pouring.
- B. Prior to the issuance of a building permit and prior to the commencement of any construction on-site, an Erosion and Sediment Control (ESC) permit must be obtained from the Planning and Development Services Department. No grading, demolition or earth disturbing activities may start until an approved ESC permit and the associated site work or grading permits have been issued.
- C. Applicant shall submit and receive approval from Planning and Development Services and Ada County Highway District for a construction, transportation and parking plan. The plan shall also comply with all construction standards of Ada County Highway District to those streets contiguous to the construction site and surrounding neighborhood. The approved plan shall be posted at each street abutting the construction site and shall address the following:
1. Ingress/egress of construction equipment and trucks;
 2. Hours of operation for the loading and unloading of construction equipment and materials;
 3. Truck access routes, to and from site, for excavation and construction phases;
 4. Street closures (if any); and
 5. Location of off street parking for construction workers.
- D. Measures shall be taken to manage construction debris and trash on the construction site and efforts shall also be made to provide reasonable controls to minimize fugitive dust on the construction site. Such measures may include, but are not limited to:
1. Provide suitable containers for solid waste generated by construction activity;
 2. Wet demolition of existing buildings;
 3. Watering of driving surfaces and earth moving activities;
 4. Installation of wind screening around property and each open floor above grade; and
 5. Daily broom cleaning of above grade floors, adjacent streets and sidewalks.

- E. A minimum height of six foot (6') rigid security fencing, either wood or metal, shall be installed around the construction site within 30 days of the date when the first city permit is issued on projects where construction activity shall exceed 90 days.
- F. Exterior lighting and other illuminating equipment or materials shall be positioned, shielded, directed and located to not reflect or impact adjacent residential property and streets.
- G. Applicant shall comply with Boise City Fire Department requirements for water, access, and/or other requirements as determined by the Fire Marshal.
- H. Any conditions to be enforced during construction shall remain posted at each street abutting the construction site for the duration of the project. In addition to the posted conditions the permit holder shall also post an 11"x 17" laminated sign containing a project contact phone number, name of project contact and the Boise City contact number, 384-3845, to address issues as they arise. Failure to abide by any conditions set forth shall be grounds for revocation of Conditional Use Permit and/or Building Permits and may be subject the owner or owner's agents to fines and criminal citations.