Planning & Development Services

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

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

MEMORANDUM

TO: **Mayor and Boise City Council**

FROM: **Cody Riddle-Manager, Current Planning**
Boise City Planning and Development Services

DATE: **January 31, 2017**

RE: **PUD16-00024 (Appeal) & SUB15-00052 (Preliminary Plat)**

The following items are before Council for consideration:

PUD16-00024: The applicant is appealing a condition associated with the approval of a conditional use permit for a residential development comprised of 60 detached single family homes on 14.45 acres located at 2570 E. Warm Springs Avenue in an R-1C (Single Family Residential) zone.

SUB16-00052: Preliminary plat for the associated subdivision.



The following record is provided for your review:

Page 2 Background and Planning and Zoning Commission Action
Page 4 Conclusion & Recommendation
Page 4 Standards of Review-Appeals
Page 5 Appeal Application
Page 6 Approval Letter from November 7, 2016 P & Z Hearing
Page 15 Minutes from November 7, 2016 P & Z Hearing
Page 38 Exhibits & Written Testimony-November 7, 2016 P & Z Hearing
Page 54 Report from November 7, 2016 P & Z Hearing

Background and Planning and Zoning Commission Action

This project was heard by the Planning and Zoning Commission on November 7, 2016. It consists of 60 detached single-family homes on an approximately 14.5 acre site located across Warm Springs Avenue from the City's golf course in east Boise. In addition to the proposed homes, the subdivision includes approximately 7 acres, or just under 50% of the site as open space. The underlying R-1C zone allows residential development at up to 8 dwelling units per acre, with a minimum lot size of 5,000 square feet. The project has a density of just under 4 units per acre.



(Site Plan from November 7, 2016 P & Z Hearing)

As the record indicates, there was testimony in opposition to the project. Concerns were focused primarily on traffic and wildlife. After reviewing the application package and listening to substantial testimony, the Commission unanimously approved the project. In response to neighborhood concern and Idaho Department of Fish and Game comments regarding wildlife, they added **Condition 2f**, that reads as follows:

Lot 40 shall be removed and the area incorporated into the adjacent common lot.

It is only this condition that has been appealed. The applicant contends removal of the lot is not necessary to accommodate the Idaho Department of Fish and Game (IDFG) recommendation. As the record demonstrates, the Planning Team agrees with the applicant and communicated concern with the condition at the November 7th hearing. The following is an excerpt of an exchange at the conclusion of the public hearing:

Cody Riddle (City of Boise): Mr. Chairman if I may? I apologize to interrupt.

Chairman Demarest: Sure. It's okay.

Cody Riddle (City of Boise): In originally looking at this project, that was our thought exactly. We had, before meeting with the Fish and Game, suggested that the area identified as lot, I think was 38 at the time, 40 now, be removed and that dimension, or that space be accommodated as a wildlife corridor.

We weren't recommending that it be removed for density purposes or traffic, but that space, basically that it could be relocated elsewhere whether it be down Warm Springs or interior to the development. So I guess I just ask the Commission to clarify if it's to be removed entirely and you're suggesting a 59-unit project or otherwise.

Commissioner Gillespie: Yes. 59 Units.

Chairman Demarest: The City is asking for our help.

Commissioner Gillespie: 59 units.

Chairman Demarest: Okay. Removal of lot 40 which then means 59 units. Okay.

The Planning Team met with the applicant and representatives of the Idaho Fish and Game before, and after the November 7th hearing. The applicant is correct in that IDFG never expressed an interest in limiting the project density as a method to minimize impact on deer. They did indicate a desire to regulate fencing, landscaping, and to preserve both primary and secondary corridors through the site. Their concern was with the width of corridor, and not project density. This is reflected in their written comments dated October 24, 2016, that read in part:

In order to preserve the "most desirable locations to maintain open wildlife corridors" (FH CNN 6.6: SENSITIVE WILDLIFE HABITAT AREA, Blueprint Boise)", IDFG recommends to the city that as a condition of approval, the Warm Springs Village Subdivision include primary and secondary wildlife corridors in their plans. It is the Departments understanding that the Common Lot on the east side of the subdivision, as well as the Idaho Power easement area, is the intended location for a primary wildlife corridor. This area should be set aside for wildlife and remain in as natural a vegetative state as possible or be re-vegetated after disturbance to provide cover for security and thermal needs. Although the proposed roadway footage would provide adequate space for wildlife movement, increasing the footage at the narrowest point of the corridor (east end of the private alley) by removing a housing lot would minimize this choke point for wildlife (see attached map). The Department also understands that the five southern Common Lots will be designated as secondary wildlife corridors. If fencing is necessary in these areas, it should follow IDFG recommendations.

There is clearly no reference to project density. Obviously any development of the site will impact wildlife. The Planning Team acknowledged this with the following concluding comments at the November 7th hearing:

"I believe you will hear opposition this evening. A lot of that is going to be focused on common concerns with projects like this, specifically traffic and density. I'd remind you that the density is well under the limit of the zone and no public agency has opposed the project. I believe you will also hear concerns regarding wildlife, specifically the deer, and the other environmental issues mentioned. Regarding the deer, the project is in an area that the deer do use to move between the river and the Foothills. Obviously any development of the site will impact wildlife. We don't want to downplay those concerns. However, the fact is, it is a private piece of property with zoning that provides some degree of development right. In these situations, we rely on comments from public agencies to best mitigate those concerns and those have been included in our recommendation this evening."

Conclusion

The Planning Team's recommendation, and ultimately the Commission's decision was intended to mitigate impacts on Mule Deer. While the Idaho Department of Fish and Game did not specifically recommend a reduction in density, they did suggest the wildlife corridor be widened, and that removal of the residential lot would be a way to do so. Although minimal, removal of one home from the project would result in a slight reduction in human activity. However, in terms of width there are other alternatives to achieve the same result. For example, each of the lots along the Warm Springs Frontage could be reduced in width. The lot/unit could also be relocated to an interior location in the project. The result would be the same, a wider wildlife corridor as requested by the IDFG.

Should Council elect to overturn the Commission's decision, the applicant would have approval of a 60-unit development. To address the IDFG recommendation, Condition 2f could be revised to read as follows:

Lot 40 shall be removed and that area incorporated into the adjacent common lot. The buildable lot may be incorporated elsewhere in the project design as long as it does not result in a reduction of open space.

If the Commission's decision is upheld, the applicant has approval to construct a 59-unit development.

Recommendation

The Planning Team recommends Council first act on the appeal regarding Condition 2f, and in a subsequent motion that reflects that decision, approve the Preliminary Plat for Warm Springs Village Subdivision (SUB16-0052).

***

Standards of Review for Appeals (11-03-03.09.C(2)

(a) Because the review bodies are recognized as having expertise in their substantive areas, the Council shall give due consideration to their decisions.

i. The Council may find error on the following grounds:
ii. The decision is in violation of constitutional, state, or city law. An example would be that the review body's decision would be a taking.
iii. The review body's decision exceeds its statutory authority.
iv. The decision is made upon unlawful procedure. An example would be if notice of a required public hearing was inadequate. In such cases, the matter may be remanded to correct the error.
v. The decision is arbitrary, capricious or an abuse of discretion in that it was made without rational basis, or in disregard of the facts and circumstances presented. Where there is room for two opinions, action is not arbitrary and capricious when exercised honestly and upon due consideration.
vi. The decision is not supported by substantial evidence.

(b) If error is found, the review body decision may be reversed or modified.

(c) If no error is found the appeal shall be denied and the decision upheld.

APPEAL FORM

Planning & Development Services

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

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

Application for Appeal

Fee: $ 180.00

I (we) WARM SPRINGS ENTERPRISES, LLC, **hereby appeal the decision of the Boise City:**

- [x] Planning & Zoning Commission
- [ ] Hearing Examiner
- [ ] Design Review Committee
- [ ] Historic Preservation Commission
- [ ] Planning Director

File Number: PUD16-00024 **Address:** 2570 E. WARM SPRINGS AVE.

Specific Action Being Appealed: CONDITION 2.F - LOT 40 SHALL BE REMOVED AND THE AREA INCORPORATED INTO THE ADJACENT COMMON LOT.

Grounds for Appeal

1. REMOVAL OF LOT 40 IS NOT NECESSARY TO ACCOMODATE F&G REC:
2. F&G POSSITION IS THAT THE WILDLIFE CORRIDOR SHOULD
3. EXTEND FROM TOE OF SLOPE TO EDGE OF WINDSONG
4. SIDEWALK.

Appeal Contact Person: BILL CLARK

Address: 420 MAIN ST., SUITE 204, BOISE, ID.

Home Phone: _____ Work Phone: 342-2625

Appeals

- [ ] Appeal of an Administrative Decision to the Planning & Zoning Commission or Design Review Committee (non-refundable fee)
- [ ] Appeal of a Design Review Committee Decision to the Planning & Zoning Commission.*
- [x] Appeal of a Planning & Zoning or Historic Preservation Commission decision to City Council.*
- [ ] Appeal of a Hearing Examiner decision to City Council.*

* Portion of fee is refundable if appeal is successful.

RECEIVED
NOV 17 2016
PLANNING & DEVELOPMENT SERVICES

Notes

1. If the reasons for the appeal are resolved prior to the appeal hearing, please contact the Planning Staff at 384-3830.
2. The only topics which may be discussed during the appeal hearing are the specific reasons for the appeal as stated in the application.
3. Neighborhood groups are encouraged to elect a spokesperson for appeals that are supported by numerous residents of the project to avoid a duplication of testimony.
4. Section 11-3-7.2 of the Zoning Ordinance provides that an appeal to Council may not be withdrawn without the consent of Council.

Signature of Appellant/Representative: William Clark **Date:** 11/17/16

For Staff Use Only:

If the appellant is not the applicant, the applicant must be contacted immediately following the acceptance of this appeal.

Applicant contacted on _____ by _____. ☐ Appeal is by applicant

8/05

Derick O'Neill
Director

Boise City Hall
150 N. Capitol Boulevard

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Mayor
David H. Bieter

City Council
President
Elaine Clegg

Council Pro Tem
Lauren McLean

Maryanne Jordan
Scot Ludwig
Ben Quintana
TJ Thomson

Planning & Development Services

November 8, 2016

Bill Clark
Warm Springs Enterprises, LLC
420 W Main Street, Suite 204
Boise Idaho 83702
bill@clarkdevelopment.com
(sent via email)

Re: PUD16-00024 & SUB16-00052 / 2570 E Warm Springs Avenue

Dear Mr. Clark:

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 a planned residential development comprised of 60 detached single family homes on 14.45 acres in an R-1C (Single Family Residential) zone and a preliminary plat for a residential subdivision comprised of 60 buildable and 7 common lots.

The Boise City Planning and Zoning Commission, at their hearing of **November 7, 2016, approved** your conditional use request and recommended approval of the preliminary plat, based on compliance with the attached Reasons for the Decision and Conditions of Approval. The Commission included a requirement that Lot 40 be removed from the project, resulting in a 59-unit development.

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

1. This conditional use 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 City Council within ten (10) calendar days from the issuance of this decision. The appeal must be written, accompanied by the appropriate fee, and submitted to the 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:

http://pds.cityofboise.org/ or http://pds.cityofboise.org/home/documents/apps/100/

3. All appeals of this conditional use permit must be filed by **5:00 P.M.**, on **November 17, 2016**.
4. If this Conditional Use Permit is not acted upon within two (2) years, it will become null and void without further notification from this Department.

An Equal Opportunity Employer
Printed on recycled paper

This letter constitutes your Conditional Use Permit.

Unless otherwise specified, all conditions shall be completed prior to signing of the Final Plat by the Boise City Engineer.

If you have any questions, please contact me at (208) 608-7082.

Sincerely,

Cody Riddle
Associate Planner
Boise City Planning and Development Services

CR/tt

cc: David Powell / RiveRidge Engineering Company / dpowell@rvrdg.com (sent via email)
East End Neighborhood Association /Jane Suggs & Robert Bennett / jbsuggs@cableone.net & boisecook@yahoo.com (sent via email)

Reason for the Decision

Conditional Use Permit

The project is consistent with the approval criteria of *BCC11-03-04.6.C(7)(a).* The property abuts single family homes, undisturbed open space and the Warm Springs Golf Course. As encouraged by Blueprint Boise, the project will introduce a somewhat unique residential product to the neighborhood. Further, the majority of units are concentrated along Warm Springs Avenue, away from the single family homes on larger lots to the east. This allows half the property to be preserved as open space, further ensuring compatibility with the surrounding neighborhood.

The project is consistent with Blueprint Boise. *Policy CC1.1* encourages compact infill development and *Principle GDP-N.3 and Goals NE-CCN 1 and 2* encourage a variety of housing. The project will add to the mix of housing already in the neighborhood. Consistent with *Principles GDP-N.5, GDP-N.7 a* number of the units will be alley loaded, and oriented to Warm Springs Avenue. The development is also consistent with elements of the plan related to habitat preservation and geological risks. This has been reinforced with conditions of approval.

The site is large enough to accommodate the project without adversely impacting other properties. All perimeter setbacks have been met and required amenities provided. Comments from public agencies confirm it will not place an undue burden on the transportation system or other infrastructure in the area.

Preliminary Plat

The subdivision conforms with the Boise City Comprehensive Plan and Development Code, including the standards of the R-1C (Single Family Residential) zone.

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 August 30, 2016, except as expressly modified by the following conditions:

2. Planning:

    a. A pedestrian pathway shall be provided that connects the upper street to Warm Springs Avenue, as generally illustrated in the October 10, 2016 Planning Report.

b. The minimum setbacks are as follows:

Alley Loaded Lots
Front: 15'
Rear: 20' parking
Side: 3'

Front Loaded Lots
Front: 10' living space / 20' parking (measured from back of sidewalk)
Rear: 15'
Side: 5'

c. All streets and sidewalks within the development shall remain accessible to the public. The use of gates is prohibited.

d. The streetlight fixtures shall be of a design that focuses light downward to prevent light trespass from the subdivision. All lighting shall be approved by the Public Works Department.

e. The project shall comply with the standards for the Wildland Urban Interface (WUI) Zone A, including those stated in the September 23, 2016 memo from the Boise Fire Department.

f. Lot 40 shall be removed and the area incorporated into the adjacent common lot.

3. Subdivision:

a. A note on the face of the final plat shall state: "The development of this property shall be in compliance with the Boise Development Code or as specifically approved by PUD16-00024."

b. A note shall be placed on the face of the final plat stating, "This subdivision is located in the Wildland Urban Interface Area A and compliance with Section 7-01-09 of the Boise City Fire Prevention Code is required."

c. A note on the face of the final plat shall designate that any common lots shall be owned and maintained by the Warm Springs Village Homeowner's Association. These lots cannot be developed for residential purposes in the future. The common lots shall be designated by lot and block.

d. The final plat shall include a note granting public access to all streets and sidewalks within the development.

e. No building permit for the construction of any new structure shall be accepted until the final plat has been recorded pursuant to the requirements of the B.C.C. 11-09-04.1. If a Non-Building Agreement is approved by Boise City Fire Department, no building permits shall be submitted until a "Satisfaction of Non-Building Agreement" is recorded.

f. The name, Warm Springs Village, is reserved and shall not be changed unless there is a change in ownership, at which time, the new owner(s) shall submit their new name to the Ada County Engineer for review and reservation. Should a change in name occur, applicant shall submit, in writing, from the Ada County Engineer, the new name to the Department of Planning and Development Services and re-approval by the Council of the "revised" Final Plat shall be required. Developer and/or owner shall submit all items including fees, as required by the Planning and Development Services Department, prior to scheduling the "revised" Final Plat for hearing.

g. Developer shall provide utility easements as required by the public utility providing service (B.C.C. 11-09-03.6).

h. Prior to submitting the mylar of the final plat for the City Engineer's signature, all the conditions of approval must be satisfied. Approvals must be provided on agency letterhead.

i. The Mylar shall include the following endorsements or certifications: signatures of owners or dedicators and acknowledgment, certificate of the surveyor, certificate of the Ada County Surveyor, certificate of the Central District Health Department, certificate of the Boise City Engineer, certificate of the Boise City Clerk, signature of the Commissioners of the Ada County Highway District and the Ada County Treasurer (I.C. Title 50-17). The signatures of the owners or dedicator, certificate of the surveyor, certificate of the Central District Health Department and acceptance of the Commissioners of the Ada County Highway District must be executed prior to submittal of the Mylar for the City Engineer's signature.

j. Developer shall comply with B.C.C. 11-03-04.4 which specifies the limitation on time for filing and obtaining certification. Certification by the Boise City Engineer shall be made within two years from date of approval of the final plat by the Boise City Council.

k. The developer may submit a request for a time extension, including the appropriate fee, to the Boise City Planning and Development Services Department for processing. Boise City Council may grant time extensions for a period not to exceed one year provided the request is filed, in writing, at least twenty working days prior to the expiration of the first two-year period, or expiration date established thereafter.

1. If a time extension is granted, the Boise City Council reserves the right to modify and/or add condition(s) to the original preliminary or final plat to conform with adopted policies and/or ordinance changes.

2. The final plat shall be recorded with the Ada County Recorder within one year from the date of the Boise City Engineer's signature. If the Final Plat is not recorded within the one-year time frame it shall be deemed null and void.

l. Covenants, homeowners' association by-laws or other similar deed restrictions which provide for the use, control and maintenance of all common areas, private streets, shared access and shared parking, and which shall be consistent with the Fair Housing Act of 1968, as amended from time to time, shall be reviewed and approved by the Boise City Attorney. After recordation of the final plat and CC&R's, no building permit shall be accepted until a copy of the recorded CC&R's have been submitted to the Boise City Attorney.

m. Prior to the City Engineer's Certification of the Final Plat and/or prior to earth disturbing activities, an Erosion and Sediment Control (ESC) permit must be obtained. An ESC plan conforming to the requirements B.C.C. 8-17, is to be submitted to the ESC Program Manager for review and approval. No grading or earth disturbing activities may start until an approved ESC permit has been issued.

n. An individual who has attended the Boise City Responsible Person (RP) certification class, or has obtained Interim Certification for the RP shall be identified for this project. A permit will not be issued until such time as the name and certification number of the RP has been provided to Boise City. This information can be faxed to 388-4735 or e-mailed to ejenkins@cityofboise.org.

o. The developer shall make arrangements to comply with all requirements of the Boise City Fire Department and verify in one of the following ways:

1. A letter from the Boise City Fire Department stating all conditions for water, access, and/or other requirements have been satisfied,

OR

2. A Non-Building Agreement has been executed and recorded with a note on the face of the Final Plat identifying the instrument number.

NOTE: "No Parking" signs and curb painting shall be required on streets having a width less than 36-feet, back of curb to back of curb. Contact the Boise City Fire Department for sign placement and spacing. Developer may either construct prior to final platting or post bond in the amount of 110% of the estimated costs with the Boise City Planning and Development Services Department.

p. A letter from the appropriate school district is required stating, "The Developer has made arrangements to comply with all requirements of the School District."

q. A letter of acceptance for water service from the utility is required (B.C.C. 11-09-04.3).

r. Developer shall provide a letter from the United States Postal Service stating, "The Developer and/or Owner has received approval for location of mailboxes by the United States Postal Service."

Contact: Dan Frasier, Postmaster
770 S. 13th St.
Boise, ID 83708-0100
Phone No. (208) 433-4341
FAX No. (208) 433-4400

s. Correct street names as approved by the Ada County Street Name Committee shall be placed on the plat (B.C.C 9-06-05.M).

t. An easement grating pedestrian access from the sidewalk to the Tram Trail at the northern boundary of the site shall be delineated on the final plat.

Agency Requirements

4. Comply with requirements of the Ada County Highway District (ACHD) as outlined in the September 26, 2016 approval.

5. Comply with the requirements of the Central District Health Department as outlined in department comments dated September 26, 2016.

6. The applicant shall comply with all conditions of the Boise Fire Department as outlined in department comments dated September 23, 2016. For additional information, contact Ron Johnson at (208) 570-6500.

7. Comply with Boise City Public Works Department requirements as listed in the following dated memos:

   a. Grading and Drainage (October 11, 2016)
   b. Solid Waste (September 1, 2016)
   c. Sewer (September 1, 2016)
   d. Street Lights (September 1, 2016)

   Contact BCPW at 208-384-3900 for specific comments or questions. All requirements of the BCPW shall be completed or bonded for prior to submittal of the Final Plat for the signature of the Boise City Engineer.

8. Comply with the requirements of the Idaho Department of Fish and Game as outlined in comments dated October 24, 2016. Final written approval of the layout, landscape and fencing plan, from the Department, is required prior to signature of the final plat.

9. Written approval from the Department of Environmental Quality is required prior to issuance of any construction permits. Contact Dean Ehlert at 208-373-0416 for additional information.

Standard Conditions of Approval

10. 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) 384-3830 regarding questions pertaining to this condition.

11. All landscaping areas shall be provided with an underground irrigation system. Landscaping shall be maintained according to current accepted industry standards to promote good plant health, and any dead or diseased plants shall be replaced. All landscape areas with shrubs shall have approved mulch, such as bark or soil aid.

12. Swales/retention/detention areas shall not be located along the streets, unless it can be shown that landscaped berms/shrubs will screen the swales.

13. In compliance with Title 9, Chapter 16, Boise City Code, anyone planting, pruning, removing or trenching/excavating near any tree(s) on ACHD or State right-of-ways must obtain a permit from Boise City Community Forestry at least one (1) week in advance of such work by calling (208) 384-4083. Species shall be selected from the Boise City Tree Selection Guide.

14. Utility services shall be installed underground.

15. An occupancy permit will not be issued by the Planning and Development Services Department until all of these conditions have been met. In the event a condition(s) cannot be met by the desired date of occupancy, the Planning Director will determine whether the condition(s) is bondable or should be completed, and if determined to be bondable, a bond or other surety acceptable to Boise City will be required in the amount of 110% of the value of the condition(s) that is incomplete.

16. All amenities, landscaping, fencing, sidewalks and underground irrigation shall be installed or bonded for prior to the issuance of a building permit. For bonding, the applicant is required to provide a minimum of two bids for the amenities, landscaping materials and the installation. The bond shall be for 110% of the highest bid and submitted to the Building Department on the 2nd floor of City Hall. For additional information, please call (208) 384-3830.

17. 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.

18. 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.

19. Failure to abide by any condition of this permit shall be grounds for revocation by the Boise City Planning and Zoning Commission.

20. This approval shall be valid for a period not to exceed twenty-four (24) months from the date of approval by the Planning and Zoning Commission. Within this period, the holder of the permit must acquire construction permits and commence placement of permanent footings and structures on or in the ground. The definition of structures in this context shall include sewer lines, water lines, or building foundations.

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

22. To reduce the noise impact of construction on nearby residential properties, all exterior construction activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. for Saturday and Sunday. Low noise impact activities such as surveying, layout and weather protection may be performed at any time.

PLANNING & ZONING MINUTES

CITY OF BOISE

PLANNING & ZONING COMMISSION MEETING

MINUTES ● November 7, 2016

City Hall – Council Chambers 6:00PM

FINAL

COMMISSION MEMBERS PRESENT

- ☒ Rich Demarest, Chair
- ☒ Milt Gillespie, Vice-Chair
- ☒ Stephen Bradbury
- ☒ Douglas Gibson
- ☒ Jennifer Stevens
- ☐ Tamara Ansotegui
- ☒ Eileen Thornburgh
- ☒ Paul Faucher (Student)

PUD16-00024 / Warm Springs Enterprises, LLC
Location: 2570 E. Warm Springs Avenue
Conditional use permit for a planned residential development comprised of 60 detached single family homes on 14.45 acres in an R-1C (Single Family Residential) zone. *Cody Riddle*

SUB16-00052 / Warm Springs Village
Location: 2570 E. Warm Springs Avenue
Preliminary plat for a residential subdivision comprised of 60 buildable and 7 common lots on 14.45 acres in an R-1C (Single Family Residential) zone. *Cody Riddle*

Cody Riddle (City of Boise): Thank you Mr. Chairman, Commissioners. The item before you this evening is a conditional use permit and preliminary plat for a subdivision comprised of 60 detached single-family homes. The 14.5-acre site is located across Warm Springs Avenue from the City's golf course in east Boise. In addition to the homes, approximately seven acres, or about half of the site, will remain open space.

The R-1C zone, as you know, allows development of up to eight units per acre and has a minimum lot size of 5,000 square feet. This project is just under four units per acre and lots range from approximately 5,000 up to 12,000 square feet. The majority of the lots do exceed the ordinance standards in terms of area. However, at 40 feet-wide, some of the lots along Warms Springs Avenue are narrower than the ordinance minimum of 50 feet. That reduction is permitted through the planned development process as are the reduced interior setbacks that are proposed. I would

note that all perimeter setbacks are being met or exceeded and the project includes no variances this evening.

As outlined in your packet, the project has been the subject of a number of applications over the years. That was summarized in your report. Most recently, it was annexed with the R-1C zoning that is in place today.

Now there are a few environmental concerns that I'd like to address briefly. The property itself is relatively flat but does abut areas of substantial slope. The property to the north is part of the Tablerock Reserve owned by Boise City. There are a number of exposed boulders at risk of rolling down the slope on to the project site. As detailed in your report, the Applicant has worked with their own engineers as well as Public Works on the design. Essentially they're providing a channel at the toe of the slope to prevent those lose rocks from entering the site.

An additional concern is the presence of contaminated soils. Similar to the previous item, the Applicant has worked with both Public Works and the Department of Environmental Quality prior to submitting of the application. Both agencies included conditions that will need to be addressed prior to any construction on the property.

A final environmental concern is the impact on mule deer that use the site to travel between the Foothills and the Boise River. The Fish and Game, as you know, has been actively involved in the planning of the Barber Valley, and often include a set of standard conditions related to fencing and landscaping to apply to projects in that area. They've reviewed this project and included those recommendations for this project as well. They've also asked that the area, outlined in red, be preserved to allow deer to move through the site. Finally, we have required their final written approval of the project prior to construction. This will ensure that the final landscaping and fence design is consistent with their standards.

A final issue or concern from our perspective is a need for a pedestrian connection through the site. We are recommending a walkway connection from the upper street to Warm Springs Avenue. This will accomplish a couple things in our opinion. It'll provide everyone access to the parking lot, or open-space area located near the center of the site. It will also break up, in terms of the aesthetics to the public, break up the block length along Warm Springs Avenue. So, we've recommended a single connection, generally along one of those two alignments, be provided.

With those concerns addressed, we believe the project is consistent with the findings for approval. The project is compatible with the surrounding uses that include open space, other single family homes, and a golf course. The site is large enough to accommodate the project. Again, there are no variances. The density is roughly half of that allowed in the zone. I should clarify the conditions will require some minor adjustments to things like alley width and lot depth. But all perimeter setbacks will have to comply with the standards of the zone.

Finally, no public agency has voiced opposition to the project. That includes the Ada County Highway District, who approved the development, and indicated there'd be no undue burden on the transportation system, including Warm Springs Avenue.

I believe you will hear opposition this evening. A lot of that is going to be focused on common concerns with projects like this, specifically traffic and density. I'd remind you that the density is well under the limit of the zone and no public agency has opposed the project. I believe you will also hear concerns regarding wildlife, specifically the deer, and the other environmental issues mentioned. Regarding the deer, the project is in an area that the deer do use to move between the river and the Foothills. Obviously any development of the site will impact wildlife. We don't want to downplay those concerns. However, the fact is, it is a private piece of property with zoning that provides some degree of development right. In these situations, we rely on comments from public agencies to best mitigate those concerns and those have been included in our recommendation this evening.

Finally, we did receive some late comments from Ada County Parks, and our own Parks Department, essentially with the same concern. That's regarding trail access and associated parking. The Tram Trail Head is located at the northern portion of the site. Parking, by default, occurs at the golf course across the street and then the gravel shoulder adjacent to the development. That existing crossing is unsafe and with development of this site, the parking on that gravel shoulder will be removed. So, our Parks Department is coordinating, as you can see, an expansion to the parking lot as well as a new cross-walk location that ACHD has agreed to in concept. We believe it makes sense as it aligns with the entrance to the project. Parks is also asking for a public pedestrian access, shown on the upper corner there, be provided for the easement for that trail head. Part of that access does cross the development property, so there is a significant benefit in granting access to a trail that's been historically used by the public. It's our understanding the Applicant is in agreement with that requirement, or that recommendation. We are recommending that if the project is approved this evening, an additional condition be provided requiring that easement show up on the plat before it's heard by City Council.

With those conditions, and our own, we believe the project meets the objective criteria of the ordinance and are recommending approval this evening. As a reminder, the approval criteria, or findings, are provided on the screen. Thank you.

Chairman Demarest: Thank you Cody. Okay, let's hear from the Applicant. Sir, if you would tell us your name and address for the record please.

APPLICANT TESTIMONY

Bill Clark | Clark Development (420 Main Street Suite 204): Sure. I'm Bill Clark of Clark Development. I'm the managing partner of Warm Springs Enterprises. My address is 420 Main Street, Suite 204 here in Boise.

Chairman Demarest: Mr. Clark, you're entitled, as the Applicant's rep, to up to 20 minutes, well I think it's 30 minutes actually. So, but you know we've got a very full agenda and we usually work more efficiently when we lower that number. So, let's start with 10 minutes. How about that?

Bill Clark | Clark Development (420 Main Street Suite 204): I'll beat that.
Chairman Demarest: Better yet, thanks.

Bill Clark | Clark Development (420 Main Street Suite 204): I'll mostly stand by for questions, but just very briefly, about this property. We've owned it for over 10 years and have worked with the City and the two adjoining neighborhood associations and neighbors in informal communications over that period of years and we have not been in a rush to develop it. Of course that was our intention from the beginning and we've looked at different concepts, understand the property better and waiting for timing in the market. Although it is zoned as, was being described to for about eight units an acre on this property, that would require, if we're to try and build out to the allowable density, there'd be attached multi-family housing. It's been our conclusion in talking with people and thinking about it ourselves, that really isn't appropriate for this site. As much as the City likes infill development, this has been known for many years as one of the prime infill development sites in Boise, we just didn't think, given the neighborhood context, that that was an appropriate use. So, that's why we put forward this plan. The concept behind the plan is, well all single family homes. We believe that most of them will be single level, smaller homes and it's again, we feel an appropriate location for that kind of use; close to town, across the street from the greenbelt, at the base of Foothills trails, across from the golf course. So, anyway we have worked closely also with City Staff, Planning, Public Works, Parks and Rec and as Cody said, with Fish and Game. We're supportive of the conditions that they're proposing with one exception which is, as Cody was describing a little bit ago and we can talk more about it if you have questions, which is the additional pedestrian connection to Warm Springs as they're suggesting and an additional one where those two red arrows… and there are, right now in our plan, five access points to Warm Springs starting at the east at Windsong drive and then going to the western end of the property. If the access to the trail is relocated, as suggested by Parks and Rec, which we're supportive of, that will do away with a crossing which is considered somewhat dangerous but will still keep that access point out on to that pathway on Warm Springs. If one were to count both sidewalks at our two primary entries, that makes seven points of entry to this site as we're proposing. So, in any event, we think it's maybe excessive to have another one, that it wouldn't do anything really constructive to the appearance of the project. There's going to be quite as, you may know that I really pay a lot of attention to the design and the frontage on Warm Springs Avenue has alley support in the back, is going be, have a lot of variation to it in terms of home design, street trees,

landscaping. It is not going to be just bang bang bang at all. I'll conclude my presentation with that and see if you have any questions at this point.

Chairman Demarest: Thank you Mr. Clark. Okay let's see if we have any questions from the Commissioners for either you or for Mr. Riddle.

Commissioner Stevens: Mr. Chair.

Chairman Demarest: Commissioner Stevens**.**

Commissioner Stevens: Before I get to the questions I have for Staff, I'll just ask for clarification Mr. Clark, if I could? Or maybe it's Cody I need clarification from. But the sidewalk entrance that you're talking about, if I'm not mistaken, that you're taking exception to, if we could just have that pointed out. Is that the one that's going to connect to the new parking lot? Okay. And so, could you just clarify your objection is to the entire pathway through the division or just on to Warm Springs where it connects? If you could just clarify for us?

Bill Clark | Clark Development (420 Main Street Suite 204): Yes, Commissioner Stevens. What Cody has outlined there is two possibilities that he and Staff believe might be made to provide another connection from Warm Springs through this site to the rear where our circulation road goes through. And what I'm saying and disagreeing with is, do we need another pedestrian point of connection to Warm Springs when we already have five or there's two on each primary entry because of sidewalks and different sides of the streets. So whether you call it five or seven is of question.

Commissioner Stevens: Okay. Now Mr. Chair, totally different direction if I could Cody? There was letter in our packet that came in on Friday regarding a question about the mule deer and I'm wondering if you were able, by any chance, to get some clarification from Idaho Department of Fish and Game as to why the width that was recommended back in 2005 when the rezone went through, is so different than what is being proposed today?

Cody Riddle (City of Boise): Mr. Chairman, Commissioner Stevens, I did not, they didn't specify why that changed. I believe I saw somewhere 600 to 1000 feet, that would be 3/4ths of the frontage of this entire parcel so I think they were trying to, I'm speculating that they were trying to find a compromise there.

Commissioner Stevens: Okay, thank you.

Chairman Demarest: Any other questions from the Commission?

Commissioner Gillespie: Mr. Chairman.

Chairman Demarest: Commissioner Gillespie.

Commissioner Gillespie: So, the area east of Windsong which is in the Boulder Heights Estates, it looks pretty open for a good distance as you move east. It's pretty steep as I recall. But that remains fairly open all, that's not going to be developed is basically my question.
Cody Riddle (City of Boise): Mr. Chairman, Commissioner Gillespie, no. There's quite a substantial slope there.

Bill Clark | Clark Development (420 Main Street Suite 204): May I add a comment Mr. Chairman?

Chairman Demarest: You may.

Bill Clark | Clark Development (420 Main Street Suite 204): Concerning the question about wildlife, we have had several communications with Fish and Game, met with Fish and Game staff along with Cody. We originally thought that the wildlife corridor ought to be on the western side of the property. There is a lot, and has been noted by Fish and Game, there is a lot of movement during the winter right in that location and directly across the street is the green of the golf course and a fairly steep slope with cover coming down and we thought that augmenting that would be the best idea. Fish and Game thought otherwise which is to allow another corridor on the east side, as was being discussed a moment ago, along with that hillside on Windsong and that that would provide an additional corridor for game moving through and we said okay. We'll do that. So that's why we chose to include it that way in our application.

Chairman Demarest: Any other questions?

Commissioner Bradbury: Mr. Chairman?

Chairman Demarest: Commissioner Bradbury.

Commissioner Bradbury: First for Cody. Could you just talk a little bit about Staff rationale for the pedestrian connections that you've proposed through the center of this site that the Applicant is concerned with?

Cody Riddle (City of Boise): Certainly Mr. Chairman, Commissioner Bradbury. Couple reasons. These lots here with the reduced width, the block length here I think is about 700 feet. So the connection through here, somewhere, would help break up that block length which would be an aesthetic benefit. There'd be an additional opportunity for pedestrians to move through the site from Warm Springs perhaps if visiting someone on the upper, I say upper but it's relatively flat to this point, to the back portion of the site. Then it also provides a connection there, you can't see it

on the screen, but there's guest parking located right here. So, if someone used that guest parking, say from one of these back lots, it's a more direct pedestrian connection instead of walking entirely around the block. I suppose aesthetic and pedestrian connectivity was the reasoning.

Commissioner Bradbury: Another question Mr. Chairman. I can maybe ask you Cody and maybe Mr. Clark, I'm not sure which of the two of you wants to take it but, one of the recommendations, or maybe it was maybe another way to say it is suggestion from the Department of Fish and Game was the elimination of the most southeasterly lot in the project. Is that part of the conditions that we would be approving tonight? Was that suggestion accepted by Staff and the Applicant?

Cody Riddle (City of Boise): Mr. Chairman Commissioner Bradbury, that's not my understanding or the intent of our recommendation. It was a suggestion by the Fish and Game that could perhaps further mitigate impacts on wildlife. If the Commission chose to head down that road, I'd ask that you be very specific regarding the loss of that lot.

Commissioner Bradbury: Okay, great.

Bill Clark | Clark Development (420 Main Street Suite 204): May I add to that? Commissioner Bradbury, it was discussed with Fish and Game and we originally had a larger lot in that location on the east end and they asked us would we be willing to reduce the dimensions of that lot, which we did to allow for that corridor. So we thought that we were meeting their request in that way and my understanding from our discussions with her is that that was a satisfactory compromise.

Commissioner Bradbury: Okay, thank you. And Mr. Chairman one more?

Chairman Demarest: Commissioner Bradbury.

Commissioner Bradbury: Mr. Clark, just to make sure that what Staff has indicated is acceptable to you is, are you okay with the proposed easement connection over to the Tram Trail Head as proposed by Parks and Recreation?

Bill Clark | Clark Development (420 Main Street Suite 204): Yes, we are. Details to be worked out Commissioner, but yes we think it's a good idea and we agree that the current location of that crossing, because of site distance and travel along there, is not safe. It also is something where, at least in the past, that ACHD was unwilling to consider a signal there because they thought that it would give an artificial sense of safety to pedestrians. If I may go back to the question about the passage through to Warm Springs, as Cody pointed out, in response to your question a few minutes ago, there is a rationale for a connection of the guest parking area that we have to the homes on the north and one thing that we might work out would be, and I understand what Cody was suggesting, is to make a connection between the parking area, which is at the bottom of that green,

that's an opening to an internal park from there and the parking that's adjacent to that to those homes on the north. That could make some real sense.

Commissioner Bradbury: Thank you.

Chairman Demarest: Okay, further questions?

Commissioner Thornburgh: Yes, I have a question Chair.

Chairman Demarest: Commissioner Thornburgh.

Commissioner Thornburgh: I believe I'm directing this to you Mr. Clark. When I'm looking at the deer corridor, wildlife corridor, excuse me, it has a very narrow segment to it. Can you tell me how wide that is and how you plan on keeping the wildlife from climbing right up onto the road surface there? It looks like its pushing into the road.

Bill Clark | Clark Development (420 Main Street Suite 204): Yes, Commissioner. A couple things. One is, it's between 30 and 40 feet wide at that most narrow point. I don't have an exact dimension. In talking about it with Fish and Game, there are two things that would affect that. One is that they want to have, the entire perimeter of the project, a six-foot-high inaudible metal fence which is what we would use, a steel fence. It can be no wider than three and half inches vertically and that there'd be several gates in locations to be determined that only Fish and Game would have access to in case animals did get stuck. But anyway, around that eastern side where you were talking about specifically, there would be a fence along there and we, as I think Cody mentioned in the conditions of approval, that that would be subject to approval by Fish and Game. They've also provided us with recommendations about vegetation that is not so, you know, setting a smorgasbord for the animals. Trying to avoid that as much as possible. Also, as was commented about the, and was mentioned by Fish and Game, is that that slope on the east side of Windsong there is an open slope so that would also essentially be part of the corridor.

Commissioner Thornburgh: My fear is they would be funneled right on to Windsong. But you're saying that there would be fence the entire length.

Bill Clark | Clark Development (420 Main Street Suite 204): There would be a fence on our perimeter for that corridor, yes.

Commissioner Thornburgh: But not separating the corridor from the road surface.

Bill Clark | Clark Development (420 Main Street Suite 204): No. Fish and Game did not want to have any, I didn't understand anything from them about that. You mean creating a fence pathway that fences on both sides? Was that your question?

Commissioner Thornburgh: Well it seems like if your property is fenced and Windsong is on the other side of the corridor, that the animals would be directed to that corridor right next to the roadway. If I were driving down Windsong in the snow when the animals would be there, I think I'd be a little anxious that they're on my roadway.

Bill Clark | Clark Development (420 Main Street Suite 204): As I've said, it was my belief that it should have been on the west side but Fish and Game thinks otherwise. That it would be better for the animals to be on this side.

Chairman Demarest: Any other questions from the Commissioners?

Commissioner Stevens: Mr. Chair?

Chairman Demarest: Commissioner Stevens.

Commissioner Stevens: I don't think I look like Steve. Cody I'm going to ask you a traffic question and I know that's like just inherently unfair, but I'm going to do it anyway. So, I'm looking at the traffic counts, I'm looking at ACHD's report regarding the count on Warm Springs. A couple of questions. Number one, do you know when that number is from and what I'm getting at is, is this a number that precedes the completion of the Park Center Bridge, or is it a more current number?

Cody Riddle (City of Boise): Mr. Chairman, Commissioner Stevens, it looks like the average count was taken in the end of September 2015. So that would have been after the bridge.

Commissioner Stevens: Okay great. The second part of that question, if I could Mr. Chair, what is the threshold, the ceiling to remain inside an E service level? Do you know?

Cody Riddle (City of Boise): Mr. Chairman, Commissioner Stevens, it looks like 690 vehicle trips per hour. We're at 520 now with the development that puts us at 580. So there is additional capacity. We will hear testimony this evening about projects approved further out east on Warm Springs, but I think it's important that we keep in mind that once you get out further east, you have the option of the other route across the river. We carefully considered all of that.

Commissioner Stevens: Okay. That's exactly what I was getting at, so thank you for anticipating my question. I guess, I think what I'm trying to do is understand if we have any actual quantification of how many approved units there are right now east of this site. I know that we can't sit here and look at every single car trip from every single division but when ACHD is only looking a mile, I think that is, it's sort of problematic in terms of really trying to take in account the full impact of this development when we are trying to, when we're in a period of development

and there's a lot of other things going on. Is there a number that you can give us that's east of this development up to around the bend, if you will, before we hit Harris Ranch?

Cody Riddle (City of Boise): Mr. Chairman, Commissioner Stevens, as far as from Windsong in, there's very little. You have a letter in your packet from one of the neighbors that talks about other development. Again, out further east. It wasn't included in ACHD's analysis and not in ours. I think we're relying on their expertise and again the fact that there's the other connection across the Park Center Bridge and that all of those trips wouldn't be, it's a very indirect route to come down Warm Springs, this segment of Warm Springs rather than the bridge in to Park Center.

Commissioner Stevens: Okay. So the majority of that development is then going to be east toward the Harris Ranch area is what you're saying. Okay thank you.

Chairman Demarest: Okay, any other questions for either the City Staff or our applicant? Seeing none. Thank you both. So we're going to go on. I know we've got somebody from the East End Neighborhood Association this evening with us. So, I'm going to recognize you first. Tiffany Robb, come on up mam. Just tell us your name and address. We already know your name, but tell us anyway for the record, into the microphone.

Tiffany Robb | East End Neighborhood Association (1195 Shaw Mountain Road): Well hello Commissioners. My name is Tiffany Robb, representing the East End Neighborhood Association.

Chairman Demarest: Your address mam?

Tiffany Robb | East End Neighborhood Association (1195 Shaw Mountain Road): 1195 Shaw Mountain Road.

Chairman Demarest: Okay, so you're also eligible for up to twenty minutes. But the applicant took 10. So we like to kind of keep those roughly equal. So, let's start with 10.

Tiffany Robb | East End Neighborhood Association (1195 Shaw Mountain Road): Fair enough. First of all, I'd like to apologize for our delay in our response to this. The reason why the East End Neighborhood Association did not get our suggestions in before packet deadline was because we wanted to make sure that we were working with the developer. We did host a meeting with Mr. Clark and our volunteer board needed to come together with some suggestions, so we needed to collaborate those. I do have those. May I pass out copies? Is that okay? Or is that not appropriate?

Chairman Demarest: So that, let's see. It wasn't in by the deadline. Correct?

Tiffany Robb | East End Neighborhood Association (1195 Shaw Mountain Road): Correct.

Chairman Demarest: So what we need is, what we would have needed was a reason in writing. What was the deadline?

Tiffany Robb | East End Neighborhood Association (1195 Shaw Mountain Road): It was Thursday.

Chairman Demarest: Thursday, okay. And we didn't have that. So, the answer, unless the Commissioners want to consider it separately, the answer is going to be no. But you get your testimony time. Alright?

Tiffany Robb | East End Neighborhood Association (1195 Shaw Mountain Road): That's perfect because I'll just read what I was going to give you anyway.

Chairman Demarest: Okay, that will also do the same thing.

Tiffany Robb | East End Neighborhood Association (1195 Shaw Mountain Road): Okay, so EENA as a board voted unanimously to recommend some additions or changes to the design of the project. These recommendations are for the City of Boise as well as to Mr. Clark and his development team. For the City, we were recommending that there is an ensure of design that will allow parking on Warm Springs Avenue for greenbelt and river users, which actually was shown as a suggestion already, as we are likely losing informal parking that exists today by this development.

The second one was to encourage the developer look at Harris Ranch and Barber Valley wildlife mitigation for examples of wildlife mitigation. There was something that the East End Neighborhood Association, we did not vote to make as a formal suggestion, but we were in agreeance with Mr. Clark with looking at a possibility of bringing wildlife corridor or doing some sort of mitigation to where it would actually be on the, as he had stated, the west side of the development or the north side of Warm Springs Avenue instead of just the south side of Warm Springs Avenue near Windsong.

Our third suggestion, even though that this project has been removed from the Foothills Overlay, that you please pay special attention to the Foothills policies that are still in effect that would still affect this property and also the Foothills policies that the development of this property would impact.

Although, again another one that we wanted to bring up that was not formally voted on, the board had highly suggested that at bus pull out be put in around that development or be considered. There are homes being added to the Mesa in addition to these 60 homes, so the City needs to look at providing options of public transportation potentially alleviating some of the traffic that will be hitting Warm Springs.

For Mr. Clark and his development team, we had suggestions of providing at least one or better two breaks within the 17 homes that are lining Warm Springs Avenue. These breaks would be 20 to 30 foot pathways between the homes and the reason for that is to allow residents access to their parking from front-wise getting through and also to break up the home wall that would be happening with these homes to allow adequate or usable pedestrian passage to the guest parking and also so that it provides a visual break to the row of homes. I apologize.

The second suggestion was the front yard setbacks of the homes fronting Warm Spring Avenue; those homes should be articulated by 10 feet or more to break up the wall effect. Set front yard setbacks to 20 feet or more for specific percentage of homes along Warm Springs Avenue. Although these things were not voted to be formal suggestions, the board did have concerns and or suggestions about making wildlife accessible from again, as I have mentioned, the north side of the property in addition to the south access. Again, as Mr. Clark had said the west side versus the east. On there when we're talking north and south, we're talking Warm Springs Avenue when it runs that north south way.

Second, widening the south wildlife's access, since the access is on a two to one or greater slope and is most likely taken up by storm water detention basin.

Third, provide curb and gutter along Warn Springs Avenue since the row of homes along Warm Springs Avenue on a 40-foot-wide lot, is an urban design. And that pretty much is our suggestions.

Chairman Demarest: Thank you, mam. Okay. Alright. Thank you very much. Alright so we're going to go on to public testimony now. Right down the list. I realize some folks came in later and we'll give you your time as well. So the first person on the signup sheet is Heather Crane. So folks, remember that we're going to flash 3 minutes right up here. We do ask you just complete your comments at the 3-minute mark. It's a not a number we make up. It's a number that comes to us from The Code. So, come on up. Tell us your name and address for the record.

PUBLIC TESTIMONY

Heather Crane (2005 Scyene Way): Thank you Commissioners. My name is Heather Crane. My address is 2005 Scyene Way. I appreciate this opportunity to address you. I live on the Warm Springs Mesa and had some concerns that I outlined in written comments that were included. I think one of the things that I'm curious about and which Mr. Riddle touched on, is talking about the zoning of this. Talking about up to eight units per acre and both Mr. Riddle and Mr. Clark have said that they've significantly reduced the number of units to four units per acre. Reviewing the City Council agenda from January 31, 2006, they approved it for only four dwelling units per acre and with my math, 60 actually exceeds that by a couple of houses. So I'm trying to understand exactly how they came up with that number and making sure that the number of houses on the

property are kind of appropriate for the property, appropriate for the slope behind the property and appropriate for the neighborhoods both to the east and to the north of the property. That's one of my concerns. Obviously I share the traffic and wildlife concerns of someone who drives up and down Windsong multiple times a day and sees the deer crossing Windsong and crossing Warm Springs Avenue. It sounds like there's still, it's not quite clear what the best plan is for the wildlife corridor and I think that's something that really should be looked into in more depth before any decision is made on the proposed development. I think I'll conclude my comments with that because I know there's a lot of other people who have comments. But I do appreciate the time and thank you very much.

Chairman Demarest: Thank you Ms. Crane. Okay, next person is Phyllis Slifer. And I hope I said your name correctly.

Chairman Demarest:

Phyllis Slifer (2478 Warm Springs Avenue): You did very well, thank you. My name is Phyllis Slifer. I live at 2478 Warm Springs Avenue which is adjacent to the City property that is adjacent to this development. Our main concern with the development are; fire safety, the traffic, parking, and trail head access and the wildlife corridors amongst other things that we had included in written comments.

One is the fire safety. The 30-foot defensible space was commented on about from the Fire Department. This first exhibit is the perimeter of the Tablerock Fire that was in the paper this past month. I have an exhibit. I don't know if I can get to it. Sorry, Cody. I might need some help.

Chairman Demarest: Take your time. We'll give you, because this is not your testimony, this is technical stuff. We'll give you a little extra time.

Phyllis Slifer (2478 Warm Springs Avenue): Thank you. What I did is, the white circled area is the blow up of the development. Could you move to page two on that? Thank you. So here's an overlay of the 60 lots and you can see how many lots were in that fire perimeter this summer. We question if the common space, on the north end of the property, lot number 2, if that's 30 foot or not. It looks to me about 15 foot when I look at the scale that was provided on the plat. So we really need to have 30 foot of defensible space around the entire perimeter.

The other, as mentioned before, is the traffic parking and trail head access. We think that that has been pretty much alleviated with the recent suggestion of the City to realign the trail head, which is partially because we have an irrigation pump in the right of way at that location. And the unsafe crossing that is currently to the trail head. So we appreciate Mr. Clark's willingness to grant an easement there.

The last thing I want to talk about is the wildlife crossing. Fish and Game suggested it beyond the southern edge of the property. Cody could you go to the last slide please? There is a retention pond. I think somebody mentioned that earlier. I don't know that Fish and Game was aware that this retention pond is at the corner of Windsong and Warm Springs Avenue. That could be a hazard to the deer that are trying to cross. It it's more full of water, there's an upslope to Warm Springs that may make deer visibility difficult for drivers and everybody else here has suggested that the northern edge of the property is maybe more appropriate. We do see an awful lot of deer at that crossing point. Thank you for your considerations and I hope you get a chance to read all of our request in our packet that we provided.

Chairman Demarest: Thank you Slifer. Okay, next person on the list is Melissa Pratt.

Melissa Pratt | President Warm Springs Historic District Association (Warm Springs Avenue): I'm Melissa Pratt and I'm president of the Warm Springs Historic District Association so I can imagine you know I'm here to talk to you about traffic. We have an issue, obviously, we have Saint Luke's Boise where we've been approved. We'll see Jefferson closing. We know that will have a definite effect on traffic on Warm Springs Avenue. As well we're seeing further subdivisions, thank you Commissioner Stevens for looking out for us, going on further out and not everybody chooses to take the Broadway Bridge. I wish they would go ahead and go off Park Center, I'd love it. But they're not all choosing to do that. I think some people prefer coming in on a route that they're doing down Warm Springs. So, for a historic neighborhood, I know in the past when we though Harris Ranch, there were some limits put on traffic at that time and I need to go back and find those, that they had looked at a historic neighborhood as only being able to bear so much. We probably need to work further with ACHD on that. But one of the issues is that we're concerned that the character of the neighborhood will change. I've been there for just over 20 years and it's really phenomenally changed. The bridge did help, but it's like it's loading right back up. It's almost impossible for me to cross the street to just go visit my neighbor across the street. It takes literally forever to get across a simple street. So, we do need to work harder on that and hopefully, I'm hoping in all of these different subdivisions that you're looking at, that you ask the question and have a heightened consideration of the traffic on Warm Springs Avenue. It's one of our favorite historic streets in the area and we'd like to keep it the way it is. Thank you.

Chairman Demarest: Thank you Ms. Pratt. Last person on the signup sheet is Donna Burns.

Donna Burns | Warm Springs Mesa Neighborhood Association | 2241 Ridgeview Way: Thank you. My name is Donna Burns and I am president of the Warm Springs Mesa Neighborhood Association. We are echoing several of the comments that have been expressed today about safety both for animals and residents of Warm Springs Mesa and future developments along Warm Springs.

First of all, I'd like to address fire and safety and evacuation. As you know, the fire was extensive and included a lot of property which included Warm Springs Mesa closer to the Village and on toward the City. At one time during the fire, the Mesa was literally trapped. All of us residents were trapped. The fire actually burned to the east and the west sides of the Mesa and that included, as you've seen by some of the pictures, part of the Village. We're asking you to imagine thousands of vehicles, possibly, trying to escape a fire along narrow winding Warm Springs Avenue. And not only that, we imagine animals are going to be trying to escape that fire. So we're asking that emergency plans be thought of before these continued developments are included in any City planning and we would also ask that you continue, as already stated, some of the Fire-Wise planning in building codes and landscaping. I think landscaping is a huge piece of this and I know that the Fire-Wise community in Boise is willing to assist in landscape development of any properties that are going to be developed Warm Springs Corridor.

Secondly, I do want to address the traffic issue again. As stated, ACHD has approved the building of the Village, but it only included one development called Falling Brook with a 10 lot townhouse development included. As stated earlier, and according to ACHD, adjacent property includes anything within a mile. According to our numbers, we figure Privada Estates is developing 18 sites and that is just to the east of Warm Springs before we get into Harris Ranch. Vista Ridge is planning 65 units. Antelope Springs has already begun development and they're planning an additional five sites plus a commercial lot and 17 units they have. Warm Springs Mesa itself is adding 125 properties and that brings us to over 600 units. We're figuring at least 750 residences just within the property of the Mesa toe. That's a lot of development and that number does not include Harris Ranch and I will say that I do not believe that many of these people will choose the Harris Ranch bridge.

Teri Thompson (City of Boise): Time.

Chairman Demarest: Mam your time is up.

Donna Burns | Warm Springs Mesa Neighborhood Association | 2241 Ridgeview Way: I'm the president.

Chairman Demarest: It's not the same neighborhood association. We've already heard from the representative of the East End Neighborhood Association. Okay? So your time is up. Thank you. Okay, so as I've said, that's the signup sheet, but anybody else is entitled to three minutes as well. So, if you haven't had a chance to sign up, just come on up and then you'll find a little white tab somewhere up there. Before you leave the room, we do need to have you fill that out and leave it with one of us up here so we have your contact information. So again, you're also eligible for up to three minutes. Hang on. Let's' get that up first before we start timing you. Just hang on one sec. There we go. Now your three minutes starts.

Tom Burns (2241 Ridgeview Way Boise ID): My name is Tom Burns. I live at 2241 Ridgeview Way Boise Idaho. I am the Fire-Wise Chair for Warm Springs Mesa. I'd like to continue a little bit as it's been said, development east of the slot of the Village might not be pertinent, but of course it is. That is all property that is town side of Barber Drive. It is possible that people will go west to the eventually come back east, but that isn't going to happen. So we purposefully cut off our count at Barber Drive which connects to the Parkcenter Bridge. So, I just wanted to put that out in front of you. If you look at the slide, you're looking at the only intersection, traffic intersection, for the entire eastern Boise front. There's not two. There's one. What we've got is, as a Fire-Wise Chair, I'm very interested in the evacuation process from Warm Springs Mesa. I have no problem with the planned development that we're talking about, but I ask you to envision not 60 homes, as is in the count of ACHD of the Village, but the 750 homes. When we're talking about numbers, there is a critical factor that's very close to being a problem at that area. I'd like the numbers just to reflect what the reality is. It's just good common sense. So, looking at evacuation processes as we come out of Warm Springs Mesa onto Warm Springs Drive, if we add in those numbers, take that into a little bit of consideration if we need more information from ACHD. Also about the wildlife mitigation zone, it's almost to the point where to talk about a mitigation zone or a wildlife corridor is a misnomer. If everything is a wildlife corridor, then where are we standing. There's really no sense in declaring wildlife corridor any longer. It goes from the 2005 testimony which said that a wildlife corridor has to be between 600 and 1000 feet in order to be effective. We're now down to 30 to 40 feet. I would ask what is the science? I would ask what is being done on the Mesa Reserve to prepare the wildlife coming down from the WMA and I'm not sure how these decisions are getting made. 30 feet is a long cry from the 600 or 1000 feet that was recommended in 2005. So I would ask that we consider moving that wildlife corridor recommendation back to the west of the property.

Teri Thompson (City of Boise): Time.

Chairman Demarest: Sir thank you. Okay who else? Come on up. You know the drill. Fill out the little white paper. Mr. Burns don't forget to get that back to us before you leave. That little white. Should be a little white tab right up there. So anybody that didn't sign up, that's everybody from Mr. Burns onward, just fill out one of those little white things before you leave this evening. We don't need it right this moment. Sir.

Richard Carter (2343 S Ridgepoint Way): I'm Richard Carter at 2343 S Ridgepoint Way which is a part of the Mesa. To pick up on Tom's point about the Mesa Reserve, the Mesa Reserve abuts the backside of this development and the comment was made earlier about people with their property have rights to develop it in their own particular way. So, the Mesa developers back with the Boulder Heights agreement in '02 made sure that that property that's now part of the Mesa Reserve, is set aside particularly for the flora and fauna enhancement and mitigation. So, these mule deer (aint) aren't just the Mesa mule deer, they're everybody's mule deer. So, I'd like to follow up and congratulate Fish and Game and Chris particularly in her language to you. I'd like

to recommend and make it a point that the conversation that you all had with Krista about that lot number 38, which is at the very edge next to, it's going to be right adjacent to the catch basin. If Krista said just to make the lot smaller, I really think that should be put in writing. I was a part of the HRWMA (the Harris Ranch Wildlife Mitigation Association) board, secretary and treasurer for four years, I worked with Krista on that board. I know that she feels very strongly about their mandate which is taking care of those wildlife coming down the hillside. So, to the degree that Mr. Clark is adopting the Fish and Game concept for the fencing, you mentioned the three and a half inch spaces and I know (inaudible) which is adjacent, you know it's the Hillside Neighborhood running up on the other side of Windsong. We have that now as a part of our mandate. I know Harris Ranch does as well to make sure that there's room for, because we've seen the bucks and we've seen the does but we also see the fawns going up and down the hillside coming up out of the river. So make sure that there's room for the fawns to get under the fence if possible. There's room for the bunnies but make sure that there's room available also for the babies. To the degree that there are gates in that fence at the back side, I would like somebody on the premises to be monitoring and opening those gates instead of some Fish and Game persons who's over on Highway 21. Finally, some signage. Some wildlife corridor signage on Warm Springs. Thanks a lot.

Teri Thompson (City of Boise): Time.

Chairman Demarest: Sir thank you so much. Okay, who else? Seeing no hands go up, I'm going to close the public portion and the applicant now has up to five minutes to rebut.

PUBLIC TESTIMONY CLOSED

APPLICANT REBUTTAL

Bill Clark | Clark Development (420 Main Street Suite 204): Mr. Chairman, Commissioners. Bill Clark again. I have just a couple of comments and then maybe you have some questions concerning some of the testimony that's been given which I appreciate.

Two things. One is on the Wildlands Urban Interface. I actually helped write those regulations and those policies quite a few years back. But anyway, I'm quite aware of them and we're absolutely committed to abiding by those as they've been refined over time and I think that's one of the requirements, conditions that Cody mentioned. Concerning wildlife, as I said a little earlier, we are trying to follow what Fish and Game is requesting and thinks best. And as concerning the fencing, we've said that we will follow what Fish and Game requires. Expect they have some fairly specific recommendations about that and so we anticipate abiding by those and that, as Cody mentioned, that they would have to sign off on it. I personally don't have the background and experience to contradict them. As I told you before, I may have a different opinion but that's it. So those are my only responses and rebuttal. If you have questions of me.

Chairman Demarest: I think we're past the Q & A part. We did that before. Alright? So that was your time to answer anything that came up. Okay, so it is now before the Commissioners to render a decision. Item number 1, PUD16-00024 & SUB16-00052.

Commissioner Gillespie: Mr. Chairman?

Chairman Demarest: Commissioner Gillespie.

Commissioner Gillespie: I'll take first PUD, I move that we approve PUD16-00024 for the reasons stated in the Staff report and with all the terms and conditions with the additional requirement that per the Idaho Fish and Game's letter, we delete lot 40 and that we do, well it's already in the recommendations, that we require at least one path through the center of the subdivision.

Chairman Demarest: So, do we need that one in since it's already in the report? The second one?

Commissioner Gillespie: It's in. I'm sorry. Re-associating.

Chairman Demarest: You're just underscoring.

Commissioner Gillespie: The big one is I think.

Chairman Demarest: Delete lot 40.

Commissioner Gillespie: To delete lot 40 per IDFG.

Chairman Demarest: Part of your motion. Let's see if we've got a second for that, Commissioner. Is there a second for Commissioner Gillespie's motion?

Commissioner Bradbury: Second.

MOTION: COMMISSIONER GILLESPIE MOVED TO APPROVE PUD16-00024 FOR THE REASONS STATED IN THE STAFF REPORT AND WITH ALL THE TERMS AND CONDITIONS WITH THE ADDITIONAL REQUIREMENT THAT PER THE IDAHO FISH AND GAME'S LETTER DELETE LOT 40.

SECONDER: COMMISSIONER BRADBURY

Chairman Demarest: Okay. So we've got a motion moved and seconded to approve the PUD with all the terms and conditions in the Staff report adding the deletion of lot 40. Is that correct?

Commissioner Gillespie: Yes.

Chairman Demarest: Okay good. Alright. Let's debate that. Or discuss that.

Commissioner Gillespie: Mr. Chairman?

Chairman Demarest: Commissioner Gillespie.

Commissioner Gillespie: So I agreed with the basic conclusions of the Staff report. I'm not convinced that the traffic issue is a disqualifying issue for this particular development at this time. There's been a lot of careful thought on the traffic flow throughout this area and it was clear that this has been envisioned as R-1C for some period of time. I think the developer has generally made a good faith effort to comply with the Fish and Game issues, the spacing and setback issues, and I think generally the project is going to be a good addition. I think with respect to the Idaho Fish and Game letter, it's pretty clear that Fish and Game would like to see lot 40 gone and to widen that toe for wildlife to get through. I think that's a very reasonable point and the developer's already said that they'll comply with all the IDFG recommendations. So really what we're just trying to do here is make that more clear. With respect to the approval. That's all I've got.

Chairman Demarest: Further discussion?

Commissioner Thornburgh: Chairman?

Chairman Demarest: Commissioner Thornburgh.

Commissioner Thornburgh: Along with the elimination of lot 40, would there also be, as this on gentleman said, either flashing lights like we see along the highway or some signage that says deer corridor? It would seem to me that that would need to be included but I don't know at what point.

Chairman Demarest: Let's ask Staff about that. Is that already a part of what we're talking about or not?

Cody Riddle (City of Boise): Mr. Chairman, no. Any additional signage would be subject to Fish and Game and Ada County Highway District approval. You could certainly include that subject to their approval, but if they say no, it's no.

Chairman Demarest: We could supersede them on that.

Cody Riddle (City of Boise): No.

Chairman Demarest: Okay. It's somewhat moot actually. It'd be a good recommendation but it's not part of what we've got before us right now. Alright. Further discussion?

Commissioner Stevens: Mr. Chair?

Chairman Demarest: Commissioner Stevens.

Commissioner Stevens: I just want to say that I'm going to be supporting the motion but I do want to say a couple more things about the traffic. I was here a long time ago before the Park Center Bridge was put in. I know that traffic through the East End was a real problem back then. I think that the ACHD report and the comments that our own staff made make it clear to me that at least for right now, this development, the traffic can support this development. I think for the reasons that staff put in our staff report with regard to how the rest of this particular development fits into our Comprehensive Plan, I think that's really important. It's an important thing for us as the Commission to weigh. And there are a lot of really good reasons for this development in this particular place. It's not perfect. Unfortunately, I think that the mule deer, we're going to see, we'll probably see some changes in their migration patterns and when, I know it's a far, distance wise, it's a long way away to talk about how the Harris Ranch Underpass is going to effect this. But I think what we're going to see over the next 20 years or so is a really major change in their migration patterns. However, if we balance where we're going to put our people as our town grows, this is the place to put them as opposed to put them out west and sprawling and continuing to build infrastructure and infrastructure and infrastructure out where it really shouldn't go. So, I'm hoping that with the wisdom of Fish and Game and with the people who are working on this from various different agencies and a very responsible developer who has a proven track record in this town that we can make the right decision here and continue to track what's going on with those deer. So I just wanted to put those comments on the record and I will be supporting the motion.

Chairman Demarest: Thank you Commissioner. Any further discussion?

Commissioner Bradbury: Mr. Chairman?

Chairman Demarest: Commissioner Bradbury.

Commissioner Bradbury: So, the only thing I wanted to add, I agree Commissioners Gillespie and Stevens in the comments that they've made and I'm not going to repeat all that but I do want to talk a little bit about the lot. I think we're referring to it as lot 40. I'm not entirely convinced that lot 40 necessarily needs to be eliminated unless Fish and Game really intended for it to be eliminated. My thinking about that is that by adopting a condition of approval that requires the applicant to comply with the requirements of the Department of Fish and Game, that the applicant

would comply with the requirements of the Department of Fish and Game. And if that means elimination of a lot, then it would include an elimination of a lot. If it means, as the applicant has suggested, redrawing the lots so as to make Fish and Game happy about what's happening in that particular location, then that's what it would mean. That's the approach I would take rather than having an outright requirement that any particular lot be eliminated because perhaps there's other ways to solve the problem. That's my thinking about what I would mean when the time comes to vote and I say aye.

Cody Riddle (City of Boise): Mr. Chairman if I may? I apologize to interrupt.

Chairman Demarest: Sure. It's okay.

Cody Riddle (City of Boise): In originally looking at this project, that was our thought exactly. We had, before meeting with the Fish and Game, suggested that the area identified as lot, I think was 38 at the time, 40 now, be removed and that that dimension, that space be accommodated as a wildlife corridor because we weren't recommending that it be removed for density purposes or traffic, but that that space, basically that that lot could be relocated elsewhere whether it be down Warm Springs or interior to the development. So I guess I just ask the Commission to clarify if it's to be removed entirely and you're suggesting a 59-unit project or otherwise.

Commissioner Gillespie: Yes. 59 Units.

Chairman Demarest: The City is asking for our help.

Commissioner Gillespie: 59 units.

Chairman Demarest: Okay. Removal of lot 40 which then means 59 units. Okay. Further Discussion?

Commissioner Gibson: Mr. Chairman?

Chairman Demarest: Commissioner Gibson.

Commissioner Gibson: One of the comments that came up from the public had specifically been related to the loose informal parking that occurs along Warm Springs and as a resident of that area, every summer you see the cars out there. I had a question and it's just more for an open thought. The Warm Springs Avenue Buffer exhibit, that's included in our package, indicates a shoulder and swale and it was also additional public testimony about questioning whether or not there would be the introduction of curb and gutter along that area. I'm bring this up as, what I would consider to be a fairly significant conflict if you have curb and gutter and it's striped accordingly, you're not going to have people informally park because they'll be parking in a roadway and can be ticketed.

But the way the projects designed right now, there's the opportunity for individuals to bootleg park over the swale and up on to the landscape area. I'm bringing it up as a concern because it is provided as an exhibit. Whether or not that would have any material impact upon how the developer proceeds with the project, I'm just making that as an observation. I will be voting for the motion with the conditions.

Chairman Gillespie: Mr. Chairman?

Chairman Demarest: Commissioner Gillespie.

Commissioner Gillespie: I did think about this informal parking problem. First of all, we use the work informal. In some sense, it means parking on other people's property without their permission. Another word for it is illegal. I've always had kind of a hard time with that, making allowances for that concept. That said, greenbelt access is important and there's a big parking lot at Warm Springs Golf Course, which I've parked in to go bike riding a whole bunch of times and I've never seen it remotely full and it's just right there and there's a whole bunch of ways to get, you know, it's built into the greenbelt. So, I didn't see the need to try and handle the informal parking question.

Chairman Demarest: Commissioner Gibson.

Commissioner Gibson: Just to address that, it's usually the guys who are kayaking at the diversion dam. It wouldn't necessarily be pedestrians or hikers who would park at the golf course. Though I know in the summer time the golf course has to put a sign up stipulating that no non-golf related parking activities are allowed for parking at the golf course. So, with the addition of the new parking areas provided in this plan, that will address some of those issues. I accept that as a counter.

Chairman Demarest: Okay. But we're not changing the original motion?

Commissioner Gibson: No.

Chairman Demarest: Okay. Any further discussion? All those in favor of the motion with one additional condition please signify by saying aye. Any opposed? It is so ordered. Folks, thank you. Okay. We're going to on now to item number two.

ALL IN FAVOR, NONE OPPOSED, MOTION CARRIES.

Commissioner Bradbury: Mr. Chairman?

Chairman Demarest: Commissioner.

Commissioner Bradbury: I don't think the motion included the subdivision.

Chairman Demarest: Hold it. Come back. We haven't done the subdivision. Let's do the Sub. They may want to hear this so come back.

Commissioner Gillespie: The shows over. Mr. Chairman I move that we recommend approval to the City Council of SUB16-00052 for the reasons stated in the Staff report and with all the terms and conditions of the Staff report and with the additional term and condition we put on the planned unit development with respect to lot 40.
Chairman Demarest: Thank you. Do we have a second?

Commissioner Bradbury: Second.

MOTION: COMMISSIONER GILLESPIE MOVED TO RECOMMEND APPROVAL OF SUB16-00052 FOR THE REASONS STATED IN THE STAFF REPORT AND WITH ALL THE TERMS AND CONDITIONS OF THE STAFF REPORT AND WITH THE ADDITIONAL TERM AND CONDITION WE PUT ON THE PLANNED UNIT DEVELOPMENT WITH RESPECT TO LOT 40.

SECONDER: COMMISSIONER BRADBURY

Chairman Demarest: Second from Commissioner Bradbury. Further discussion? Recommendation to the City Council.

Commissioner Bradbury: Mr. Chairman?

Chairman Demarest: Commissioner Bradbury.

Commissioner Bradbury: I just to state for the record that I, as I said with respect to the PUD approval we just made, I don't necessarily believe that elimination of a lot is required in order to conform to the requirements of the Fish and Game Department and although I'm going to vote in favor of the motion, I kind of just want that on the record so that maybe when this thing is seen by the City Council they can consider that thinking as well.

Chairman Demarest: Any further discussion? All those in favor signify by saying aye. Any opposed? It is so ordered. Folks, now you may depart if you want to. You're welcome to stay as well.

ALL IN FAVOR, NONE OPPOSED, MOTION CARRIES.

TESTIMONY FROM NOV. 7 HEARING

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

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M E M O R A N D U M

TO: **Boise City Planning and Zoning Commission**

FROM: **Cody Riddle**
Boise City Planning and Development Services

RE: **PUD16-00024 & SUB16-00052 / Additional Correspondence**

DATE: **November 7, 2016**

Background

This item includes a conditional use permit and preliminary plat for a subdivision comprised of 60 detached single family homes on a roughly 14.5 acre site located at 2570 E. Warm Springs Avenue in an R-1C (Single Family Residential) zone.

Request/Recommendation

The attached correspondence was received after publication of the original project report, but prior to the deadline for written testimony. As a result, it should be included as part of the record.

Attachments

Neighborhood Correspondence
Boise City Parks and Recreation Department Comments
Ada County Parks and Waterways Comments

October 31, 2016

To: criddle@cityofboise.org
Subject: Warm Springs Village/ PUD16-00024/SUB16-00052 2570 E Warm Springs Avenue

Dear Mr Riddle,

The Warm Springs Mesa Neighborhood Plan, which greatly reflects the City Plan and Blue Print Boise, clearly and concisely expresses the goals of the Mesa residents and guides development which includes but is not limited to: traffic and transportation safety of our residents, open space preservation, wildlife mitigation, protection of life and property from natural hazards and assure emergency evacuation capabilities. Being a WUI neighborhood requires us to be extra vigilant to the latter issues of wildlife and wildfire.

We recognize that growth is inevitable. Even our own neighborhood, Warm Springs Mesa, is expanding into its last phases of development after many years of dormancy. Although the discussion at hand is Warm Springs Village, we are posing three (3) issues we wish to be considered by Planning and Development as well as the City Council, ACHD, Fish and Game, Boise Police and Fire departments in the decision-making process for the Village as well as future development of the lands adjacent to the Mesa.

1. In the October 5, 2016 "**Final Staff Report**" from ACHD to Warm Springs Enterprises LLC. , from Stacy Yarrington, Finding of Fact, item #4 states:

   Adjacent Development: The following developments are pending or underway in the vicinity of the site: • Fallingbrook Subdivision No 3, a 10-lot townhome development, located northeast of the site was approved by ACHD on November 10, 2015

In a conversation with Ms Yarrington, Oct. 21, 2016, she stated that *"adjacent"* usually means approximately 1 mile. In fact, the vicinity of the site has tremendous development including " pending or underway" which is absent from this report and which increases the numbers cited here to the point of rendering them meaningless: 1) Pravda Estates is developing 18 sites, 2) Vista Ridge is planning a 65 unit site across the road, 3) Antelope Springs is planning on adding an additional 5 sites and 1 commercial site to its current 17 units, and 4) Warm Springs Mesa Boulder Heights Phase 8 and 9 will see an additional 125 homes, bringing the Mesa to 600 + units. We do not have a number of units planned for 5) Fallingbrook Subdivision No. 3, but we suggest the final build out will result in 750 + residences, including the 60 planned for Warm Springs Village. **We ask that these numbers be used when assessing trip generation, average daily traffic, and the capability of Warm Springs Avenue to safely handle increased traffic, specifically at the intersection of Windsong Dr. and Warm Spring Ave.**

2. In addition to the number of homes and traffic patterns cited here, **we also ask the City of Boise and ACHD to question the proposed Idaho F&G relocation of the WMA**

wildlife corridor from west of the Village development to the east which situates the corridor to be within 10 yards of the Windsong Dr. and Warm Springs Ave. intersection - the only traffic light in existence for the Boise eastern-front. We recognize the Idaho F&G's expertise in wildlife management but question the dramatic changes from the 2005 review (cited below) to this most recent one, not only the parameters of the corridor but the location. And as above, has the impact of increased developments in this "adjacent area" been considered in regard to safe wildlife movement?

In the report to Hal Simmons from Idaho Fish and Game regarding Warm Spring Enterprises LLC August 11, 2005 :

The Idaho Department of Fish and Game (Department) has reviewed the information you provided regarding the former Gate City Steel property on the north side of Warm Springs Avenue immediately west of Warm Springs Mesa. The Department's understanding is that a subdivision has been proposed for this 14.5 acre site.

The Department offers the following comments for your consideration. Warm Springs Avenue along the golf course has had the highest rate of automobile/mule deer collisions compared to the rest of Warm Springs Avenue. The Gate City Steel site is in this reach.

This high collision rate suggests that this area is a major deer crossing. The majority of the collisions occur during the winter months when the deer have moved down to the lower elevation winter range. The Department believes the deer are crossing Warm Springs Avenue to reach the Boise River or other water sources likely because of the lack of water on the hillside.

A subdivision in this area will increase traffic on Warm springs Avenue and increase the probability of automobile/deer collisions. It could also block migration to the river. A properly designed and placed wildlife movement corridor will help the deer and other wildlife to get through this proposed development. However, it does not address the issue of collisions and safe wildlife passage across Warm Springs Avenue. This is an important issue that needs to be addressed as development continues along Warm Springs Avenue.

A properly functioning wildlife corridor should be 600 – 1,000 feet wide and follow the natural contours and movement lanes that provide the greatest security cover for the wildlife. Any

designated wildlife corridor should be restored with native vegetation (especially shrubs such as sagebrush and bitterbrush) to enhance security cover and provide forage.

Thank you for the opportunity to comment. If you have any questions, please contact Eric Leitzinger in the Southwest Regional Office at 465-8465.

Sincerely,

Eric Leitzinger
for

Al Van Vooren
Southwest Regional Supervisor

A review of the ID F&G proposal to relocate the wildlife corridor at Warm Springs Village pivots away from these findings, where the "corridor" narrows to an estimated width of 30 feet. This is a far cry from the 600 to 1000 feet noted in the original IDF&G notice and this Board would like to know "has the science changed"? Is this the best we can do on such an important wildlife component facing residents of East Boise? Where is the mitigation underpass slated for Harris Ranch? What happened to the sonic traffic signs alerting drivers to crossing activities along the roadway? Why is there not drilling within the WMA to create a permanent water source for wildlife reducing the need for forcing wildlife down to Warm Springs Ave? What plans are there for the development of the area contained within the Mesa Reserve to address such issues?

3. . Daily traffic counts are one thing – emergency evacuation is another. The recent Table Rock Fire brings this issue to immediate and ongoing reality. Warm Springs Avenue at this location is narrow, curving, and as the Fire demonstrated, vulnerable to wildfire. Three adjoining neighborhoods were impacted by this fire, but fortunately, evacuation was not necessary. Given the potential for hundreds of families attempting to escape a fire, which is likely to be rapid-moving, heavy with smoke decreasing visibility, unpredictable in movement, and potentially a death-trap, we strongly urge the City to develop evacuation plans for the area before more development is approved. The Mesa Neighborhood Board has begun to look at the issue: completed a SWOT analysis of the fire, called for an "after-fire" review with fire, police, and BLM personnel, and are developing some evacuation ideas with the Boise Police Dept. The nexus of a heavily populated intersection, the only traffic signal from Broadway to well past Harris Ranch west, with a proposed wildlife corridor,

   In addition, we urge that all development within the "adjacent area" be deemed "Foothills" thus requiring fireproofing building codes as other coding. As proven by the Table Rock Fire, even having a fire station close at hand, it will not be able to handle a wildfire and every step we can take to minimize danger is encouraged.

Submitted by the Warm Springs Mesa Neighborhood Association Board

Donna Burns
President

November 3, 2016

Cody Riddle
Manager, Current Planning
Boise City Planning & Development Services
Boise, ID 83701-0500

RE: Proposed Warm Springs Village (Gate City Steel Property) SUB16-00052, PUD16-00024

Mr. Riddle,

Please accept these written comments on the proposed development located at 2570 Warm Springs Avenue. We live at 2478 Warm Springs Avenue which is adjacent to the Ridge to Rivers Tram Trail head that is adjacent to this proposed development.

Our main concerns with the proposed development are (1) fire danger, (2) parking, (3) trail head access/irrigation pump, (4) traffic safety, (5) inadequate wildlife corridors, (6) water drainage and (7) lot variances.

We request the following from the planning and zoning committee regarding this proposed development:

(1) require a minimum 30' defensible fire space from all undeveloped land, including the Tram Trail property, surrounding the development and require developer to submit the wildfire safety plan prior to approving the requested plat plan,
(2) require a comprehensive plan, working with the City of Boise Parks and Recreation, to provide for safe parking/crossing alternatives for Boise River, Greenbelt and Trail users prior to plat approval,
(3) require the developer to have at least 50' of common space (adjacent to Tram Trail head) and work with the City of Boise Parks and Recreation to assist with the relocation of the Tram Trail head to provide safe accessibility to the foothills amenity by all community members, and prevent damage to the existing irrigation pump that is located in the right of way,
(4) require the developer align one of the proposed development entrances with the future Warm Springs Golf Course parking lot entrance to provide better traffic sight lines and a safer pedestrian crossing,
(5) require the developer provide at least 50' of common space (adjacent to Tram Trail head) on the Northwest frontage of Warm Springs Avenue to provide a more adequate secondary wildlife crossing,
(6) require a water retention area in this proposed development, and
(7) deny the lot variances requested and reject the application as submitted.

We were disappointed when the city removed this property from its prior foothills designation approximately 10 years ago. At that time, we testified that there are many foothills

characteristics remaining on the property. This 14.5 acres of land is surrounded by steep slopes and integrally positioned between the foothills and the Boise River. It is much more than the old manufacturing site of Gate City Steel. There are also large numbers of wildlife that use the land to reach the river. We have been blessed to enjoy elk, moose, bobcats, cougars, coyotes and large herds of deer on our land as well as see them on the Ridge to Rivers and this proposed development property.

The City of Boise already provided a great gift to the developer by removing the property from the foothills designation, which would have required more stringent building codes. The application submitted on 8/25/16 requests two significant additional waivers from the city code, including:

a. Reduction of lot frontage on Warm Springs to 40' from the required 50' frontage. (20% reduction)
b. Side yard setbacks of 3' for the lots fronting Warm Springs Avenue from the required 5'. (a 40% reduction)

The application also notes that the proposed front yard setbacks be 10’ rather than the required 20’ setback (50% reduction); however, no waiver is requested in the application.

The justification for these waivers is the amount of open space that will be included in the development. It is important to note, however, that the “open space” is steeply sloped land at the base of the foothills that would not be beneficial or accessible as an amenity to the larger community. There are no benefits offered by the developer to the community in exchange for waiving such an important city code. In fact, the City P&D report notes “The project does not include the typical amenities found in conventional subdivisions.” Converting a rural stretch of road into a tightly packed row of houses requires more justification that the minimal inaccessible “open spaces” provided at the back of the development.

We request that Planning and Zoning deny the variances requested and reject the application as submitted. Our request is based on the following:

<u>Fire danger:</u>

Setbacks and lot width requirements for planned developments have been established by Boise City to ensure not only visual appeal but safety concerns. Open and defensible fire space between dwellings is critical especially when the development is located adjacent to open space. This land is susceptible to wildfires and a portion of the property was burned by the Table Rock fire (see exhibits A, B and C) on June 30, 2016.

Exhibit A: Map of Table Rock Fire Perimeter from Idaho Statesman October 22, 2016, with the red line indicating the perimeter of the fire. The area circled in white (which we have added) identifies the area along Warm Springs Avenue that includes the proposed development.

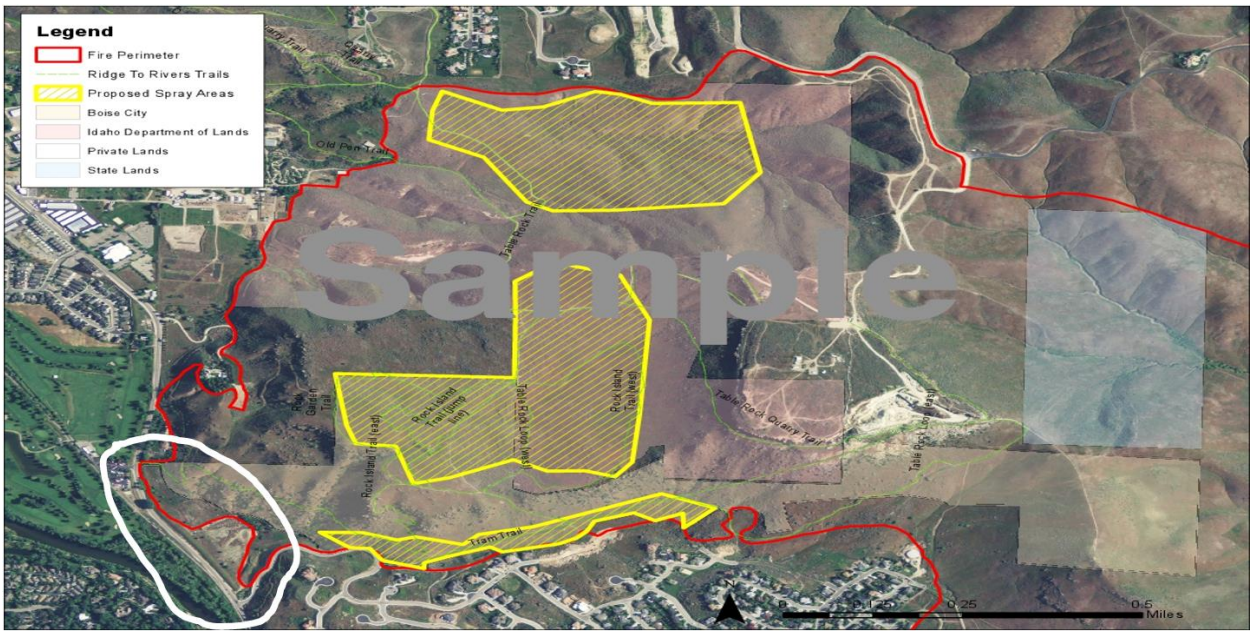


Exhibit B: Enlargement of the area found in Exhibit A that is circled in white above. Again, the area circled in white shows the proposed development property within fire perimeter where Red = fire perimeter



Exhibit C: Overlay of preliminary Plat onto Exhibit B



Exhibit C shows the proposed plat within the Table Rock Fire perimeter. Please note that 32 of the proposed lots are within that fire perimeter (16 lots entirely within the fire perimeter and 16 lots partially within the fire perimeter). We understand that some of the property would not have burned if the overgrowth of weeds had been eliminated. However, without adequate defensible space around the subdivision and with rooftops so close together the potential for fire jumping from home to home increases. Granting the requested reduced road/alley widths could only further hinder emergency personnel during an emergency.

The Boise Fire Department submitted comments in its report dated 9/23/16 that state the following: "1. This proposed subdivision is located within Wildland-Urban Interface Zone "A" and Compliance with Boise City Code Section 7-01-69 is required for all structures within this subdivision. A 30' defensible space shall be provided from undeveloped land. An easement and maintenance agreement is required for defensible space on the common lot. 2. A wildfire safety plan is required for this subdivision. A plan shall be submitted and approved prior to approval of the final plat." The current plat does not include 30' of defensible space adjacent all undeveloped land, including the property adjacent the Tram trail head.

We request that Planning and Zoning require a minimum 30' defensible space from all undeveloped land surrounding the property, including the Tram Trail property, and require developer to submit the wildfire safety plan prior to approving the requested plat plan.

Parking Concerns:

Currently, recreational users (non-golf) park their vehicles along the ditch (in front of the proposed development on both sides) of Warm Springs Avenue to use the foothills trail, the greenbelt and the Boise River. While the Warm Springs Golf Course parking lot may seem like a logical alternative for parking, that lot is unable to allow parking for non-golf users, especially during peak periods. In early 2016, the Golf Course and Ridge to Rivers agreed that trail head users would not be allowed to park in the golf course parking lot any longer. The Golf Course posts sandwich signs at the entrance to their parking lot that states "Parking For Golfers Only" during peak times.

This proposed development will make parking for the recreational, non-golf users, even more dangerous without providing any alternatives. While the developer has proposed a detached sidewalk along the easement of Warm Springs that sidewalk does not align to the current golf course parking lot entrance nor does the proposed sidewalk align with any existing crosswalks on Warm Springs Avenue. It is our understanding that Boise City Parks and Recreation Department is looking at a solution to ease some of these parking concerns; however, both the Park & Recreation and the Planning & Zoning departments consider this parking solution to be a separate issue from the proposed development. The COMPASS report dated 9/14/16 regarding this specific development includes additional comments of "Consider improving the entrance to the Tram Trail and allowing for neighborhood connections to the trail."

We ask that the Planning and Zoning Committee require a comprehensive plan, working with the City of Boise Parks and Recreation, to provide for safe parking/crossing alternatives for Boise River, Greenbelt and Trail users prior to plat approval

Trail Head Access:

The proposed development does not adequately accommodate trail head access changes that will need to be made as a result of this development. The planned sidewalk along the easement of Warm Springs Avenue to the northern edge of this property does not connect to the trail head. Trail users will have to either go towards the road or go around the existing fencing to access the trail head from the proposed sidewalk to avoid our irrigation pump located in the right of way. This irrigation pump has been in this location for at least 40 years, is extremely large (exhibit D) and would take great effort (expense and construction) to relocate. Exhibits E and F show the existing irrigation pump, trail head and crosswalk. We have discussed the trailhead access and irrigation concerns with Sara Arkle and Jennifer Tomlinson from the City of Boise, who verbally stated that they would recommend the existing trail head location be changed to the southern corner of the Ridge to Rivers lot that abuts the proposed development. The proposed plat shows approximately 10' of common space adjacent to the Parks and Recreation Property which is likely not sufficient to accommodate the proposed changes to the Tram Trail head. This is also less than the required 30' defensible fire space (the trail head is undeveloped land) as discussed above.

Exhibit D: Irrigation pump for 2478 Warm Springs Avenue



Exhibit E and F: Views of Existing Trail Head Access, crosswalk and irrigation pump





We request that planning and zoning require the developer to have at least 50' of common space (adjacent to the Tram Trail) at the northern edge of its property and work with the City of Boise Parks and Recreation to assist with the relocation of the Tram Trail head to provide safe accessibility to the foothills amenity by all community members; also prevent damage to the existing irrigation pump that is located in the right of way.

Traffic Concerns:

There already exits poor sight lines between Windsong Drive and the Warm Springs Golf Course parking lot due to a curve in the road. This curve makes the existing parking lot entrance and crosswalk difficult to see. In the ACHD comments dated 10/5/16, they state that "ACHD is not supportive of improving the [pedestrian] crossing at this location, due to the fact that there is limited site distance…" Sight lines are also reduced for vehicles turning into/out of the golf course parking lot. As mentioned above, many recreational (non-golf) users park on both side of the road which further reduces the sight lines of traffic. The west most entrance to the private road of the proposed development is nearest to the curve that causes the limited

sight lines. Inadequate sight lines and turning traffic will increase the risks to all. A plan to transform this stretch of road from its current rural state to an urban state, as planned with this development, should include turn lanes, pedestrian crossing, traffic lights, parking and storm water drainage. In the future Warm Springs Golf Course may be relocating their entrance and now is the time to consult with Boise Parks and Recreation to properly plan for their parking lot changes.

In the ACHD comments dated 10/5/16, the report states "There is an existing pedestrian crossing across Warm Springs Avenue north of the site's north property line to the Warm Springs Golf Course parking lot that provides access the greenbelt. The City of Boise owns both parcels abutting the crossing. ACHD is not supportive of improving the crossing at this location, due to the fact that there is limited site distance; and no direct public access to the greenbelt at this location without walking through the Warm Springs Golf Course parking lot. This applicant is constructing sidewalk along Warm Springs Avenue that will connect to the signalized crossing at Windsong Drive."

We request that Planning and Zoning require the developer to work with Boise City Parks and Recreation to align one of the proposed developments entrances with the future Golf Course parking lot entrance to provide better traffic sight lines and a safer pedestrian crossing.

<u>Lack of adequate wildlife corridor in proposed development:</u>

The developer has included common space, at the request of Idaho Fish & Game, which abuts Windsong Drive at the Southeast section of the property to allow for a primary wildlife crossing. The common space includes approximately 75' of frontage on Warm Springs Avenue. We question if Idaho Fish & Game is aware of the retention pond that is a substantial portion of this proposed corridor. This pond could make wildlife crossing difficult (see Exhibit G) if there is significant water in the pond and due to the upslope to the road. In their comments, Idaho Fish & Game recommends that the developer eliminate Lot #40 of the proposed plat to allow more adequate space for wildlife crossing in this area.

Exhibit G: Retention pond at Wind Song and Warm Springs



The Northwest section of the property which abuts the Tram Trail is also heavily utilized by mule deer crossing to the Boise River and only approximately 10' of common space is allocated in the plat on the Northwest section of the property. As mentioned earlier, we have been blessed to see an abundance of wildlife on our property, the Ridge to Rivers property and the proposed development property. Deer herds are drawn to cross Warm Springs along the stretch of road between west of our property given the close proximity of the foothills, the river and golf course.

We request that Planning and Zoning require the developer to provide at least 50' of common space (adjacent to Tram Trail head) on the Northwest frontage of Warm Springs Avenue to provide a more adequate secondary wildlife crossing.

Water drainage:

Finally, we are concerned that the preliminary plan does not adequately address storm water retention. A 5' ditch is proposed to catch rocks that may fall from the hillside as well as provide a defensible fire break. However, the planned ditch around the development does not have a retention pond planned to ensure that water is not diverted toward the Tram Trail head at the Northwest location of the property. Warm Springs Avenue does not have adequate storm water removal to accommodate expected runoff from the development. The road frontage directly in front of the Tram Trail head is already susceptible to flooding in heavy spring rains.

We request that Planning and Zoning require a water retention area in this proposed development.

Thank you for your consideration of these concerns that we have with the proposed development.

Best Regards,

Russell & Phyllis Slifer

2478 Warm Springs Ave

ADA COUNTY

DEPARTMENT OF
PARKS & WATERWAYS

4049 Eckert Road
Boise, Idaho 83716-884
Phone (208) 577-4575
Fax (208) 577-4579

November 3, 2016

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

RE: Warm Springs Enterprises, LLC (PUD16-00024)

Dear Cody,

Thank you for the opportunity to comment on the proposed residential development located at 2570 E. Warm Springs Avenue. Ada County owns property directly across Warm Springs Avenue to the west of the proposed development. This property is managed by the Ada County Parks & Waterways Department and includes a segment of the Boise River Greenbelt pathway that was just re-opened less than two weeks ago after completion of an extensive reconstruction and widening project undertaken by the County. As such, I would like to first explain existing public access to the various recreational amenities near this location and then submit a suggestion for consideration by Boise City as it contemplates this development proposal.

The nearest public parking area to the proposed development for accessing the Boise River Greenbelt pathway, the Boise River, and Ridge to Rivers trails is located at Boise City's Warm Springs Golf Course. In addition to providing parking for the primary users (golfers), this lot also appears to sufficiently accommodate Ridge to River trail users seeking to access the Tram Trail and Greenbelt pathway users seeking to park and ride (or walk, or stroll, etc.) on the Greenbelt.

The user group this parking lot does not accommodate is those seeking to access the Boise River for activities such as fishing, kayaking, stand up paddle (SUP) boarding, and river floating. The reason this lot does not accommodate these users is that the primary access point to the river is over a quarter mile upstream from the lot near Goodwin Dam diversion (where there is a play wave) and river users are typically carrying some form of large and unwieldy recreation equipment or gear. Traditionally, these users will park vehicles in one of two locations to access

the Boise River near the Goodwin Dam diversion: 1) in the narrow ACHD ROW on the west side of Warm Springs Ave. between the roadway and Ada County's Greenbelt pathway near E. Windsong Drive, or 2) in the ACHD ROW on the east side of Warm Springs Ave. including a larger and wider dirt area near E. Windsong Drive that is currently proposed for residential lots within PUD16-00024.

Due to the narrow width of the ACHD ROW on the west side of Warm Springs Ave. (even more narrow now with the recently completed construction project to widen the Greenbelt) and the safety hazards posed by vehicles parked too closely to the Greenbelt pathway in this location, my Department is currently working with ACHD to limit parking here. Once that occurs the ACHD ROW on the east side of Warm Springs Ave. including the larger/wider dirt area near E. Windsong Drive will serve as the only available public parking option for recreational users seeking to access the Boise River. If this area (represented in the applicant's Site Layout Plan as approximately lots 33, 34, 35, 36, 37, and 38) is developed as residential housing, there will no longer be any appropriate or designated public parking area for users carrying larger gear and equipment to access the Boise River. As a side note, a significant portion of the river access site at Goodwin Dam diversion is owned by Boise City.

The suggestion Ada County Park & Waterways is submitting for consideration to Boise City as it contemplates this proposal is to recommend the developer incorporate a public parking area sufficient to accommodate the existing (and growing) volume of Boise River recreational users at this location.

Sincerely,

Scott C. Koberg

Scott C. Koberg
Director, Ada County Parks & Waterways

Cody Riddle

From: Jennifer Tomlinson
Sent: Thursday, November 03, 2016 4:19 PM
To: Cody Riddle
Subject: SUB16-00052
Attachments: warmspringsparking2.pdf

Hi Cody
Please consider these comments as an update to the letter that was transmitted October 25, 2016.
Boise Parks and Recreation has been looking at alternative alignments for the tram trailhead that is located on Warm Springs Avenue adjacent to the proposed development. The intent is to provide a safer crossing for trail users parking in the Warm Springs Golf Course parking lot. The Warm Springs Village development will be constructing a sidewalk along the north side of Warm Springs, creating the opportunity to use the sidewalk for accessing the trailhead. As a result of the trail realignment, a pedestrian easement will need to be granted by the Developer in order to connect the tram trail to the newly constructed sidewalk. This is largely due to an irrigation system owned by an adjacent property owner that blocks access between the future sidewalk and the existing trailhead.

The developer has agreed to the concept and staff is requesting the addition of a condition to achieve the easement prior to the plan being approved by City Council.

ACHD has agreed to let BPR relocate the crosswalk to a location further east on Warm Springs to align with one of the access roads into Warm Springs Village. BPR will look at developing additional parking to serve the trailhead users. Please see the attached plan for further information, the area in red is the area where the pedestrian easement will be needed.
If you have any questions, or need any additional information please do not hesitate to contact me.

Thanks!
Jennifer Tomlinson, AICP
BPR Park Planner
City of Boise Parks and Recreation
1104 Royal Blvd.
Boise, ID 83706
(208) 608-7637

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(SECTION B-B)
20' TWO-LANE RESIDENTIAL ALLEY
SCALE: NONE

EXIST DIRT TRAIL
COMMON
2728
2730
2728
12"SD
3' DEEP/5' WIDE BOTTOM
FOR ROCKFALL CONTAINMENT
AND STORM WATER CHANNELIZATION
2750
2740
12"SD
2732
2732
PRIVATE ALLEY
2734
2736
2736
2732
6" TO 8" - 3" MINUS CRUSHED AGGREGATE BASE
BOTTOM TO HAVE 0% CROSS SLOPE
STRUCTURAL FILL DEPTH AS REQUIRED
6" CONCR
10'
2%
49'
40'
40'
49'
50'
2%
2%
2%
1
2
3
4
5
7
8
9
10
11
12
13
14
56
57
58
EP

0
30
60
120
180

NOVEMBER 7, 2016 REPORT

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

1 & 1a

PUD16-00024 & SUB16-00052/ Warm Springs Village

Summary
The applicant is requesting a conditional use permit and preliminary plat for a planned residential development comprised of 60 detached single family homes and 10 common lots on 14.45 acres located at 2570 E. Warm Springs Avenue in an R-1C (Single Family Residential) zone.

Prepared By
Cody Riddle

Recommendation
The Planning Team recommends **approval** of the applications.

Reason for the Decision

Conditional Use Permit
The project is consistent with the approval criteria of *BCC11-03-04.6.C(7)(a).* The property abuts single family homes, undisturbed open space and the Warm Springs Golf Course. As encouraged by Blueprint Boise, the project will introduce a somewhat unique residential product to the neighborhood. Further, the majority of units are concentrated along Warm Springs Avenue, away from the single family homes on larger lots to the east. This allows half the property to be preserved as open space, further ensuring compatibility with the surrounding neighborhood.

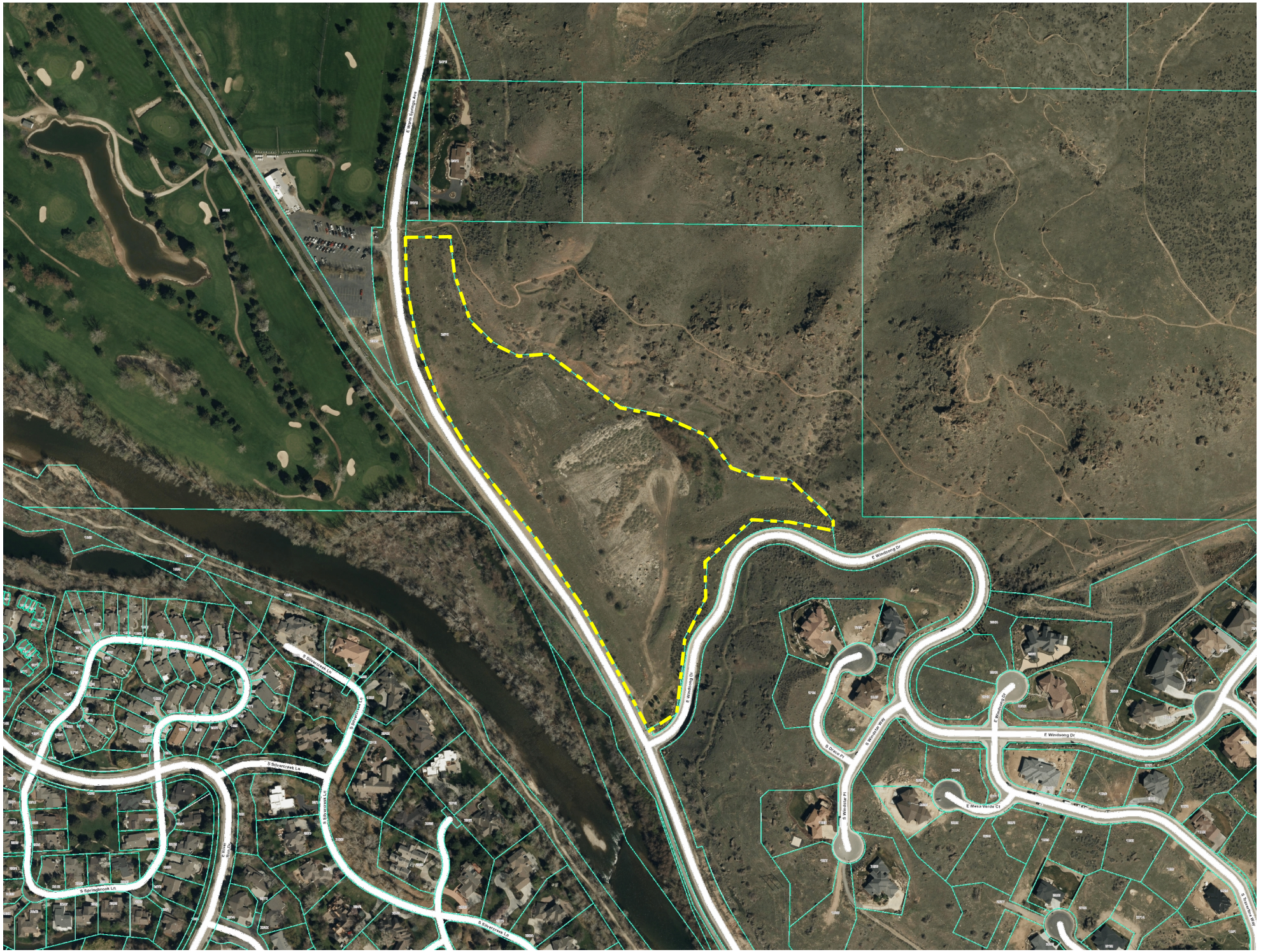
The project is consistent with Blueprint Boise. *Policy CC1.1* encourages compact infill development and *Principle GDP-N.3 and Goals NE-CCN 1 and 2* encourage a variety of housing. The project will add to the mix of housing already in the neighborhood. Consistent with *Principles GDP-N.5, GDP-N.7 a* number of the units will be alley loaded, and oriented to Warm Springs Avenue. The development is also consistent with elements of the plan related to habitat preservation and geological risks. This has been reinforced with conditions of approval.

The site is large enough to accommodate the project without adversely impacting other properties. All perimeter setbacks have been met and required amenities provided. Comments from public agencies confirm it will not place an undue burden on the transportation system or other infrastructure in the area.

Preliminary Plat
The subdivision conforms with the Boise City Comprehensive Plan and Development Code, including the standards of the R-1C (Single Family Residential) zone.

This report includes information available on the Boise City Website. The entire public record, including additional documents, can be viewed through PDS Online through the following link:

http://pdsonline.cityofboise.org/pdsonline/Permits.aspx?id=0


E Windsong Dr
E Mesa Verde Ct
S Silvercreek Ln
S Springbrook Ln

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ROAD CENTERLINE DATA

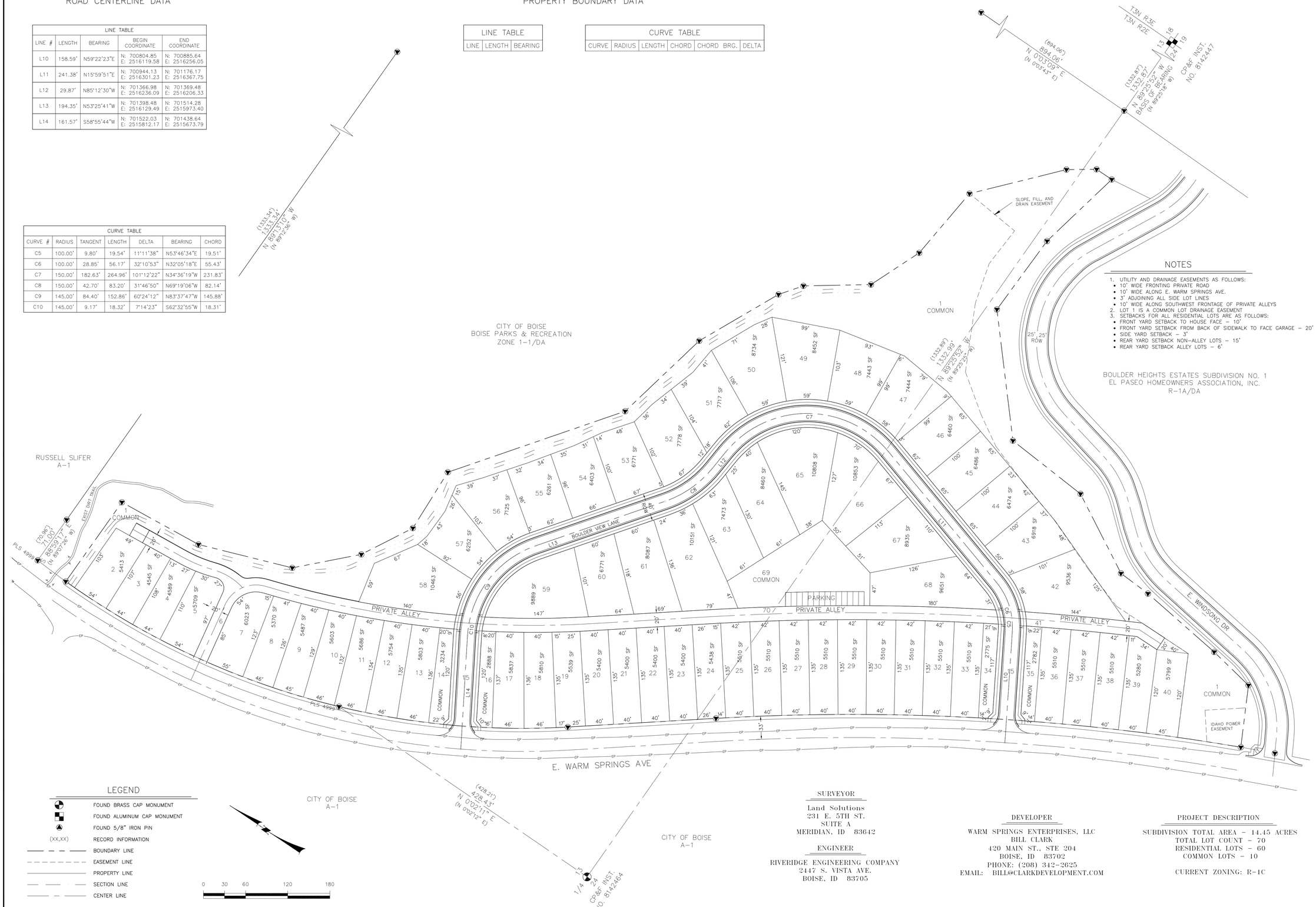
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LINE #	LENGTH	BEARING	BEGIN COORDINATE	END COORDINATE
L10	158.59'	N59°22'23"E	N: 700804.85 E: 2516119.58	N: 700885.64 E: 2516256.05
L11	241.38'	N15°59'51"E	N: 700944.13 E: 2516301.23	N: 701176.17 E: 2516367.75
L12	29.87'	N85°12'30"W	N: 701366.98 E: 2516236.09	N: 701369.48 E: 2516206.33
L13	194.35'	N53°25'41"W	N: 701398.48 E: 2516129.49	N: 701514.28 E: 2515973.40
L14	161.57'	S58°55'44"W	N: 701522.03 E: 2515812.17	N: 701438.64 E: 2515673.79

CURVE TABLE						
CURVE #	RADIUS	TANGENT	LENGTH	DELTA	BEARING	CHORD
C5	100.00'	9.80'	19.54'	11°11'38"	N53°46'34"E	19.51'
C6	100.00'	28.85'	56.17'	32°10'53"	N32°05'18"E	55.43'
C7	150.00'	182.63'	264.96'	101°12'22"	N34°36'19"W	231.83'
C8	150.00'	42.70'	83.20'	31°46'50"	N69°19'06"W	82.14'
C9	145.00'	84.40'	152.86'	60°24'12"	N83°37'47"W	145.88'
C10	145.00'	9.17'	18.32'	7°14'23"	S62°32'55"W	18.31'

PROPERTY BOUNDARY DATA

LINE TABLE		
LINE	LENGTH	BEARING

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	CHORD BRG.	DELTA



LEGEND

- FOUND BRASS CAP MONUMENT
- FOUND ALUMINUM CAP MONUMENT
- FOUND 5/8" IRON PIN
- (XX.XX) RECORD INFORMATION
- BOUNDARY LINE
- EASEMENT LINE
- PROPERTY LINE
- SECTION LINE
- CENTER LINE

0 30 60 120 180

NOTES

1. UTILITY AND DRAINAGE EASEMENTS AS FOLLOWS:
   - 10' WIDE FRONTING PRIVATE ROAD
   - 10' WIDE ALONG E. WARM SPRINGS AVE.
   - 3' ADJOINING ALL SIDE LOT LINES
   - 10' WIDE ALONG SOUTHWEST FRONTAGE OF PRIVATE ALLEYS
2. LOT 1 IS A COMMON LOT DRAINAGE EASEMENT
3. SETBACKS FOR ALL RESIDENTIAL LOTS ARE AS FOLLOWS:
   - FRONT YARD SETBACK TO HOUSE FACE – 10'
   - FRONT YARD SETBACK FROM BACK OF SIDEWALK TO FACE GARAGE – 20'
   - SIDE YARD SETBACK – 5'
   - REAR YARD SETBACK NON-ALLEY LOTS – 15'
   - REAR YARD SETBACK ALLEY LOTS – 6'

SURVEYOR

Land Solutions
231 E. 5TH ST.
SUITE A
MERIDIAN, ID 83642

ENGINEER

RIVERIDGE ENGINEERING COMPANY
2447 S. VISTA AVE.
BOISE, ID 83705

DEVELOPER

WARM SPRINGS ENTERPRISES, LLC
BILL CLARK
420 MAIN ST., STE 204
BOISE, ID 83702
PHONE: (208) 342-2625
EMAIL: BILL@CLARKDEVELOPMENT.COM

PROJECT DESCRIPTION

SUBDIVISION TOTAL AREA – 14.45 ACRES
TOTAL LOT COUNT – 70
RESIDENTIAL LOTS – 60
COMMON LOTS – 10

CURRENT ZONING: R-1C

RiveRidge Engineering Company
2447 S. Vista Ave. Boise, Idaho 83705
Ph. (208) 344-1180, Fax (208) 344-1182

PROFESSIONAL ENGINEER
REGISTERED
10-12-16
STATE OF IDAHO
DAVID G. POWELL

REVISIONS						
NO.	ITEM	DATE	E-FILE NAME			
			DESIGNED	WH		
			DRAWN	WH		
			CHECKED	DGP		
			APPROVED	DGP		

WARM SPRINGS VILLAGE - PRELIMINARY PLAT

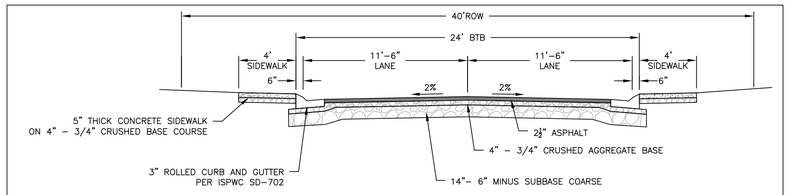
SITUATED IN THE S 1/2 OF SECTION 13 AND THE NE 1/4 OF SECTION 24, TOWNSHIP 3 NORTH, RANGE 2 EAST, BM, ADA COUNTY, IDAHO.

SITE LAYOUT PLAN

DATE: OCTOBER 12, 2016
PROJECT: 15047

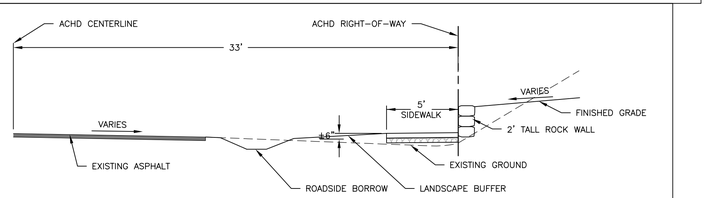
SHEET 1 OF 3

G:\15047\Acaddwg\PRELIMINARY PLAT\SHEETS\15047 Site layout – Prelim Plat.dwg



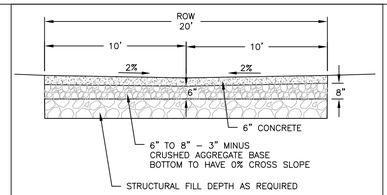
(SECTION A-A)
TWO-LANE PRIVATE ROAD

SCALE: NONE



(SECTION C-C)
WARM SPRINGS AVENUE

SCALE: NONE



(SECTION B-B)
20' TWO-LANE RESIDENTIAL ALLEY

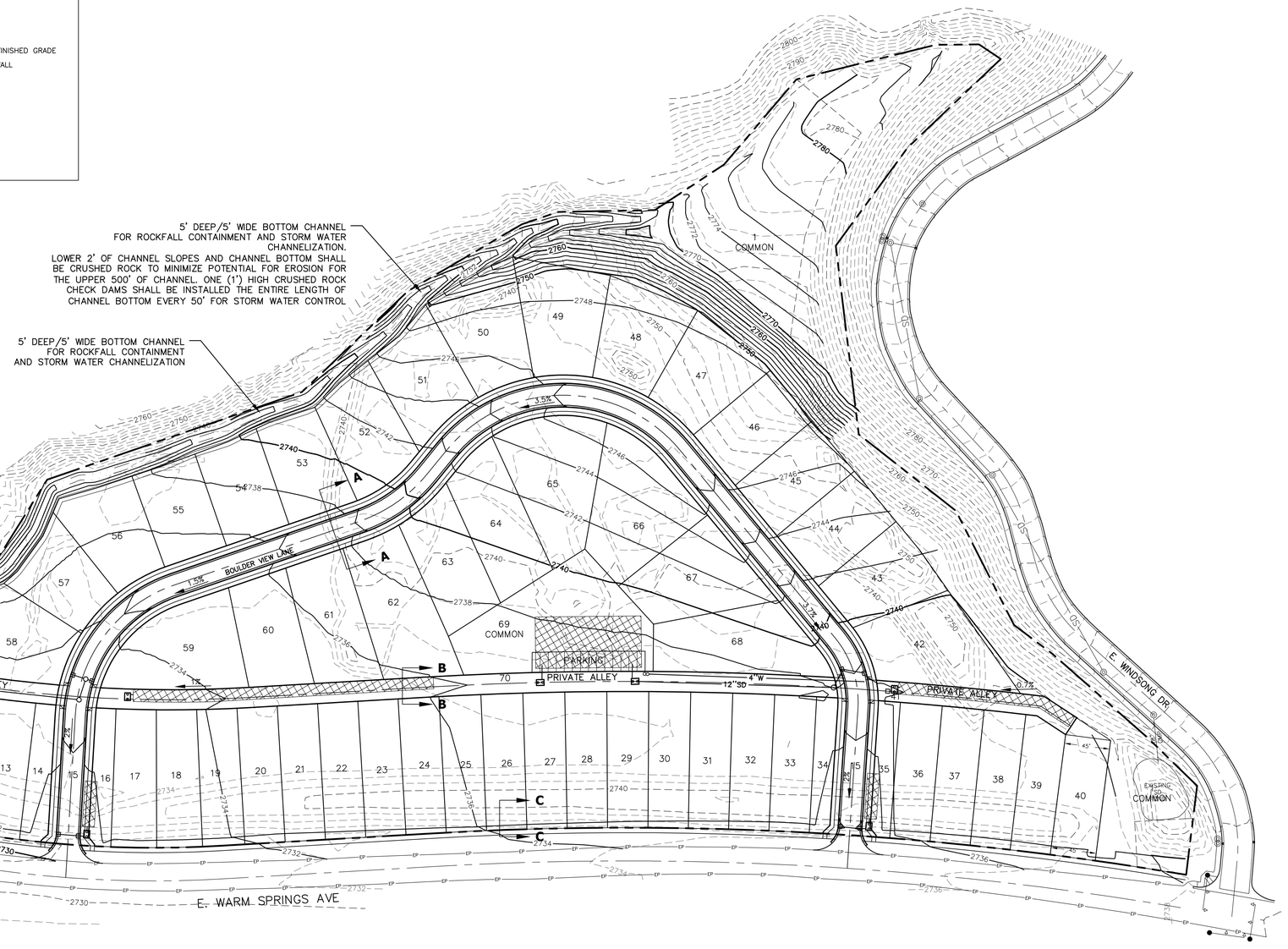
SCALE: NONE

NOTES

1. STORM DRAIN SYSTEM – THE ON SITE STORM DRAIN SYSTEM WILL BE PRIVATE AND DESIGNED IN ACCORDANCE WITH THE CITY OF BOISE STORM WATER MANAGEMENT DESIGN MANUAL. ALL COLLECTED ON SITE STORM WATER WILL BE COLLECTED, TREATED AND DISPOSED ON ON SITE.
2. ALL ROADS AND ALLEYS WITHIN THE DEVELOPMENT ARE PRIVATE AND WILL BE DESIGNED IN ACCORDANCE WITH THE BOISE CITY SUBDIVISION ORDINANCE AND ACHD DESIGN STANDARDS.
3. ALL EARTHWORK, INCLUDING SITE PREPARATION, SHALL BE DONE IN ACCORDANCE WITH BOISE CITY REQUIREMENTS AND THE PROJECT GEOTECHNICAL REPORT.
4. ALL IMPACTED SLOPES OF THE DEVELOPMENT SHALL BE REVEGETATED UPON COMPLETION OF SITE GRADING. ALL IMPACTED LOT AREAS SHALL EITHER BE LANDSCAPED, OR STABILIZED IN ACCORDANCE WITH THE REVEGETATION PLAN.
5. RETAIN AND PROTECT ALL ADJACENT SLOPES AND PROPERTIES THAT ARE WITHIN THE LIMITS OF THE REQUIRED SITE GRADING.

LEGEND

- PRELIMINARY PLAT BOUNDARY
- LIMITS OF GRADING
- PROPOSED LOT LINE
- PROPOSED CATCH BASIN
- PROPOSED STORM DRAIN MANHOLE
- PROPOSED CULVERT
- 15"SD — PROPOSED STORM DRAIN MAIN & SIZE
- DRAINAGE DIRECTION
- 2780 — PROPOSED 10' CONTOUR
- 2778 — PROPOSED 2' CONTOUR
- 2780 — EXISTING 10' CONTOUR
- 2778 — EXISTING 2' CONTOUR
- ACHD STORMWATER FACILITY EASEMENT



0 30 60 120 180

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RiveRidge Engineering Company
2447 S. Vista Ave. Boise, Idaho 83705
Ph. (208) 344-1180, Fax (208) 344-1182

PROFESSIONAL ENGINEER REGISTERED 15756 STATE OF IDAHO DAVID G. POWELL

E-FILE NAME		
DESIGNED	WH	
DRAWN	WH	
CHECKED	DGP	
APPROVED	DGP	

REVISIONS		
NO.	ITEM	DATE

WARM SPRINGS VILLAGE - PRELIMINARY PLAT

SITUATED IN THE S 1/2 OF SECTION 13 AND THE NE 1/4 OF SECTION 24, TOWNSHIP 3 NORTH, RANGE 2 EAST; BM, ADA COUNTY, IDAHO.

SITE GRADING PLAN

DATE: OCTOBER 12, 2016
PROJECT: 15047

SHEET 2 OF 3

G:\15047\Acaddwg\PRELIMINARY PLAT\SHEETS\15047 Site Grading – Prelim Plat.dwg

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LEGEND

- NEW SANITARY SEWER MAIN, MANHOLE AND SERVICE (8"S)
- NEW DOMESTIC WATER MAIN, SERVICE, FIRE HYDRANT AND VALVE (12"W)
- NEW STORM DRAIN MAIN, MANHOLE AND INLET (12"SD)
- NEW SEEPAGE BED
- NEW RIGHT OF WAY
- EASEMENT LINE
- EXISTING WATER MAIN, SIZE FIRE HYDRANT AND WATER VALVE (12"W, 8"S)
- EXISTING 8" SANITARY SEWER WITH SERVICE (8"S)
- EXISTING STORM DRAIN MAIN MANHOLE & INLET (SD)
- EXISTING OVERHEAD POWER AND POWER POLE (OHP)
- EXISTING GAS (GAS)
- EXISTING SIGNAL

NOTES:

1. DRY UTILITIES ARE INTENDED TO BE LOCATED ALONG ALLEYS WHERE POSSIBLE. WHEN REQUIRED TO BE LOCATED ALONG ROADWAYS, JOINT TRENCH WILL BE LOCATED BEHIND THE SIDEWALKS WITHIN THE UTILITY EASEMENT.
2. ALL DOMESTIC WATER WILL BE CONSTRUCTED TO THE UNITED WATER IDAHO STANDARDS.
3. ALL SANITARY SEWER WILL BE CONSTRUCTED TO BOISE CITY STANDARDS.
4. STORM WATER SYSTEM – THE STORM WATER SYSTEM WILL BE DESIGNED TO THE CITY OF BOISE STORM WATER STANDARDS. ALL ON SITE COLLECTED STORM WATER WILL BE COLLECTED, TREATED AND DISPOSED OF ON SITE.
5. IRRIGATION DISTRIBUTION SYSTEM – THIS PROPERTY DOES NOT CONTAIN SURFACE WATER RIGHTS. ALL REQUIRED IRRIGATION WATER WILL BE PROVIDED BY SUEZ WATER IDAHO THROUGH THE DOMESTIC WATER SYSTEM.

KEY NOTES:

1. CONNECT NEW WATER SERVICE TO EXISTING 12" WATER MAIN. TYPICAL ALONG E. WARM SPRINGS AVE.
2. REMOVE EXISTING IRRIGATION PIPE AND STRUCTURES WITHIN PROJECT BOUNDARIES.
3. REMOVE EXISTING OVERHEAD POWER LINES AND POLES.
4. CAP EXISTING GAS SERVICE AT MAIN BY GAS COMPANY
5. VACATE EXISTING IRRIGATION EASEMENT PRIOR TO RECORDING FINAL PLAT

JSSELL SLIFER A-1

CITY OF BOISE BOISE PARKS & RECREATION ZONE 1-1/DA

BOULDER HEIGHTS ESTATES SUBDIVISION NO. 1 EL PASEO HOMEOWNERS ASSOCIATION, INC. R-1A/DA

CITY OF BOISE A-1

CITY OF BOISE A-1

T3N R3E / T3N R2E

(894.06') 894.06' N 0°03'09" E (N 0°03'43" E)

(1332.87') 1332.67' N 89°25'52" W BASIS OF BEARING (N 89°25'18" W)

CP&F INST. NO. 8142447

(1332.89') 1332.99' N 89°25'52" W (N 89°25'25" W)

(70.96') 71.00' S 68°59'17" E (N 69°01'26" W)

(428.21') 428.43' N 0°02'11" E (N 0°02'13" E)

CP&F INST. NO. 8142464

SLOPE, FILL, AND DRAIN EASEMENT

EXIST DIRT TRAIL

PRIVATE ALLEY

PARKING

E. WARM SPRINGS AVE

E. WINDSONG DR

BOULDER VIEW LANE

IDAHO POWER EASEMENT

CONNECT TO EXISTING WATER MAIN

CONNECT TO EXISTING SEWER

CONNECT TO EXISTING WATER MAIN

0 30 60 120 180

RiveRidge Engineering Company
2447 S. Vista Ave. Boise, Idaho 83705
Ph. (208) 344-1180, Fax (208) 344-1182

PROFESSIONAL ENGINEER REGISTERED 15256 STATE OF IDAHO DAVID G. POWELL

REVISIONS NO.	ITEM	DATE

E-FILE NAME	
DESIGNED	WH
DRAWN	WH
CHECKED	DGP
APPROVED	DGP

WARM SPRINGS VILLAGE - PRELIMINARY PLAT

SITUATED IN THE S 1/2 OF SECTION 13 AND THE NE 1/4 OF SECTION 24, TOWNSHIP 3 NORTH, RANGE 2 EAST; BM, ADA COUNTY, IDAHO.

UTILITY PLAN

DATE: OCTOBER 12, 2016
PROJECT: 15047

SHEET 4 OF 3

G:\15047\Acaddwg\PRELIMINARY PLAT\SHEETS\15047 Utility layout – Prelim Plat.dwg

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LANDSCAPE NOTES:

1. All contractor work shall be conducted in accordance with ISPWC (Idaho Standard Public Works Construction), 2013; and City of Boise, ID codes, standards and state and local regulations.

2. All structures, site improvements and underground utilities shall be located prior to construction and protected. Call Digline (811) to locate underground utilities. Any damage to structures, utilities or concrete will be replace at contractor's expense.

3. Coordinate with civil engineering drawings for paving, utilities and grading information.

4. Prepare site for planting by grubbing and removing weeds. If necessary apply Round-up (or equivalent herbicide), using a certified Applicator. Remove rocks and other materials over 3".

5. All lawn areas shall have min 6" of topsoil and and fill tree pits with topsoil. Topsoil shall be friable loam, pH range 5.5 to 7, a minimum of 5% organic material, free of stones 1 inch or larger or any other extraneous materials. It is acceptable to amend native soils to meet this topsoil specification if soil texture is loamy.

6. If work is in the Spring, between the months March to May, then apply pre-emergent to all non-paved landscape areas, except areas receiving grass sod, prior to planting.

7. Berming and grading as shown on plans shall have gradual transitions to existing or engineer proposed grades. Grading shall not change flow or direction of surface drainage swales as shown on engineers plans. positive drainage away from structures. Refer to Engineer's plans for grading information.

6. Surface water drainage is to be contained within each lot unless expressly allowed otherwise by approved engineering plans.

7. Estimated quantities are shown for general reference only. Contractor shall be responsible for all quantity estimates.

8. Lay sod within 24 hours of harvesting. Lay sod to form a solid mass with tightly fitted joints and even grades.

9. Contractor responsible for keeping landscaped areas clean. remove all debris, spoils and trash from site for disposal at approved landfill or waste disposal site.

10. All plant material shall meet or exceed the minimum federal standards as regulated by ANSI z60.1, American Standard for Nursery Stock. Plants not meeting these standards for quality, or plants determined to be unhealthy by Owner's representative, will be rejected.

11. Install only specified plants. Plant substitutes must be approved by Landscape Architect. Unapproved plant substitutes will be replaced at Contractor's expense.

12. Trees shall not be planted within the 10' clear zone of all ACHD (Ada County Highway District) storm drain pipe, structures, or facilities.

13. Trees shall not be planted within clear vision triangles.

14. No trees shall be placed within 50' of stop sign.

15. Seepage beds must be protected from any and all contamination during the construction and installation of the landscape irrigation system.

16. Root barriers must be used for trees in street planters with a minimum width of six (6) feet. Root barriers are required to extend 18 inches below the sub grade on the sidewalk side and shall extend 2 feet below sub grade on curb side. Barrier shall be constructed with the street and sidewalk and shall run continuously along sidewalk and curb.

17. All plant material shall be guaranteed for a period of 30 days beginning a the date of Acceptance by Owner. Replace all dead or unhealthy plant material immediately with same type and size at no cost to the Owner.

18. All landscape shall be irrigated with an automatic irrigation system operated by one controller, and designed with hydro-zones that function well within the water service provided for healthy growth of plant material. Year-round pressure irrigation service is required.

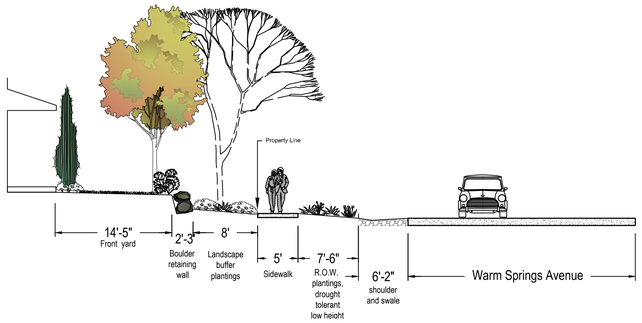
19. The irrigation system shall be designed and installed with the following specifications:

- Coverage for different hydrozones:
  a. Lawns - Pop-up rotor sprinklers or MP rotor sprinklers with100% double coverage.
  b. Planting Beds - Pop-up sprinklers.
- Sprinkler heads shall have matched precipitation rates within each control valve circuit.
- Separate hydrozones shall be used for lawns and trees/shrubs/ground cover areas.
- Sprinklers shall not overspray onto impervious surfaces, building or structures in calm wind conditions.

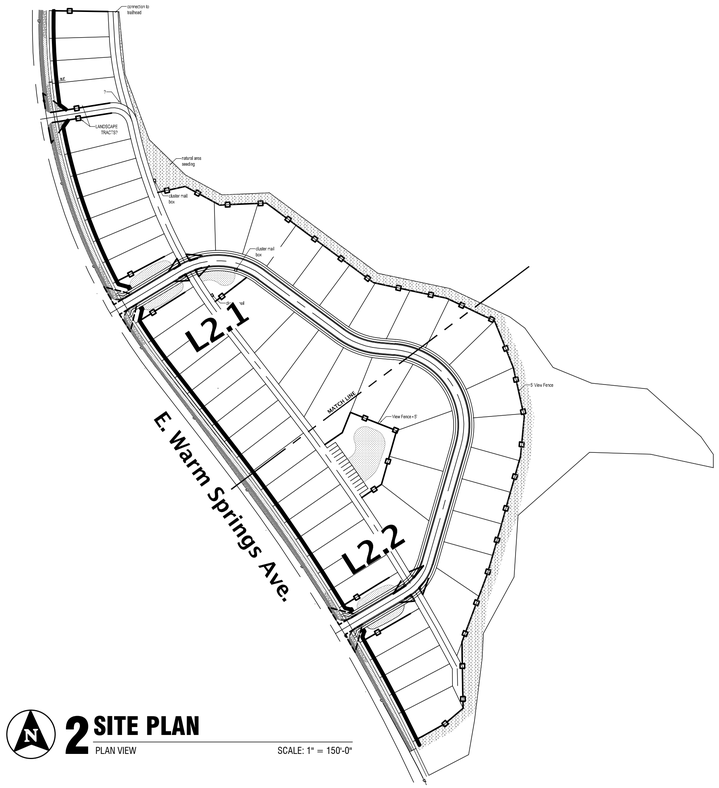
22. Contractor shall submit shop drawings of design/build irrigation system and/or any materials or product substitutes to Owner's Representative for approval prior to construction. Shop drawings shall include at minimum: design layout, backflow system, controller and value locations, sleeve locations and supply line size and location.

23. Irrigation Contractor to coordinate with General Contractor for all sleeves that need to be installed to allow efficient irrigation piping.

24. Irrigation controllers shall be pedestal mounted in planting beds. Controller locations shall be easily accessible, but visibly discrete.



1 Warm Springs Ave. Buffer
SECTION A - A' NOT TO SCALE



2 SITE PLAN
PLAN VIEW SCALE: 1" = 150'-0"

MASTER PLANTING SCHEDULE

Key	Common Name	Botanical Name	Mature Size (HxW)	Min. Planting Size*	Water zone (0-4)	Class Height	Quantity totals
	COMMON HACKBERRY	Celtis occidentalis	60'x40'	2" cal.	1	II	26
	SKYLINE HONEYLOCUST	Gleditsia triacanthos inermis 'Skyline'	45'x35'	2" cal.	2	II	41
	AMUR MAPLE	Acer ginnala	20'x25'	2" cal.	1	I	15
	CANADA RED CHOKECHERRY	Prunus virginiana 'Canada Red'	25'x15'	9'-10' ht (clump)	1	I	11
	VANDERWOLF PINE	Pinus flexilis 'Vanderwolf's Pyramid'	30'x15'	6'-7' ht.	1	EVERGREEN	13
	ROCKY MOUNTAIN JUNIPER or SPARTAN JUNIPER	Juniperus scopularium or J. chinesis 'Spartan'	20'x8'	6'-7' ht.	1	EVERGREEN	13
	SASKATOON SERVICEBERRY OR VARIEGATED REDOSIER DOGWOOD	Amelanchier alnifolia or Cornus alba 'variagata'	7'x7'	5 gal	2-3	SHRUB	35
	RUSSIAN SAGE	Perovskia atriplicifolia	5'x5'	2-3 gal.	1	SHRUB	83
	SLOWMOUND DWARF MUGO PINE	Pinus mugo 'Slowmound'	2'x3'	5 gal.	1	E. SHRUB	54
	HIDCOTE LAVENDER	Lavandula angustifolia 'Hidcote	2'x3'	2-3 gal	1	PERENNIAL	123
	AMBER CARPET ROSE	Rosa x NOA97400A	2.5'x3'	2-3 gal.	3	SHRUB	81
	KARL FOERSTER FEATHER REED GRASS	Calamagrostis acutiflora 'Karl Foerster'	5'x2'	1 gal	3	GRASS	139
	NEEDLE AND THREAD GRASS OR MEXICAN FEATHER GRASS	Hesperostipa comata or Nassella Ferather Grass	2'x2'	1 gal	0	GRASS	144
	WALKERS LOW CATMINT	Nepeta x faassenii 'Walkers Low'	3'x2'	1 gal	1	PERENNIAL	
	CAESARS BROTHER SIBERIAN IRIS	Iris sibirica 'Caesar's Brother'	3'x2'	1 gal	0-1	PERENNIAL	
	MAY NIGHT SAGE	Salvia sylvestris 'May Night'	1.5'x1'	1 gal	2	PERENNIAL	
	ORANGE CARPET OR BLANKET FLOWER	Zauschneria garrettii or Gaillardia aristata	1.5'x1.5'	1 gal	2	PERENNIAL	
	ELIJIAH BLUE FESCUE	Festuca glauca 'Elijiah Blue'	3'x2'	1 gal	0	GRASS	

NOTES
1. SEE GENERAL NOTES (THIS PAGE). ALSO SEE PAGE L3 FOR PLANTING DETAILS
2. WATER ZONES SHOWN IN THE MINIMUM NUMBER OF IRRIGATION APPLICATIONS PER MONTH REQUIRED FOR HEALTHY GROWTH (SEE BOISE PARKS AND RECS WATER CONSERVATION GUIDELINES and SALT LAKE CITY HYDROZONE SCHDL. 2013)
3. FINAL LOCATION AND QUANTITY OF PERENNIALS TO BE DETERMINED IN CONSTRUCTION PLANS. TOTAL PLANT COVERAGE IN PLANTER BEDS TO BE MINIMUM 60% WITHIN 3 YEARS.

LANDSCAPE MATERIAL SCHEDULE

Key	Material	Description	Notes/Remarks
	Gravel Shoulder	Road Mix	ACHD Right-of-Way
	Planter Beds	Medium Shredded Bark Mulch and plants per planting plan	2.5 " to 3" deep medium shredded bark mulch throughout. All plants drip irrigated.
	Dryland Seed Repair		Grade disturbed areas to match existing, install topsoil and seed with approved seed mix
	Clear Vision Triangle	Triangle formed 40' along curb lines	See plans
	View Fence - 5'	5' Metal Western Two Rail	Per detail L3.2 Perimeter fencing as shown on plans
	Irrigation Main and Drain	City Water Source	Main valve and drain with Double-Check Backflow Prevention Value, per codes
C	Irrigation Controller	Hunter I-Core	See L3.7 Pedestal Mount , lockable metal exterior box. Locate at convenient, but discrete, serviceable locations.
	Boulders	1 to 5 ton on-site boulders	Bury into slope and toe at least 4"-6"
+1	Contours	1 ft Contour interval. Berms and swales	Slopes not to exceed 3:1. Gentle transitions to Engineer's proposed grading.

TABLE OF CONTENTS

SHEET NO.	SHEET NAME
L1	LANDSCAPE COVER SHEET
L2.1	LANDSCAPE PLANTING PLAN
L2.2	LANDSCAPE PLANTING PLAN
L3	LANDSCAPE DETAILS

LANDSCAPE CALCULATIONS

Street Buffers: Warm Springs Avenue 1,330 l.f., 20' min width (40) canopy tree. Average spacing is 35' o.c spacing.

DEVELOPER/APPLICANT
Clark Development
Contact: Bill Clark
4824 W Fairview Ave.
BOISE, ID 83702
(208) 336-8181

LANDSCAPE ARCHITECT
T-O ENGINEERS
SHON PARKS
2471 TITANIUM PL.,
MERIDIAN, ID 83642
(208) 323-2288

ENGINEER
RIVERIDGE ENGINEERING
Contact: Dave Powell
2447 s. Vista Ave.
Boise, ID 83705
(208) 830-4654

DRAFT
STATE OF IDAHO
REGISTERED
SHON PATRICK PARKS
LANDSCAPE ARCHITECT
15756

E-FILE NAME	160139-LSCP
DESIGNED	S. PARKS
DRAWN	S. PARKS
CHECKED	-
APPROVED	S. PARKS

REVISIONS

NO.	DATE
-	
-	

T-O ENGINEERS
CONSULTING ENGINEERS, SURVEYORS & PLANNERS
2471 S. TITANIUM PLACE
MERIDIAN, ID 83642
PHONE: (208) 323-2288 FAX: (208) 323-2399
OFFICES ALSO IN: SCHURZ, NEVADA; COEUR D' ALENE, IDAHO; NAMPA, IDAHO

PRELIMINARY PLAT LANDSCAPE PLAN

WARM SPRINGS VILLAGE SUBDIVISION

COVER SHEET

DATE: JULY 2016
PROJECT: 160139

SHEET L1 OF 4

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	AMUR MAPLE	Acer ginnala	20'x25'	2" cal.	1	I
	CANADA RED CHOKECHERRY	Prunus virginiana 'Canada Red'	25'x15'	9'-10' ht (clump)	1	I
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4. PLANTS SHOWN AT NEAR MATURE SIZE.



PLANTING PLAN

0 20 40 80 120
SCALE: 1" = 40'

DRAFT
STATE OF IDAHO
SHANE P. PARKS
16756
REGISTERED LANDSCAPE ARCHITECT

E-FILE NAME	DESIGNED	DRAWN	CHECKED	APPROVED
160139-LSCP	S. PARKS	S. PARKS	-	S. PARKS

NO.	REVISIONS	DATE
-		

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OFFICES ALSO IN: SPOKANE, WASHINGTON
COEUR D' ALENE, IDAHO
NAMPA, IDAHO

PRELIMINARY PLAT LANDSCAPE PLAN

WARM SPRINGS VILLAGE SUBDIVISION

PLANTING PLAN

DATE: JULY 13, 2016
PROJECT: 160139

SHEET L2.1 OF 4

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0 20 40 80 120

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DRAFT
STATE OF IDAHO
SHON PATRICK
LANDSCAPE ARCHITECT
17756

E-FILE NAME 160139-LSCP
DESIGNED S. PARKS
DRAWN S. PARKS
CHECKED -
APPROVED S. PARKS

REVISIONS

NO.	DATE
-	

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PRELIMINARY PLAT LANDSCAPE PLAN

WARM SPRINGS VILLAGE SUBDIVISION

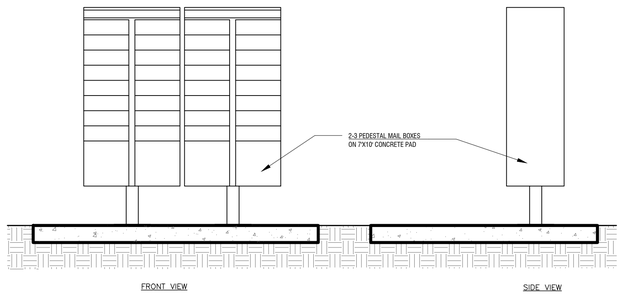
PLANTING PLAN

DATE: JULY 13, 2016
PROJECT: 160139

SHEET L2.1 OF 4

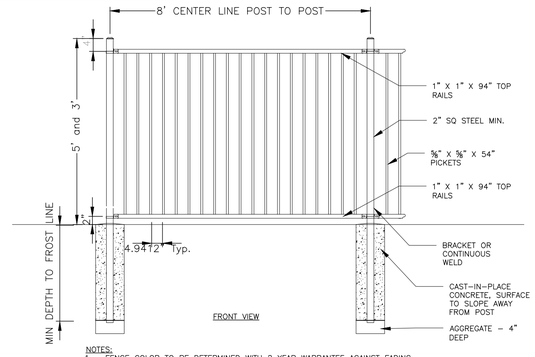
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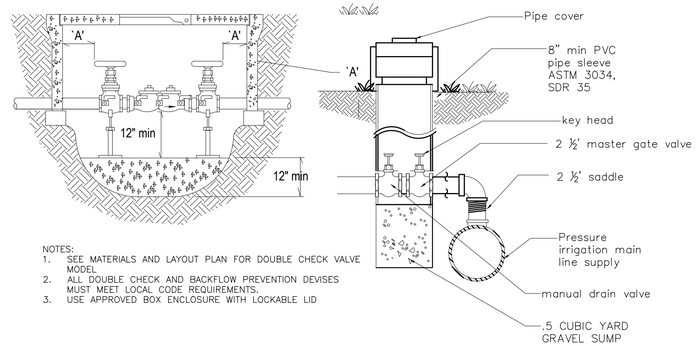
NOTES:
1. CLUSTER MAIL BOXES SHALL BE SALSBURY INDUSTRIES CLUSTER BOX UNIT (#3316) 16A-TYPE III – USPS ACCESS, COLOR BRONZE.
2. INSTALL PER MANUFACTURERS SPECIFICATIONS
3. CONCRETE PAD SHALL SLOPE AT 1% TO BACK OF PAD.
2 DO NOT SCALE DRAWING.

1 CLUSTER MAILBOXES
N.T.S.



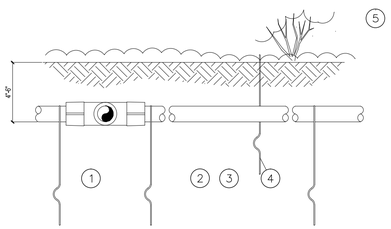
NOTES:
1. FENCE COLOR TO BE DETERMINED WITH 2 YEAR WARRANTEE AGAINST FADING
2. FENCING PLACED ON SLOPES SHALL BE RAKED WITH LONG CONSISTENT SLOPING RAILS AND PLUMB PICKETS.
3. SPACE BETWEEN THE FENCE AND THE FINISH GRADE SHALL NOT EXCEED 4".
4. ALL FOOTINGS SHALL DRAIN AWAY FROM POST.
2 DO NOT SCALE DRAWING.

2 VIEW FENCE 5' - STEEL
N.T.S.



NOTES:
1. SEE MATERIALS AND LAYOUT PLAN FOR DOUBLE CHECK VALVE MODEL.
2. ALL DOUBLE CHECK AND BACKFLOW PREVENTION DEVISES MUST MEET LOCAL CODE REQUIREMENTS.
3. USE APPROVED BOX ENCLOSURE WITH LOCKABLE LID

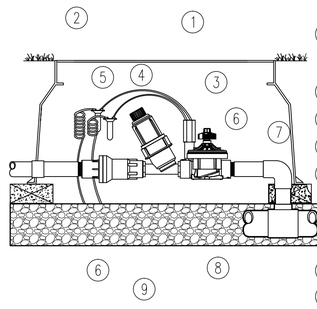
3 MASTER GATE VALVE, MANUAL DRAIN VALVE AND DOUBLE CHECK VALVE
N.T.S.



1. EASY FIT COMPRESSION TEE: RAIN BIRD MDCFTEE
2. NETAFEM POLYLINE:
3. TORO DRIP EMITTER
4. TIE DOWN STAKE (TYPICAL)
5. TURF/FINISH GRADE OR SHRUB BED WITH MULCH

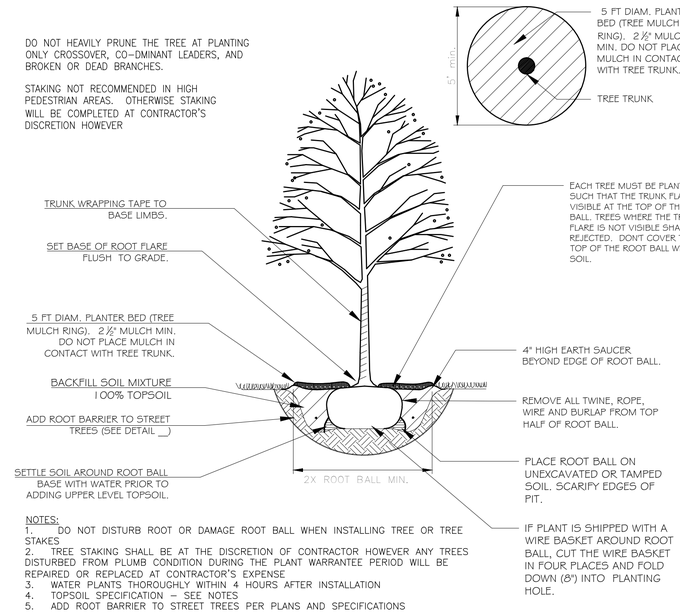
NOTES:
1. PLACE TIE DOWN STAKES EVERY THREE FEET IN SAND, FOUR FEET IN LOAM, AND FIVE FEET IN CLAY.
2. AT FITTINGS WHERE THERE IS A CHANGE OF DIRECTION SUCH AS TEES OR ELBOWS, USE TIE–DOWN STAKES ON EACH LEG OF THE CHANGE OF DIRECTION.
3. INSERTION PLOW AND TRENCHED INSTALLATIONS DO NOT REQUIRE TIE DOWN STAKES.

4 DRIP IRRIGATION LINE INSTALLATION
N.T.S.



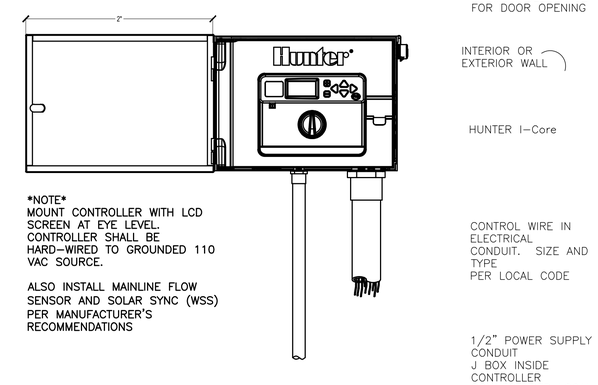
1. JUMBO VALVE BOX
2. FINISH GRADE
3. DRIP ZONE KIT MODEL ICZ–101–XX WITH FILTER (TIP 45 DEGREES) REGULATOR 25 OR 40 PSI
4. WATERPROOF CONNECTORS (2)
5. 18–24" COILED WIRE
6. SCH 80 T.O.E. NIPPLE
7. MAIN LINE PIPE & FITTINGS
8. BRICK SUPPORTS (4)
9. 3/4" MINUS WASHED GRAVEL

5 DRIP SYSTEM CONTROL VALVE
N.T.S.

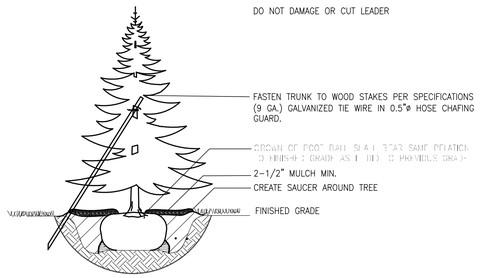


NOTES:
1. DO NOT DISTURB ROOT OR DAMAGE ROOT BALL WHEN INSTALLING TREE OR TREE STAKES
2. TREE STAKING SHALL BE AT THE DISCRETION OF CONTRACTOR HOWEVER ANY TREES DISTURBED FROM PLUMB CONDITION DURING THE PLANT WARRANTEE PERIOD WILL BE REPAIRED OR REPLACED AT CONTRACTOR'S EXPENSE
3. WATER PLANTS THOROUGHLY WITHIN 4 HOURS AFTER INSTALLATION
4. TOPSOIL SPECIFICATION – SEE NOTES
5. ADD ROOT BARRIER TO STREET TREES PER PLANS AND SPECIFICATIONS

6 TREE PLANTING DETAIL
N.T.S.

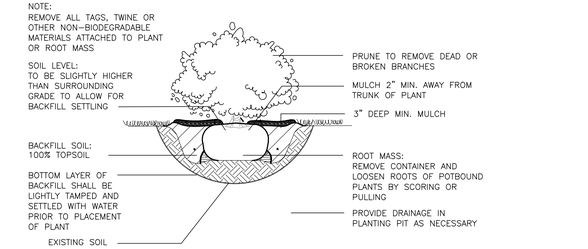


7 IRRIGATION CONTROLLER INSTALLATION
N.T.S.



NOTES:
1. DO NOT DISTURB ROOT OR DAMAGE ROOT BALL WHEN INSTALLING TREE OR TREE STAKES. CUR AND REMOVE TOP ⅓ OF BURLAP FROM BALL.
2. TREE STAKING SHALL BE AT THE DISCRETION OF CONTRACTOR HOWEVER ANY TREES DISTURBED FROM PLUMB CONDITION DURING THE PLANT WARRANTEE PERIOD WILL BE REPAIRED OR REPLACED AT CONTRACTOR'S EXPENSE.
3. WATER PLANTS THOROUGHLY WITHIN 4 HOURS AFTER INSTALLATION.
4. TOPSOIL SPECIFICATION – SEE NOTES.
5. PLANT PIT SHALL BE 2X ROOT BALL WIDTH AND SCARIFIED,
6. REMOVE ALL TWINE AND TOP HALF OF BURLAP AFTER PLANTING

8 EVERGREEN TREE PLANTING DETAIL
N.T.S.



9 SHRUB PLANTING DETAIL
N.T.S.

DRAFT
STATE OF IDAHO
SEAN PATRICK
LANDSCAPE ARCHITECT
LA-2756

E-FILE NAME	DESIGNED	DRAWN	CHECKED	APPROVED
160139-LSCP	S. PARKS	S. PARKS	-	S. PARKS

NO.	REVISIONS	DATE
-		

T-O ENGINEERS
CONSULTING ENGINEERS, SURVEYORS & PLANNERS
2471 S. TITANIUM PLACE
MERIDIAN, ID 83642
PHONE: (208) 323-2288 FAX: (208) 323-2399
OFFICES ALSO IN: SPOKANE VALLEY, WASHINGTON
COEUR D'ALENE, IDAHO
NAMPA, IDAHO

PRELIMINARY PLAT LANDSCAPE PLAN

WARM SPRINGS VILLAGE SUBDIVISION

LANDSCAPE DETAILS

DATE: JULY 13, 2016
PROJECT: 160139

SHEET L3 OF 4

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6013


3143


3088


3004
welcome


3093

RiveRidge
Engineering
Company

August 25, 2016

Mr. Hal Simmons
Boise City Planning & Development Services
P.O. Box 500
Boise, ID 83701-0500

RE: Proposed Warm Springs Village
(Gate City Steel Property)
SUB16-00052, PUD16-00024

Dear Mr. Simmons:

On behalf of the Warm Springs Enterprises, LLC, owner and applicant of the proposed Warm Springs Village development, I am submitting the following associated detailed letter to accompany the applications.

These applications are being submitted after having completed the pre-application requirement and having conducted the required neighborhood meeting.

The following is a detailed description of each of the proposed applications:

1. Subdivision Application – The Preliminary Plat application is being requested at this time. The current zoning of the property is R-1C. The allowed density of the property (14.45 acres) is 8.0 units per acre. This proposal calls for a density of 4.15 units per acre.

   The north to east boundary of the project is Boise City Parks property. The south boundary of the project is made up of Windsong Drive and a 2 to 1 slope leading from the building lots up to the Windsong Drive. The development will provide for a buffer along this entire Park boundary consisting of a combination rock cut-off swale and drainage swale. A Rock Fall Analysis was performed by Strata that identified several rocks on the upper slope within the Parks property that have the potential over time to slough down slope into the property. To capture these rocks, Strata has recommended the construction of either a berm or a swale to prevent these rocks from moving past the project perimeter into the adjacent building lots. This cut off swale accomplishes this goal. Since we have the swale, we will also route all upstream storm water runoff from the Parks property to this swale and through the site, which will also protect the adjacent building lots from nuisance storm water.

   The entire 2 to 1 slope along the south boundary of the property will be retained as open space providing a natural landscaped buffer from this roadway to the building lots below.

   The entire west boundary of the project is frontage along Warm Springs Avenue. There is a 33' wide right-of-way from centerline to the building lots that will be retained, along with the rural character of the existing roadway. ACHD has indicated that this is ample right-of-way for their ultimate needs and that the addition of a detached 5' wide sidewalk will be the only right-of-way

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208-344-1180 • 208-344-1182

improvements required. The project proposes to provide a borrow adjacent to the east edge of pavement, followed by an 8' wide landscape buffer to be drought tolerant vegetation and then a 5' wide concrete sidewalk that backs up to the existing right-of-way. The project will then provide a minimum 2' high vertical rock wall that will elevate all home sites a minimum of 2' above the adjacent roadway. All lots fronting Warm Springs Avenue will provide for a home front that faces Warm Springs Avenue with all cars accessing the garage to be located off the rear alley. Each house will have an individual sidewalk leading to the sidewalk that runs the entire frontage length of Warm Springs Avenue.

As determined previously be the City of Boise Public Works Department and expressed to Warm Springs Enterprises, although there are portions of this site (limited to common areas) that exceed 15% slopes, this application does not require a Hillside Application. There are no portions of the property that fall within the flood plain of the Boise River.

The accesses into the project will consist of a private looped roadway with 24' of width from back of curb to back of curb and 40' of right-of-way and sidewalks on both sides. Private 20' wide concrete alleys will provide rear lot access to all lots fronting Warm Springs Avenue to provide a front door look to all frontage lots in the project. These 20' wide alleys will allow for emergency vehicle to the rear of these units.

The entire project is within Zone A of the WUI. All buildings will be designed to conform with the WUI requirements for access and building materials.

Environmental Remediation – over the years, the current and previous owners have worked with local professionals, the City of Boise, and The Idaho Department of Environmental Quality to evaluate the site for presence of contaminants related to the old Gate City Steel Fabrication operations. Voluntary actions were performed to remove and remediate soils contamination. A portion of the far southeast end of the site was identified as a waste area related to the steel fabrication operations. This site was remediated with the placement of an earth cap to cover the site and protect against future excavations. With this project and in coordination with IDEQ, this project proposes to place additional cap materials over the site and improve site grading to manage drainage safely away from the site. This entire area is part of the open space area that will be protected permanently from future disturbance and development. Also a part of the ongoing mitigation plan will be the removal of remaining contaminants. IDEQ will monitor this remediation work and upon satisfactory removal, will provide verification of removal and compliance with their approved mitigation plan. All of this cleanup work will be accomplished and IDEQ sign-off will be provided before any housing development.

2. Planned Unit Development Application. This PUD Application is for a 60-lot single family subdivision as depicted on the supporting documents. The specific design standard modifications that are being requested consist of:

   a. Reduction of lot frontage to 40' minimum for those lots fronting on to Warm Springs Avenue. (50' required).
   b. Front yard setbacks of 10' for the lots. (20' required).
   c. Front yard house setbacks of 20' from back of walk to perpendicular garage face (16' from back of right-of-way where 20' from back of right-of-way is required). This will allow 20' of parking from the face of the garage to the back of walk without portion of vehicle extending into sidewalk zone.
   d. Side yard setbacks of 3' for the lots fronting on to Warm Springs Avenue. (5' required).

e. 24' back of curb to back of curb (28' required) private roadway with 40' private right-of-way to be owned and maintained by the Warm Springs Village Homeowners Association.
f. Private alleys as shown on the plans that are 20' wide and are in accordance with Boise Fire Department requirements.

Existing Local Amenities - This project site is directly across Warm Springs Avenue from the 12' greenbelt and immediately adjacent to Warm Springs Golf Course. The site is also immediately adjacent to the Boise City Parks Trailhead and miles of trails that leads up to and around the open space of Tablerock.

We look forward to ongoing coordination with staff and the Planning and Zoning Commission with the goal of approved annexation, zoning and a positive recommendation of plan approval.

Your help on this submittal and past meetings and guidance is greatly appreciated.

Sincerely,

David G. Powell, P.E.
Project Engineer
RiveRidge Engineering Company

Cody Riddle

From: Bill Clark <bill@clarkdevelopment.com>
Sent: Monday, October 24, 2016 6:25 PM
To: Cody Riddle
Subject: Warm Springs Village - letter from Russ Slifer

Dear Cody,

Thank you for sending me a copy of the thoughtful letter from our neighbor Russ Slifer. I offer below a summary of our responses to the points made by Mr. Slifer.

Wildlife

As I believe you are aware, we originally suggested to Krista Bjorn of IDFG that our plan include a wildlife corridor along our western edge, adjacent to the Slifer property. In our meeting with Krista, which you attended, Krista was of the strong opinion that we instead provide a wildlife corridor along our eastern side. We revised our plan to reflect her suggestions. We also agreed to work with her and IDFG on details of fencing and vegetation and implementation as appropriate to our site of the 2013 IDFG Baseline Recommendations.

Project Size

The size of the proposed development, at 60 lots, is slightly less than half of what is allowed for under the R1C zone designation for the property. Because of the triangular shape of the property, the standard rectangular lot dimensions and setbacks don't work well. That is why we proposed using the Planned Unit Development (PUD) approach, which allows for non-standard lot dimensions. With a range of 5,400 to more than 10,000 square feet, our lot sizes are similar to the range of lot sizes in Harris Ranch, further out from the center of the City. This is an excellent infill site but we do not feel it appropriate for attached or multifamily dwellings that would result if we were to seek the maximum density allowed by the zone. This is also the sense of preferred housing types we got from discussions over the years and recently with the East End and Warm Springs Neighborhood Associations.

Parking and Traffic Concerns

When the City Parks and Recreation Department approached us and others about the proposal for a new trail and trailhead along our eastern boundary approximately 10 years ago, we were very supportive of the proposal. The City's plan included a pedestrian crossing from the golf course parking lot, which would provide parking for trail users. The trailhead, crossing and parking have turned out to be very successful. The City is currently under construction with an expansion of that parking lot. In discussions we have had with City Parks and Recreation, we have suggested that in their planned revisions to the golf course and replacement of the club house, that they consider future parking that accommodates both golf course and trail user needs. There has also been mention of signalizing the pedestrian crossing. ACHD staff has told us they would not approve such an installation because of site distance concerns and a false sense of safety that might be created for pedestrians. We will be creating, with the construction of this project, a pedestrian path parallel to Warm Springs Avenue that will extend from the signal and signalized pedestrian crossing at Windsong, to the west and intersect with the trailhead and pedestrian crossing.

Foothill conditions

As Mr. Slifer notes, our site is predominately flat or gently sloping, though adjacent to steep areas to our north and east. We have been working with Boise Parks and Recreation, which manages the steep area owned by the City, and with Boise Public Works, which is responsible for regulating foothills areas, concerning geological and slope stability considerations relating to development of our site. Our geotechnical engineering consultant has been analyzing potential slope stability and rockfall issues which will be addressed in our construction plans and final plat documents, which will be prepared subsequent and in response to any conditions of approval of our proposed preliminary plat and PUD.

Please let me know if you have any questions.

Sincerely,

Bill Clark
Warm Springs Enterprises LLC

Cody Riddle

From: Bill Clark <bill@clarkdevelopment.com>
Sent: Tuesday, October 25, 2016 4:40 PM
To: Cody Riddle
Subject: Warm Springs Village - environmental cleanup

Dear Cody,

Thank you for forwarding to me the 10/4/16 email correspondence from Paul Kuhlmeier concerning contaminated soils on our site, formerly known as the Gate City Steel property.

Mr. Kuhlmeier appears to base his comments on his recollection of a preliminary investigation by him of the site for an executive at Morrison - Knudsen around 1992. Mr. Kuhlmeier apparently is unaware of the extensive environmental remediation of the site performed by Valley Bank and its successor, Key Bank, which came into ownership of the property through a bankruptcy of a borrower who had owned the property. The analysis and cleanup was performed between 1990 and 1995 by a company named Wastren, in cooperation with the Central District Health Department (CDHD) and Idaho Department of Environmental Quality (DEQ). A consent Order (CO) was put in effect by those departments to restrict development of the site while the analysis and cleanup was underway. On August 1, 1995, Key Bank was informed by DEQ that the department had reviewed the cleanup of the site and that the termination of the Consent Order was approved and that there was no further need for action.

Since we (Warm Springs Enterprises LLC) entered into contract to purchase the property in 2005, we have examined several potential uses of the property and communicated with DEQ and CDHD about the site. We became aware that some additional soil materials had been placed on the site after the 1995 cleanup approval. In short, we discovered that there were some questionable materials and analyzed them. These were not seriously contaminated but discovered that for our intended use of the site for residential development, that DEQ was implementing more demanding environmental criteria for such use and that some additional cleanup would probably be necessary. We undertook detailed additional sampling in cooperation with DEQ. We concluded that the best approach would be to take part in DEQ's Voluntary Remediation Program. With our consultant Forsgren Associates and with DEQ assistance, we developed a remediation plan. A final draft of his plan is presently under review by DEQ. We expect to perform the additional remediation, which mostly involves removal of some material, within the next several months.

Based on our discussions with the Environmental Division of the Boise Public Works Department, we understand that the City will require approval of the site condition by DEQ and CDHD in order to complete this development.

I hope that this provides a satisfactory summary of the situation. Please let me know if you have any questions or need additional detail.

Sincerely,

Bill Clark
Warm Springs Enterprises LLC

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 Project Report

File Number	PUD16-00024 & SUB16-00052
Applicant	Warm Springs Village
Property Address	2570 E. Warm Springs Avenue
Public Hearing Date	November 7, 2016
Heard by	Planning and Zoning Commission
Analyst	Cody Riddle

Public Notification

Neighborhood meeting conducted: June 14, 2016
Newspaper notification published on: October 32, 2016
Radius notices mailed to properties within 300 feet on: October 22, 2016
Staff posted notice on site on: October 17, 2016

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Exhibits

Agency Comments
Public Comments

1. Project Data and Facts

Project Data	
Applicant/Status	Warm Springs Enterprises, LLC
Architect/Representative	Dave Powell / RiveRidge Engineering Company
Location of Property	2570 E. Warm Springs Avenue
Size of Property	14.45 Acres
Zoning	R-1C (Single Family Residential-8 Units/Acre)
Comprehensive Plan Designation	Suburban
Planning Area	North/East End
Neighborhood Association/Contact	East End / Tiffany Robb
Procedure	The Planning and Zoning Commission is a recommending body on the subdivision and renders a final decision on the conditional use permit.

Current Land Use
The property is currently undeveloped.

Description of Applicant's Request
The applicant requests approval of conditional use permit and preliminary plat for a planned residential development comprised of 60 detached single family homes.

2. Land Use

Description and Character of Surrounding Area
The surrounding area is comprised of undeveloped open space, a golf course and single family homes. While the subject property is relatively flat, there is a substantial ascending slope on the adjacent property to the north.

Adjacent Land Uses and Zoning

North:	Undeveloped foothills / A-1 (Open Land)
South:	Boise River / A-1 (Open Land)
East:	Open space lot / R-1A (Single Family Residential)
West:	Warm Springs Golf Course / A-1 (Open Land)

Site Characteristics
With the exception of the northeast corner, the site is relatively flat and void of significant vegetation.

Special Considerations
There is a substantial slope with exposed boulders on the City-owned property north of the site. The property also previously supported an industrial user that caused soil contamination.

3. Project Proposal

Structure(s) Design
Number and Proposed Use of Buildings
60 detached single-family homes
Building Height
35’ Max.

4. Zoning Ordinance

Section	Description
11-04-03.1	General Purposes of Residential Districts
11-03-04.7	Planned Developments
11-07-06.5	Planned Unit Development Standards
11-03-04.6	Conditional Use Permits

5. Comprehensive Plan

CHAPTER	GOALS, OBJECTIVES & POLICIES
CHAPTER 2-CITYWIDE VISION AND POLICIES	Goal ES7 Policy NAC7.1 Policy CC1.1 Policy SHCC2.2 Goal SHCC12
CHAPTER 3-COMMUNITY STRUCTURE AND DESIGN	Principle GDP-N.3 Principle GDP-N.5 Principle GDP-N.7 Principle GDP-N.8 Principle IDP-N.3
CHAPTER 4-NORTH/EAST END POLICIES	Goal NE-CCN 1 Goal NE-CCN 2

6. Transportation Data

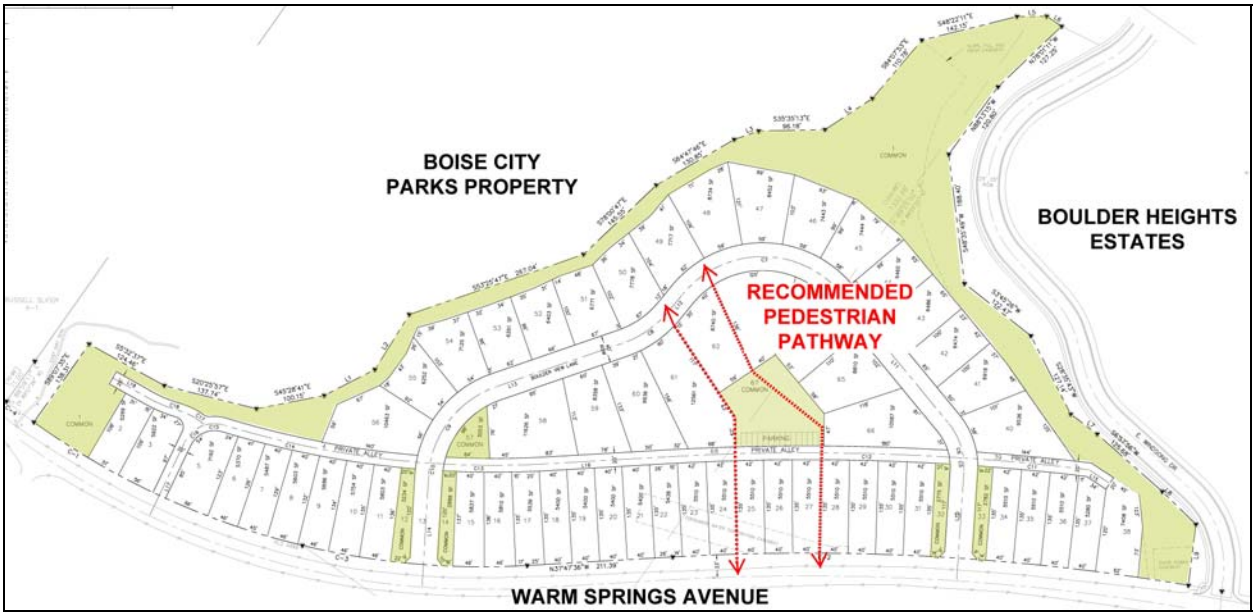
ROADWAYS

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour LOS	LOS +Project
Warm Springs	1,727’	Minor Arterial	520	Better than “E”	Better than “E”
Windsong	995’	Local	62	N/A	N/A

-The project is estimated to generate 571 additional trips per day, with 60 during the PM peak hour.
-Acceptable level of service for a two-lane minor arterial is “E” (690 VPH).

7. Analysis & Findings

The applicant is requesting a conditional use permit along with a preliminary plat for a subdivision comprised of 60 detached single-family homes. The roughly 14.5 acre site is located across Warm Springs Avenue from the City's golf course in east Boise. In addition to the proposed homes, the subdivision includes 7 common lots that encompass approximately 7 acres, or just under 50% of the site. The underlying R-1C zone allows residential development at up to 8 dwelling units per acre, with a minimum lot size of 5,000 square feet. The project has a density of just under 4 units per acre. Lots in the subdivision range from approximately 5,000 to 12,000 square feet. The majority of lots exceed ordinance standards for area. However, at 40' wide, the lots along Warm Springs Avenue are narrower than ordinance minimum of 50'. This reduction is permitted through the planned development process. In addition to this flexibility, the applicant is proposing reduced setbacks interior to the development. All perimeter setbacks will be met or exceeded and the project includes no variances from the development code.



(Preliminary Plat)

The property has been the subject of a number of applications over the years. This includes a proposed planned development that was withdrawn in 2013 *(CUP03-00013)* and a Comprehensive Plan Amendment in 2005 *(CAR05-00013).* That amendment recognized the relatively flat topography of the site and changed the land use designation from Foothills/Slope Protection to Low Density Residential. It also removed the property from the Foothills Planning Area, and placed it in the North End/East End. Most recently, the property was part of a City initiated annexation *(CAR13-00008).* This annexation assigned the current R-1C zoning to the property. A number of the issues and concerns raised in previous applications remain prevalent today. They have been addressed in the findings and analysis below.

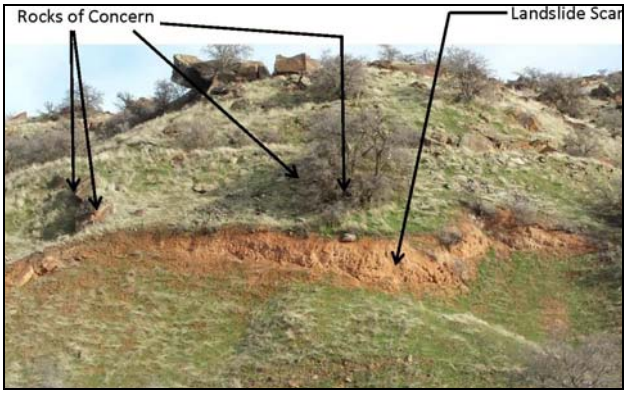
Connectivity, Street, and Sidewalk Design

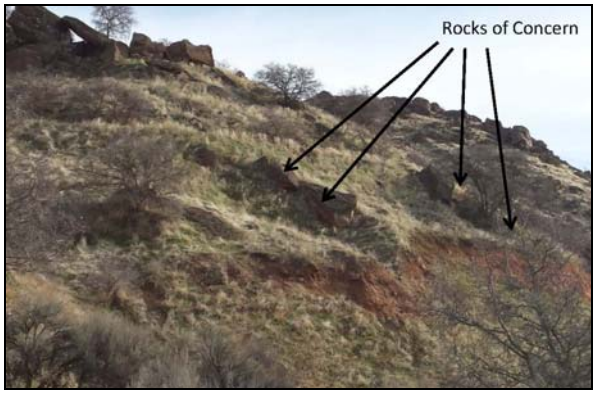
Automobile circulation within the site is accommodated by a private street that essentially forms a semi-circle, with two access points from Warm Springs Avenue. There is also an alley that parallels Warm Springs, providing access to the narrower rear-loaded lots along that street. Private streets are typically discouraged in locations where there are opportunities to extend and/or connect to public roads. In this instance, the site is constrained by natural features that prevent the extension of public streets to other properties. Specifically, the slope along the entire northern boundary precludes any street connection. The street is proposed to be 24' wide which will not allow parking. However, each home will include a minimum two car garage and 20' long driveway apron to accommodate guests. The project also includes approximately 14 additional guest parking spaces in the centrally located common lot.

The applicant is proposing attached 4' wide sidewalks along the private street and a 5' detached sidewalk along Warm Springs Avenue. This is an appropriate solution for the site. Attached sidewalks interior to the development will minimize grading and pedestrians will not be negatively impacted given the limited volume of traffic. The detached facility along Warm Springs is more appropriate given the increased traffic. To better accommodate pedestrian circulation and ensure the additional parking spaces are easily accessible to all dwellings, as illustrated above, a recommended condition of approval requires a pathway connection between the upper section of the private street and Warm Springs Avenue.

Environmental Concerns

The subject property is relatively flat but abuts areas of substantial slope along the northern and eastern boundaries. The property to the north is part of the Table Rock Reserve, owned by Boise City. There are a number of exposed boulders on the City property at risk of rolling down the slope onto the project site. The applicant has worked closely with Public Works and their own engineers to produce a rock fall study. This resulted in the design of safety features to prevent loose rocks from entering the site. It essentially consists of a 5' deep by 5' wide channel at the toe of slope. This area will be lined with crushed rock and check dams to also function as a storm water channel. As designed, it will also provide the majority of defensible space required by the Wildland Urban Interface Code.

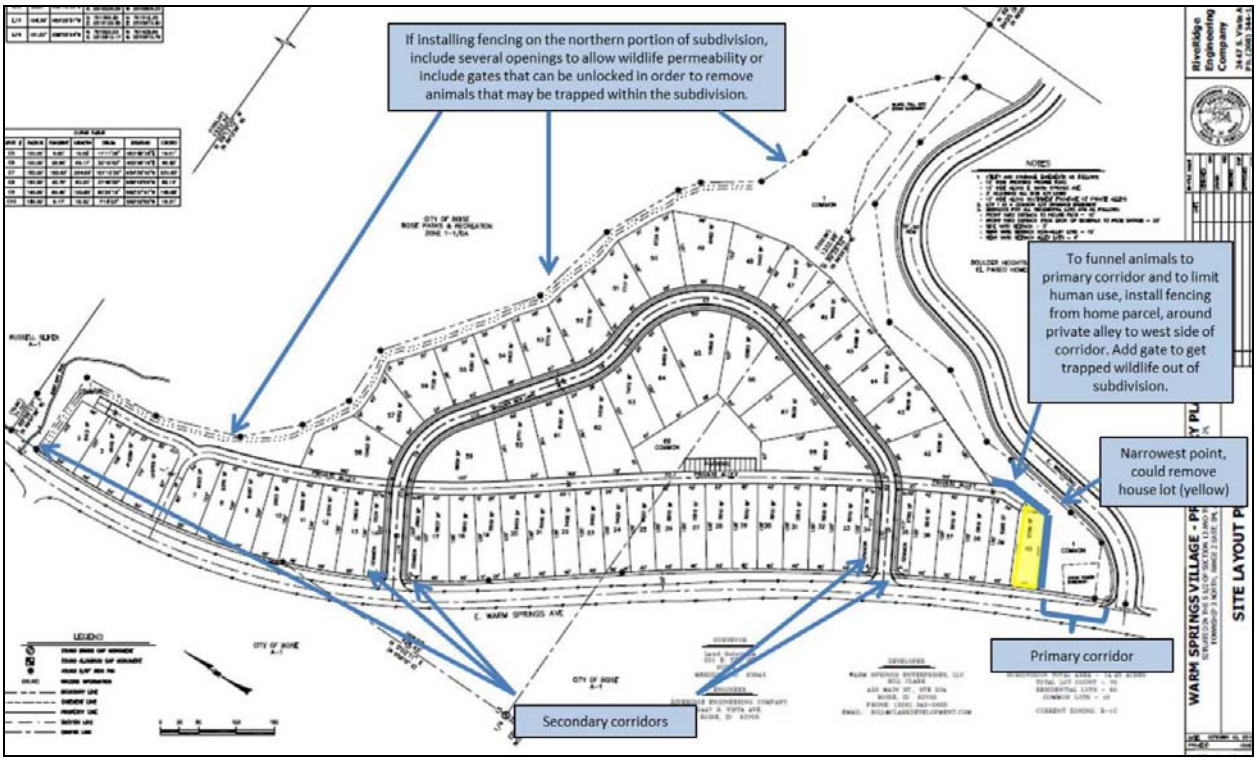




(Slope Behind Project Site)

An additional concern with the project is the presence of contaminated soils. Similar to the previous concern, the applicant has worked with Public Works and the Department of Environmental Quality (DEQ) prior to submitting the application. They have reviewed the proposal and included conditions to be addressed prior to construction.

A final concern with the project is the impact on wildlife. Specifically, the Mule Deer that regularly use the site to travel between the Foothills and Boise River. The Idaho Fish and Game has been actively involved in the planning of the Barber Valley east of the site. They have a set of standard conditions regarding fencing and landscaping that have been applied to most projects in the area. They have also provided specific recommendations on individual projects. They have recommended the standards for landscaping and fencing be applied to this development. They have also recommended a few specific changes for this project. This includes the treatment of fencing along the northern property line and common lots. The Planning Team has included a condition requiring compliance with the recommendations of the Idaho Department of Fish and Game.



With the changes outlined above, the Planning Team believes the proposed subdivision is an appropriate use in this location. The property is designated "Suburban" on the Land Use Map and zoned R-1C. All necessary infrastructure is either in place, or readily available. At roughly 4 units per acre, the project is essentially half the density allowed by existing zoning. Given the environmental constraints, this density makes sense. It strikes an appropriate balance between the development rights of the zone and the unique environmental features of the site. As detailed below, the project is consistent with the criteria for approval.

CONDITIONAL USE PERMIT / 11-03-04.6.C(7)(a)

i. The location is compatible to other uses in the general neighborhood;

The project is compatible with the surrounding neighborhood. As illustrated below, the property abuts single family homes, undisturbed open space and the Warm Springs Golf Course. The project will introduce a somewhat different residential product to the neighborhood. However, this is encouraged by Blueprint Boise. Further, the bulk of the density is concentrated along Warm Springs Avenue, away from the single family homes on larger lots to the east. The fact that roughly half the property is being preserved as open space further ensures compatibility with the surrounding neighborhood.



(Vicinity Map)

ii. The proposed use will not place an undue burden on transportation and other public facilities in the vicinity;

Correspondence received from commenting agencies indicate the proposed use will not place an undue burden on transportation or other public services. The Ada County Highway District (ACHD) staff approved the project on September 26, 2016. The roadway primarily impacted by the project is Warm Springs Avenue. The project is estimated to generate an additional 571 vehicle trips per day, with 60 during the PM peak hour. Warm Springs Avenue, the roadway primarily impacted by the project will continue to operate at an acceptable level of service. The latest traffic counts found 520 PM peak hour trips. An acceptable level of service for a two lane minor arterial is 690 trips per hour.

To date, no public agency has voiced opposition to the project or indicated there are issues that cannot be addressed. Their requirements have been included as conditions of approval.

iii. 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 Code.

The site is large enough to accommodate the proposed use. The density does not exceed the limitations of the underlying zone and all height and setback standards have been met. The R-1C zone allows up to 8 dwelling units/acre. With approximately half the property preserved as open space, the density of the development is roughly 4 units/acre. Each home will have a minimum of two parking spaces. While not required, guest parking will be accommodated in a small surface lot as well as driveway aprons to each dwelling.

The project does not include the typical amenities found in conventional subdivisions. However, the property is located adjacent to a public golf course and has immediate access to both the foothills trail system and Boise River Greenbelt. Roughly half the site has also been preserved as open space. The Planning Team believes the unique location and surroundings of the site warrant waiving additional amenities.

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

With the attached conditions of approval, the residential use will not adversely affect other property in the vicinity. The project density is half that allowed by the existing zone. This will minimize the noise, traffic and other disturbances associated with human activity. It will also ensure more than half the property is preserved as open space. The dwelling units are located on a relatively flat site, and the bottom of a slope, lower in elevation than surrounding homes. This will reduce the impact on the views of adjacent residents. Finally, the property has immediate access to Warm Springs Avenue with no street connections to the adjacent neighborhood. As a result, there will be no increase in traffic on local residential streets.

v. The proposed use is in compliance with the Comprehensive Plan;

The project is consistent with the goals and policies of Blueprint Boise. The property is designated "Suburban" on the Land Use Map. The purpose of this designation is primarily to support detached single-family homes. Secondary uses include attached units and multi-family residential in appropriate locations to add to housing diversity in neighborhoods. The project is consistent with this broad vision. *Policy NAC7.1* further promotes diversity of housing, not only within neighborhoods, but individual projects larger than two acres. The project includes a combination of front and rear-loaded housing on lots of varied size. *Policy CC1.1* encourages compact infill development to avoid costly extensions of infrastructure and to reduce vehicle miles traveled. Located between Downtown and the Barber Valley, residents of the proposed development will have immediate access to the Boise Greenbelt. The site is just over two miles from Downtown and bus service is available roughly ½ mile to the west at the intersection of Warm Springs and Old Penitentiary Road.

Principle GDP-N.3 encourages a mix of housing types throughout the City. Specific to the East End Planning Area, *Goals NE-CCN 1 and 2* also promote a mix of housing that compliments the established character of surrounding neighborhoods. The project includes two distinct housing products that will add to the mix already in the neighborhood while respecting the existing character of the area. This includes front loaded housing on larger lots and alley loaded homes oriented to Warm Springs Avenue. This is consistent with *Principles GDP-N.5, GDP-N.7 and IDP-N.3* that promote pedestrian oriented street scenes and rear loaded garages.

Policy SHCC2.2 specifies the need for geologic assessments and engineering prior to construction in areas of known risk. The site could be impacted by boulders rolling down the slope from the property to the north.

The applicant has provided a rockfall analysis and worked closely with Boise City Public Works Engineers as well as their own consultants regarding development of the site. The project has been designed to mitigate known risks. Conditions of approval will ensure appropriate construction methods are used. *Principle GDP-N.8* promotes the preservation of natural habitat. The project is consistent with this principle as roughly half the site is being preserved as open space. Further, conditions have been included that will ensure landscaping and fencing is wildlife sensitive and that a corridor for deer movement be preserved.

***

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 **August 30, 2016**, except as expressly modified by the following conditions:

2. **Planning**:

   a. A pedestrian pathway shall be provided that connects the upper street to Warm Springs Avenue, as generally illustrated in the October 10, 2016 Planning Report.

   b. The minimum setbacks are as follows:

      Alley Loaded Lots
      Front: 15’
      Rear: 20’ parking
      Side: 3’

      Front Loaded Lots
      Front: 10’ living space / 20’ parking (measured from back of sidewalk)
      Rear: 15’
      Side: 5’

c. All streets and sidewalks within the development shall remain accessible to the public. The use of gates is prohibited.

d. The streetlight fixtures shall be of a design that focuses light downward to prevent light trespass from the subdivision. All lighting shall be approved by the Public Works Department.

e. The project shall comply with the standards for the Wildland Urban Interface (WUI) Zone A, including those stated in the September 23, 2016 memo from the Boise Fire Department.

3. **Subdivision**:

a. A note on the face of the final plat shall state: *"The development of this property shall be in compliance with the Boise Development Code or as specifically approved by PUD16-00024."*

b. A note shall be placed on the face of the final plat stating, *"This subdivision is located in the Wildland Urban Interface Area A and compliance with Section 7-01-09 of the Boise City Fire Prevention Code is required."*

c. A note on the face of the final plat shall designate that any common lots shall be owned and maintained by the Warm Springs Village Homeowner's Association. These lots cannot be developed for residential purposes in the future. The common lots shall be designated by lot and block.

d. The final plat shall include a note granting public access to all streets and sidewalks within the development.

e. No building permit for the construction of any new structure shall be accepted until the final plat has been recorded pursuant to the requirements of the B.C.C. 11-09-04.1. If a Non-Building Agreement is approved by Boise City Fire Department, no building permits shall be submitted until a "Satisfaction of Non-Building Agreement" is recorded.

f. The name, **Warm Springs Village**, is reserved and shall not be changed unless there is a change in ownership, at which time, the new owner(s) shall submit their new name to the Ada County Engineer for review and reservation. Should a change in name occur, applicant shall submit, in writing, from the Ada County Engineer, the new name to the Department of Planning and Development Services and re-approval by the Council of the "revised" Final Plat shall be required. Developer and/or owner shall submit all items including fees, as required by the Planning and Development Services Department, prior to scheduling the "revised" Final Plat for hearing.

g. Developer shall provide utility easements as required by the public utility providing service (B.C.C. 11-09-03.6).

h. Prior to submitting the mylar of the final plat for the City Engineer's signature, all the conditions of approval must be satisfied. Approvals must be provided on agency letterhead.

i. The Mylar shall include the following endorsements or certifications: signatures of owners or dedicators and acknowledgment, certificate of the surveyor, certificate of the Ada County Surveyor, certificate of the Central District Health Department, certificate of the Boise City Engineer, certificate of the Boise City Clerk, signature of the Commissioners of the Ada County Highway District and the Ada County Treasurer (I.C. Title 50-17). The signatures of the owners or dedicator, certificate of the surveyor, certificate of the Central District Health Department and acceptance of the Commissioners of the Ada County Highway District must be executed prior to submittal of the Mylar for the City Engineer's signature.

j. Developer shall comply with B.C.C. 11-03-04.4 which specifies the limitation on time for filing and obtaining certification. Certification by the Boise City Engineer shall be made within two years from date of approval of the final plat by the Boise City Council.

k. The developer may submit a request for a time extension, including the appropriate fee, to the Boise City Planning and Development Services Department for processing. Boise City Council may grant time extensions for a period not to exceed one year provided the request is filed, in writing, at least twenty working days prior to the expiration of the first two year period, or expiration date established thereafter.

    1. If a time extension is granted, the Boise City Council reserves the right to modify and/or add condition(s) to the original preliminary or final plat to conform with adopted policies and/or ordinance changes.

    2. The final plat shall be recorded with the Ada County Recorder within one year from the date of the Boise City Engineer's signature. If the Final Plat is not recorded within the one-year time frame it shall be deemed null and void.

l. Covenants, homeowners' association by-laws or other similar deed restrictions which provide for the use, control and maintenance of all common areas, private streets, shared access and shared parking, and which shall be consistent with the Fair Housing Act of 1968, as amended from time to time, **shall be reviewed and approved by the Boise City Attorney**. After recordation of the final plat and CC&R's, no building permit shall be accepted until a copy of the recorded CC&R's have been submitted to the Boise City Attorney.

m. Prior to the City Engineer's Certification of the Final Plat and/or prior to earth disturbing activities, an **Erosion and Sediment Control** (ESC) permit must be obtained. An ESC plan conforming to the requirements B.C.C. 8-17, is to be submitted to the ESC Program Manager for review and approval. No grading or earth disturbing activities may start until an approved ESC permit has been issued.

n. An individual who has attended the Boise City Responsible Person (RP) certification class, or has obtained Interim Certification for the RP shall be identified for this project. A permit will not be issued until such time as the name and certification number of the RP has been provided to Boise City. This information can be faxed to 388-4735 or e-mailed to ejenkins@cityofboise.org.

o. The developer shall make arrangements to comply with all requirements of the **Boise City Fire Department** and verify in one of the following ways:

1. A letter from the Boise City Fire Department stating all conditions for water, access, and/or other requirements have been satisfied,

OR

2. A Non-Building Agreement has been executed and recorded with a note on the face of the Final Plat identifying the instrument number.

NOTE: "No Parking" signs and curb painting shall be required on streets having a width less than 36-feet, back of curb to back of curb. Contact the Boise City Fire Department for sign placement and spacing. Developer may either construct prior to final platting or post bond in the amount of 110% of the estimated costs with the Boise City Planning and Development Services Department.

p. A letter from the appropriate **school district** is required stating, "The Developer has made arrangements to comply with all requirements of the School District."

q. A letter of acceptance for **water service from the utility** is required (B.C.C. 11-09-04.3).

r. Developer shall provide a letter from the **United States Postal Service** stating, "The Developer and/or Owner has received approval for location of mailboxes by the United States Postal Service."

Contact: Dan Frasier, Postmaster
770 S. 13th St.
Boise, ID 83708-0100
Phone No. (208) 433-4341
FAX No. (208) 433-4400

s. Correct street names as approved by the **Ada County Street Name Committee** shall be placed on the plat (B.C.C 9-06-05.M).

Agency Requirements

4. Comply with requirements of the Ada County Highway District (ACHD) as outlined in the **September 26, 2016** approval.

5. Comply with the requirements of the Central District Health Department as outlined in department comments dated **September 26, 2016.**

6. The applicant **s**hall comply with all conditions of the Boise Fire Department as outlined in department comments dated **September 23, 2016**. For additional information, contact Ron Johnson at (208) 570-6500.

7. Comply with Boise City Public Works Department requirements as listed in the following dated memos:

    a. Grading and Drainage (October 11, 2016)
    b. Solid Waste (September 1, 2016)
    c. Sewer (September 1, 2016)
    d. Street Lights (September 1, 2016)

    Contact BCPW at 208-384-3900 for specific comments or questions. All requirements of the BCPW shall be completed or bonded for prior to submittal of the Final Plat for the signature of the Boise City Engineer.

8. Comply with the requirements of the Idaho Department of Fish and Game as outlined in comments dated October 24, 2016. Final written approval of the layout, landscape and fencing plan, from the Department, is required prior to signature of the final plat.

9. Written approval from the Department of Environmental Quality is required prior to issuance of any construction permits. Contact Dean Ehlert at 208-373-0416 for additional information.

Standard Conditions of Approval

10. 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) 384-3830 regarding questions pertaining to this condition.

11. All landscaping areas shall be provided with an underground irrigation system. Landscaping shall be maintained according to current accepted industry standards to promote good plant health, and any dead or diseased plants shall be replaced. All landscape areas with shrubs shall have approved mulch, such as bark or soil aid.

12. Swales/retention/detention areas shall not be located along the streets, unless it can be shown that landscaped berms/shrubs will screen the swales.

13. In compliance with Title 9, Chapter 16, Boise City Code, anyone planting, pruning, removing or trenching/excavating near any tree(s) on ACHD or State right-of-ways must obtain a permit from Boise City Community Forestry at least one (1) week in advance of such work by calling (208) 384-4083. Species shall be selected from the Boise City Tree Selection Guide.

14. Utility services shall be installed underground.

15. An occupancy permit will not be issued by the Planning and Development Services Department until all of these conditions have been met. In the event a condition(s) cannot be met by the desired date of occupancy, the Planning Director will determine whether the condition(s) is bondable or should be completed, and if determined to be bondable, a bond or other surety acceptable to Boise City will be required in the amount of 110% of the value of the condition(s) that is incomplete.

16. All amenities, landscaping, fencing, sidewalks and underground irrigation shall be installed or bonded for prior to the issuance of a building permit. For bonding, the applicant is required to provide a minimum of two bids for the amenities, landscaping materials and the installation. The bond shall be for 110% of the highest bid and submitted to the Building Department on the 2nd floor of City Hall. For additional information, please call (208) 384-3830.

17. 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.

18. 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.

19. Failure to abide by any condition of this permit shall be grounds for revocation by the Boise City Planning and Zoning Commission.

20. This approval shall be valid for a period not to exceed twenty four (24) months from the date of approval by the Planning and Zoning Commission. Within this period, the holder of the permit must acquire construction permits and commence placement of permanent footings and structures on or in the ground. The definition of structures in this context shall include sewer lines, water lines, or building foundations.

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

22. To reduce the noise impact of construction on nearby residential properties, all exterior construction activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. for Saturday and Sunday. Low noise impact activities such as surveying, layout and weather protection may be performed at any time.

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#117: Planned Unit Development

Case #: PUD16-00024

Property Information

Address

Street Number:	Prefix:	Street Name:	Unit #:
2570	E	WARM SPRINGS AVE	

Subdivision name:	Block:	Lot:	Section:	Township:	Range:	Zoning:
SEC 13 & NW4NE4	0	0	13	3	2	R-1C

Parcel Number:	Additional Parcel Numbers:
S1013437100	

Primary Contact

Who is responsible for receiving e-mail, uploading files and communicating with Boise City?

(•) Agent/Representative ( ) Applicant ( ) Owner

Applicant Information

First Name:	Last Name:
Bill	Clark

Company: Warm Springs Entrprises, LLC

Address:	City:	State:	Zip:
420 W. Main Street, Suite 204	Boise	ID	83702

E-mail:	Phone Number:	Cell:	Fax:
bill@clarkdevelopment.com	(208) 342-2625	(208) 861-9111	(208) 342-2627

Agent/Representative Information

Role Type: ( ) Architect ( ) Land Developer (•) Engineer ( ) Contractor ( ) Other

First Name:	Last Name:
David	Powell

Company: RiveRidge Engineering Company

Address:	City:	State:	Zip:
2447 S. Vista Avenue	Boise	ID	83705

E-mail:	Phone Number:	Cell:	Fax:
dpowell@rvrdg.com	(208) 344-1180	(208) 830-4654	(208) 344-1182

Owner Information

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

First Name:	Last Name:

Company:

Address:	City:	State:	Zip:
		ID	

E-mail:	Phone Number:	Cell:	Fax:

Project Information

Is this a Modification application? ○ Yes ◉ No File number being modified:

1. Neighborhood Meeting Held (Date):

6/14/2016

2. Neighborhood Association:

East End

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:

develop a 60-lot single family residential subdivision

5. Size of Property:

14.45 ◉ Acres ○ Square Feet

6. Water Issues:

A. What are you fire flow requirements? (See International Fire Code):

1000 gpm

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

Number of Existing: 1 Number of Proposed: 5

C. Is the building "sprinklered"? ○ Yes ◉ No

D. What volume of water is available? (Contact United Water of Idaho at 362-7330):

1500 gpm

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

vacant

8. Are there any hazards on the property?

(Such as canals, hazardous material spills, soil or water contamination.) If so, describe them and give their locations:

remediated soil contamination in northeast corner, center of site. Lead contamination in 3 locations that are to be remediated under the supervision of IDEQ. Remediation planning is in progress. All remediation work is set to be completed

9. Adjacent property information:

	Building types and/or uses	Number of Stories	Zone
North:	Boise City Parks	0	(A-1) Open Land 1 Acre mini
South:	Ada County Park	0	(A-1) Open Land 1 Acre mini
East:	Common open s	0	(A-1) Open Land 1 Acre mini
West:	Boise City Parks	0	(A-1) Open Land 1 Acre mini

10. Non-Residential Structures:

A. Number of **Proposed** non-residential structures: 0

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	0	0
2nd Floor	0	0
3rd Floor	0	0
4th Floor	0	0

B. Maximum Proposed Height:

C. Number of stories: 0

D. Number of **EXISTING** non-residential structures to remain: 0

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

	Gross Square Feet	Net Leasable Square Feet
1st Floor	0	0
2nd Floor	0	0
3rd Floor	0	0
4th Floor	0	0

E. Existing Structure Height(s): 0

F. Number of Stories: 0

11. Residential Structures:

A. Number of **Proposed** residential units (if applicable):: 60

B. Size of Proposed residential structures (if applicable):

	Number of Units	Square Foot per Unit	Total Square Feet
One-Bedroom:	0	0	0
Two-Bedroom:	0	0	0
Three-Bedroom:	60	2200	132000
Other:	0	0	0
Total Number:	60	2200	132000

C. Number of **Existing** units to remain: 0

D. Maximum Proposed Structure Height(s): 35

E. Number of Stories: 2

12.Site Design:

A. Percentage of site devoted to building coverage:	20
B. Percentage of site devoted to landscaping:	49.6
C. Percentage of site devoted to paving:	11.6
D. Percentage of site devoted to other uses:	18.8
E. Describe other use:	open space and common lots

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

Number:		Location	
Size:		Screening	

14.Parking:

	Required		Proposed
A. Handicapped Spaces:		Handicapped Spaces:	2
B. Parking Spaces:		Parking Spaces:	12
C. Bicycle Spaces:		Bicycle Spaces:	0
D. Proposed Compact Spaces:	0		
E. Restricted (assigned, garage, reserved spaces) parking spaces proposed:			240
F. Are you proposing off-site parking?	○ Yes ◉ No	If yes, how many spaces?	
G. Are you requesting shared parking or a parking reduction?	○ Yes ◉ 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		Parking	
	Proposed	Required	Proposed	Required
Front:	10	20	16	20
Rear:	15	15	20	20
Side 1:	3	5		
Side 2:	3	5		

16.Waivers Requested:

A. Lot size:	○ Yes ◉ No	Description:	
B. Internal Setbacks:	◉ Yes ○ No	Description:	3' side yard setbacks
C. Frontage:	◉ Yes ○ No	Description:	40' minimum lot frontage along Warm Springs

17. Sidewalks:

Proposed: ☑ **Attached** ☐ **Detached**

Adjacent: ☑ **Attached** ☐ **Detached**

18. Amenities:

Number: 2

Description: trail and greenbelt access, existing golf course, open space to City Parks, pocket park

19. Density:

Allowed Density: 8

Proposed Density: 4

20. Building Exterior:

	Materials	**Colors**
Roof:	WUI	undetermined
Walls:	WUI	undetermined
Windows/Doors:	WUI	undetermined
Fascia, Trim etc.:	WUI	undetermined

21. Drainage (Proposed method of on-site retention):

susurface infiltration

22. 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.

23. 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**

24. Street Layout:

A. PUBLIC Street Layout Review

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 no 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 it with 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**

B. PRIVATE Street Layout Review

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 & Development Services 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**

Are you proposing public street connection to adjacent properties?

○ **Yes** ◉ **No**

25. 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:

60

C. Proposed screening method:

rear yard, alley

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 Department. It is the applicant's responsibility to provide deeds and/or other documentation to the Subdivision Department. See Verification of Legal Lot or Parcel Worksheet for submittal requirements.

The undersigned declares that the above provided information is true and accurate.
The undersigned acknowledges that failure to provide true and accurate information may result in rejection of this application, possible revocation of the permit where wrongfully issued and subject the undersigned any applicable civil and/or criminal penalties.

Agent/Representative Signature:

Date:

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#201 Subdivision

Case #: SUB16-00052

Property Information

Address

Street Number:	Prefix:	Street Name:	Unit #:
2570	E	WARM SPRINGS AVE	

Subdivision name:	Block:	Lot:	Section:	Township:	Range:	Zoning:
SEC 13 & NW4NE4	0	0	13	3	2	R-1C

Parcel Number:	Additional Parcel Numbers:
S1013437100	

Primary Contact

Who is responsible for receiving e-mail, uploading files and communicating with Boise City?

(•) Agent/Representative ( ) Applicant ( ) Owner

Applicant Information

First Name:	Last Name:
Bill	Clark

Company: Warm Springs Entrprises, LLC

Address:	City:	State:	Zip:
420 W. Main Street, Suite 204	Boise	ID	83702

E-mail:	Phone Number:	Cell:	Fax:
bill@clarkdevelopment.com	(208) 342-2625	(208) 861-9111	(208) 342-2627

Agent/Representative Information

Role Type: ( ) Architect ( ) Land Developer (•) Engineer ( ) Contractor ( ) Other

First Name:	Last Name:
David	Powell

Company: RiveRidge Engineering Company

Address:	City:	State:	Zip:
2447 S. Vista Avenue	Boise	ID	83705

E-mail:	Phone Number:	Cell:	Fax:
dpowell@rvrdg.com	(208) 344-1180	(208) 830-4654	(208) 344-1182

Owner Information

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

First Name:	Last Name:

Company:

Address:	City:	State:	Zip:
		ID	

E-mail:	Phone Number:	Cell:	Fax:

1. Type of Application:

(●) Preliminary ( ) Final ( ) Preliminary/Final

2. Proposed Subdivision/Condominium Name:

Warm Springs Village

Note: Must be approved by the Ada County Surveyor.

3. Cross Reference Files:

Please list all previously approved or currently associated file(s):

4. Subdivision/Condominium Features:

Number of buildable lots/units:	60	Buildable lots/units per acre:	4.15
Number of common lots/units:	7	Zoning Classification:	R-1C
Total acres in subdivision:	14.45		

5. Building Program:

Number of Existing Buildings: 0 Number of Existing Buildings to Remain: 0

Type of Existing Buildings: ( ) Residential ( ) Commercial ( ) Industrial ( ) Mixed Use

If Residential What Type? [ ] Single Family [ ] Townhouse [ ] Duplex [ ] Multi-Family

Type of Proposed Buildings: (●) Residential ( ) Commercial ( ) Industrial ( ) Mixed Use

If Residential What Type? [✓] Single Family [ ] Townhouse [ ] Duplex [ ] Multi-Family

6. Waivers or Modifications:

Are any waivers/modifications being requested from the Subdivision Ordinance? (●) Yes ( ) No

If yes, please include a detailed explanation in your letter.
An additional waiver/modification review fee must be paid at the time of submittal.

7. Private Streets:

Are private streets proposed? (●) Yes ( ) No

If yes, please provide justification in the letter of explanation.
An additional private street review fee must be paid at the time of submittal.

8. Public Streets:

Number of new public streets proposed: 0

9. Floodways & Hillsides:

Is any portion of this property located in a Floodway or a 100-year Floodplain? ○ **Yes** ◉ **No**

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 #112 Floodplain and/or #114 Hillside application and additional fee.

11. 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**

The undersigned declares that the above provided information is true and accurate.
The undersigned acknowledges that failure to provide true and accurate information may result in rejection of this application, possible revocation of the permit where wrongfully issued and subject the undersigned any applicable civil and/or criminal penalties.

Agent/Representative Signature:

Date:

Jim Hansen, President
Sara M. Baker, Vice President
Rebecca W. Arnold, Commissioner
Kent Goldthorpe, Commissioner
Paul Woods, Commissioner

Date: October 5, 2016

(*Via email)*

To: Warm Springs Enterprises, LLC
Bill Clark
420 W Main Street, Ste. 204
Boise, ID 83702

Subject: Warm Springs Village/ BPP16-0028/ SUB16-00052/ PUD16-00024
2570 E Warm Springs Avenue

On September 26, 2016 the Ada County Highway District staff acted on your application for the above referenced project. The attached report lists site-specific requirements, conditions of approval and street improvements, which are required.

If you have any questions, please feel free to contact me at (208) 387-6171.

Sincerely,

Stacey Yarrington
Planner III
Development Services
Ada County Highway District

CC: Project file
RiveRidge Engineering Co (via email)
City of Boise (via email)

Project/File: **Warm Springs Village/ BPP16-0028/ SUB16-00052/ PUD16-00024**
This is a preliminary plat and planned unit development to construct 60 single-family lots on 14.5-acres.



Lead Agency: City of Boise

Site address: 2570 E Warm Springs Avenue

Staff Approval: September 26, 2016

Applicant: Warm Springs Enterprises, LLC
Bill Clark
420 W Main Street, Ste. 204
Boise, ID 83702

Representative: RiveRidge Engineering Co.
David Powell
2447 S Vista Avenue
Boise, ID 83705

Staff Contact: Stacey Yarrington
Phone: 387-6171
E-mail: syarrington@achdidaho.org

A. Findings of Fact

1. **Description of Application:** The applicant is requesting approval of a preliminary plat and planned unit development to construct 60 single-family lots on 14.5-acres.

   The property is currently zoned R-1C (Single Family Residential, Urban) and the proposal is consistent with the City of Boise's comprehensive plan.

2. **Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Open Lands, Park	A-1
South	Open Lands, Park/ Single Family Residential, Suburban	A-1/R-1B
East	Single Family Residential, Large Lot	R-1A
West	Open Lands, Park	A-1

3. **Site History:** ACHD has not previously reviewed this site for a development application.

4. **Adjacent Development:** The following developments are pending or underway in the vicinity of the site:

   - *Fallingbrook Subdivision No 3, a 10-lot townhome development, located northeast of the site was approved by ACHD on November 10, 2015.*

5. **Transit:** Transit services are within 0.75-miles to serve this site.

6. **New Center Lane Miles:** There are no new centerline miles of public roadway with this application.

7. **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.

8. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**

   There are currently no roadways, bridges or intersections in the general vicinity of the project that are currently in the Integrated Five Year Work Plan (IFYWP) or the District's Capital Improvement Plan (CIP).

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 571 additional vehicle trips per day (0 existing); 60 additional vehicle trips per hour in the PM peak hour (0 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 9th 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
Warm Springs Avenue	1,727-feet	Minor Arterial	520	Better than "E"	Better than "E"
Windsong Drive	995-feet	Local	62	N/A	N/A

   * Acceptable level of service for a two-lane minor arterial is "D" (550 VPH).

   * Acceptable level of service for a two-lane minor arterial is "E" (690 VPH) after 10/01/2016.

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 Warm Springs Avenue east of Bacon Drive was 8,910 on 9/24/2015.
   - The average daily traffic count for Windsong Drive south of Toluka Way was 1,125 on 4/25/2016.

C. Findings for Consideration

1. Warm Springs Avenue

a. Existing Conditions: Warm Springs Avenue is improved with 2-travel lanes, 24 to 26 feet of pavement, and no curb, gutter or sidewalk abutting the site. There is between 50 to 104 feet of right-of-way for Warm Springs Avenue (33 to 36 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.

Right-of-Way Dedication: District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

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 Warm Springs Avenue is designated in the MSM as a Residential Arterial with 2-lanes and on-street bike lanes, a 36-foot street section within 62-feet of right-of-way.

c. Applicant Proposal: The applicant is proposing to construct a detached 5-foot wide concrete sidewalk along Warm Springs Avenue abutting the site.

d. Staff Comments/Recommendations: Staff does not recommend any additional right-of-way dedication on Warm Spring Avenue abutting the site, as part of this application. The existing right-of-way is wide enough to accommodate the future widening of Warm Springs to a 2-lane, 36-foot street section as noted in the MSM.

The applicant's proposal to construct a 5-foot wide sidewalk on Warm Spring Avenue abutting the site meet's District policy and should be approved, as proposed. The sidewalk should be constructed a minimum of 28-feet from the centerline of Warm Spring Avenue abutting the site. The applicant should be required to provide a permanent right-of-way easement for any segment of the sidewalk located outside of the existing right-of-way.

Warm Springs Avenue is located within the 5-year moratorium. 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 208.387.6258 (with file numbers) for details.

2. Driveways

Warm Springs Avenue

a. Existing Conditions: There are no existing driveways internal to the site.

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 7205.4.6 states that direct access to minor 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 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

Successive Driveways: District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 35 MPH to align or offset a minimum of 330-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.

c. Applicant's Proposal: The applicant is proposing to construct two 40-foot wide driveways for private roadways onto Warm Springs Avenue from the site. The applicant is proposing to construct one 20-foot wide emergency access driveway onto Warm Springs Avenue, located 180-feet east of the Warm Springs Golf Course driveway (measured centerline to centerline). The mid site 40-foot wide driveway is located 400-feet east of the proposed western 20-foot wide driveway and 7,758-feet west of the proposed eastern 40-foot wide driveway (measured centerline to centerline). The eastern 40-foot wide driveway is located 385-feet west of Windsong Drive (measured centerline to centerline).

d. Staff Comments/Recommendations: The applicant's proposal does not meet District Width policies because of the width of the two 40-foot wide driveways. However, staff recommends a modification of policy to allow the driveways to be located as proposed due to the fact that the wider driveways allows for better ingress/egress to the site from the roadway.

The applicant should be required to install curb return type driveways with minimum 30-foot radii.

The applicant should be required to pave the 3 driveways their full width and at least 30-feet into the site beyond the edge of pavement of Warm Springs Avenue.

The applicant should be required to restrict the 20-foot wide emergency access with a gate or bollards as determined by the Boise Fire Department.

3. Private Roads

a. Private Road Policy: District policy 7212.1 states that the lead land use agencies in Ada County establish the requirements for private streets. The District retains authority and will review the proposed intersection of a private and public street for compliance with District intersection policies and standards. The private road should have the following requirements:

- Designed to discourage through traffic between two public streets,
- Graded to drain away from the public street intersection, and
- If a private road is gated, the gate or keypad (if applicable) shall be located a minimum of 50-feet from the near edge of the intersection and a turnaround shall be provided.

b. Applicant's Proposal: The applicant is proposing to construct a 24-foot wide (back of curb to back of curb) private roadway through the development.

c. Staff Comments/Recommendations: If the City of Boise approves the private road, the applicant shall be required to pave the private roadway a minimum of 20 to 24-feet wide and at least 30-feet into the site beyond the edge of pavement of all public streets and install pavement tapers with 15-foot curb radii abutting the existing roadway edge. If private roads are not approved by the City of Boise, the applicant will be required to revise and resubmit the preliminary plat to provide public standard local streets in these locations.

Street name and stop signs are required for the private road. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.

ACHD does not make any assurances that the private road, which is a part of this application, will be accepted as a public road if such a request is made in the future. Substantial redesign and reconstruction costs may be necessary in order to qualify this road for public ownership and maintenance.

The following requirements must be met if the applicant wishes to dedicate the roadway to ACHD:

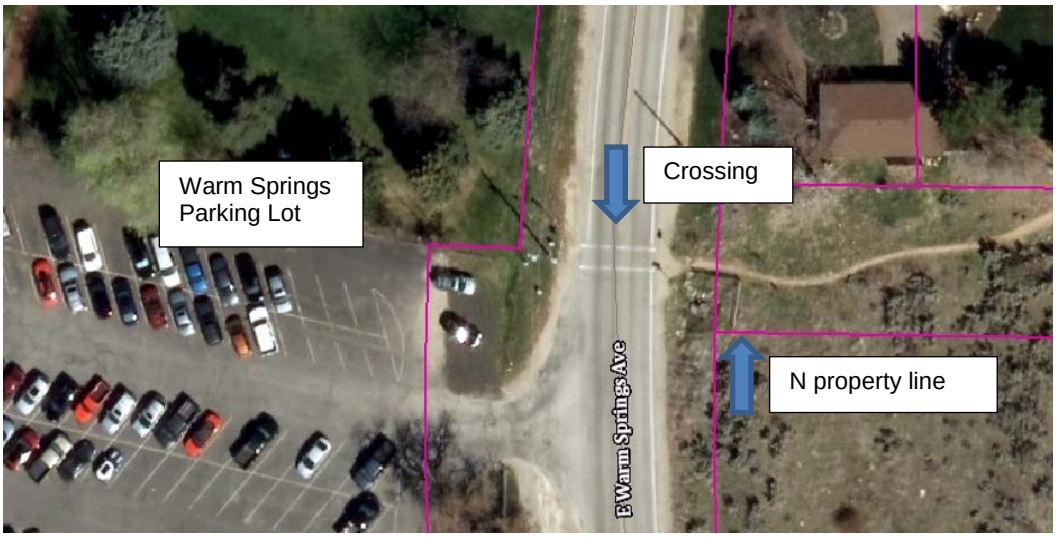
- Dedicate a minimum of 50-feet of right-of-way for the road.
- Construct the roadway to the minimum ACHD requirements.
- Construct a stub street to the surrounding parcels.

4. Greenbelt Crossing

There is an existing pedestrian crossing across Warm Springs Avenue north of the site's north property line to the Warm Springs Golf Course parking lot that provides access the greenbelt. The City of Boise owns both parcels abutting the crossing.

ACHD is not supportive of improving the crossing at this location, due to the fact that there is limited site distance; and no direct public access to the greenbelt at this location without walking through the Warm Springs Golf Course parking lot.

This applicant is constructing sidewalk along Warm Springs Avenue that will connect to the signalized crossing at Windsong Drive.



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

Warm Springs Avenue is classified as a minor arterial roadway. Other than the access specifically approved with this application, direct lot access is prohibited to this roadway and should be noted on the final plat.

D. Site Specific Conditions of Approval

1. Construct a 5-foot wide sidewalk a minimum of 28-feet from the centerline of Warm Springs Avenue abutting the site.

2. Provide a permanent right-of-way easement for any segment of the sidewalk located outside of the existing right-of-way.

3. Construct one 20-foot wide emergency access driveway onto Warm Springs Avenue, located 180-feet east of the Warm Springs Golf Course driveway, as proposed. Pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of Warm Springs Avenue. Restrict the driveway with a gate or bollards as determined by the Boise Fire Department.

4. Construct a 40-foot wide driveway/private road located 400-feet east of the proposed western 20-foot wide driveway and 7,758-feet west of the proposed eastern 40-foot wide driveway.

5. Construct a 40-foot wide driveway/private road located 385-feet west of Windsong Drive.

6. Install curb return type driveways for the private roads with minimum 30-foot radii; and pave the driveways their full width and at least 30-feet into the site beyond the edge of pavement of the existing roadway.

7. Coordinate street name and stop signs with District staff for the private roads. The signs may be ordered through the District.

8. Direct lot access is prohibited to Warm Springs Avenue and shall be noted on the final plat.

9. Payment of impacts fees are due prior to issuance of a building permit.

10. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).

2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.

3. In accordance with District policy, 7203.3, 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

Dennis Doan
Chief

City Hall West
333 N. Mark Stall Place
Boise, Idaho 83704-0644

Phone
208/570-6500

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208/570-6586

TDD/TTY
800/377-3529

Web
www.cityofboise.org/fire

Mayor
David H. Bieter

City Council
President
Maryanne Jordan

Council Pro Tem
David Eberle

Elaine Clegg
Lauren McLean
TJ Thomson
Ben Quintana

Fire Department

September 23, 2016

Cody Riddle
PDS – Current Planning

Re: Warm Springs Village Subdivision - SUB16-00052; PUD16-00024
2570 E. Warm Springs Ave

Dear Cody,

This is a request for a Preliminary Plat for a Subdivision with 57 buildable lots and 7 common lots on 14.45 acres.

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. This proposed subdivision is located within Wildland-Urban Interface Zone "A" and Compliance with Boise City Code Section 7-01-69 is required for all structures within this subdivision. A 30' defensible space shall be provided from undeveloped land. An easement and maintenance agreement is required for defensible space on the common lot.
2. A wildfire safety plan is required for this subdivision. A plan shall be submitted and approved prior to approval of the final plat.
3. Fire hydrants, capable of producing the required fire flow, shall be located so that no part of the structure is more than 600-feet from the hydrant. (IFC 507.3, IFC B105.2, IFC C105).
4. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet. (IFC D103.1) The proposed alternate is a 24' wide private road with rolled curb on both sides and sidewalks constructed to support a 75,000-pound fire apparatus.
5. Monument signage for addressing will be required at the entrance and at all intersections within the project. (IFC 505.1)
6. For streets having a width less than 29 feet back of curb to back of curb parking shall be restricted on both sides. A note on the face of the final plat is required noting the parking restriction prior to signing of the final plat by the Boise City Engineer. In addition, No Parking signs shall be installed in accordance with the requirements of the IFC. (BCC 7-01-32, IFC 503.8)
7. Detailed design documents for traffic control devices on the emergency access shall be submitted for approval prior to installation. (IFC 503.4.1)
8. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC 503.2.5)

General Requirement:

An Equal Opportunity Employer

Fire Department required fire hydrants, access, and street identification shall be installed prior to construction or storage of combustible materials on site. Provisions may be made for temporary access and identification measures.

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

Regards,

Ron L. Johnson
Division Chief – Assistant Fire Marshal
Boise Fire Department

C12

CENTRAL DISTRICT HEALTH DEPARTMENT

Environmental Health Division

Return to:
- ☐ ACZ
- ☒ Boise
- ☐ Eagle
- ☐ Garden City
- ☐ Kuna
- ☐ Meridian
- ☐ Star

RECEIVED
SEP 26 2016
DEVELOPMENT SERVICES

Rezone # SUB16-00052

Conditional Use # _____

Preliminary / Final / Short Plat _____

Farm Springs Village

☐ 1. We have No Objections to this Proposal.

☐ 2. We recommend Denial of this Proposal.

☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.

☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.

☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
- ☐ high seasonal ground water
- ☐ bedrock from original grade
- ☐ waste flow characteristics
- ☐ other _____

☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.

☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.

☒ 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
- ☒ central sewage
- ☐ interim sewage
- ☐ individual sewage
- ☐ community sewage system
- ☒ central water
- ☐ individual water
- ☐ community water well

☒ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
- ☒ central sewage
- ☐ sewage dry lines
- ☐ community sewage system
- ☒ central water
- ☐ community water

☐ 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.

☐ 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.

☐ 12. We will require plans be submitted for a plan review for any:
- ☐ food establishment
- ☐ beverage establishment
- ☐ swimming pools or spas
- ☐ grocery store
- ☐ child care center

☐ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

☐ 14. _____

Reviewed By: _____

Date: 9/19/16

Review Sheet

15726-001EH1111

CITY OF BOISE

INTER-DEPARTMENT CORRESPONDENCE

Date: October 11, 2016

To: Planning and Development Services

From: Jason Taylor, P.E., Staff Engineer
Public Works

Subject: SUB 16-00052 & PUD16-00024; Warm Springs Village Subdivision
Grading & Drainage, Hillside, & Misc. Engineering Comments

1. STANDARD GRADING AND DRAINAGE CONDITIONS

1) Subdivision drainage shall be in accordance to B.C.C. 11-09-04-05. The developer shall submit a letter from the appropriate drainage entity approving the drainage system or accepting the drainage there from. A copy of the construction drawing(s) depicting all site drainage improvements shall be submitted with the letter.

   a. Developer may either construct improvement prior to final platting or post bond in the amount of 110% of the estimated construction costs. Estimated construction costs shall be provided by the developer's engineer.

   b. For drainage facilities located outside of the public right-of-way, the developer shall dedicate a storm drainage easement. Said easement shall be labeled as either an Ada County Highway District storm drainage easement or a homeowners' association storm drainage easement, depending on what entity will assume responsibility for the operation and maintenance of the storm drainage system.

   c. If the homeowners' association is to be responsible for the operation and maintenance of the storm drainage facilities, the covenants, homeowners' association by-laws or other similar deed restrictions shall be reviewed and approved by the Boise City Attorney.

2) If fills greater than one foot in depth are to be placed in subdivision lots inside of building envelopes, as defined by the applicable subdivision building setbacks, the Developer shall obtain a grading permit from the Boise City Building Department (Commercial Rough Grading Permit). Grading permit must be acquired prior to the start of construction or final plat signature by the Boise City Engineer, whichever comes first.

Special Conditions:

2. STANDARD HILLSIDE CONDITIONS

N/A

3. MISC. ENGINEERING CONDITIONS

1) A Rock Fall Analysis shall be performed and approved by Public Works Engineering staff prior to issuance of a grading permit. All conditions and recommendations in the Rock Fall Analysis shall be adhered to prior to approval of the final plat. Mitigation approval from Boise City Parks and Recreation shall be submitted to Public Works staff prior to the issuance of a grading permit.

2) Subgrade approval from a Geotechnical Engineer shall be submitted for every lot prior to construction of individual house footings or column on the lot.

3) A 30ft setback will be required from the closest edge of the rock fall berm/ditch and the proposed house on Lots 47-56. This setback will include columns, foundations, decks, etc. An alternate 15 setback may be approved with additional rock fall berm/ditch height and a fence capable of stopping smaller (2' diam. or less) boulders or otherwise approved by Public Works Engineering.

4) Grading on Lot 1 (gulch area) shall be approved by Public Works Environmental staff prior to issuance of a grading permit.

5) Engineering Hydrology report shall be submitted and approved by Public Works Engineering staff prior to issuance of a grading permit. All conditions and recommendations in the report shall be adhered to prior to approval of the final plat.

6) Geotechnical Engineering and Geology Report shall be submitted and approved by Public Works Engineering staff prior to issuance of a grading permit. All conditions and recommendations in the report shall be adhered to prior to approval of the final plat.

4. PRIVATE STREET CONDITIONS

1) The following private street requirements must be met in an acceptable format:

    a. Convey to those lot owners taking access from the private street, the perpetual right of ingress and egress over the described private street, and

b. Provide that such perpetual easement shall run with the land, and

c. Provide each lot owner taking access from the private street, undivided interest within the private street.

2) A restrictive covenant for maintenance and reconstruction shall be recorded at the time of recording the plat which covenant, (a) creates the formation of a homeowner's association for the perpetual requirement for the maintenance/reconstruction of the private street, and private street signs and (b) provides that said covenant shall run with the land, and (c) provides that the homeowners association shall not be dissolved without the express consent of Boise City.

3) Said easement and covenant to be reviewed and approved by the Boise City Attorney (B.C.C. 9-20-7.E.2.q & 9-20-7.E.2.r).

4) Private street widths shall be in conformance with B.C.C. 11-09-03.5. or as allowed via B.C.C. 11-09-05. All private streets, base and pavement, shall be constructed to the same construction specifications required for public streets. Contact the Ada County Highway District (ACHD) for public street construction requirements (B.C.C. 11-09-03.5.B.).

a. Certification of construction to ACHD specifications is required from an independent testing laboratory or a consulting engineer, including test results for the verification of construction (B.C.C. 11-09-03-05.B.(2)(e)).

i. If it is an existing private street, verification of acceptable construction of the existing private street, including acceptability for use of emergency vehicles (including fire trucks and ambulances), is required from an independent testing laboratory or a registered Professional Engineer.

b. Sidewalks are required on both sides of the private street (or in compliance with the sidewalk plan approved with the conditional use) unless specifically waived by the Boise City Council.

c. Private street signs shall be installed in the same manner as public street signs (see requirements of ACHD).

d. The developer shall pay the current drainage review and inspection fees on the proposed subdivision (B.C.C. 11-03-03.3.B.).

e. Drainage facilities for the private street shall comply with Boise City's Storm Water Management and Discharge Control Ordinance (B.C.C. 8-15). Plans shall be approved and construction inspected by Boise City Public Works.

i. Developer and/or owner may either construct prior to final platting or post bond/agreement in the amount of 110% of the estimated costs, including certification (B.C.C. 11-09-04.2., Filing of Plans and Bonding Surety).

Special Conditions:

If you have any further questions, please contact Jason Taylor at 384-3946 or jtaylor@cityofboise.org.

I:\PWA\Subjects\Review Comments\Subdivision Comments\Temp (uploaded comments)\Drainage Hillside Eng comments\JCT-Grading Drainage Hillside & Misc Engineering Sub Comment- Warm Springs Village Subdivision-Revised.docx

CITY OF BOISE

INTER-DEPARTMENT
CORRESPONDENCE

Date: September 1, 2016

To: Planning and Development Services

From: Mike Sheppard, Civil Engineer
Public Works

Subject: PUD16-00024; 2570 E. Warm Springs Avenue; Sewer Comments

Connection to central sewer is required. Sanitary sewers are available in E. Warm Springs Avenue.

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

If you have any further questions, please contact Mike Sheppard at 384-3920.

City of Boise

Memo

To: Planning and Development Services

From: Peter McCullough; Public Works Department

Date: 9/1/16

Re: Solid Waste Comments- PUD16-00024, 2570 Warm Spring Ave.

The following requirements for trash and/or recycling service apply to any residential subdivision or development in the City of Boise. Solid Waste collection vehicles utilize mechanical arms to collect 48 to 95-gallon plastic wheeled carts which require certain space and access specifications. If the following conditions can't be met, commercial service or separate collection locations may be required**.**

A. **General Requirements**

i) All streets and alleyways must be designed so that collection vehicles are not forced to back up at any time. (Hammerhead drives may be permitted only with prior approval from Public Works, 384-3906)
ii) All developments utilizing residential service, including, condominiums, town homes, and patio homes, must provide a minimum of 9 feet of curb space per dwelling unit for the carts to be placed at the curb for collection.
iii) Cul-de-sacs must have an unobstructed 70'minimum diameter.
iv) Alleyways and service drives designated for solid waste collection shall be a minimum of 16' (curb to curb) with no parking permitted.
v) Trees, street lights, wiring and other overhead obstacles shall not impede trash or recycling collection and will be maintained to provide an 18' high clearance above the cart collection location(s).
vi) Designated parking areas shall not impede curbside solid waste collection, including parking in cul-de-sacs.
vii) Developers of gated subdivisions shall provide the solid waste hauler with access to the subdivision.
viii) "Flag lots" and lots with private or shared driveways must take their carts to the street for collection or pay for carry-out service.
ix) Trash service will be provided on private streets/ only when a service agreement is signed.

NOTE: There is not adequate space to turn around for the 38' long collection vehicle in the dead-end alleyways. A hammerhead turn-around or street access need to be added or the lots will not be serviced.

Please contact me with any questions at 384-3906.

CITY OF BOISE

INTER-DEPARTMENT CORRESPONDENCE

Date: 1 September 2016

To: Planning and Development Services

From: Tom Marshall, Street Light Technician
Public Works

Subject: PUD16-00024; 2570 E Warm Springs Ave; Street Light Comments

Street lights are required at the following locations:

1. SWC of lot 33
2. SEC of lot 23
3. SEC of lot 12
4. SEC of lot 3
5. Intersection of alley and lot 1
6. SEC of lot 56
7. NEC of lot 60
8. SWC of lot 46
9. SWC of lot 40
10. Common lot 67 near parking area

Street lights are required. The specific location and type of facilities to be installed will be identified in the conditions of subdivision plat approval.

Street lights are required. Plans for this private street light system must be submitted, reviewed, and approved by Public Works prior to issuance of a building permit. A Homeowners' Association shall be created to be responsible for the ongoing operation and maintenance of the system.

All public street lighting shall be located and constructed per Boise City Street Light Placement Policy and Installation Standards.

As per Idaho Power requirements the lights along the following street frontages must be installed on a metered service. Meter service cabinet location to be in the right of way or in a developer designated City Street Light Easement. They shall meet the requirements of the Idaho Standards for Public Works Construction, Standard Drawings, and the Boise City Standard Revisions for ISPWC Division 1102 Street Lights. See Attachment A, Boise Standard Revisions for a list of approved meter service cabinets.

1. E Warm Springs Ave

New Street Light installations shall conform to the 2015 version of the Boise Standard Revisions, Idaho Standards for Public Works Construction (ISPWC) using approved LED fixtures listed in Attachment A to the Boise Standard Revisions.

Developer shall not connect, or allow any subcontractor to connect any irrigation timers, decorative lighting, entrance lighting, outlets or other electrical devices to any street lighting circuits. Any and all irrigation timers, decorative lighting, entrance lighting, outlets or other electrical devices shall be connected directly to Idaho Power at an Idaho Power approved location.

If you have any further questions contact Tom Marshall at 388-4719 or tmarshall@cityofboise.org.

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: **October 10, 2016**

TO: **PDSTransmittals@cityofboise.org**

FROM: **Lanette Daw, Supervisor Traffic Safety and Transportation**

RE: **PUD16-00024 & SUB16-00052 – Warm Springs Village**

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: **None**

Comments Regarding Safe Routes to School Impact: **None**

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

IDAHO DEPARTMENT OF FISH AND GAME
SOUTHWEST REGION
3101 South Powerline Road
Nampa, Idaho 83686

C.L. "Butch" Otter / Governor
Virgil Moore / Director

October 24, 2016

Cody Riddle
Manager, Current Planning
City of Boise Planning and Development Services
150 N. Capital Boulevard
P.O. Box 500
Boise, ID 83701
PDSTransmittals@cityofboise.org

RE: PUD16-00024 & SUB16-00052 / 2570 E. Warm Springs Avenue

The Idaho Department of Fish and Game (Department/IDFG) has reviewed the Planned Unit Development Application and the Revised Preliminary Plat for the proposed Warm Springs Village Subdivision located at 2570 East Warm Springs Avenue. This proposal calls for the development of a 60-lot subdivision, with R-1C zoning. The development will occupy approximately 14.45 acres of land, with 4.15 buildable lots per acre. The land is currently surrounded to the north and west by property owned by the City of Boise, to the west and east by private landowners and the Boise River to the south. The Department's Boise River Wildlife Management Area (BRWMA) is approximately 1.2 miles north of the proposed subdivision. The purpose of these comments is to assist the decision-making authority by providing technical information addressing potential effects to fish, wildlife, and habitats and how any adverse effects might be mitigated. It is not the purpose of Department to support or oppose this proposal. Resident species of fish and wildlife are property of all Idaho citizens, and the Department and the Idaho Fish and Game Commission are expressly charged with statutory responsibility to preserve, protect, perpetuate and manage all fish and wildlife in Idaho (Idaho Code36-103(a)). In fulfillment of our statutory charge and direction as provided by the Idaho Legislature, Department staff met with the developer and Boise City Planning and Zoning regarding this project on Monday, October 3, 2016, to discuss our concerns and offer suggestions about the plan. These included, but were not limited to, the creation of both primary and secondary wildlife corridors within the original proposed plat, protecting native vegetation, construction of privacy fences, and utilizing deer resistant landscaping.

The BRWMA and surrounding lands provide critical winter habitat to large populations of migratory mule deer during the winter and early spring months. During this time, mule deer

regularly move between the foothills and the Boise River to satisfy certain habitat needs. In addition, the area provides year-round habitat for resident mule deer. The Department strongly believes that an increase in development along Warm Springs Avenue will have an adverse cumulative impact on local wildlife. One impact identified by the Department is the diminishing connectivity between the BRWMA and the riparian and river floodplain habitat along the Boise River. Permanent conversion of habitat to residential use will likely have a measurable effect on big game in the region. Cumulatively, these developments could act as a barrier, keeping big game and other wildlife from moving to and from the Boise River corridor. Given the fact that mule deer have been historically observed on or directly adjacent to the property, we provide the following comments:

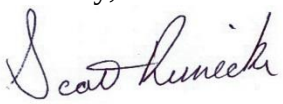
In order to preserve the "most desirable locations to maintain open wildlife corridors" (FH-CNN 6.6: SENSITIVE WILDLIFE HABITAT AREA, Blueprint Boise)", IDFG recommends to the city that as a condition of approval, the Warm Springs Village Subdivision include primary and secondary wildlife corridors in their plans*. It is the Departments understanding that the Common Lot on the east side of the subdivision, as well as the Idaho Power easement area, is the intended location for a primary wildlife corridor. This area should be set aside for wildlife and remain in as natural a vegetative state as possible or be re-vegetated after disturbance to provide cover for security and thermal needs. Although the proposed roadway footage would provide adequate space for wildlife movement, increasing the footage at the narrowest point of the corridor (east end of the private alley) by removing a housing lot would minimize this choke point for wildlife (see attached map). The Department also understands that the five southern Common Lots will be designated as secondary wildlife corridors. If fencing is necessary in these areas, it should follow IDFG recommendations.

We also recommend that no perimeter fencing be installed around the development in order to allow permeability through the subdivision by wildlife. If fencing is required, it should follow the recommendations found in the IDFG's "Standard Recommendations for Development" document provided to the developer prior to the October 3, 2016 meeting. Fencing installed at the northern section of the property should include several openings to allow wildlife permeability or include gates that can be unlocked in order to remove animals that may be trapped within the subdivision. In this instance, fencing and a locked gate should also be installed by the homes in the eastern section of the subdivision, around the private alley and to the east side of the corridor (toward Warm Springs Avenue) to not only funnel wildlife to the primary corridor and limit their ability to enter the subdivision, but also to protect the area from human use.

Finally, the Department recommends that future residents of the proposed subdivision be informed about the wildlife amenities they have nearby and the sensitivity of those wildlife to human disturbance. The Department refers to the Department publication Home Builders and Owners Guide to Living with Wildlife, available here: http://idahodocs.contentdm.oclc.org/cdm/compoundobject/collection/p15100coll7/id/2733/rec/10 We ask that this information be provided to the developer and in turn to future residents.

Thank you for the opportunity to comment. Please contact Krista Biorn at the Boise River Wildlife Management Area at (208)334-2115, or via email at krista.biorn@idfg.idaho.gov if you have any questions.

Sincerely,

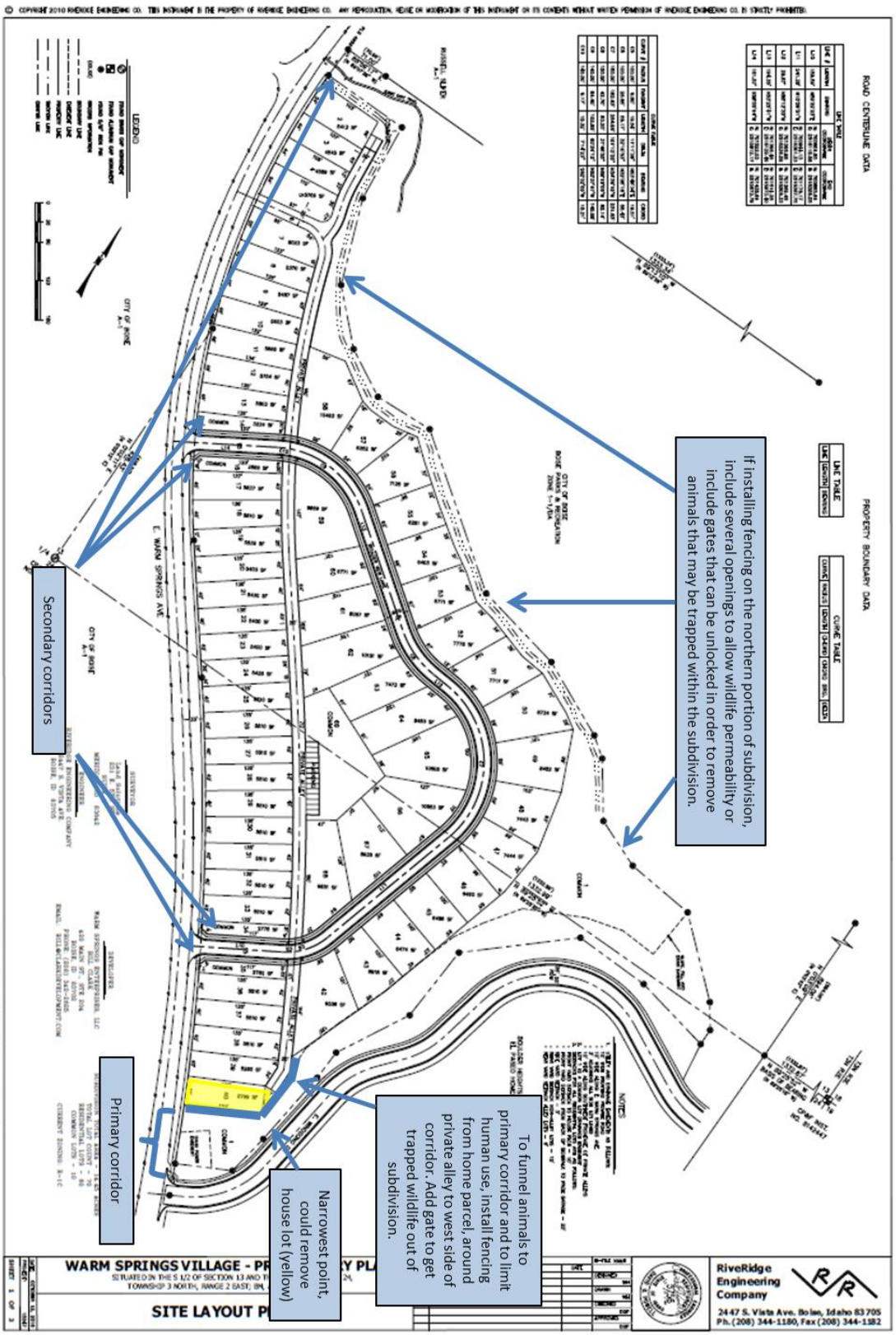


Scott Reinecker
Southwest Regional Supervisor

* Primary Wildlife Corridor: An area used by a wide variety of wildlife species that are more wary of human activities and less inclined to venture close to settled areas (e.g., migrating mule deer). Therefore, these areas should have limited human activity or disturbance. Primary corridors also connect large contiguous habitats and wildlife populations, providing wildlife with the opportunity to move from one habitat to another. Finally, the vegetation characteristics in these areas must meet security and thermal cover requirements for proper movement within the corridor.

* Secondary Wildlife Corridor: The Department expects some deer to enter the subdivisions by street access. Therefore, we recommend that at least one secondary wildlife corridor be incorporated into each development plan. These corridors consist of an entrance and an exit for wildlife trapped within the subdivision. They not only allow permeability through the subdivision, but also provide additional connectivity to large contiguous habitats. Entrance and exit points could be designed to accommodate pedestrians as well, but must follow IDFG fencing recommendations.

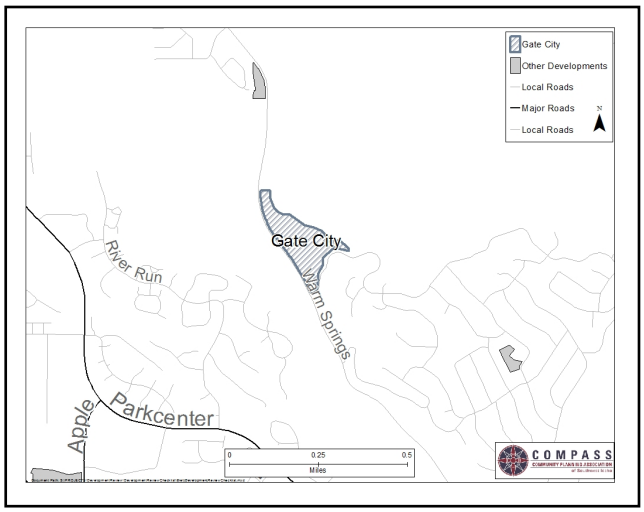
SR/tm/rw
Ecc: Kiefer/HQ
Cc: Gold file


Secondary corridors
If installing fencing on the northern portion of subdivision, include several openings to allow wildlife permeability or include gates that can be unlocked in order to remove animals that may be trapped within the subdivision.
Primary corridor
To funnel animals to primary corridor and to limit human use, install fencing from home parcel, around private alley to west side of corridor. Add gate to get trapped wildlife out of subdivision.
Narrowest point, could remove house lot (yellow)
WARM SPRINGS VILLAGE - PR
SITE LAYOUT P
RiveRidge Engineering Company
2447 S. Vista Ave. Boise, Idaho 83705
Ph. (208) 344-1180, Fax (208) 344-1182

Communities in Motion 2040 Development Checklist

The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization (MPO) for Ada and Canyon Counties. COMPASS has developed this checklist as a tool for local governments to evaluate whether land developments are consistent with the goals of *Communities in Motion 2040* (CIM 2040), the regional long-range transportation plan for Ada and Canyon Counties. CIM 2040 was developed through a collaborative approach with COMPASS member agencies and adopted by the COMPASS Board on **July 21, 2014.**

This checklist is not intended to be prescriptive, but rather a guidance document based on CIM 2040 goals, objectives, and performance measures. A checklist user guide is available **here**; and more information about the CIM 2040 goals can be found **here**; and information on the CIM 2040 Vision can be found **here**.



Click here for detailed map.

Name of Development: Gate City--60 residential units.

Summary: A 60-unit residential subdivision on East Warm Springs Avenue. Five developments comprising 193 residential units have been proposed in the area. CSLOS analysis was conducted. A detached sidewalk and bicycle lane would improve Bicycle LOS to a "A" and Pedestrian LOS to a "B." The proposal supports 6 CIM 2040 checklist items and does not support 14 CIM 2040checklist items. Consider improving the entrance to the Tram Trail and allowing neighborhood connections to the trail.

Land Use

In which of the **CIM 2040 Vision Areas** is the proposed development? **(Goal 2.1)**?

- ○ Downtown
- ○ Employment Center
- ◉ Existing Neighborhood
- ○ Foothills
- ○ Future Neighborhood
- ○ Mixed Use
- ○ Prime Farmland
- ○ Rural
- ○ Small Town
- ○ Transit Oriented Development

○ **Yes** ○ **No** ○ **N/A** The proposal is within a CIM 2040 Major Activity Center. **(Goal 2.3)**

Neighborhood (Transportation Analysis Zone) Demographics

Existing		Existing TAZ + Proposal		2040 Forecast	
Households	Jobs	Households	Jobs	Households	Jobs
464	146	524	146	664	148

◉ **Yes** ○ **No** ○ **N/A** The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this neighborhood. **(Goal 2.1)**

Area (Adjacent Transportation Analysis Zone) Demographics

Existing		Existing TAZs + Net Proposed		2040 Forecast	
Households	Jobs	Households	Jobs	Households	Jobs
1,831	798	2,084	798	2,838	1,110

◉ **Yes** ○ **No** ○ **N/A** The number of jobs and/or households in this development is consistent with jobs/households in the CIM 2040 Vision in this area. **(Goal 2.1)**

More information on COMPASS and *Communities in Motion 2040* can be found at:
www.compassidaho.org
Email: info@compassidaho.org
Telephone: (208) 475-2239

COMPASS
COMMUNITY PLANNING ASSOCIATION
of Southwest Idaho

Communities in Motion 2040 Development Checklist

Transportation

○ **Attached** ◉ **N/A** An Area of Influence Travel Demand Model Run is attached.

○ **Yes** ◉ **No** ○ **N/A** There are relevant projects in the current Regional **Transportation Improvement Projects** (TIP) within one mile of the development.

Comments: _____

○ **Yes** ○ **No** ◉ **N/A** The proposal uses appropriate access management techniques as described in the **COMPASS Access Management Toolkit.**

Comments: Work with ACHD on access locations and potential for using Windsong Drive for access.

○**Yes** ○**No** ◉**N/A** This proposal supports Valley Regional Transit's *valley**connect*** plan. See ***Valley Regional Transit Amenities Development Guidelines*** for additional detail.

Comments: Future demand response services are proposed near the development. See valleyconnect for details.

The **Complete Streets Level of Service (LOS) scoring** based on the proposed development will be provided on an separate worksheet **(Goals 1.1, 1.2, 1.3, 1.4, 2.4)**:

○ **Attached** ◉ **N/A** Complete Streets LOS scorecard is attached.

○ **Yes** ○ **No** ◉ **N/A** The proposal maintains or improves current automobile LOS.

○ **Yes** ○ **No** ○ **N/A** The proposal maintains or improves current bicycle LOS.

○ **Yes** ○ **No** ○ **N/A** The proposal maintains or improves current pedestrian LOS.

○ **Yes** ○ **No** ○ **N/A** The proposal maintains or improves current transit LOS.

○ **Yes** ◉ **No** ○ **N/A** The proposal is in an area with a **Walkscore** over 50.

Housing

○ **Yes** ◉ **No** ○ **N/A** The proposal adds **compact housing** over seven residential units per acre. **(Goal 2.3)**

○ **Yes** ◉ **No** ○ **N/A** The proposal is a mixed-use development or in a mixed-use area. **(Goal 3.1)**

○ **Yes** ◉ **No** ○ **N/A** The proposal is in an area with lower transportation costs than the **regional average** of 26% of the median household income. **(Goal 3.1)**

○ **Yes** ○ **No** ◉ **N/A** The proposal improves the jobs-housing balance by providing housing in employment-rich areas. **(Goal 3.1)**

Community Infrastructure

○ **Yes** ○ **No** ○ **N/A** The proposal is infill development. **(Goals 4.1, 4.2)**

○ **Yes** ○ **No** ○ **N/A** The proposal is within or adjacent to city limits. **(Goals 4.1, 4.2)**

○ **Yes** ○ **No** ○ **N/A** The proposal is within a city area of impact. **(Goals 4.1, 4.2)**

Health

○ **Yes** ○ **No** ○ **N/A** The proposal is within 1/4 mile of a transit stop. **(Goal 5.1)**

○ **Yes** ○ **No** ○ **N/A** The proposal is within 1/4 mile of a public school. **(Goal 5.1)**

○ **Yes** ○ **No** ○ **N/A** The proposal is within 1/4 mile of a grocery store. **(Goal 5.1)**

○ **Yes** ○ **No** ○ **N/A** The proposal is within 1 mile of a park and ride location. **(Goal 5.1)**

Economic Development

○ **Yes** ◉ **No** ○ **N/A** The proposal improves the jobs-housing balance by providing employment in housing-rich areas. **(Goal 3.1)**

○ **Yes** ○ **No** ◉ **N/A** The proposal provides grocery stores or other retail options for neighborhoods within 1/2 mile. **(Goal 6.1)**

Open Space

○ **Yes** ◉ **No** ○ **N/A** The proposal is within a 1/4 mile of a public park. **(Goal 7.1)**

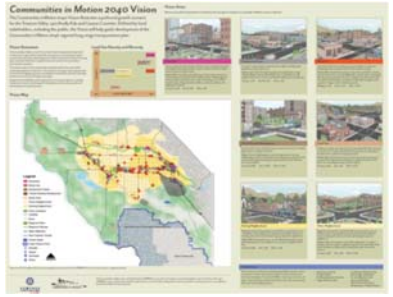
○ **Yes** ◉ **No** ○ **N/A** The proposal provides at least 1 acre of parks for every 35 housing units. **(Goal 7.1)**

Farmland

◉ **Yes** ○ **No** ○ **N/A** The proposal is outside "Prime Farmland" in the CIM 2040 Vision. **(Goals 4.1, 8.2)**

◉ **Yes** ○ **No** ○ **N/A** The proposal is outside prime farmland. **(Goal 8.2)**

Communities in Motion 2040 Complete Streets Scorecard



The purpose of this checklist is to provide a tool for local governments to evaluate whether land developments are in accordance with the goals of *Communities in Motion 2040* (CIM 2040). Complete Streets Level of Service (LOS) refers to the multimodal (automobile, bicycle, pedestrian, and transit) experience and grades a roadway (A-F) for each mode. COMPASS conducts Complete Streets Level of Service (CSLOS) analysis for developments on arterial roads.

	Mode	Existing	With bicycle lane and detached sidewalk
		Link LOS	Link LOS
East Warm Springs Avenue Windsong Drive to Goodman Street	Transit	F	F
	Bike	**D**	**A**
	Ped	**D**	**B**
Highway Capacity Manual 2010 Methodologies			

Walkscore: 10 Car-Dependent. Walkscore is a walkability index that assigns a numerical walkability on a scale from 0 - 100 based on walking routes to destinations such as grocery stores, schools, parks, restaurants, and retail. Scores of 50 or higher are considered at least "Somewhat Walkable" while scores less than 50 are "Car-Dependent."

Additional Comments:

The *Ada County Highway District Livable Street Design Guide* indicates that this section of East Warm Springs Boulevard is classified as a "Residential Arterial" with recommended street design for a bicycle lane and detached sidewalk. A bicycle lane would improve bicycle LOS D to LOS A. A detached sidewalk would improve pedestrian LOS D to LOS B. See above.

Consider improving the entrance to the Tram Trail and allowing for neighborhood connections to the trail.

More information on COMPASS and *Communities in Motion 2040* can be found at:

www.compassidaho.org

COMPASS
COMMUNITY PLANNING ASSOCIATION
of Southwest Idaho

CORRESPONDENCE WITH DEQ

Cody Riddle

From: Catherine Chertudi
Sent: Wednesday, September 14, 2016 10:21 AM
To: Cody Riddle
Subject: RE: Former Gate City Steel site

Cody - I think you may want to also make sure DEQ is in the loop for all agencies to receive the documents and review the project. This should be well before any construction permits are issued since the design of the site may be affected by the DEQ conditions.

I think there may be issues with residential development on a site with historic contamination, so they may want special conditions and the developer may be required to ensure vapors cannot intrude into residential structures.

Catherine

From: Cody Riddle
Sent: Wednesday, September 14, 2016 10:18 AM
To: Catherine Chertudi <CCHERTUDI@cityofboise.org>
Subject: RE: Former Gate City Steel site

Thanks. I will include a condition requiring written approval from DEQ prior to issuance of construction permits. How does that sound?

From: Catherine Chertudi
Sent: Tuesday, September 13, 2016 2:59 PM
To: Cody Riddle <CRiddle@cityofboise.org>
Subject: FW: Former Gate City Steel site

Cody – please see the response below from DEQ.

It looks like there will be some on-going and important environmental issues to address with the site. An EC is an environmental covenant which will restrict development likely and/or groundwater use at the site.

Catherine

From: Dean.Ehlert@deq.idaho.gov [mailto:Dean.Ehlert@deq.idaho.gov]
Sent: Tuesday, September 13, 2016 1:00 PM
To: Catherine Chertudi <CCHERTUDI@cityofboise.org>
Cc: Bruce.Wicherski@deq.idaho.gov; Derek.Young@deq.idaho.gov; Eric.Traynor@deq.idaho.gov
Subject: RE: Former Gate City Steel site

Hi Catherine,

DEQ is still working with the property owner and their consultant in addressing areas that need additional remediation at the Gate City Steel site. We also expect an EC to be placed on the landfill area regarding the cap and potentially other areas. We would appreciate being included in the review for the development at the site.

Thanks,
Dean

Dean Ehlert
Ground Water & Remediation Manager
IDEQ Boise Regional Office
Phone: 208-373-0416
Fax: 208-373-0287
Email: Dean.Ehlert@deq.idaho.gov

From: Catherine Chertudi [mailto:CCHERTUDI@cityofboise.org]
Sent: Monday, September 12, 2016 1:13 PM
To: Dean Ehlert
Subject: Former Gate City Steel site

Dean, we have a development application for residential development of the site. Are there any restrictions/covenants for the property?

And, would DEQ want to be included in the review for the development?

Thanks!

Catherine

Catherine Chertudi
APWA DCS –LF
Environmental Programs Manager
Office of Materials Management
Boise City Public Works Dept.
P O Box 500
Boise ID 83701-0500
208-384-3912

Doug Holloway
Director

Parks & Recreation
1104 Royal Boulevard
Boise, Idaho 83706-2840

Phone
208/608-7600

Fax
208/608-7648

TDD/TTY
800/377-3529

Web
www.cityofboise.org/parks

Mayor
David H. Bieter

City Council
President
Elaine Clegg

Council Pro Tem
Lauren McLean

Maryanne Jordan
Scot Ludwig
Ben Quintana
TJ Thomson

Boise Parks & Recreation

TO: Cody Riddle, Current Planning Manager
FROM: Jennifer Tomlinson, Parks Planner
DATE: October 21, 2016
RE: PUD16-00024

Comments on Proposed Development

Boise Parks and Recreation owns 21 acres adjacent to the parcel proposed for development and maintains it as part of the Warm Spring's Mesa Reserve. Adjacent to the proposed development on the west is the tram trailhead, a popular access point for hikers to connect to the Ridge to Rivers trail system.

Rock Fall Study

The Warm Springs Mesa Reserve consists of 110 acres of dedicated open space adjacent to the Table Rock Reserve. 21 acres adjacent to the proposed development was considered in the 2015 Rock Fall Study submitted by the applicant. Boise Parks and Recreation is in full support of the applicant executing the recommendations for the rocks on our property as outlined in the 2015 Study.

Idaho Fish and Game Comments

BPR has also been in contact with Idaho Fish and Game regarding their recommendations for safe wildlife crossing and fencing. BPR fully supports the redesign as requested by Idaho Fish and Game for the safe movement of wildlife. Common Lot 1 will need to provide wrought iron fencing on the west side of the property in order to address the recommendations of the rock fall study.

ACHD and Pedestrian Crossing

BPR has initiated discussions with ACHD regarding the pedestrian crossing and potentially relocating it further to the east on Warm Springs to better align with the proposed development's access road. BPR is looking at ways to accommodate trail user parking on the south side of Warm Springs. This will alleviate congestion in the golf course parking lot, provide safe crossing not only for trail users parking on the south side of Warm Springs, but will also residents of the proposed development a more direct access point for the greenbelt.

An Equal Opportunity Employer
Printed on recyded paper

BVNABoise@gmail.com

October 1, 2016

Planning and Zoning Commission
City of Boise Planning and Development Services
150 North Capitol Blvd
Boise, ID 83702

RE: SUB16-00052, PUD16-00024: Warm Springs Village, 2570 E Warm Springs Avenue

Dear Commissioners,

The Barber Valley Neighborhood Association (BVNA) has been a dedicated partner with the City, County, and developers in jointly creating a vision for the Barber Valley that is walkable, safe, and supportive of healthy outcomes for people. At the same time, in the unique ecosystem where the foothills meet the river, we have worked hard to preserve space and mobility for wildlife and seek to be the first planned area development in the West to successfully integrate new urbanism and wildlife preservation. Our unique ecological setting where the foothills meet the river applies equally to the adjoining Warm Springs Mesa neighborhood (the Mesa) and the proposed Warm Springs Village development.

In this spirit, **we request that the Planning and Zoning Commission apply the wildlife protection goals identified in Blueprint Boise for the Foothills Planning Area to the proposed Warm Springs Village development at the Mesa. In addition, we request that the Commission extend the wildlife provisions identified for the Barber Valley Planning Area to this application**.

Specifically, we request:

- Consultation with the Idaho Department of Fish and Game (IDFG) on strategies for accommodating wildlife, such as suitable fencing and escape routes from the subdivision.
- Preservation of wildlife corridors to enable movement between the foothills and the Boise River.
- Adoption of all IDFG recommendations as Conditions of Approval for the planned unit development and subdivision.
- Mitigation funding for displacement of habitat to be directed towards either:
  - Harris Ranch Wildlife Mitigation Association as with Specific Plan 01 (SP01), which provides a source of ongoing funding through the homeowners association.
  - Idaho Fish and Wildlife Foundation as occurs with Specific Plan 02 (SP02), which provides an ongoing source of funding to the Foundation every time a house is sold (percentage of purchase price), initially and as tied to the title for future sales.

Mule deer hunting in Idaho generates $1 million in economic impact and creates more than 1,000 jobs. The Boise Front Wildlife Management Area (WMA) supports the largest wintering range in Idaho for mule deer, who migrate annually from as far away as the Sawtooths (really – the Sawtooths). We, as neighbors and residents of Boise, are entrusted with a critical state resource and economic engine that directly affects our quality of life as Idahoans. Given that the Foothills Planning Area is large and the goals are therefore generalized, we feel it is appropriate and necessary to apply the more specific Barber Valley planning goals to this area as well, since the same issues apply to this particular geography and ecological setting.

For your convenience, we have appended the applicable Blueprint Boise goals to this letter. Particularly relevant goals include the following:

- "Provide natural open space areas where wildlife habitat can be protected."
- "The practice of clustering of development and preserving the open spaces shall be used to maintain environmental and wildlife features, such as wetlands, threatened plant species, riparian areas, big game winter range, and sensitive wildlife habitats."
- "Open space areas shall be located to form continuous corridors subject to the review and recommendation of the IDFG within the mapped Wildlife Habitat Areas (Figure 19)." (Please note that the subject property is within a mapped Wildlife Habitat Area.)
- "Where clustered developments are proposed, the IDFG shall be asked to provide advice regarding the most desirable locations to maintain open wildlife corridors which comply with the IDFG management plans."
- "Boise City will work with IDFG to identify and conserve sensitive wildlife habitat areas and natural wildlife corridors connecting open space habitat areas."
- "Collaboratively plan land use, transportation, and recreation with the IDFG and other affected agencies with the goal of maintaining viable access to the Boise River for deer and elk from the WMA, as well as protection for non-game wildlife species."
- "Assure that developments within wildlife corridors (such as fences and structures) comply with IDFG standards and guidance."
- "Recognize and apply the wildlife corridors to updates of the adjacent Foothills Planning Area policies and the Boise River System ordinance."

Thank you for your careful attention to this issue and for shaping the land use application accordingly.

Sincerely,



Jeremy Maxand, President

Barber Valley Neighborhood Association

Blueprint Boise Goals for Wildlife Preservation

Goal SHCC12: Provide natural open space areas where the public can observe nature and seek solitude, and where wildlife habitat can be protected.

SHCC12.1: ENVIRONMENTALLY SENSITIVE AREAS

> (a) Encourage preservation of adequate open space and protect unique and environmentally sensitive areas.
>
> (b) Develop additional funding mechanisms to acquire unique and environmentally sensitive areas and other types of open space.

SHCC12.3: PUBLIC ACCESS Locate and design public access to open space areas to promote visibility, provide linkages to other pedestrian and bicycle facilities, minimize parking impacts on adjacent neighborhoods, and minimize disturbance and harm to wildlife.

Goal FH-CCN 1: To share growth throughout the community, controlled development of appropriate Foothills areas shall be allowed pursuant to standards and conditions that are protective of the Foothills, wildlife and neighborhoods.

Goal FH-CCN 2: To promote a mix of land uses and densities in the Foothills to accommodate a variety of housing, shopping, transportation, public facility, recreation and wildlife needs and scenic values of the Foothills viewshed while providing for buildable slopes and base unit density.

FH-CCN 6.1: CLUSTER DEVELOPMENT FOR HABITAT. The practice of clustering of development and preserving the open spaces shall be used to maintain environmental and wildlife features, such as wetlands, threatened plant species, riparian areas, big game winter range, and sensitive wildlife habitats. All open space credited for density bonus purposes (Figure 18) must remain in a primarily natural condition with the goal to maintain it for wildlife habitat and recreational uses. Open space areas shall be located to form continuous corridors subject to the review and recommendation of the Idaho Department of Fish and Game within the mapped Wildlife Habitat Areas (Figure 19). Such areas may remain as private open space, may be used for public trail easements, or may be dedicated to a public land trust or other group for conservation management purposes, with preference given to public access recommended and implemented through the Foothills Ordinance.

FH-CCN 6.6: SENSITIVE WILDLIFE HABITAT AREAS Foothills developments shall be reviewed with the following priority considerations depending upon location. Where clustered developments are proposed, the Idaho Department of Fish and Game shall be asked to provide advice regarding the most desirable locations to maintain open wildlife corridors which comply with the Idaho Department of Fish and Game management plans.

FH-NC 4.2: CONSERVE HABITAT Boise City will work with Idaho Department of Fish and Game to identify and conserve sensitive wildlife habitat areas and natural wildlife corridors connecting open space habitat areas Where sensitive sites are judged to be critically important to preserve, as defined in the Open Space Management Plan, they shall be protected by private ownership, by organizations dedicated to preservation of historic or archeological sites, or by public ownership as funding allows. Where a habitat is judged critically important to preserve, the habitat or appropriate wildlife

easements shall be protected by private ownership, or by organizations dedicated to preservation of wildlife habitats, or by public ownership.

Goal BV-CNN 3.1: PROPERTIES OUTSIDE OF THE HARRIS RANCH AND BARBER VALLEY SPECIFIC PLANS. Use the adopted specific plans for Harris Ranch and Barber Valley as the policy basis for additional development in the Barber Valley.

Goal BV-CCN 2.1: WILDLIFE CORRIDORS: Integrate consideration for wildlife corridors into land use and transportation planning.

(a) Collaboratively plan land use, transportation, and recreation with the IDFG and other affected agencies with the goal of maintaining viable access to the Boise River for deer and elk from the WMA, as well as protection for non-game wildlife species.

(b) Minimize impacts to wildlife corridors shown on Figure 10 as private lands and public facilities are developed over time. Assure that developments within wildlife corridors (such as fences and structures) comply with IDFG standards and guidance.

(c) Collaborate with other agencies in acquiring grants for wildlife corridors and related transportation improvements.

(d) Recognize and apply the wildlife corridors to updates of the adjacent Foothills Planning Area policies and the Boise River System ordinance.

(e) Foster the creation of one wildlife management plan for Barber Valley to include game and non-game species. Require that new development on parcels outside of the existing Harris Ranch and Barber Valley planned communities align with the Harris Ranch Wildlife Management Plan so that the area may progress towards consistency and landscape-level management.

Cody Riddle

From: PKuhlmeier@aol.com
Sent: Tuesday, October 04, 2016 3:58 PM
To: Cody Riddle
Cc: Mayor Bieter
Subject: PUD16-00024 Former Gates City Steel Site

Cody:

I am in receipt of a public hearing notice that proposes to place residential housing on the former Gates City Steel property. In or around 1992 I conducted an environmental review of this property on behalf of Bill Agee and his attorney while at Morrison Knudsen Corp. It is my recollection that the site contains both soil and ground water contamination. Hazardous chemicals on the site may include many more than the lead noted in your web-site note. As I recall they included metals; lead and arsenic, petroleum hydrocarbons, and carcinogenic chlorinated solvents. I cannot see evidence of remediation. There does not appear to be any ground water monitoring wells on the site.

Industrial properties like these are rarely suitable for residential development absent a total clean closure, for which I have not been able to identify the IDEQ has issued. Absent a much greater degree of disclosure as to site conditions which include all soil and ground water environmental studies and remediation, as well as post remediation sampling and an associated risk assessment focused on residential exposure to sensitive population types; consideration of this parcel for residential development is both irresponsible and potentially dangerous to the health of future occupants.

Paul Kuhlmeier, PhD, PE, PG

October 5, 2016

Cody Riddle
Manager, Current Planning
Boise City Planning & Development Services
Boise, ID 83701-0500

RE: Proposed Warm Springs Village (Gate City Steel Property) SUB16-00052, PUD16-00024

Mr. Riddle,

Please accept these written comments on the proposed development for the old Gate City Steel property. We live at 2478 Warm Springs Avenue which is adjacent to the trail head that is adjacent to this proposed development. Unfortunately we will be traveling and unable to attend the public hearing on October 10, 2016.

Our main concerns with the proposed development are (1) size of the proposed development, (2) parking and traffic concerns, and (3) lack of adequate wildlife corridors. We were disappointed when the city removed this property from its prior foothills designation. At that time we testified that there were many foothills characteristics remaining on the property. This small wedge of land is surrounded by steep slopes and integrally positioned between the foothills and the Boise River. It is much more than an old manufacturing site. As the recent July fire confirmed, this land is susceptible to wildfires and some of the property was burned by that fire. There are also large numbers of wildlife that use the land to reach the river. We have been blessed to have enjoyed elk, moose, bobcats, cougars, coyotes and large herds of deer on our land. These animals do not know the difference between the plots of land on a map and use all of the current open space to avoid human contact.

Size of the Proposed Development: Squeezing 60 houses into this location is extremely short sighted and no concessions should be made to accommodate the number of houses. Although the property is zoned for more units than contained in the current plan, the developer's desire to make the development entirely single family housing is a personal choice. It is not Boise City's burden, however, to waive PUD requirements because the physical characteristics of the land do not meet the developers desires for a large number of single family plots. Following the existing PUD requirements will dictate the amount of buildable space. The desired plan should not dictate which PUD requirements are waived.

There is no question the development will move forward, with or without waivers, but a smart development plan can be a benefit to the community. We request that Boise City require that the developer comply with all current planning requirements even if this reduces the number of buildable lots. A great gift was already provided to the developer by removing the property from the foothills (and more stringent building codes and planning), any additional concessions should not be provided to the developer to simply allow him to maximize the

number of lots that can be accommodated into this uniquely shaped land. The plan requests a number of significant waivers from the city code, including:

a. Reduction of lot frontage on Warm Springs to 40' from the required 50' frontage. This is a 20% reduction.
b. Front yard setbacks of 10' for the lots from the required 20' setback. This is 50% reduction.
c. Front yard house setbacks of 20' from back of walk to perpendicular garage face and 16' from back of right-of-way where 20' from back of right-of-way is required. A 20% reduction.
d. Side yard setbacks of 3' for the lots fronting on to Warm Springs Avenue from the required 5'. This is a 40% reduction.
e. On the private road a request of 24' back of curb to back of curb is a sizeable reduction from the 28' required. This is a 15% reduction.

These waiver requests are significant reductions and should be denied for several reasons. There is no justification provided by the developer for such large waivers other than to allow a larger number of lots to be forced into the space. There are no accommodations or amenities planned to benefit the public for these concessions. For example, no parking accommodations for current trail, greenbelt and Boise River users are planned to offset current parking options that will be lost (more on this below). In addition, there is inadequate planning for storm water retention. The planned ditch around the development does not have a retention pond planned to ensure that water diverted toward the trail head at the North-West location of the property remains on the property. Warm Springs does not have adequate storm water removal to accommodate expected runoff from the development.

Setbacks and lot width requirements for planned developments have been established by Boise City to ensure not only safety but also visual appeal. Open and defensible fire space between dwellings is critical especially when the development is located adjacent to open wild space. The area remains in a fire zone and reductions in road width create additional potential safety issues. Finally, a virtual wall of houses spaced mere feet apart from each other and pushed close toward Warm Springs Ave will also considerably change the character of this area from rural to inner city urban. There is no other comparable visual density along the entire length of Warm Springs Ave from downtown to Harris Ranch.

Parking and Traffic Concerns: Another major concern we have with the proposed development is the impact on parking for the existing trail head, greenbelt and Boise River users. Currently, recreational users park their vehicles along the ditch on both sides of Warm Springs Ave to use the foothills trail, the greenbelt and the Boise River. While the Warm Springs Golf Course parking lot may seem like a logical alternative for parking, that lot is unable to allow parking for non-golf users during peak golf period, especially weekends. It is our understanding that in early 2016, the Golf Course and Ridge to Rivers agreed that trail head users would not be allowed to park in the golf course parking lot any longer. The Golf Course posts signs at the entrance to their parking lot that states “Parking For Golfers Only” during peak times. This proposed development will make trail head parking even more dangerous without providing any alternatives. Improvements along Warm Springs will be needed to

provide safe parking options for recreational users. These improvements will be needed in the right of way along this property and the developer has offered no assistance in alleviating these easily foreseeable problems resulting from the development. There will be conflicts between the development's private drive and the publics need for parking in the area.

There already exits poor sight lines for vehicles traveling on Warm Springs Avenue and those utilizing the Warm Springs Golf Course parking lot. The traffic density and speed on Warm Springs Ave make current parking along the road a hazard but the addition of the private road will only exacerbate these issues. Inadequate sight lines and turning traffic will increase the risks to all. A plan for Warm Springs, including turn lanes, pedestrian crossing, traffic lights, parking and storm water must be addressed to transform this stretch of road from rural to urban as planned with this development. These issues need to be addressed properly and making concessions in road widths and setbacks are not the best way to plan for the community's needs. In the future Warm Springs Golf Course may be relocating their entrance and now is the time to consult with Boise Parks and Recreation to properly plan for their parking lot changes. Allowing these concession would only ignore the issues until it is too late for smart planning.

<u>Lack of adequate wildlife corridor in proposed development:</u> It is our understanding the Idaho Fish & Game requests that new developments provide corridors to accommodate the daily wildlife migration between the foothills and the river. As mentioned earlier, we have been blessed to see an abundance of wildlife on our property, the Ridge to Rivers property and the proposed development property. The deer herds are drawn to cross Warm Springs along the stretch of road between Wind Song Drive and our property given the close proximity of the foothills and the river. Unfortunately, we have also witnessed too many deer killed on this stretch of Warm Springs over the years. The proposed development plan does allow some common space near the existing trailhead where some deer currently cross the road near Warm Springs Golf Course entrance. However, this common space does not address that deer cross the current property further south towards Wind Song Drive. We understand that Idaho Fish & Game would like to have a corridor at the other end of the property to accommodate deer crossing near Wind Song. With the number of homes proposed, all large wildlife will be forced to find new ways to get to the river around the property and multiple options will be needed.

Thank you for your consideration of these important issues.

Best Regards,

Russell & Phyllis Slifer

2478 Warm Springs Ave

Cody Riddle

From: Heather Crane <hacrane@hotmail.com>
Sent: Monday, October 10, 2016 2:52 PM
To: Cody Riddle
Subject: PUD16-00024/SUB16-00052. Written testimony submission regarding proposed development 2570 Warm Springs Avenue
Attachments: 2005City Council and Planning Notes car05-00013.pdf

Dear Cody,

My name is Heather Crane. I live on the Mesa and am a member of the Warm Springs Neighborhood Association and the El Paseo Homeowners Association. This email and the attachment (the 2005 City Council and Planning and Zoning notes on the change of designation of the land for the proposed development) serve as a written testimony submission with regard to the November 7, 2016 Planning and Zoning Meeting on PUD16-00024, 2570 E. Warm Springs Avenue proposed development. I have a number of concerns about the proposed development:

1. The development is not in character with either neighborhood plan for the adjacent neighborhoods (the east end or warm springs mesa).
2. The traffic impact of such a large density development in a small area could be significant. I am aware ACHD has already been approached about this but given the location and the issues with deer crossing, does the city think the traffic impact needs to be reevaluated?
3. Per City Council meetings notes from 2005 regarding this land parcel, a company called Kleinfelder was contracted to assess the site for clean up and remediation. There is no new documentation that I have seen that any clean up of PERC or lead actually took place. Furthermore, the letter from Kleinfelder in 2005 stated that they were being asked to clean up a nonresidential site and one planned for recreation. How does this impact the development as it is currently proposed for residential housing not recreation?
4. There is significant concern about a lack of wildlife corridors being addressed in the current proposed development. It was recommended in 2005 that the wildlife corridor be 600-100 feet wide and I see no mention of this in the developer's proposal. The city has a duty to address this as it was originally proposed by Fish and Game in 2005. Anyone who lives on the mesa can tell you that it is clearly a wildlife corridor and that it is also an area of significant safety concern with regard motorists traveling on warm springs and deer crossing crossing the road to reach the Boise River.
5. According to city council and planning and zoning notes from 2005, the developer applied for a change in designation of the property out of the Foothills Planning Policy. However, a Conditions of Approval fax from Boise City Public Works notes that "Site will still be subject to Foothills and Hillside Areas Development Ordinance". Does the current development meet the Foothills and Hillside Areas Development Ordinance? Should it?
6. The developer has not addressed storm water run off issues, particularly the fact that water leaving this site will be running into a retention pond in the El Paseo HOA common area at the bottom of Windsong. Shouldn't the developer be required to provide his own retention pond or compensate the El Paseo HOA? Is the city concerned about destabilization of hillside surrounding and underpinning Windsong with regard to overwhelming the capacity of this common area?
7. The developer is asking for multiple and significant variances that would impact fire safety, traffic safety and density and these seem to be excessive. Why should so many variances be acceptable in this case?

8. Riverside and Adams and Roosevelt Elementary cannot absorb more students at this time and having 57 more family homes in addition to the newer part of the Mesa development will overwhelm the schools' capacity. Has the school district been consulted about this concern? How are the City and the School district working together on this issue?
9. In the 2005 city council and planning and zoning notes, it specifically states that any development in this area (2570 E. Warm Springs) could not have more than 4 units per acre. The buildable acreage proposed is about 9 acres which would put the allowable number of houses, per the 2005 decision of the city council, at no more than 36. What is the city's thoughts on this and are there reasons why this wouldn't be followed?

Thank you very much for your time and I look forward to seeing you and speaking with you on November 7th if not before.

Sincerely,

Heather Crane

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

To: **Boise City Council**

From: **Hal Simmons** HBS
Planning Director

Date: **August 11, 2005**

Re: **Warm Springs Enterprises LLC/Comprehensive Plan Amendment, CAR05-00013, located at 2570 E. Warm Springs Avenue**

Warm Springs Enterprises LLC requests three amendments to the *Boise Comprehensive Plan:*
1) To amend the Planning Area Map to take the subject property out of the Foothills Planning Area and put it in the North End/East End Planning Area;
2) To amend the Land Use Map from Foothills Plan to Residential/Medium Density; and,
3) To amend the text of Chapter 8 Objective 16 to add a policy 10 (language below) concerning the proposed land use for the subject parcel.
Policy 10: The Gate City Steel area across from Warm Springs Golf Course is an appropriate location for medium density residential infill development potentially including limited professional office uses. Timing of development should be tied to construction of the East Parkcenter Bridge. Considerations for approval of medium densities are: provision of high quality site and building design, a mixture of housing types, and integration into and protection of adjacent open space and recreational areas. New urban design is not required in this area.

The land is vacant and located west of Boulder Heights Estates and Warm Springs Mesa. It is comprised of 14.7 acres fronted by Warm Springs Avenue and zoned M1 (Light Industrial) in the County. The site is the remainder of a 47 acre parcel, the former location of the Gate City Steel operation. The balance of the land was sold to J. H. Wise & Sons for the Boulder Heights Estates residential subdivision and a City Park. The proposed use would be low density housing.

Some of the outstanding issues with this site are: the lack of traffic capacity on Warm Springs Avenue to service the additional traffic; the interface with wildlife corridors and habitat; the integration of the proposed residential use with the adjoining golf course, City Reserve and low density residential uses; and the identification of and treatment for potential hazardous wastes from the former steel processing plant. These issues would be addressed in the development

permit phase of this project, including annexation, rezone, development agreement and conditional use permits.

The focus of this hearing is the evaluation the compatibility of the proposed amendments with the *Boise Comprehensive Plan* Land Use Policies and Land Use Map.

The Planning and Zoning Commission recommended approval of CAR05-00013 to include the following modifications to the applicant's request:

1) change the Planning Area designation from Foothills Planning Area to North End/East End Planning Area.
2) to amend the *Boise Comprehensive Plan* Land Use Map designation from Foothills Plan to Low Density Residential 4 Units per Acre, and
3) to add the proposed Policy 10 to Chapter 8 Objective 16 as modified by staff below.
   The proposed amendment to the *Comprehensive Plan,* Chapter 8 Objective 16 to add a Policy 10 should be revised as follows:
   Policy 10: The Gate City Steel area across from Warm Springs Golf Course is an appropriate location for low density residential infill development potentially including limited professional office uses. Timing of development should be tied to availability of sufficient traffic capacity on Warm Springs Avenue for the proposed uses.

   Considerations for approval of low density residential uses are:
   a. provision of high quality site and building design,
   b. a mixture of housing types,
   c. integration into and protection of adjacent open space and recreational areas.

RECOMMENDATION: The Planning and Zoning Commission recommended approval for the three proposed Comprehensive Plan amendments at their June 6, 2005 hearing with the changes stated above.

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CAR05-00013 Warm Springs Enterprises LLC

Public Hearing Notification Checklist

Aug. 11, 2005

Pre-Application Submittal Requirements

- Neighborhood Meeting no less than 5 calendar days prior to submittal.
- Neighborhood Meeting Date: March 23, 2005
- Neighborhood Meeting Waiver ☐ Y
- Application Submittal Date: March 29, 2005

Planning & Zoning Commission Hearing Notice Requirements

- Initial Public Hearing no later than 44-calendar days after application acceptance.
- Extended review allowance for 66-calendar days. ☒ Y
- Application acceptance date: March 29, 2005
- 300 foot radius notification 15-days prior to hearing. Mailing date: April 30, 2005
- Published in newspaper 15-days prior to hearing. Publication date: April 23, 2005
- Posted on site 10-days prior to hearing. Posting date: April 18, 2005
- Alternative Forms of Notice Used? ☒ N ☐ Y Publication dates: _____
- Initial Public Hearing Date: May 9, '05 deferred to June 6, 2005

City Council Hearing Notice Requirements (Non-Appeal)

- 300 foot radius notification 15-days prior to hearing. Mailing date: 8-12-05
- Published in newspaper 15-days prior to hearing. Publication date: 7-29-05
- Posted on site 10-days prior to hearing. Posting date: August 17, 2005
- Alternative forms of notice used? ☒ N ☐ Y Publication dates: _____
- Initial Public Hearing Date: August 30, '05

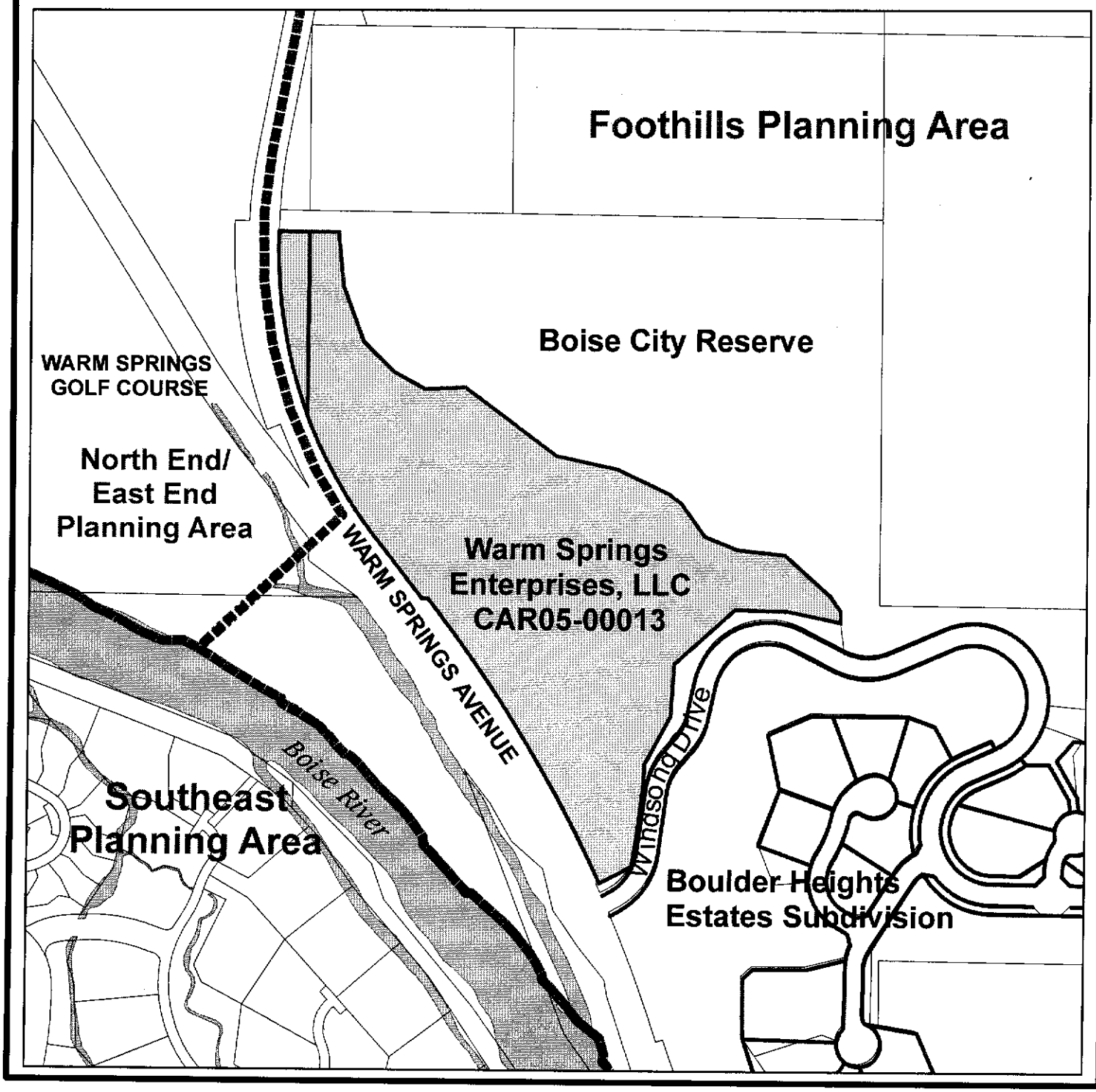
City Council Appeal/Notification Requirements

- Date of Lower Body Decision: _____
- Appeal Deadline: 10-calendar days after decision: _____
- Date Appeal was filed: _____
- Hearing cannot be scheduled sooner than 28-days from Appeal date. Soonest hearing date: _____
- Notification of Parties to the Appeal within 5-days of receipt of appeal. Mailing date: _____
- Memoranda must be filed within 14-days of appeal deadline.
- Last date to receive Memoranda: _____
- 300 foot radius notification 15-days prior to hearing. Mailing date: _____
- Notification of Parties of Record of Appeal. Mailing Date: _____
- Published in newspaper 15-days prior to hearing. Publication date: _____
- Posted on site 10-days prior to hearing. Posting date: _____
- Initial Public Hearing Date: _____

Bruce Eglestone
Case Planner Signature

Section Supervisor Signature

Gate City Steel Property
Planning Areas
2750 E. Warm Springs Avenue
CAR05-00013
June 6, 2005



PLANNING & DEVELOPMENT
SERVICES
BRUCE D. CHATTERTON, AICP
DIRECTOR

DAVID H. BIETER
MAYOR

COUNCIL MEMBERS

MARYANNE JORDAN
COUNCIL PRESIDENT

ELAINE CLEGG
COUNCIL PRO-TEM

VERNON L. BISTERFELDT
DAVID EBERLE
M. JEROME MAPP
ALAN W. SHEALY

June 8, 2005

Warm Springs Enterprises, LLC
Bill Clark
479 Main Street
Boise, ID 83702

Re: **CAR05-00013 / 2390 & 2470 E. Warm Springs Avenue**

Dear Mr. Clark:

This letter is to inform you of the action taken by the Boise City Planning and Zoning Commission on your request of approval of the following amendments to the *Boise Comprehensive Plan*:

1) To change the Planning Area designation from Foothills Planning Area to North End/East End Planning Area,
2) To amend the *Boise Comprehensive Plan* Land Use Map designation from Foothills Slope Protection to Low Density Residential 4 Units per Acre, and
3) To add the proposed Policy 10 to Chapter 8 Objective 16 as modified by staff below.
   Policy 10: The Gate City Steel area across from Warm Springs Golf Course is an appropriate location for low density residential infill development potentially including limited professional office uses. Timing of development should be tied to availability of sufficient traffic capacity on Warm Springs Avenue for the proposed uses.
   Considerations for approval of low density residential uses are:
   a. provision of high quality site and building design,
   b. a mixture of housing types,
   c. integration into and protection of adjacent open space and recreational areas.

The subject property is located generally at 2570 E. Warm Springs Avenue.

The Boise City Planning and Zoning Commission, at their meeting on June 6, 2005 **recommended** to the Mayor and the Boise City Council, **approval** of the request based on the attached Reasons for the Decision.

This application will be considered by the Boise City Council to establish a public hearing date. You will be notified of the established hearing date.

If you have any questions, please contact this department at (208) 384-3830.

Sincerely,

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

BE/bjc

Attachment

cc: East End N. A. / Deanna Smith / 1208 E. Jefferson / Boise, ID 83712-7908
Harris Ranch N.A. / Susan Calvin / 4057 S. Mill Site Ave. / Boise, ID 83716
North End N. A. / Don Plum / P.O. Box 1235 / Boise, ID 83701
Riverland East N. A. / Pritchard White / 6706 Glacier Dr. / Boise, ID 83716-8702
Southeast N. A. / Michelle Kay / 6140 S. Rockrose Way / Boise, ID 83716
Warm Springs Estates / Robert Bennett / 2093 Trolley Court / Boise, ID 83712
Warm Springs Mesa N. A. / Mike Lechner / 2114 RockRidge Way / Boise, ID 83712-8413
Warm Springs H.D. Assoc. / Michael Reuling / 1312 Warm Springs Avenue / Boise, ID 83712
Russ Slifer / 2478 Warm Springs Avenue / Boise, ID 83712
Rocky Bogart / 2105 Warm Springs Avenue / Boise, ID 83712

Reasons for Decision

CAR05-00013 – Comprehensive Plan Land Use Map Amendments

A. That the amendment is required for the public convenience or necessity, or for the general welfare of the community;

Finding: The proposed Land Use Map amendments will provide a development incentive for the further investigation and remediation of hazardous materials on the site, and ensure that steps are taken to prevent hazardous chemicals and substances from migrating into the water supply or become airborne as dust particles.

Finding: The proposed Land Use Map amendment will provide a development incentive for the provision of a safe public pedestrian crossing of Warm Springs Avenue for access to unique Foothills, trail and river assets.

B. That the amendment is necessary to address changes in conditions within the community that have occurred since the Comprehensive Plan was adopted; or is necessary to correct one or more that exist in the Plan;

Finding: The Foothills values that were once associated with the subject property have been sold to an adjacent property owner and have been adequately protected through that adjacent development. The subject property no longer contains Foothills resources and is therefore appropriately changed on the Land Use Map to Low Density Residential 4 Units per Acre rather than Foothills Planning Area land use designation.

C. That the amendment is in compliance with and will further the goals, objectives and policies of the plan;

Finding: The proposed Land Use Map amendment will help meet the City's goals of providing safe housing for a variety of needs and lifestyles, it will allow for mixing of residential uses in a manner that limits the need for additional car trips, and will further access to trails and recreational amenities for the residents of the community.

D. That the amendment will not create inconsistencies between the goals, objectives and policies within or between any chapter of the Plan;

Finding: The analysis of the proposed Land Use Map amendments has indicated that the property no longer meets the characteristics of Foothills properties, and with appropriate development designs can be changed to the requested designation without creating conflicts with *Foothills Policy Plan* policies.

E. That the amendment will not place an undue burden on transportation or other public facilities in the planning area and does not adversely impact the delivery of services by any political subdivision providing services.

Finding: With the phasing plan as recommended where development would not begin prior to creation of traffic capacity on Warm Springs Avenue, the project will not place an undue burden on transportation facilities. The other public facility providers have indicated the ability to serve the project.

Boise City Planning & Development Services
150 N. Capitol Blvd ▪ P O Box 500 ▪ Boise, Idaho 83701-0500
Phone 208/384-3830 ▪ Fax 384-3753 ▪ www.cityofboise.org/pds

Planning & Zoning Commission

Hearing Minutes of June 6, 2005

Commission Members Present	Gene Fadness/Chairman, Brian Ellsworth, Andy Brunelle, Doug Cooper & Doug Russell.
Staff Members Present	Bruce Eggleston, Lance Evans, Karen Gallagher, Scott Spjute, Angela Wood, Vicki Van Vliet, & Mary Watson (Legal)

CAR05-00013/Warm Springs Enterprises, LLC.

Location: 2750 E. Warm Springs Ave.

AMEND THE COMPREHENSIVE PLAN TO: (1) CHANGE THE LOCATION OF THE SUBJECT PROPERTY FROM THE FOOTHILLS PLANNING AREA TO THE NORTH/EAST END PLANNING AREA; (2) CHANGE THE LAND USE DESIGNATION FROM FOOTHILLS/SLOPE PROTECTION TO MEDIUM DENSNITY RESIDENTIAL; AND (3) ADD A POLICY TO CHAPTER 8, OBJECTIVE 16 THAT WOULD DEFINE THE LAND USE FOR THE SUBJECT PROPERTY.

Bruce Eggleston – This is strictly three Comprehensive Plan amendment proposals. It's somewhat out of the ordinary inasmuch as they are asking for removal from the Foothills Planning Area to the East End/North End Planning Area. The first proposal is the removal from the Foothills Planning Area. The second proposal is to change the land use designation from foothills slope protection to medium density residential, and the third is to add some text to Chapter 8 to Section 16 that would describe the kinds of uses proposed for the site. What they are asking is that it is a suitable location for medium density residential infill development potentially including limited professional office uses. They further add that the development of this property would be tied to the ultimate resolution and development of the East Parkcenter Bridge. The proposal we have is for 14.5 acres which was originally a larger parcel that was sold off to the neighboring project, the Boulder Heights Estates. The portion sold to Boulder Heights Estates was the foothills portion of the property, in essence all the sloped areas. What remains there is not 14.5 acres out of the 47 acres that is more or less flat land. The portion which was sold off is the toe of Tablerock which was preserved under the Boulder Heights Estates proposal and portions along Windsong Drive which provided a collector into Warm Springs Mesa. Under that application the staff feels that the preservable foothills values that were formally part of this property have been preserved under the Boulder Heights Estates and therefore the characteristics of this site, being largely flat, because it's previous use, an industrial use of a steel manufacturing

plant, has removed all the natural vegetation, habitat and any of the aspects that would identify that with a typical foothills use. Addressing the initial request having to do with removing this from the Foothills Planning Area, staff concurs with that in a sense that the foothill values are largely gone from the site and it could be considered to be part of another planning area. In this case we concur with the applicant's request to put that into the North End/East End Planning Area because it shares policies and values with that portion of the City. The second part of the request has to deal with redesignating from the slope protection area to a medium density residential. This is represents the gist of the application. We discussed at length in the staff report if this is suitable for that type of density. We looked at the land uses around it. In this case to the north is something that will become a city park. Across the street is the Warm Springs Golf Course. To the south, southeast is Boulder Heights Estates Subdivision and to the north are residential properties. The medium density could potentially yield somewhere between 150 to 250 dwelling units on this site perhaps with some service commercial offices or whatever the proposal might be, would be perhaps too intense for the neighborhood and also it would put traffic numbers up beyond which those in all likelihood could supported on Warm Springs Avenue. The traffic issue is really quite central to this proposal or any proposal in foothills development as we all know. We've seen enough proposals come in pushing the traffic levels over Level of Service C which is the recommended service level for uses in the system supporting the Foothills Planning Area. Because this is a Comprehensive Plan proposal, we don't have the kind of detail, nor is it required, to have the kind of detail that would show us traffic studies, development plans, site plans, intended uses, etc. So we have to take this basically on just the strict land use designation of the property that would give us a range of allowances. I've prepared a chart in the staff report that demonstrates the kinds of densities that could be allowed under the zoning designations. This is somewhat central to understanding the designation, the medium density or low density designation for the different yields in density that each designation would allow. The medium density to residential would allow us to recommend these zones. At the upper end of this scale we get some pretty high densities allowed. Looking at the chart, the uses that would be allowed in the medium density start to get some pretty hefty yields starting with 210 dwelling units up to a possibility of 757 dwelling units on 14.5 acres should this be approved as medium density. We looked at the traffic patterns here, the fact there's not a solution right now inasmuch as the East Parkcenter Bridge is installed and we don't really know what's going on there. We also took into consideration for a recommendation on the land use designation that the other factors having to do with the surrounding uses. Staff came up with a recommendation for the low density for designation compared to the medium density designation requested by the applicant. The other aspect of this proposal seeks to add text to the Comprehensive Plan, specifically Chapter 8, Objective 16 and to add a Policy 10. The staff would seek to modify that statement in Policy 10. We'd advocate that it would be adopted with some alterations to reflect the recommendation for low density versus the requested medium density. As such the recommended wording is found on page 23 in our recommendation. We also reworded that to reflect not necessarily the development of the East Parkcenter Bridge, but the other one should be tied to the availability of sufficient traffic capacity on Warm Springs Ave. which is really the fundamental question, not whether the bridge is there. It's whether the traffic availability or capacity is there. We offer that amendment to their proposal and feel that

with the land use designation of low density for the removal from the Foothills Planning Area and inclusion into the North End/East End Planning Area and with the amended Policy 10 that the staff proposed, I think this might be a workable solution and we make that recommendation to the Commission.

Commissioner Fadness – With the medium density proposal, the developer could propose any of those zones in that lower chart? He could propose with his medium density request, is that right?

Mr. Eggleston – That's correct.

Commissioner Fadness – But, later on we could in effect deny the zone and go for a less intensive, less dense zone, right?

Mr. Eggleston – That is correct.

Bill Clark (Applicant/479 Main St./Boise) – This is a really a brownfield site. It truly isn't any longer in the foothills. It was originally part of a larger ownership which Bruce described as changing hands and we are prepared to purchase this property from the owners. The brownfield conditions have, over the last 14 – 15 years, been rectified we believe almost entirely. There's been a great deal of analysis done over the years including in the last year. There's one small issue that was identified and that is in the process of being cleaned up right now and will require DEQ approval for that final measure. The concept that we've been contemplating for this and basically we want to know what the goal posts were which is why we are asking for a Comprehensive Plan amendment and not anything further, is what kind of density, what might we plan for. With that our concept is, because this is a fairly large site at 14.5 acres, to have more than one type of housing included in it. We would like to achieve some family housing as well as other forms of housing that essentially would be done in a mix of densities and types of design would be appropriate. It's an excellent infill site. As you've seen in your packet, the immediate neighbors to our east and to the north are in support of our application. The neighbor to the north supports the staff's proposition which is for lower density. We also think that this will work well with the emerging East End commercial area between the M&W and Five Rivers which plans are underway for some near term construction. The traffic is issue is something that we've addressed from the outset which is to stay that we don't want to try and push anything now. We realize the sensitivity of traffic on Warm Springs Blvd. and the pressures that it's under right now. We are willing to be patient even though as staff acknowledged in their report that with the existing industrial zoning, it's projected at 881 vehicle trips a day would occur, that is the M-1 industrial zoning. For multi-family housing if you were to use vehicle trip generation of 6 trips per day that would result in 834 trips per day. That's not based on a traffic study, just my simple calculation. We're willing to wait until issues surrounding the East Parkcenter Bridge are resolved, that there's a commitment to construct it, that the designs of intersections there that may intercept or divert much of the traffic that would come down Warm Springs Blvd. from development in that area, are resolved. We're willing to be patient on that matter. I would like to make sure that the clarification that was presented by staff is clear. We have met with staff

and discussed their recommendation for low density residential. Based on our understanding of potential R-1C zoning which of course is not being decided tonight and density bonuses, that the resulting 9 1/5 units per acre would be acceptable. We are willing to go along with staff's recommendation on that account. I do want to make sure that that clarification, which was very key to us and I will read into the record. This was something prepared by staff and given to me. It's titled: "Clarification of Staff Recommendation for CAR05-0013." It reads as follows: "Planning Staff is recommending that the Gate City Steel site be designated as low density residential for on the Land Use Map. The standard implementing zone for this designation is R-1C. The R-1C zone allows a density of up to 8 units per acre through the PUD process and an additional 20% density bonus can be granted for infill development. This staff recommendation would thus allow for the potential development of the property at up to 10 units per acre if the R-1C zone and PUD process are used to implement the designation." The last thing I'd like to address is the determination of the traffic availability and capacity on Warm Springs Blvd. A lot of that depends on the construction of the East Parkcenter Bridge, but also the design of intersections to the east of this site. We are in support of a major diversionary intersection there to alleviate traffic on Warm Springs Blvd. and to be able to accommodate further development of infill projects in this area. I think that the determination of that availability is not something that would take 15 years of build-out at Harris Ranch with 1.6 million square feet of protected commercial space and over 3,000 housing units to determine. It should be able to be determined based on qualified traffic studies that are accepted by the Highway District and based on the final configuration and design of those intersections as well as the final commitment for construction of the bridge.

Commissioner Brunelle – Is the reason that you want change the planning area designation out of the Foothills Planning Area is because you feel landlocked in so far that the previous development, Boulder Heights, basically removed the options for a cluster development?

Mr. Clark – The primary reason I believe, again this is former industrial site. It was steel fabricating facility. The property has been filled and worked over and cleaned up. It basically has almost no vegetation on it. It's a flat site by itself. As staff comments and recommends it has few if any foothill values as far as vegetation, slope or sensitivity based on slope. It's essentially a flat site. We as potential buyers of this property, see it as an excellent infill opportunity close to downtown, across the street from the greenbelt, across the street from the golf course. There is one neighbor to the north who's in support of the staff's recommendation and another to the east in support of our application and I'm sure they'd be supportive of the staff's too. But, it doesn't have neighbors for which a lot of infill sites create a great deal of sensitivity as far as transitioning and compatibility. I don't think it's an appropriate manufacturing site as it's current zoned with 1.6 million square feet project for Harris Ranch and a bridge that I think the traffic issues that would be created by manufacturing. I've been asked whether it's still an appropriate site for that. I don't believe it's an appropriate manufacturing or light industrial or office site myself. I think residential because of the recreational opportunities. I think when we come forward if we're able to get approval for the Comprehensive Plan amendment with site plans and so on, is that you would see us trying to connect, in a very strong

fashion, to a pedestrian system that would connect to the rest of the east end and the east end commercial area.

Commissioner Brunelle – So what you've pointed out was that it's flat, the native vegetation has a long history. It has legacy issue with it. What we are faced with here though with a land use change, basically a boundary change, change it from one planning area to the other is we have a specific Foothills Planning Area. This was part of the planning area and there's a lot of other parcels of ground in the planning area that border it on the southern edge, whether it's along Hill Road or some of the other areas. They are also flat and they probably have a lot of cheat grass and have development and legacy issues as well. If we agree to this, then how do we say no to the others and then what happens to the Foothills Planning Area if we have individuals come in and gerrymander out little pieces here and there because of these different attributes?

Mr. Clark – We had nothing to do with the change. This was a larger parcel originally purchased for the purpose of the flat land to use it as a steel site. The foothills portion of that property were extraneous to its function at that time and as staff had commented to me, if the property as it's presently configured, in ownership has existed at the time of the development of the Foothills Plan that it probably wouldn't have been included in the Foothills Plan because it didn't have any foothill characteristics associated with it. It was more specifically because of the ownership and the majority of that ownership at the time being foothills land. As far as the precedent that you might be establishing, I really can't comment on other specific situations. I can picture the general kind of situations that you are talking about. It's not our effort to try and gerrymander here but to take advantage in a way that we think benefits the City and the community with respect to development of infill which is a Comprehensive Plan goal, of creating additional tax base to support schools and other public facilities and services in trying to avoid sprawl or further pressures for development in other parts of the foothills where it might not be appropriate. There are counter balancing issues going on there that I leave it to you to resolve.

Commissioner Brunelle – Near the end there you stated the idea of developing some areas of the foothills in exchange for perhaps preservation of open areas elsewhere within the foothills. In my research into this, I think one of the weaknesses of the City's ordinance is that it encourages the clustering that favors the entities with a large amount of land and it discriminates against the smaller parcels of land. Personally what I would like to see would be the ability for the smaller parcels to work in a non-contiguous fashion so that an area like this, which I think is more appropriate to development because of its proximity to existing infrastructure, could be build out in exchange for more remote but non-contiguous areas in the foothills.

Mr. Clark – Are you talking about a transfer of development rights?

Commissioner Brunelle – It might have the same look and feel but it would be only within the Foothills Planning Area.

Mr. Clark – I had a lot of involvement in the development of the Foothills Plan and think that is an appropriate use. I don't know whether it works in this instance. The water and sewer capacity here is huge. It is taking advantage of big pipes that are right there and not foreseen as being needed for anything else in the foreseeable future.

Commissioner Fadness – So if I understood you correctly, is your intent when you do submit a proposal that you will request an R-1C zone?

Mr. Clark – Yes, that's correct.

Commissioner Fadness – So the language that was proposed, the clarification of the staff's recommendation, that's language that you are comfortable with and given that language you would accept the staff's proposal for the low density?

Mr. Clark – That's correct.

Commissioner Fadness – I certainly don't doubt that Mr. Clark is a man of his word, but is staff comfortable with that sort of understanding? Isn't it true that if he wanted to he could come forth later with a zoning request for a more intense zone or is that the most intense that's allowed?

Mr. Eggleston – The R-1C is the most intense zone allowed in the low density for land use designation.

Commissioner Fadness – So you're obviously very comfortable then with the clarification.

Mr. Eggleston – Correct. The clarification essentially combines the various ordinances and policies in the Comprehensive Plan to show the clear path from the designation of low density to an ultimate rezone to R-1C that alludes to a density bonus for an infill situation. The net result would be something close to 10 units per acre.

Commissioner Cooper – I'm convinced that the remaining land on this parcel is really not foothills land so I guess the only foothills function that may be loss with development is a wildlife pathway to the river. I wonder if staff might talk about staff's response to that issue.

Mr. Eggleston – The fact remains that wildlife comes through here. In the statement we got from Idaho Fish & Game they said there should be a corridor in the area. They are not totally specific about this site and for reasons that the site itself, the 14.5 acres provides no coverage for large game, perhaps for small game. As is they probably would not prefer to go across this site at all and they also say in their letter that a wildlife corridor should have ideally the dimensions of 600 to 1,000 ft. width over natural contours with natural habitat species, shrubs, etc. There's nothing like that on this site. There are portions on the upper reaches in this gulch but very little of this is actually the site proposal. It resides with this portion would be in the City of Boise Park System and this portion would be in Boulder Heights Estates. I'm informed by a neighbor, Mr. Slifer

that his property has essentially become the defacto wildlife corridor for better or worse. The deer are targeting more of the forage in the Warm Springs Golf Course than they are in the search of water.

Russ Slifer (2478 Warm Springs/Boise/83712) – I submitted a letter that said that low density is the way that we feel. If you look at the map there's not many neighbors around this property so I have to kind of represent the community as a whole. You're not going to get a lot of testimony from the neighbors. There's a couple of issues that really need to be considered with regard to the foothills. Yes, this land has been extensively graded. I do take exception to the discussion that the vegetation is non-existent. Up until last year probably 500 to 1,000 feet of the north property did have extensive vegetation on it, primarily sagebrush that was a good 5 ft. high. It was graded last year and a big berm put in which has actually shifted the migration more north across my land even though this year was a light year for the deer with the light snow. I've seen the difference already. There cover is removed and it's making it difficult to cross. There was foothills value to this land even as recently as last fall. Saying that it's flat and the foothills value has been preserved by designated this slope land open really doesn't do justice because the wildlife and the visual aspects of the base of the foothills are still part of the value of this land. I recognize that it should be developed as residential instead of left open and barren or some kind of commercial or industrial site. But, everything on that side of Warm Springs, the land, has been lightly developed. It's not heavy density and it should, in my opinion, remain lower density and take into consideration the fact that it still is part of the foothills. It may not appear to have a lot of value, but in reality it still has attributes that should be protected. That's not saying that it shouldn't be developed or get density bonuses from other areas in the foothills to keep it in the planning area, but still allow development on it. My concern is opening the door too wide without any kind of plan in front of the Commission to know how heavy the density will be.

Rocky Bogart (2105 Warm Springs Ave./Boise/83712) – The developer, reading off his letter to the staff, it says: "No development of this site would be expected to occur until construction of the bridge is underway." I read that particularly because of what the staff said in their report recommendation and then the testimony that the developer just spoke of. I listened very carefully to what he said and it was not in agreement with what the staff is recommending which is available capacity at some point in time after the bridge is done. If you listen to the testimony he was saying that the bridge is designed. The bridge is in construction. The bridge is underway just like he said in his letter. He intends to move forward with this project before that capacity is available. I'd also like to talk about consistencies with an amendment to the Comprehensive Plan. The first standard of review talks about the amendment will not create inconsistencies between the goals, objectives and policies within or between any chapter of the plan. The East End Neighborhood Plan is part of the Comprehensive Plan. As such, we have goals to maintain the integrity of the neighborhood and the integrity of Warm Springs Ave. His proposal goes counter to that. It also talks about the standards of review. "The amendment will not place an undue burden on transportation." You've heard there's burden. There's a huge burden overhanging Warm Springs Ave. Boulder Heights can build out to 255 homes when the bridge is done. Harris Ranch, 3,400, I don't know if the bridge even has to be done for Harris Ranch to

get up there. Those kinds of things are an undue burden so I don't think an amendment to the Comprehensive Plan is appropriate at this time. To take that back, what he's asking for low density, well the Comprehensive Plan, the foothills portion, allows low density. It allows for 14 homes to be put on to that site. That's reasonable for right now. That's manageable. I don't think we need to do an amendment to the Comprehensive Plan at this time. I think it can be put off until we have some idea of how we would address these conflicts between the holes and wildlife corridor. If you look at the plot from the staff of the open space, it shows that area is directly adjacent to open space that surrounds it and as the gentleman before me spoke of, that is where the deer are traveling through. Fish & Game has stated actually that this is the highest collision area along the Warm Springs Corridor. It is open space. It is used as open space by the animals.

Deanna Smith (President of the East End Neighborhood Assoc./1208 E. Jefferson/Boise/83712) – I think the question we'd like to put to you tonight is how many rooftops are we going to continue to put in this pipeline of when the bridge opens. The pipeline is getting very full and we continue to contend that the bridge alone will not solve the problem. We would really encourage you, if you do decide to approve this tonight, that the language does get changed to not be tied to the bridge at all but in fact is tied to capacity and the 14,000+ that is currently in the Comprehensive Plan. The East End Neighborhood Association would strongly urge P&Z tonight to not approve the change in the Comp Plan. We believe that the arguments that have been put forward to remove this from the Foothills Planning Area are very weak and along the lines of Commissioner Brunelle's comments earlier, we think that it potentially has the ability to harm the integrity of that plan. All the conversation about this now just being a flat parcel of land and it's a brownfield, etc., the fact of the matter is the only change aside from the ground being scraped within the last year that has happened to this parcel of land since it was put in the Foothills Planning Area is property ownership change. That's the only real change that has occurred. It is not in different property ownership. The parcel is smaller. Our contention is that should not be an adequate reason for removing something from the Foothills Planning Area. The property is essentially the same. It was flat the day it was put in the planning area. There's a lot of flatland in the foothills. We believe that it still has two strong elements that allow it to continue to have characters that belong in the Foothills Planning Area. One is the wildlife corridor that has been brought up. We're not going to be able to move that. That's existed there for the animals for a long time. The plants aren't there anymore but there's nothing that prevents them from being put back there. The other is you could almost argue that it belongs in the Foothills Planning Area more than ever because now its entire northwestern border is along a now preserved open space piece of City Parks & Rec land. That is now preserved open space for the foothills. I think you could actually make the argument that it belongs in the Foothills Planning Area more than it ever did. We encourage you to look at that. Unfortunately Steve Lord wrote a letter a year ago for this whole vista which was a similar request that should have been in your packets. He forwarded it to Hal Simmons earlier this spring. I noticed it wasn't in your packet so I'm going to give you a copy tonight. I will point out a couple of concerns we have. Under the reasons for decision, the Comprehensive Plan Land Use Map amendments (a) that the amendment is required for the public convenience or necessity or for the general welfare

of the community. Under that there are two findings which we think are not adequate, a response to that particular requirement for Comprehensive Land Use Map amendments. One is that the proposed land use map amendment will provide a development incentive for the further investigation or remediation of hazardous materials on this site and insure that steps are taken to prevent hazardous chemicals and substances from migrating into the water supply or become airborne as dust particles. I'm not convinced that allowing this to be removed from the Foothills Planning Area is a requirement for that to happen. Yes, that is a benefit of having this development occur there, but development could occur there under the Foothills Plan and could still accomplish the same goal. I could go on with some other examples with our concerns for the reasons for decision, we think that they are just not strong enough and we think it speaks again to the integrity of the Comprehensive Plan and how it should really be something that we would hope this Commission would take seriously the notion of changing the Comp Plan and actually finding fault with the Comp Plan as it is before changing it. I haven't found anything in these findings or any other arguments that claim to find fault with the current Comp Plan as it is. That's really a summation of our concerns around this particular request. I recognize the City is in a position where they are looking very hard for smart infill locations where Boise can grow without sprawl and I support those efforts immensely and we've come before you in support of a number of projects where we were actually supporting higher densities than might have existed otherwise. We just think that this is much more about the integrity of the Foothills Plan and the integrity of the Comp Plan and that more sound arguments need to be put forward before those changes should be allowed to be made.

Commissioner Fadness – Did the neighborhood association indicate to you what they would like to see done with the property whether it's something less dense or leave it open for a wildlife corridor?

Ms. Smith – It's the opinion of the association at this point in time that a real thorough discussion of the Comp Plan change would reveal more clearly what's the best and highest purpose of that land. That was one of our arguments last year before you on this particular topic. We don't feel that discussion has occurred and so we don't feel like we're in a position to say what's the best and highest purpose for the use of this land at this point in time. We did, a year ago, present to you the whole possibility that our understanding was existing at the time. The golf course was interested in purchasing it. At that time the price wasn't within their ability to access it. We think that that still might be the best and highest purpose for this property.

Commissioner Fadness – What was the first one you mentioned before the golf course?

Ms. Smith – I didn't mention a specific one before the golf course and the reason is we happen to know that the golf course was very interested in it because currently the golf course is the only revenue generating entity within the Park & Rec system and their idea was that if they could expand it and increase those revenues, that obviously was a huge benefit for the whole community. We support that still and we still think it would be worthwhile for the City to pursue that idea. I don't know where that is currently and if it's possible for the City to continue to

pursue it, but we haven't heard anything about it here tonight one way or the other. That's the discussion and that's part of our comment that has not occurred. If you change the Comp Plan and the Land Use Map, you're supposed to be looking at what's the best and highest purpose for the community. I don't believe that discussion has gone on and I don't believe those arguments have been put forward. I don't believe all the options have been considered. The East End itself, unlike some of the other neighborhoods in the area, we're not convinced that residential is necessarily the best and highest purpose either. The East End Neighborhood Association is going through an extensive rewrite of our current neighborhood plan and one of the things that we have come to really appreciate through that process is that our area continues to get more and more rooftops all the time, but very few opportunities for commercial infill and very few opportunities for potential light industrial infill that also is a job provider. Another goal in trying to deal with urban sprawl and traffic problems is to provide opportunities for people to get out of their cars. If the East End gets filled up with nothing with houses we're not ever going to be able to accomplish that goal for ourselves. This is a piece of land that still has potential to go in a lot of directions and could potentially down the road provide some of those opportunities. We're not convinced that more rooftops alone is everything that is needed in this part of the City and we don't believe that that discussion has occurred.

Commissioner Brunelle – The point that you raised earlier regarding the finding that the amendment is required for public convenience or necessity and you debated the mater of the remediation of hazardous materials on the site. I agree that's a debatable point whether you are providing the development incentive here versus whether it already exists now under its existing zoning and land use designation. Staff has presented us with a second finding under that provision that says: "The proposed land use amendment will provide a development incentive for the provision of a safe pedestrian crossing of Warm Springs Avenue for access to unique foothills trail and river assets." Do you have any comments on that?

Ms. Smith – I believe that the East End has already fairly successfully accomplished through our recent efforts with Homer Wise and getting the traffic signal put in having that traffic signal, which I know hasn't yet been finally approved by City Council but was approved by this body and by ACHD. If in fact the Council does approve that, I think that is going to accomplish that farm more significantly. I've spoken with Mr. Clark on a number of occasions about this and I'm aware of his desire to improve the trailhead that is on the opposite side, on the north side of the road there that does access the property that is Park & Rec's and I believe goes all the way up to Tablerock. In terms of crossing, that along isn't going to accomplish that. I believe we've already done that with the traffic light so I don't find that that finding is even relevant at this point.

Commissioner Brunelle – I guess we could say it may provide an incentive for a second crossing within perhaps a few hundred yards of the north end of the site where's there's that little peninsula of the open space land that the City has.

Ms. Smith – It's conceivable. What I can tell you is that if this of course gets approved, those are the sorts of things that we will work very hard to insure happen with any development in this area. It's also the sort of thing that we will work very hard to try and make happen without development in this area as we are doing all throughout Warm Springs Avenue. I will submit to you the letter from Steve Lord.

Commissioner Fadness – For the record we've received a letter dated May 7, 2004 from Steven Lord, Secretary of the East End Neighborhood Assoc.

Michael Rueling (1312 Warm Springs Ave./Boise/83712) – I'm testifying on my own behalf but also as President of the Warm Springs Historic Association. The purpose of our association is to preserve and protect the historic district, preserve the historic character and protect the safety of our residents along our street. One of the biggest impacts that negatively impacts both of those is traffic through the historic district which is already over the city's target of ADT of 14,175 cars day. Sometimes it exceeds that as the staff report mentioned. We have no problem with infill development. We think it's smart growth and we agree with smart growth to a point, but we aren't in favor of infill development to the extend of degradating historic districts that we think that are an important value for the city and the city government. Frankly I'm a little perplexed. I don't really understand the necessity or why the developer is actually proceeding now. I think this would be a much cleaner situation if there were an amendment of the planning area, the Comp Plan, a rezone and a specific project before us that we could all look at. I think piecemeal action often results in results that aren't as good as when we're looking at a real project at the time we're asking for these other things. I'm concerned about the pressing issue with regard to taking pieces of land out of the Foothills Planning Area just because they are flat and don't really look all that foot hilly. I do want to emphasize again that we certainly agree with staff that if there is an approval tonight, that the condition not be in any way conditioned specifically upon the bridge but at the maintenance of traffic capacity under the 14,175 ADT. It is very clear to us and as other applications come up, for example the new Harris Ranch application, it's very clear to us that merely building a bridge will not necessarily solve the capacity problem on Warm Springs. It will solve the capacity problem if going over the new bridge to downtown is a quicker way to get to downtown than down Warm Springs, and that depends on much more than simply the bridge being built itself. Staff's report says on page 3: "The construction of the bridge does not guarantee there will be adequate traffic capacity on Warm Springs Avenue for any intensive urban land use. One can further say that the construction of the bridge does not insure that there will be sufficient capacity on Warm Springs for the subject property to develop at even the Comprehensive Plan's low density land use potential." For that reason alone I think at this point in time leaving in the Foothill's Plan development standards, which allows 10 to 14 dwelling units, is the appropriate thing to do at least until the time we know more about what happens after the bridge is built and we know what a specific development plan is planned for this property.

Richard Carter (2343 S. Ridgepoint Way/Boise) – I am a board member of the Mesa Neighborhood Association. I would like to speak just in terms of using the new access road,

Windsong, coming up the hill antidotally to the extent that even though the berm was built, the previous speaker talked about the homeowner on the town site of this property, the berm was just mysteriously built along Warm Springs by the same equipment that was used to build the new road. Driving up that new road we do still see small wildlife. We see fox. We see deer that are congregating down around the ACHD catch basin down where the new traffic signal is going to be. To the extent as Ms. Smith talked about, this property, even though it looks relatively flat, there was a variety of flora on the property before the grading really took over and the rocks were dumped out there, etc. It is on the down slope from the hills to the river so to that extent being part of the foothills, it's on the way for the animals to get to the water even though they may still be still eating the roughage of the golf course. But, they are still along the road and they are still crossing the road. The applicant was asking for a status report in terms of what they could potentially develop on the land if you all approve this. 139 rooftops means that those 14 acres are going to be packed. I'm using last month's handout that you gave to us in terms of Parks & Rec requesting some parking for the trailheads. In our Warm Springs board meetings the last couple of months we've talked about particularly the parking along Warm Springs by the kayakers that congest that area too. If in fact anything is done in terms of setting aside parking spaces, which the applicant has not talked about at all tonight which seems really pertinent to this whole project, there would seem to be a need for some parking for the kayakers who are using that weir in the river as a part of their practice. It would seem that some information that Marlene and I, who's also on the Board, have been coming here since last year when a lot of these meetings were canceled or delayed. There was some conversation about a best use possibility of the City using this land for kayaker parking, trailhead parking, and a redesign of the golf course possibly putting the driving range over there. We know they are going to build a $4 or $5 million new clubhouse on the golf course. At least in our terms of thinking at our board meetings, in terms of looking down the hillside along Windsong and at this property, it is still a space along which wildlife meander and wander and head across the street down toward the river. It seems to us that a really ideal usage would be to put it into a park sort of situation or at least parking for the park or golf course, access to the trailheads.

Mr. Clark – When we were first looking at acquiring this property, I heard about the idea of a golf course or public park. I contacted the Parks Department and talked with Dave Selvage there. I said if the Parks Dept. has any serious interest in this for the golf course or anything else, let me know and we'll step out of the way. We will not pursue the purchase of this. He asked for a couple of weeks and got back to me and said the Parks Department does not have any ability in any time in the foreseeable future to establish this as a priority or acquire this property. I think that's why you see in your packet a letter from the Parks Department saying they have no objection to a request to a request for medium density residential on this site. With the construction of Windsong Dr. across, actually the slope for that road is an easement from this property to the benefit of Warm Springs Mesa, it did eliminate some of the vegetation that was there, the construction of that road. The material that came from the construction of that road went to establishing a berm. As the Director of Planning & Development Services, Bruce Chatterton, said in a recent interview that when you have an opportunity for an infill site that has services, capacity at least in terms of water, treat it like gold, don't blow it. Don't let it go to

some low density or misuse. It's a real opportunity for the city. As far as the traffic capacity goes, I think we've attempted, in the way we've formed our application, to be respectful of the capacity issues on Warm Springs Ave. and are quite serious about that. I'm a neighbor of the area myself and have participated in the transportation issues on that boulevard. I'm not being a turncoat on that issue at all. We think that when the bridge, it isn't just the installation of a bridge, it's other things that go with that. I interpret that and I believe that it is key as to how that configuration of roads and intersections out there to the east of this site occurs is critical to what that capacity will be. We are committing to not doing anything until that bridge is underway and what the configuration of those intersections will be is determined and what the traffic implications of that will be. I do not believe that this is a piecemeal approach to planning. Before we get involved in spending huge amounts of money and time on planning for a site we like to know what is the potential for that site and the decision that's before you tonight will allow that to occur. Because the bridge is sometime off, we'll take some serious time. We already have been working with various neighborhood groups and individual neighbors and will continue to do so. Insofar as parking for recreational purposes, we have offered that we would establish parking for the trailhead on the north end of the property. The Parks Department does have plans for another pedestrian crossing at that location, at least that's what I'm told by Dave Selvage. As far as the kayakers parking goes, I'm a kayaker. I've used that site. Most of the parking occurs on the right-of-way alongside the road for quite a length parallel to the pathway. I think it would be good for ACHD and the City Parks & Rec to develop that in a way that serves the kayaking community better for those few months of the year that it's in use.

Commissioner Fadness – When you say the bridge is underway, do you mean construction has started on the bridge and your anticipating if your development will not be complete until after the bridge is complete?

Mr. Clark – Yes.

Commissioner Fadness – So construction on the bridge has started and then you would begin starting construction of your development.

Mr. Clark – The timing is my mind is as you said. I have reviewed multiple traffic studies for Harris Ranch and I know that there are probably changes underway and how that specifically is funded and timed, but Harris Ranch has an ultimate capacity of around 3,400 residential units under its current plan and 1.6 million square feet of commercial space. The build-out of that will occur, it's projected over a period of 15 years. I believe that is from its current status, an additional 15 years. What I'm trying to avoid is the bridge under construction, the configuration of the intersections is determined, we're able to project what traffic will be. I'll totally make-up a number here as an example, but say that the construction of the bridge and the configuration of those intersections says that it will reduce traffic on Warm Springs Blvd. from its current levels by 4,000 trips a day. That would take it well below where it is now. Now, there are other things like the expansion of Warm Springs Mesa that are in line and don't want to try and get ahead of others. However, the Souther's capacity there, I think there will be capacity there at time based

on my conversations with the traffic engineers and investigation of the traffic studies. I don't think that waiting until Harris Ranch is built out in 15 years is an appropriate timing for development to occur here so that's why I'm saying construction of the bridge and I agree with related issues.

Mr. Eggleston – I'd like to mention letters submitted by Mr. Slifer who has testified and a letter submitted by Homer Wise in support in the sense that this is an appropriate use for this type of infill approach. In not having read that, a clarification of the recommendation that the applicant did read into the record which was passed out at the work session this evening and we started to clarify the way that the ordinance worked with the land use designation. We asked Parks specifically about their interest in purchasing the property. They said they had no interest at this time. We can only speculate whether that was price differential or they had other plans. They weren't specific to that and they did submit the letter supporting this application.

Commissioner Brunelle – The discussion with Parks & Recreation about purchase of the property is presented as purchase of the entire property versus purchase of certain portions of the property for certain park related recreational uses like trailhead parking, etc. Was it an all or nothing proposition?

Mr. Eggleston – The only discussions I've heard was in terms of the whole piece of property. They did originally talk in terms of being a driving range and extra parking for the golf course, but in their letter they do request and in a future development application that there's consideration made for trailhead parking on the north end of the property.

Commissioner Fadness – One of the folks who testified talked about why not waiting until we have a specific project and that would avoid, at least right now, any amendment to the Comprehensive Plan. Did staff consider that alternative to this?

Mr. Eggleston – We did consider that, but we have to take these things at face value as they come in, considering it on its merits. Of course that would make a neater package, but the nature of the application does not require a development application, rezone or annexation in this particular case and so we just have to take what we get and go with that. We have an idea of what is really proposed in this instance, but it's not required under the code for this type of an amendment.

Commissioner Cooper – There was some discussion from Ms. Smith about the potential about something other than residential on this property. I just want to confirm that with the rezone of R-1C an applicant can come with a PUD that could include a combination of residential and commercial, is that correct?

Mr. Eggleston – That is correct. The Comprehensive Plan and the ordinance both allow for a, under 20%, non-residential development whether it is a neighborhood/service commercial or possibly an office use on the same site as part of a PUD.

COMMISSIONER BRUNELLE MOVED TO DENY CAR05-13.

MOTION DIED FOR LACK OF A SECOND.

COMMISSIONER COOPER MOVED TO APPROVE CAR05-13.

COMMISSIONER FADNESS SECONDED THE MOTION.

Commissioner Cooper – I've listened carefully to staff's approach to this. I feel personally that you can different opinions about whether this site is something other than a flat former industrial property, but I really feel strongly about the feeling that with our city growing the way it is we need to try to find areas where some close in-fill development is going to work and I really think that this is a site like that. I agree with staff's changing of the statement about traffic capacity. I really think that it has to be when the capacity of Warm Springs is at the level that would allow development, not referring to any specific construction project like the bridge.

Commissioner Brunelle – What we are doing here is making a recommendation to the City Council so this is a recommendation so I have some thoughts that lead me to the position that we should deny this change in the Land Use Plan removing it from Foothills Planning Area. You heard my questions earlier which were headed in that direction. I think there's a few problems here that I found with the report and the way it was put together, the first being that part of it was that I felt the staff report oversimplified the matter of this property and its contribution into the Foothills Planning Area by focusing only on the slope or on the fact that there are legacy issues with the site, removal of vegetation for example, that its foothill value was less than other adjacent areas that are in a protected open space status now. From what I've heard tonight I think there's been more information on the side of pointing out that this is actually an important foothills site. No it doesn't have native vegetation, bitterbrush or sagebrush as much as it probably did before and it probably has noxious weeds and things like that on the site not to mention the grading that had occurred. But, it's an important wildlife migration route. The letter from the Fish & Game that's in the record, I tend to go with Fish & Game on this versus the City Staff on questions of wildlife. It's adjacent to existing foothills open space that was acquired through the Foothills Cluster Ordinance on the Boulder Heights project. I do agree with the comments that Commissioner Cooper made that we do need to look at these sites for infill and I do agree that there's a good portion of this area that should be built out as an infill project. It's just that I thing that there are attributes to this site that lend itself better to remain within the Foothills Planning Area. If the ultimate recommendation is adopted by the Council to remove this from the Planning Area, I think it places us in a policy headed the wrong direction of removing areas on the fringes of the foothills for the expediency of developing those areas without regard to the total integrity of the foothills area as a planning unit not only for the natural resource and recreational preservation that drove part of the Foothills Plan in the late 90's and the Open Space Management Plan in 2000, but also the role of the Foothills Planning Area and its contribution towards maintaining the integrity of the neighborhoods of the north and the east

end from additional traffic that results from this development. The Cluster Ordinance that was adopted by the Council and was used on the Boulder Heights is an effective manner of placing some level of development or a cap on the amount of development in a certain given area. It then sets aside other lands for open space protection, but it also puts at least some sort of a lid on the amount of traffic that's going to be affecting the east and north neighborhoods from development. So if we're going to be removing areas from the Foothills Planning Area, what we're going to be doing is going against the goals and the policies of the Foothills Plan itself which were not part of the staff record here. It will be going against the Foothills Plan itself that we enacted this in part to help protect neighborhoods from additional traffic. I think I will stop there because I think I've made the major points that led me to a position of not supporting a change in the land use designation. I did earlier, in a question to Mr. Clark, discuss the point of one of the deficiencies that I see in the City Ordinance with foothills cluster development and that is the inability for smaller parcels of land to effectively use the clustering development, especially small parcels of land close-in, next to roads with more than adequate infrastructure. I agree those are areas that should be the highest priority for an infill type development, but what we need for those landowners in question is the ability to do some sort of clustering with non-contiguous lands. I've had meetings with Planning Staff on this several months ago. Actually took it upon myself last fall to draft an ordinance that could allow this. What I would hope to see is that that's a policy that could be taken forward to the Council at the same time to give them a policy option of looking at a way out for an area like Gate City Steel so we could have some appropriate level of development using the Foothills Ordinance but then allow for the protection of some non-contiguous open space somewhere else in the foothills.

Commissioner Fadness – I normally don't vote unless I have to break a tie and I think I might be breaking a tie so I'd like to explain some of my feelings. I guess one of the things that ways on me the most, Commissioner Brunelle has made some very good arguments. This site has been vacant a long time and it is essentially a brownfield. It's true. There could be something better, but so far we've had no other proposals for anything better. I do agree that this parcel is a good candidate for infill and I'm pleased to see that the developer is willing to accommodate staff on the lower density requirements. I'm not convinced that this parcel, at least this 14.5 acres, meets few if any of the characteristics for what we would call foothills. I do think that we have to have room for flexibility when ownership or characteristics of property changes in the Foothill Planning Area. It's true that we could be setting a precedent, but I think we have to be flexible that there might be changes in property or ownership and this may indeed come before us again and I think we have to look at each one on a case by case basis rather than saying no this was in the original Foothills Planning Area and we're going to stick to the original plan. I guess for that reason, if there's a tie, I will be voting to grant the amendments to the Comprehensive Plan.

COMMISSIONERS IN FAVOR TO APPROVE THE AMENDMENT: COOPER & FADNESS.

COMMISSIONER BRUNELLE VOTED AGAINST.

COMMISSIONERS ELLSWORTH & RUSSELL ABSTAINED DUE TO A CONFLICT OF INTEREST.

8

Boise City Planning & Development Services
150 N Capitol Blvd ▪ P O Box 500 ▪ Boise, Idaho 83701-0500
Phone 208/384-3830 ▪ Fax 384-3753 ▪ www.cityofboise.org/pds

Comprehensive Plan Amendment Application

This box for office use only

File #: CAR05-00013 Fee: $1,519

Cross Referenced File(s): CAR03-00052 Zone(s): ~~A~~ ~~ID~~ M1

Are Pre-Application materials attached? ☑ Yes ☐ No

This application is a request to amend the Comprehensive Plan as follows:

- Renave the property from the foothills planning area
- Designate land use as Medium Density Residential
- Add a policy to Chapter 8 Objective 16 addressing land use on site.

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☑ **Request to Amend Text**

☑ **Request to Amend Land Use Map** See attached summary of proposed changes.

Current Land Use Map Designation: Foothills/Buildable Area Estate Density

Proposed Land Use Map Designation: Residential/Medium Density

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.

Applicant Information

Applicant: Warm Springs Enterprises LLC **Phone:** 342-2625

Applicant's Address: 479 Main St., Boise **Zip:** 83702

Property Owner Gate City Properties, Inc. **Phone:** 336-2954

Property Owner's Address: 4414 Gekeler Ln., Boise **Zip:** 83716

Contact Person (if different from above): Bill Clark **Phone:**

6/04

Information for Amendment to Land Use Map

Address of Subject Property: ~~2510~~ 2570 E. Warm Springs Ave. ~~& E. Warm Springs Ave.~~ 2470

Mapping Division must initial here KW to signify address verification.

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

See attached deeds with legal descriptions.

Parcel Number: S1013346710 & S1013438950

Quarter: SE(13);NE(24) **Section:** 13;24 **Township:** 3N **Range:** 2E

Size of Property: 632,142.72 **Square Feet, or** 14.512 **Acres**

What are the existing uses? Vacant land - formerly a steel manufacturing plant.

Please indicate current zoning and use of adjacent properties.

North: Open space- City-owned foothills land

South: Warm Springs Ave., Greenbelt, Boise River

East: Low density residential (Boulder Heights Sub.)

West: Vacant land, Warm Springs Golf Course

Information for Text Amendment

1. **Section of Comprehensive Plan you are proposing to amend:**

Chapter 8, Objective 16 - North End/East End portion of Land Use chapter.

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2. Proposed text changes:

(Add new policy #10):

The Gate City Steel area across from Warm Springs Golf Course is an appropriate location for medium density residential infill development potentially including limited professional office uses. Timing of development should be tied to construction of the East Parkcenter Bridge. Considerations for approval of medium densities are provision of high quality site and building design, a mixture of housing types, and integration into and protection of adjacent open space and recreational areas. New urban design is not required in this area.

3. Narrative describing justification for change:

See attached cover letter.

Additional Submittal Requirements for Land Use Map Amendment

- ☑ 1. (1) Completed application, including signature of applicant.
- ☑ 2. (1) Submittal requirements list.
- ☑ 3. (1) Detailed letter of describing project and justification for change to the Land Use Map.
- ☑ 4. (1) Affidavit of Legal Interest (attached). Form must be completed by the legal owner of record.
- ☑ 5. (1) Current vicinity map from PDS Mapping Division (8½" x 11" at 1" = 300') showing the location and current zoning of the property. The map must be dated.
- ☑ 6. (1) Set of colored and labeled photos of site, looking north, south, east and west.
- ☑ 7. Pre-application Materials
  - a. Pre-application form
  - b. Neighborhood radius notice letter
  - c. List of notified owners, residents and association president, if applicable
  - d. Sign in sheet from neighborhood meeting

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Signature Applicant/Representative

3/29/05
Date

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WARM SPRINGS ENTERPRISES LLC

March 29, 2005

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Hal Simmons
Planning Director
City of Boise
150 Capitol Boulevard
Boise, Idaho 83702

Re: Comprehensive Plan Amendment – Gate City Steel Property

Dear Hal:

Attached is an application for an amendment to the Comprehensive Plan that would modify the designation for future use of the property commonly referred to as the Gate City Steel Property. The address of the site is 2570 Warm Springs Avenue. It is presently zoned "Manufacturing" by Ada County. Although the property is presently in the County, it is surrounded by property within City boundaries. The proposed amendment would designate the property for use as medium density residential development and tie such development to construction of the East Park Center Bridge. No development of this site would be expected to occur until construction of the bridge is underway.

This property was originally part of a much larger parcel, the majority of which was located on the adjacent hillside area to the east and west. That larger portion of the property has subsequently been sold and ownership transferred. The portion of the property to the west is now owned by the City of Boise and to the east the hillside property has been developed for home sites and Windsong Drive has recently been constructed on it.

The remaining property, 14.5 acres where the actual Gate City Steel manufacturing plant was located, is the subject of this application. It is a generally flat site and is mostly vacant of any vegetation. It is not appropriate to continue to designate this remaining parcel as part of the "Foothills Planning Area" and the related policy and regulatory framework. This is an infill site and should be included within the City's North End/East End Planning Area.

This site is what is generally referred to as a "brownfield" property. That label is applied because there was contamination of the property during its use for steel manufacturing. While in the ownership of a bank in the 1990's there were extensive studies, cleanup activities and regulatory review by U.S. EPA and Idaho DEQ. These agencies reviewed and approved the extensive cleanup efforts and results.

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479 Main Street, Boise Idaho 83702 • 208-342-2625 • Fax: 208-342-2627

In 2004, the City reviewed applications (CAR03-00051/CAR03-00052) for development of the subject property (from a different party, not the owner) but these applications were subsequently withdrawn. As part of the City's review of the application, several questions and comments were posed concerning the environmental cleanup results and their adequacy for determining the appropriateness of the site for residential development. The owners of the property chose to analyze these questions and comments and hired Kleinfelder Inc. to undertake the necessary investigation. The results of this additional analysis have been submitted to the City for its review.

In its review of the previous applications City staff indicated that residential development on this site should perhaps occur at a greater density than the proposed 52 units. Mention was made of the potential benefits of clustering development and constructing medium or high density clustered and attached residential types. We agree that this direction is best for this site.

We look forward to working with the City in creating a high quality infill development on this property. Please let me know if you have any questions or comments.

Sincerely,

Bill Clark

Bill Clark

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Proposed Comprehensive Plan Changes for Gate City Steel Property

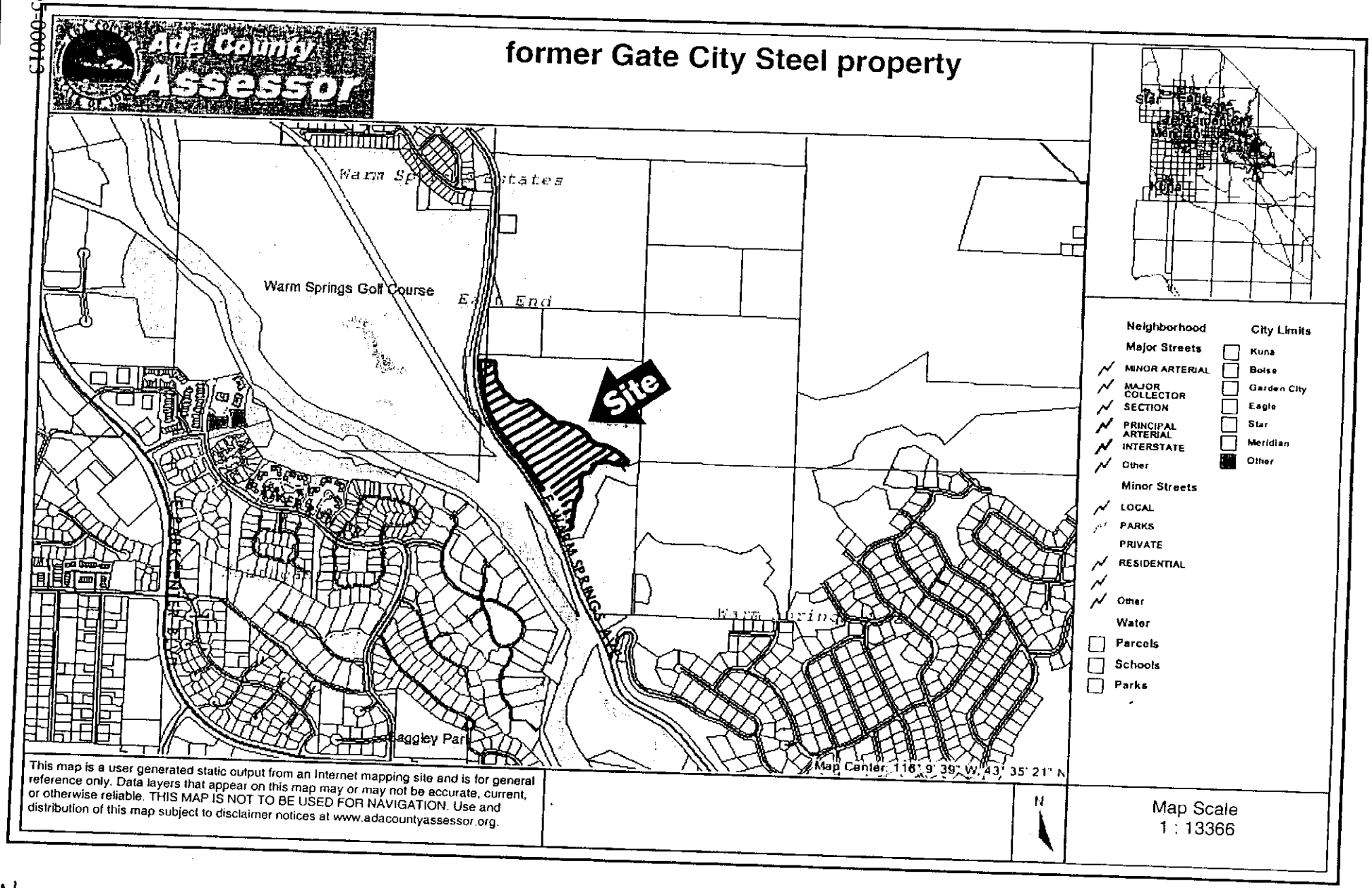
1. Remove the property from the map for the Foothills planning area and from the Foothills Plan. Figure 8.1-13 Comprehensive Plan, Foothills Policy Plan, Land Use Map.
2. Change the planning area maps (8.1-10) to include the property in the North End/East End planning area.
3. Change the designation of the property on the land use map (8.1-2) from Foothills/Buildable Area and Estate Density to Residential/Medium Density.
4. Add a new policy 10 to the North End/East End portion of the Land Use chapter (Chapter 8, Objective 16):

   The Gate City Steel area across from Warm Springs Golf Course is an appropriate location for medium density residential infill development potentially including limited professional office uses. Timing of development should be tied to construction of the East Parkcenter Bridge. Considerations for approval of medium densities are provision of high quality site and building design, a mixture of housing types, and integration into and protection of adjacent open space and recreational areas. New urban design is not required in this area.

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Boise City Planning & Development Services

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

Phone 208/384-3830 . Fax 384-3753 . www.cityofboise.org/pds

Affidavit of Legal Interest

State of Idaho)
) ss
County of Ada)

I, Donald J. Nelson ~~President/Gate City Part. Inc.~~ (Name), P.O Box 5405 (Address), Boise (City), Idaho (State), being first duly sworn upon oath, depose and say:

1. That I am the record owner of the property described on the attached, and I grant my permission to Bill Clark, ~~Member/Warm Springs~~ Enterprises LLC (Name), 479 Main St., Boise (Address) to submit the accompanying application pertaining to that property.

2. 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 15th day of March, 20 05

Signature

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

Notary Public for Idaho

Residing at: Meridian

My commission expires: 7/12/07

LORI ANN O'LEARY NOTARY PUBLIC STATE OF IDAHO

202

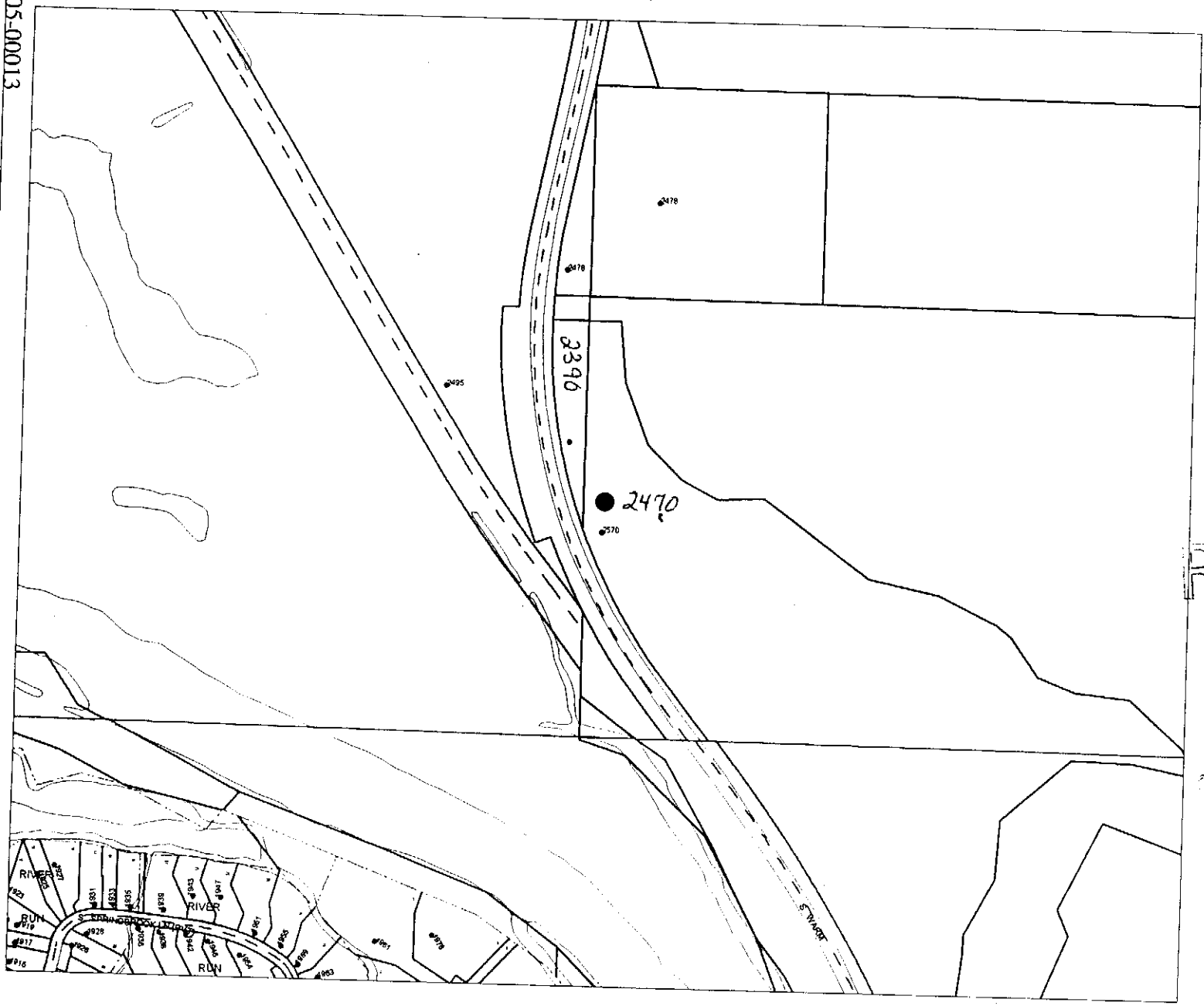
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CAR05-00013

Boise City Spatial Data Viewer



300 0 300 600 900 1200 Feet

Address:
2470 E WARM SPRINGS AVE

Owner:

Subdivision:
Lot 0 Block 0

Zoning:
M1

City:

Area:
3n2e13

Parcel:
S1013438950

KW 3-29-05

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BOISE CITY OF TREES

Public Works

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Map printed on: 03/29/2005

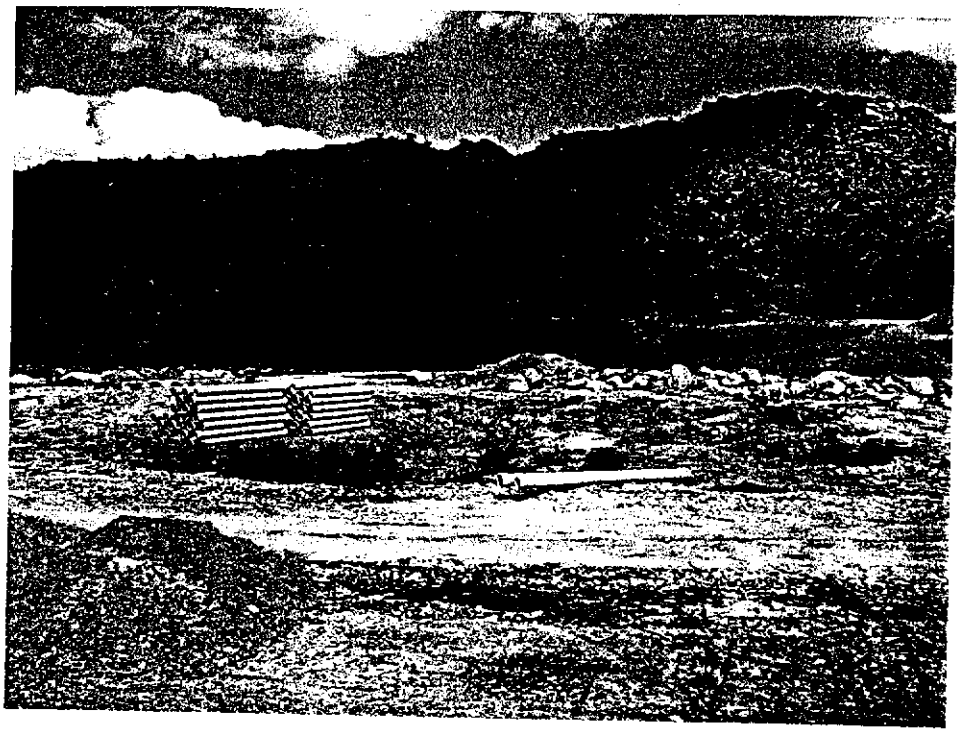
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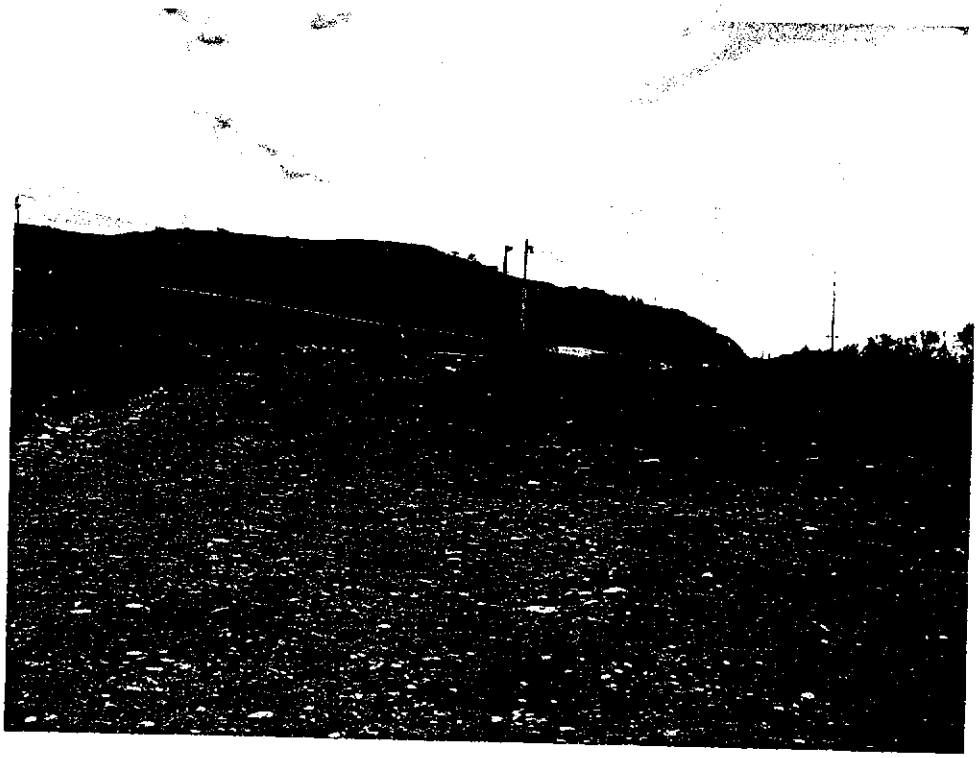
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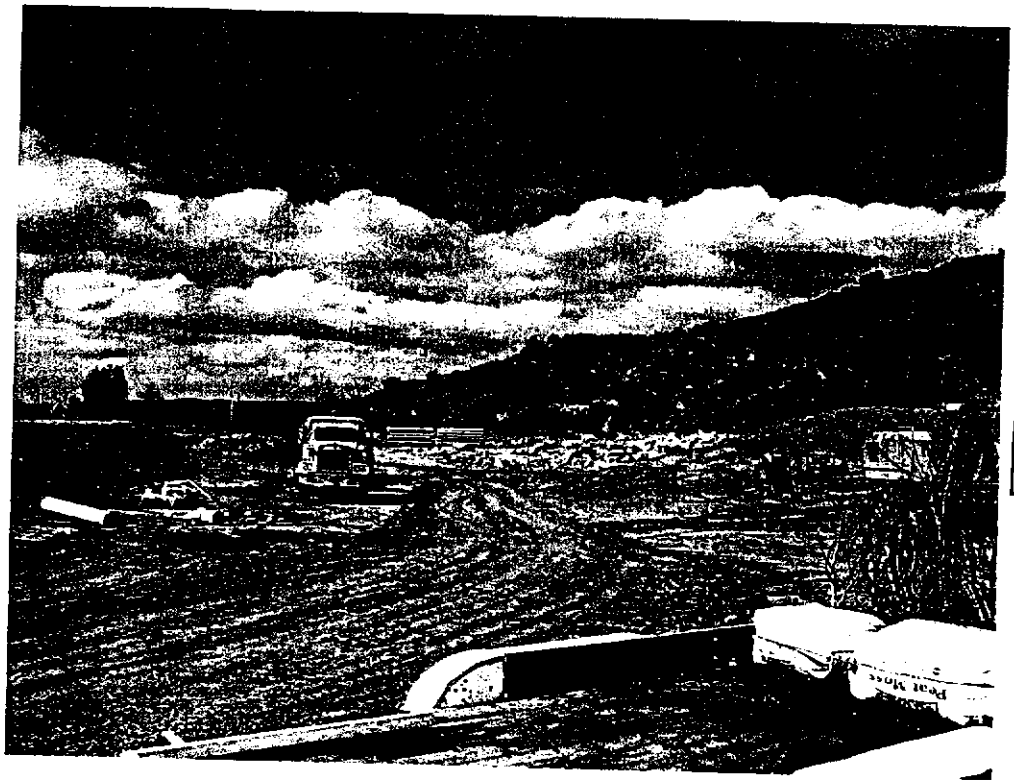
Another view towards the North.



Looking Eastward.

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Former Gate City Steel property - site photographs



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View towards West.



View looking north.

CAR 05 00013



View towards the Southeast corner.



Looking South towards Warm Springs and the Boise River.

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• WARM SPRINGS ENTERPRISES LLC •

300' Radius Information Meeting, Wednesday, March 23, 2005, 6:00pm
Mill District Clubhouse, Harris Ranch

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Please sign in:

Name	Telephone	Mailing Address	E-mail
Edmund A. Bogalt	388-0343	2105 WARM SPRINGS AVE.	eabogert@micron.com
Eric Straubhar	371-8141	5325 E. Understory Ave	eric@windermere.com
John Marshall	388-1200	[redacted] W. Bannock St	jmm@velocitus.net
Susan Calvin	424-8468	3248 S. Quarterswing Way	sk_calvin@msn.com
Deanna Smith	344-2261	1208 E Jefferson St.	
Phyllis Stifer	344-1129	2478 Warm Springs	rpstifer@aol.com
Homer Wise	344.2603	2843 E STAR CIRCLE	
Jeff Stumpf	344-2603	2843 E. STAR CIRCLE	
		AR 05 00013	

Boise City Planning & Development Services
150 N Capitol Blvd ▪ P O Box 500 ▪ Boise, Idaho 83701-0500
Phone 208/384-3830 ▪ Fax 208/384-3753 ▪ www.cityofboise.org/pds

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Pre-Application Conference

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: Bill Clark **Date:** 3-7-05

Site Address: 2390/2470 E. Warm Springs

Planning Staff

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

Proposal Description: Comp Plan Land Use Map Amendment from Foothills to Medium Density Residential

Neighborhood Meeting Required: X Yes ☐ No **Site Plan Presented:** ☐ Yes ☐ No

Comprehensive Planning Area: Foothills **Neighborhood:** East End

Type of Application

X Annexation	___ Rezone	
___ Special Exception	___ Conditional Use	
___ Variance	___ Modification	
___ Parking Reduction	___ Height Exception	
___ Density Bonus	___ Infill	
X Comp Plan Amendment		
Planned Development ___	Use Exception	

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	X M-1
___ M-2	___ M-4	___ N-O	___ A

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

Airport Overlay ___ A ___ B ___ B-1 ___ C

Concurrent Reviews

Floodways (FPR) ___ FW ___ FF ___ ASF ___ Boise River System Permit

Hillside (Categories) ___ I ___ II ___ III

Subdivision Plat ☐ Yes ☐ No CAR 05 00013

Density/Far

Compatibility

Others

Building Permit Required ☐ Yes ___ ☐ No ___

Staff Representative
CAR05-00013

Bill Clark by aa
Applicant Representative

12/01 44 40

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KLEINFELDER
An employee owned company

April 14, 2005

Gate City Properties, Inc.
4301 Federal Way
Boise, ID 83715

Attention: Mr. Chris Nelson

SUBJECT: Proposal
Landfill Closure Services
Former Gate City Steel Property
2570 Warm Springs Avenue
Boise, Idaho

Dear Mr. Nelson:

Kleinfelder is pleased to present this proposal for Landfill Closure Services at the former Gate City Steel Company located at 2570 Warm Springs Boulevard in Boise, Idaho. Kleinfelder understands that Gate City Properties, Inc. currently owns the property, and wishes to receive formal regulatory agency closure of the non-municipal solid waste (NMSW) landfill located at the site. This proposal was prepared at your request during our telephone conversations the week of March 7, 2005.

BACKGROUND

The Gate City Steel facility encompasses 47 acres north of Warm Springs Boulevard east of downtown Boise. The facility was used for fabricating steel tanks and other custom steel products from approximately 1940 through 1977. Wastes from fabrication and related processes were deposited in an approximately 1.5-acre NMSW landfill located in the eastern portion of the Gate City property. Landfill materials were deposited in an ephemeral drainage valley, essentially in-filling the lower portion of the drainage above the Boise River valley floor. No detailed topographic maps of the landfill area, either before or after landfill activities, are available.

Landfill exploration activities performed by Kleinfelder and others indicate the landfill contents include scrap metal, containers of hardened paint, caustic lime, and construction debris. After

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landfilling activities were completed in 1977, the operators covered the landfill mass with a thin layer of fill material. Subsequent erosion of the cap and fill material had exposed portions of the landfill contents at the time of a Kleinfelder site reconnaissance in June 2004.

No record of landfill Operating Plans or Closure Plans are available from the current owners or regulatory agencies. Written documentation provided by Gate City Properties, Inc. included a Letter of Closure from the Central District Health Department (CDHD) dated January 14, 1994.

Kleinfelder completed several tasks at the site in 2004 to aid in characterization of the landfill contents and assess potential impacts to first-encountered groundwater immediately downgradient of the landfill. These tasks included:

- A soil gas survey was performed to evaluate for the presence of volatile organic compounds (VOCs) originating from the landfill mass. The survey indicated the presence of perchloroethene (PCE) from a small area in the easternmost portion of the landfill.

- Three trenches, each approximately 50-feet long, were excavated in the landfill mass. Materials exposed in the trench sidewalls were logged, after which the trenches were backfilled. Six soil samples were collected for laboratory analysis of VOCs from the trench located in the area of PCE detections. PCE and the petroleum fuel hydrocarbons naphthalene, 1,2,3-trimethylbenzene and total xylenes were detected in three of the samples. None of the compounds were reported above their respective EPA preliminary remediation goals (PRGs), where established.

- One borehole was advanced to first groundwater at the toe of the landfill. Groundwater was encountered at approximately 25 feet below ground surface. A grab sample of this groundwater was collected for laboratory analysis for VOCs. No VOCs were detected above laboratory reporting limits.

- Kleinfelder observed the landfill site on Wednesday, February 16, 2005. Grading activities were in progress on the landfill. Imported fill soil was being spread over the top of the landfill, and the landfill toe was being graded to produce a flatter slope. No survey data is available to evaluate recent fill thickness or the new toe slope angle.

Kleinfelder understands the property may be sold to a developer. For planning purposes we anticipate development activities will not include residences, but may include surface and

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CAR05-00013

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subsurface structures such as club-houses, swimming pools, utility trenches and other similar improvements.

OBJECTIVE AND SCOPE OF WORK

This objective of this project is to obtain regulatory agency closure for the landfill. In order to achieve this objective we propose the following scope of work.

Task 1. Client Consultation

The goal of this task is to identify development alternatives for the landfill area. Kleinfelder will meet with Gate City Properties, Inc. and other stakeholders to discuss possible land use alternatives for the landfill area. We will outline potential constraints for construction on former landfills, and discuss possible engineering mitigation methods to address specific development concerns. Gate City Properties, Inc. and other stakeholders will select one or several uses for the former landfill. Kleinfelder will incorporate design considerations in subsequent tasks to allow for the selected land use(s).

Task 2. Agency Consultation

Kleinfelder will meet with representatives of Idaho Department of Environmental Quality (IDEQ) and CDHD for two purposes: (1) establish lead agency status; and (2) discuss tasks that will fulfill IDEQ and/or CDHD closure requirements for a landfill of this type and age. Results of the meeting will be used to guide development of the Closure Plan Application outlined in Task 2.

Task 3. Closure Plan Application

Kleinfelder will prepare a Closure Plan Application describing tasks required to achieve site closure. The Application may include, but is not limited to the following items:

- Legal description of the facility;
- A figure showing property boundaries, drainage patterns, fill areas, and access points;
- Water features, if any;
- A design for installation of measures to control erosion, manage run-on and run-off from the 25-year, 24-hour storm event, and to provide for diversion of other surface waters

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from the closed facility. This task will require additional subtasks as described in the paragraph below;

- Description of waste disposed, as possible from readily available written records;
- A plot plan of the proposed final contours;
- Estimated date of the last receipt of waste;
- A description of public access controls;
- An estimate of the volume of waste in place;
- An estimate of the total acreage covered by the waste;
- Closure equipment and procedures to be employed;
- Texture, depth and permeability of final cover material. This task will require additional field and office subtasks as described in the paragraph below;
- Design and construction plan for the final cover;
- Placement, design and management of run-on and run-off controls;
- A Construction Stormwater Pollution Prevention Plan;
- Preparation of As-Builts/Record Drawings after the landfill cap and drainage system construction is completed; and
- A description of vegetation types and planting procedures for establishing a vegetative cover, if employed. We will consult with Gate City Properties, Inc. regarding future use and appropriate revegetation plans for the site.

The Closure Plan Application will be submitted for regulatory agency review and comment. Where appropriate the comments will be incorporated in the Final Closure Plan Application submitted to the agency.

Task 4. Closure Plan Implementation

Kleinfelder will oversee field activities associated with implementation of the approved Closure Plan. A scope and cost estimate will be prepared for this task upon approval of the Closure Plan.

Task 5. Closure Certification

Kleinfelder will prepare correspondence notifying the regulatory agency that the facility has been closed in accordance with the approved Closure Plan. We will request that the agency respond in

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writing indicating the facility is satisfactorily closed, and no additional work is required in connection with the landfill.

SCHEDULE

Kleinfelder is prepared to begin work on this project immediately upon receipt of written Notice to Proceed (NTP). The anticipated subsequent schedule is as follows:

Task 1. Client Consultation – One week after NTP.
Task 2. Agency Consultation – One week after completion of Task 1.
Task 3. Closure Plan Application – Four to five weeks after Task 2 to prepare the Draft Closure Plan Application.
Task 4. Closure Plan Implementation – Six to eight weeks after Closure Plan Application approval. This schedule is dependent on construction contractor availability.
Task 5. Closure Certification – One week after completion of all Task 4 activities.

FEES, ASSUMPTIONS AND PAYMENT

Work for this project will be conducted on a Time and Materials basis.

Attendance at additional meetings, review of plans and specifications, preparation of supplemental reports or letters, and other services not expressly described in this Scope of Work are not included in this estimate.

An invoice for our services will be submitted on approximately four-week intervals. If our assessment indicates that conditions are present which may require additional study or a revised approach, we will discuss the situation with you and revise our schedule and fees accordingly.

This estimate was prepared with the following assumptions:

1. A property boundary survey and topographic survey of the existing landfill area will be performed by others.
2. Public notice will not be required.

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3. Final reports for the surface water modeling and HELP modeling will not be required. The modeling results will be summarized in tabular form as appendices in the Closure Plan Application.
4. Collection of six soil samples for analysis for: gradation (six tests), plasticity index (six tests), moisture-density (three tests), and permeability (three tests).
5. Six hours Project Manager time will be budgeted to respond to regulatory agency comments on the Draft Closure Plan Application.
6. Site access will be arranged by others.
7. Stormwater modeling will be performed for three scenarios: impervious cover, native vegetation, and turf grass.
8. Water balance (HELP) modeling for three scenarios: impervious cover, non-irrigated native vegetation, and irrigated turf grass.
9. The grading plan, construction design documents and as-builts will be developed by an Idaho-licensed Civil Engineer retained as a subconsultant.
10. Geotechnical engineering services for the stormwater disposal structures will be scoped once the area for the structures is identified.

LIMITATIONS

Services such as presented in this proposal are subject to limitations including those presented below. Kleinfelder offers various levels of investigative services to suit the varying needs of different clients. Although risk can never be eliminated, more detailed and extensive investigations yield more information, which may help understand and manage the level of risk. Since detailed investigation and analysis involves greater expense, our clients participate in determining levels of service that provide adequate information for their purposes at acceptable levels of risk. Acceptance of this proposal will indicate that the Gate City Properties, Inc. has reviewed the Scope of Work and determined that it does not need or want a greater level of service than that being provided. Any exceptions should be noted and may result in higher fees.

Regulations and professional standards applicable to Kleinfelder's services are continually evolving. Techniques are, by necessity, often new and relatively untried. Different professionals may reasonably adopt different approaches to similar problems. Therefore, no warranty or guarantee, express or implied, will be included in Kleinfelder's scope of services.

During the course of the performance of Kleinfelder's services, hazardous materials may be discovered. Kleinfelder will assume no responsibility or liability whatsoever for any claim, loss

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of property value, damage, or injury which results from pre-existing hazardous materials being encountered or present on the project site, or from the discovery of such hazardous materials. Our standard contract for environmental services contains language indemnifying Kleinfelder from liability or loss arising out of the services covered by this proposal, including liability or loss in connection with pre-existing hazardous materials.

Nothing contained in this proposal should be construed or interpreted as requiring Kleinfelder to assume the status of an owner, operator, generator, or person who arranges for disposal, transport, storage or treatment of hazardous materials within the meaning of any governmental statute, regulation or order. Kleinfelder will not be responsible for notifying governmental agencies, and the public at large, of the existence, release, treatment or disposal of any hazardous materials observed at the project site, either before or during performance of Kleinfelder's services. Kleinfelder will not be responsible for arrangements to lawfully store, treat, recycle, dispose or otherwise handle hazardous materials including cuttings and samples resulting from Kleinfelder's services.

We look forward to working with you on this project. If you have any questions or need additional information, please contact our office at 893-9700.

Respectfully submitted,

KLEINFELDER, INC.

Sean Vincent, P.G.
Senior Hydrogeologist

Andrew Mork, P.G., C.HG.
Idaho Geoscience Manager

G. Alexander Rush, P.E.
Senior Geotechnical Engineer

Enclosure: General Conditions 2005

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CAR05-00013

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AUTHORIZATION FORM

Landfill Closure Services
Former Gate City Steel Landfill
Boise, Idaho
For Gate City Properties, Inc.

Client agrees to the Scope of Work described in this **Proposal and Cost Estimate** and the General Conditions attached and incorporated herein.

By: _____
Chris Nelson

Title: _____

Date: _____

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KLEINFELDER, INC. GENERAL CONDITIONS (PROFESSIONAL SERVICES)

1. **Services.** This Agreement is entered into between Client and Kleinfelder, Inc. ("Consultant") wherein Client engages Consultant to provide professional services ("Services") in connection with the project described in the proposal ("Project") to which these General Conditions are attached. Client agrees that services not specifically described in the Scope of Services identified in Consultant's proposal are not included in the Scope of Services described by Consultant. This Agreement, including the proposal, these General Conditions, Consultant's Addenda and Fee Schedule, represents the entire Agreement between the parties and supercedes any and all agreements between the parties, either oral or in writing, including any purchase or work order issued by Client.

2. **Payment.** Client shall pay invoices upon receipt. Invoices not paid within thirty (30) days of the invoice date shall be subject to a late payment fee of 1½ % per month from the date of invoice. Additionally, Consultant may, upon five (5) calendar days' notice to Client, suspend all Services until paid in full and may terminate the Agreement.

3. **Prevailing Wages.** It is Client's legal responsibility to determine whether the Project is covered under prevailing wage regulations. Unless Client specifically informs Consultant in writing that the Project is a prevailing wage project and is identified as such in Consultant's Scope of Services, Client agrees to reimburse Consultant and to defend, indemnify and hold harmless Consultant from and against any liability, including costs, fines and attorneys' fees, resulting from a subsequent determination that the Project was covered under prevailing wage regulations.

4. **Work Product.** Services provided under this Agreement, including all reports, information, recommendations, or opinions ("Reports") prepared or issued by Consultant, are for the exclusive use and benefit of Client or its agents in connection with the Project, are not intended to inform, guide or otherwise influence any other entities or persons with respect to any particular business transactions, and should not be relied upon by any entities or persons other than Client or its agents for any purpose other than the Project. Client will not distribute or convey such Reports to any other persons or entities without Consultant's prior written consent which shall include a release of Consultant from liability and indemnification by the third party. Consultant's Reports, boring logs, maps, field data, drawings, test results and other work products are part of Consultant's professional services, do not constitute goods or products and are copyrighted works of Consultant. However, such copyright is not intended to limit the Client's use of its work product in connection with the Project.

5. **Standard of Care.** Consultant will strive to perform the Services in a manner consistent with that level of care and skill ordinarily exercised by members of the Consultant's profession practicing in the same locality under similar circumstances at the time the services are performed. This Agreement creates no other representation, warranty or guarantee, express or implied.

6. **Limitation of Liability.** Consultant's potential liability to Client and others is grossly disproportionate to Consultant's fee due to the size, scope, and value of the Project. Therefore, unless Client and Consultant otherwise agree in writing in consideration for an increase in Consultant's fee, Client, including its directors, officers, partners, employees, agents, contractors and their respective assigns, agree to limit Consultant's liability (whether arising from contract, statutory violation or tort) to the greater of $25,000 or the amount of Consultant's fee. This limitation of liability shall apply to all phases of Services performed in connection with this Project, whether subsequent to or prior to the execution of this Agreement. In no event shall Consultant be liable for consequential, incidental or special damages.

7. **Construction Observation.** If included in the Services, Consultant's services during construction, shall be limited to observation and testing of construction operations. Consultant shall not be responsible for constant or exhaustive inspection of the work, the means and methods of construction or the safety procedures employed by Client's contractor. Performance of construction observation services does not constitute a warranty or guarantee of any type, since even with diligent observation, some construction defects, deficiencies or omissions in the Contractor's work may occur. Client shall hold its contractor solely responsible for the quality and completion of the Project, including construction in accordance with the construction documents. Any duty hereunder is for the sole benefit of the Client and not for any third party, including the contractor or any subcontractor. Client, or its designees, shall notify Consultant at least twenty-four (24) hours in advance of any field tests and observations required by the construction documents.

8. **Certifications.** Consultant shall sign certifications only if (a) Consultant approves the form of such certification prior to the commencement of Services, (b) such certification is included in Consultant's Services, (c) the certification is limited to a statement of professional opinion and does not constitute a warranty or guarantee, express or implied. Any certification shall not relieve any entity of its obligations.

9. **Samples.** All samples shall remain the property of the Client. Client shall promptly, at its cost, remove and lawfully dispose of samples, cuttings and hazardous materials. If appropriate, Consultant shall preserve samples obtained no longer than sixty (60) days after the issuance of any document that includes the data obtained from those samples. After that date, Consultant may dispose of the samples or return them to Client at Client's cost.

10. **Client Responsibilities.** Client shall bear sole responsibility for (a) jobsite safety; (b) notifying third parties including any governmental agency or prospective purchaser, of the existence of any hazardous or dangerous materials located in or around the Project site; and (c) providing and updating Consultant with accurate information regarding existing conditions, including the existence of hazardous or dangerous materials, proposed Project site uses, the correct location of Project property boundaries, any change in Project plans, and all subsurface installations, such as pipes, tanks, cables and utilities within the Project site. Client shall cooperate with all requests by Consultant, including obtaining permission for access to the Project site. Client releases Consultant from liability for any incorrect advice, judgment or decision based on inaccurate information furnished by Client or others. If reasonable precautions will be inadequate to prevent foreseeable bodily injury or death to persons resulting from a material or substance, including hazardous materials, encountered on the site, Consultant shall immediately stop work in the affected area and report the condition to Client.

11. **Electronic Media.** Because data stored on electronic media can deteriorate undetected or be modified without Consultant's knowledge, the Client accepts responsibility for the completeness or readability of the electronic media after an acceptance period of 30 days from delivery of the electronic files.

12. **Indemnification.** To the fullest extent permitted by law, Client, including its directors, officers, partners, employees, agents, contractors and their respective assigns, agrees to indemnify, defend, and hold harmless Consultant, its directors, officers, employees and subcontractors from and against all claims, liability, damages, or expenses ("Claims") arising out of, in connection with or relating to any alleged act, failure to act, or other conduct of Consultant, including but not limited to, Claims alleging the negligence or other fault of Consultant, but specifically excepting Claims arising out of Consultant's sole negligence or willful misconduct. Client shall indemnify Consultant even if Client is partially or wholly without fault for such Claims.

13. **Dispute Resolution.** The parties shall attempt resolution of any dispute arising under or related to this Agreement by mediation. Notwithstanding the foregoing, in the event of Client non-payment, Consultant may, at its sole option, waive mediation. Either party may demand mediation by serving a written notice on the other party stating the essential nature of the dispute. The mediation shall be conducted in accordance with the AAA Construction Industry Mediation Rules then in effect within forty-five (45) days from the service of notice. The parties shall share the fees equally. If mediation fails, either party may institute litigation in the state or federal court of the county in which Consultant's office issuing the proposal is located. The prevailing party shall be entitled to attorneys' fees, cost, including costs incurred in the mediation and costs of enforcement of any judgment. The parties expressly waive any statute of limitations for a longer period of time and agree that any action shall be brought within one year from the date of Consultant's final invoice. The parties expressly waive any and all rights to a trial by jury in any action, proceeding or counterclaim brought by either of the parties against the other with respect to any matter relating to, arising out of or in any way connected with this Agreement.

14. **Changed Conditions.** If during the course of performance of this Agreement conditions or circumstances are discovered which were not contemplated by Consultant at the commencement of this Agreement, Consultant shall notify Client of the newly discovered conditions or circumstances, and Client and Consultant shall renegotiate, in good faith, the terms and conditions of this Agreement. If amended terms and conditions cannot be agreed upon within thirty (30) days after notice, Consultant may terminate this Agreement and Consultant shall be paid for its services through the date of termination.

15. **Governing Law.** The laws of the State where the Agreement was entered into shall govern interpretation of this Agreement. If any term is deemed unenforceable, the remainder of the Agreement shall stay in full force and effect.

16. **Additional Provisions.** Neither party may assign its interest in this Agreement without the prior written consent of the other. Any modification to this Agreement will be effective only if it is in writing signed by the party to be bound, except that if Consultant has performed services in reliance on Client's verbal approval to proceed, Client shall be bound by such verbal approval. One or more waivers of any term, condition or covenant by either party shall not be construed as a waiver of any other term, condition or covenant. This Agreement may be signed in counterpart.

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of property value, damage, or injury which results from pre-existing hazardous materials being encountered or present on the project site, or from the discovery of such hazardous materials. Our standard contract for environmental services contains language indemnifying Kleinfelder from liability or loss arising out of the services covered by this proposal, including liability or loss in connection with pre-existing hazardous materials.

Nothing contained in this proposal should be construed or interpreted as requiring Kleinfelder to assume the status of an owner, operator, generator, or person who arranges for disposal, transport, storage or treatment of hazardous materials within the meaning of any governmental statute, regulation or order. Kleinfelder will not be responsible for notifying governmental agencies, and the public at large, of the existence, release, treatment or disposal of any hazardous materials observed at the project site, either before or during performance of Kleinfelder's services. Kleinfelder will not be responsible for arrangements to lawfully store, treat, recycle, dispose or otherwise handle hazardous materials including cuttings and samples resulting from Kleinfelder's services.

We look forward to working with you on this project. If you have any questions or need additional information, please contact our office at 893-9700.

Respectfully submitted,

KLEINFELDER, INC.

Sean Vincent, P.G.
Senior Hydrogeologist

Andrew Mork, P.G., C.HG.
Idaho Geoscience Manager

G. Alexander Rush, P.E.
Senior Geotechnical Engineer

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CLARK DEVELOPMENT

479 MAIN STREET

BOISE, IDAHO 83702

(208) 342-2625

facsimile transmittal

DATE: 5/18/05

TO: Bruce Eggleston FAX: 384-3753

FROM: ANNA ARRANTS FAX: (208) 342-2627

RE: 2510 Warm Springs - former gate City Steel site

MESSAGE:

Kleinfelder proposal - landfill closure

Number of pages including cover sheet: 11

If transmission is incomplete, please call (208) 342-2625

CAR05-00013

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Boise City Planning & Development Services
150 N. Capitol Blvd ▪ P O Box 500 ▪ Boise, Idaho 83701-0500
Phone 208/384-3830 ▪ Fax 384-3753 ▪ www.cityofboise.org/pds

Planning Division Staff Report

File Number	CAR05-00013
Applicant	Warm Springs Enterprises LLC.
Property Address	2570 E. Warm Springs Avenue, Boise
Public Hearing Date	May 9, 2005, then deferred to June 6, 2005
Heard by	Boise Planning and Zoning Commission
Planning Analyst	Bruce Eggleston, AICP, Planner II

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Attachments

Application CAR05-00013 and support material
Other agency comments:
- Boise Parks and Recreation Department
- Idaho Fish and Game Southwest Region
- Boise Public Works Department
- Independent School District of Boise City #1
- Kleinfelder, Inc. Geological Engineers

Letters from the public:
- Russ & Phyllis Slifer
- Homer Wise

Executive Summary

Planning Analyst: Bruce Eggleston, AICP
Applicant Warm Springs Enterprises LLC.
Property Address 2570 E. Warm Springs Avenue

Description of Applicant's Request: The applicant requests three amendments to the *Boise Comprehensive Plan:*
1) To amend the Planning Area Map to take the subject property out of the Foothills Planning Area and put it in the North End/East End Planning Area;
2) To amend the Land Use Map from Foothills/Buildable Area and Estate Density to Residential/Medium Density; and,
3) To amend the text of Chapter 8 Objective 16 to add a policy 10 concerning the proposed land use for the subject parcel.

Prior Action: This property was the subject of previous Boise City applications for a Comprehensive Plan Land Use Map Amendment, CAR03-00052, and an Annexation with a Rezone, CAR03-00051. Concurrent with those applications were a conditional use application, CUP03-00113, for a 52 dwelling unit Planned Development and a Hillside review, CFH03-00028. These applications were all withdrawn October 19, 2004, with no action taken by the City Council.

The property is vacant and has not been occupied since the Gate City Steel building burned in 1994 or 1995. Prior to that time, and after conflagration of the steel mill operation, a self-storage operation may have been approved on the site by the County.

The subject property is in Ada County with M1 zoning.

Summary Analysis:

This application proposes that the Gate City Steel site should be withdrawn from the Foothills Planning Area, and the *Boise Comprehensive Plan* Land Use Map amended to apply the Medium Density Land Use designation and the North End/East End Planning Area to the property. The request includes the addition of a policy that would allow "a mixture of housing types, and integration into and protection of adjacent open space and recreational areas". The application further states that the property has been adequately cleaned up from its previous steel milling operations to make residential development a safe and acceptable use. Lastly, the application proposes that development of the property would not commence until the proposed East Parkcenter Bridge is constructed, to avoid overburdening traffic on Warm Springs Avenue, which is operating beyond its intended capacity.

Planning staff believes that in some ways, the site still has characteristics associated with Foothills property, particularly in regard to the slopes, boulders, wildlife habitat and corridors, wildfire risk and trails on its periphery. However, we also acknowledge that through prior agreements with the Boulder Heights Estates Subdivision approval, CAR00-00021/DA, some of

those values have been adequately preserved and/or addressed for portions of the subject parcel that were sold to J.H. Wise & Sons. Preservation of those values resulted from the transfer of approximately 20 dwelling units from land at the base of Table Rock to the Boulder Heights Estates Subdivision in 2002.

If the remaining flat area of 14.5 acres were subject to the Foothills Plan development standards, only 10 to 14 additional dwelling units could be constructed on the site (10 units on 50% of the property at 1.45 units per acre, or 14 units on 25% of the property at 3.88 units per acre). Either scenario would leave a large area (seven to ten acres) in a permanent vacant/open space condition. While the policies of the *Foothills Policy Plan* recommend preservation of open space and natural habitat, the subject property is not in a natural condition, and it has little habitat. The site has been dumped upon and graded for many years and there is no natural vegetation or terrain associated with it today. Unless it was restored to upland habitat conditions, there is no natural habitat value associated with it, except as a wildlife corridor to the Boise River.

Since the City has not identified any Foothills value or other recreational value for seven to ten acres of entirely degraded open space at this location, application of the Foothills requirements on the property today seems wasteful and somewhat inappropriate. From this perspective, the proposal for a Low Density Residential land use designation seems reasonable.

However, several constraints remain. The applicant and landowners must still demonstrate to the City's satisfaction that the site has been sufficiently cleaned up to allow for the proposed level of **residential** use. They have not demonstrated that traffic capacity exists on Warm Springs Avenue to accommodate the proposed development potential. Because it is not required for a Comprehensive Plan amendment, a site plan has not been offered that would demonstrate how some of these issues might be addressed in a conceptual form, in order to accommodate the unique setting. Thus, planning staff cannot recommend approval of the applicant's request for the more intense Medium Density Land Use Designation.

The most problematic issue with any Foothills development proposal remains the lack of traffic capacity, in this case on Warm Springs Avenue. The applicant's justification focused on construction of the planned East Parkcenter Bridge, and the projected traffic capacity that it might provide for the area. It is a big factor, but it should not be considered as the sole means for capacity to be added to the system, and its construction does not guarantee that there will be adequate traffic capacity on Warm Springs Avenue for any intensive urban land use. One can further say that the construction of the bridge does not ensure there will be sufficient capacity on Warm Springs Avenue for the subject property to develop at even the Comprehensive Plan's Low Density land use potential.

Planning staff has formulated a recommendation that allows for re-designation of the property. The lack of traffic capacity, the proximity to public recreation sites and the wild land/urban interface that may require buffers/setbacks, and the potential for some contaminated areas to be unusable all argue for lower density lower impact uses. This recommendation would change the

land use designation to Low Density Residential 4, rather than the Medium Density as requested by the applicant.

Staff Recommendation:

Planning Staff recommends approval of CAR05-00013 to:

1) change the Planning Area designation from Foothills Planning Area to North End/East End Planning Area,
2) to amend the *Boise Comprehensive Plan* Land Use Map designation from Foothills Slope Protection to Low Density Residential 4 Units per Acre, and
3) to add the proposed Policy 10 to Chapter 8 Objective 16 as modified by staff below.

The proposed amendment to the *Comprehensive Plan,* Chapter 8 Objective 16 to add a Policy 10 should be revised as follows:

Policy 10: The Gate City Steel area across from Warm Springs Golf Course is an appropriate location for low density residential infill development potentially including limited professional office uses. Timing of development should be tied to availability of sufficient traffic capacity on Warm Springs Avenue for the proposed uses.

Considerations for approval of low density residential uses are:

a. provision of high quality site and building design,
b. a mixture of housing types,
c. integration into and protection of adjacent open space and recreational areas.

I. Facts and Circumstances

Notifications

Neighborhood Meeting: March 23, 2005
Newspaper notification published on: April 30, 2005
Radius notices mailed to properties within 300 feet on: April 30, 2005
Staff posted notice on site on: April 18, 2005

Applicant/Status: Warm Springs Enterprises, LLC.

Location of Property: 2750 E. Warm Springs Avenue, Boise

Size of Property: 14.5 acres

Description of Applicant's Request: The applicant requests three amendments to the *Boise Comprehensive Plan:*

1) Amend the Planning Area Map to take the subject property out of the Foothills Planning Area and put it in the North End/East End Planning Area;
2) To amend the Land Use map designation from Foothills Slope Protection to Residential/Medium Density; and,
3) To amend the text of Chapter 8 Objective 16 to add a policy 10 concerning the proposed land use for the subject parcel.

   Policy 10: The Gate City Steel area across from Warm Springs Golf Course is an appropriate location for medium density residential infill development potentially including limited professional office uses. Timing of development should be tied to construction of the East Parkcenter Bridge. Considerations for approval of medium densities are provision of high quality site and building design, a mixture of housing types, and integration into and protection of adjacent open space and recreational areas. New urban design is not required in this area.

Present Zoning: M1 (Light Industrial) – Ada County Zoning

Functional Street Classification:
Warm Springs Avenue is an Urban Collector in the vicinity of the subject property, further to the west, Warm Springs Avenue is a Minor Arterial.

Applicant's Statement/Justification:
Please refer to applicant's application and material date stamped received March 29, 2005.

Land Use

Existing Land Use:
Vacant – The site was previously the location of the Gate City Steel industrial operation.

Description and Character of Surrounding Area:
Adjacent Land Uses and Zoning:
North: Vacant – rocky hillside (Table Rock Heritage Preservation Site) owned by Boise City
South: Boise River, Greenbelt, Warm Springs Golf Course
East: Boulder Heights Estates Subdivision
West: Vacant, Warm Springs Golf Course

History of Previous Actions:
This property was the subject of previous Boise City applications for a Comprehensive Plan Land Use Map Amendment, CAR03-00052, and an Annexation with a Rezone, CAR03-00051. Concurrent with those applications were a conditional use application, CUP03-00113, for a 52 dwelling unit Planned Development and a Hillside and Foothills Development Area review, CFH03-00028. These applications were all withdrawn October 19, 2004, with no action taken by the City Council.

The property is currently vacant and has not been occupied since the Gate City Steel building burned in 1994 or 1995. Prior to that event, and after closure of the steel operation, a self-storage operation may have been approved on the site by the County.

The subject property is in Ada County with M1 zoning.

Hazards: The property was the subject of a Division of Environmental Quality (DEQ) consent order for clean up of hazardous waste associated with the operation of the Gate City Steel Mill. The Public Works Department has also noted that this site is subject to potential rock fall hazards. The Fire Department has indicated that the property is adjacent to wildlands thus being at risk for wildfire. The property is not located in the floodplain.

Public Services Available:

Service	Yes	No
Sewer	X	
Water	X	
Fire Protection	X	

Comprehensive Plan

The property is designated on the *Boise Comprehensive Plan* Land Use Map as Foothills Planning Area, Slope Protection Area. This designation allows residential development on areas of less than 25% slope and allows a density bonus in return for preservation of open space. The applicant is requesting that the property no longer be considered to be in the Foothills Planning

Area, and re-assigned to the North End/East End Planning Area, and, that it be re-designated to Medium Density Residential (8 to 15 Units Per Gross Acre).

Zoning Ordinance

The property is zoned M1 (Light Industrial) in the County. There is no requested rezone or annexation, as this is a Comprehensive Plan application only. The County zoning restricts the site to industrial uses with no potential for residential development. Because the site is contiguous to the City limits, any development permit application would have to be made to the City with a petition to annex in accordance with State statue.

If the Land Use Map Amendment were granted to Medium Density Residential, the recommended zones for the use would be Open Land A, R-1A, R-1B, R-1C, R-2, L-O, and PC. These zones would allow the full range of residential uses with office in the L-O, and commercial and residential in the PC zone.

The following tables demonstrate the allowed densities for the recommended zones under the land use designations from the Land Use/Consistency Matrix, in Chapter Eight of the *Comprehensive Plan.*

The first table shows the potential compatible land use designations that the Council could assign to the subject property, assuming that it was granted removal from the Foothills Planning area. The 20% density bonus is also shown because the application and proposed text amendment to the Plan would characterize the property as eligible as "Infill" land.

The second table demonstrates the maximum potential number of units for the 14.5 acre subject property for each zone with both the standard and infill densities calculated.

Land Use / Zoning Consistency Matrix (excerpts)
Zoning Density
Maximum Units Per Acre

Land Use	A	R-1A	R-1B	R-1C	R-1M	R-2	L-O	PC[5]
Estate Residential 2	1	2.1						
With infill density bonus	1.2	2.52						
Estate Residential 3	1	2.1	4.8				43.5	
With infill density bonus	1.2	2.52	5.76				52.2	
Low Den. Residential 4	1	2.1	4.8	8			43.5	
With infill density bonus	1.2	2.52	5.76	9.6			52.2	
Low Den. Residential 6 [2]	1	2.1	4.8	8			43.5	
With infill density bonus	1.2	2.52	5.76	9.6			52.2	
Town Lot 8 [2]	1	2.1	4.8	8	12		43.5	
With infill density bonus	1.2	2.52	5.76	9.6	14.4		52.2	
Med. Density Residential	1	2.1	4.8	8	12	14.5	43.5	21.78
With infill density bonus	1.2	2.52	5.76	9.6	14.4	17.4	52.2	26.14

Footnotes:
1) See Land Use policies for exceptions to this matrix and further clarification of its application.
2) May be implemented with proposed Modular Lotting Ordinance.
3) May be most appropriately implemented with a Specific Plan.
4) Intended for CBD only - see *Downtown Boise Plan.*
5) If property has frontage on an arterial street.

Zone	Density Units/Acre	Standard Yield on 14.5 acres = Units	Density Bonus Units/Acre	Infill Yield on 14.5 acres = Units
A-Open	1.0	15	1.2	17
R-1A	2.1	31	2.5	37
R-1B	4.8	70	5.8	84
R-1C	8.0	116	9.6	139
R-2	14.5	210	17.4	252
R-3	43.5	631	52.2	757
P-C	21.8	316	26.1	379
R1-M	12.0	174	14.4	209
L-O	43.5	631	52.2	757

The requirements for an "Infill" density bonus are found in Section 11-06-05.03 H. In brief it states that at least 80% of the land within 300 feet of the subject site should be largely developed

with municipal services available. The merits of the infill status of this site would be the subject of zoning and/or conditional planned development application and hearing.

II. STANDARDS OF REVIEW

The Zoning Code Section 11-08-06.02 Criteria and Findings, includes criteria that must be met prior to adoption of a Comprehensive Plan Amendment. Those criteria are as follows:

A. That the amendment is required for the public convenience or necessity, or for the general welfare of the community;

B. That the amendment is necessary to address changes in conditions within the community that have occurred since the Comprehensive Plan was adopted; or is necessary to correct one or more that exist in the Plan;

C. That the amendment is in compliance with and will further the goals, objectives and policies of the Plan;

D. That the amendment will not create inconsistencies between the goals, objectives and policies within or between any chapter of the Plan;

E. That the amendment will not place an undue burden on transportation or other public facilities in the planning area and does not adversely impact the delivery of services by any political subdivision providing services.

In addition there are many goals, objective and policies that may be found to be applicable to application. Staff has identified those applicable statements in the attached Appendix to this report.

Agency Comments

Idaho Fish and Game Southwest Region wrote about their concerns with the high rate of collision between automobiles and mule deer. "Warm Springs Avenue along the golf course has had the highest rate of automobile/mule deer collisions compared to the rest of Warm Springs." They state that a wildlife corridor would be appropriate for this vicinity, and that a development here might block wildlife migration to the Boise River. Such a corridor would ideally be between 600 and 1,000 feet wide and support native vegetation such as sage brush and bitter brush. (See letter dated April 29, 2005)

Boise City Public Works Department has stated that central sanitary sewer is required, and the proposed development project is subject to a Hillside Ordinance review when development applications are made.

The Independent School District of Boise City #1 commented, that "the developer and/or Owner have made arrangements to comply with all requirements of the Boise School District."

Boise Parks and Recreation Department had no comments on the Plan amendments. They did request that if the property were to be rezoned to residential, that a potential amenity would be to provide six or seven trailhead parking stalls for the Ridge-To-Rivers Trails located on the adjoining property. They were also concerned that the ingress/egress points were coordinated with those of the Warm Spring Golf Course across Warm Spring Avenue.

Public Comments

Letters from the public:
Russ & Phyllis Slifer's letter states that they would support only residential uses that do not exceed four units per acre. They are adjacent land owners. They are also concerned about the existing wildlife corridor on the site, the potential for wildfire damage. They cautioned that removing this site from the Foothills Planning area would set a difficult precedent.

Mr. Homer Wise, an adjacent land owner, states that, "We feel this is the best use for this property and works positively to help Boise City's goal to limit urban sprawl, recognizing the fact that this project could only proceed when Warm Springs Avenue traffic issues are resolved to allow for more vehicle trips."

III. REASON FOR THE DECISION

Boise City Comprehensive Plan

Compatibility of Land Uses

The over-arching goal of the Plan is to permit land uses that achieve compatibility as much as possible. The proposed amendments would be the policy guidelines for land uses that would be compatible with the adjacent residential subdivisions on Warm Springs Mesa. The property is also adjacent to a City Park Reserve, a single family dwelling, and across the road from a golf course. Transitions in the development would be considered to achieve compatibility there with these uses

4.3 Wildfire Hazard
Goals, objectives and policies
Minimize the degree of risk to life and property from wildfire.

Objective 1
Utilize a combination of development standards, public facilities and public education to minimize wildfire danger.

1) Implement development standards such as a mitigation measures matrix, access standards, non-combustible roofs, sprinklers, clear space and other measures in areas prone to wildfire.

EH4 Ordinances

4.4 Hazardous Materials
Goals, objectives and policies
Minimize the degree of risk to life and health from exposure to hazardous materials.

Objective 1
Protect life and health through proper location of hazardous facilities and separation of sensitive uses.
Objective 2
Protect life and health through the remediation of contaminated sites.
3) Require testing and remediation before development of any site identified on the contaminated sites list.
EH3 Development Review Process

Parks and Recreation, Objective 3
Provide trails and pathways that are designed for single or multiple types of users, that create linkages to other areas and facilities and can provide non-vehicular options for travel throughout the community. Strive to provide multiple use recreation trails at a ratio of 0.41 miles per 1,000 population.
3) Developers shall comply with the pathway plans identified in the Ridge to River pathway plan and the Comprehensive Park and Recreation System plan by designating and preserving multiple-use paths and trails for public acquisition, by dedicating land exchanges or cluster development in exchange for density transfers, or by other development bonuses.
PRC3 Ordinances

Chapter 8 Goal 1:

Achieve a city that minimizes suburban sprawl, that provides for a diverse mixture of lifestyles and atmospheres and a sense of place that varies throughout the different areas of the City, and that efficiently provides basic services and facilities in close proximity to where people live.

Objective 1

The land-use map and attendant policies shall be the official guide for development of the planning area and shall be implemented through zoning and development review.

1) The Land Use/Zoning Consistency Matrix shall identify the zoning districts that are permissible within each land use designation. Conformance with the Land Use/Zoning Consistency Matrix shall be a necessary finding of approval for all zone changes and conditional uses, unless one or more of the forms of flexibility identified in the policies under Objective 2 are implemented.

Analysis

Background:
The subject property was the site of the Gate City Steel Mill, which was in operation from the 1940's up into the 1970's. The plant closed in 1977 and sat empty until it burned to the ground in 1994 or 1995. The property has remained vacant since then. It is incorporated and has County Industrial zoning.

The property was the subject of an Idaho Division of Environmental Quality (DEQ) consent order in the early 1990's to clean up contamination from the steel mill operation. According to a letter from Kleinfelder, Inc. dated April 14, 2005, "No record of landfill Operating Plans or Closure Plans are available from the current owners or regulatory agencies. Written documentation provided by Gate City Properties, Inc. included a Letter of Closure from the Central District Health Department (CDHD) dated January 14, 1994." There was some unknown clean up activity on the site during the 1990s, but the question is still unanswered concerning the safety of the site for the proposed residential development.

When the *Foothills Policy Plan* was formulated in the 1990's, Warm Springs Avenue became one of the boundaries for the Foothills Planning Area in the vicinity of the subject property. At the time that the Foothills Plan was adopted, the Gate City Steel site was a 47 acre property under single ownership that included the subject property, the flat portion at the toe of the hillside, as well as the sloped areas that surround it. Consequently, when it was mapped on the Foothills Land Use Map, the sloped portions became the dominant feature of the site and it was characterized on the much generalized Land Use Map as "Slope Protection Area."

As currently designated the *Foothills Policy Plan* and the Foothills Planned Development Ordinance, Chapter 11-06-05.07.04, would apply to the subject property. They require a detailed slope analysis process that would be used to identify the buildable areas (less than 25% slope) and residential development would be required to be clustered at low densities (generally .5 to 4 units per acre) in exchange for set-aside of some of the flat land (25% to 75%) as open space.

In 1999 J. H. Wise & Sons, Inc. purchased the sloped areas of the original Gate City Steel property to provide open space and roadway access to the Boulder Heights Estate project. All that is left of the original Gate City ownership is the flat 14.5 acres below the toe of the slopes.

There was a previous request by Mr. Bill Jeppesen for the subject site that was heard May 10, 2004, to amend the Comprehensive Plan Land Use Map for 14.45 acres from Foothills Planning Area to Low Density Residential 4 Units per Acre, with a concurrent request to annex the property to Boise City with a change of zoning from County M1 (Industrial) to City R-1C (Low Density Single Family). There was also a separate concurrent request to approve a 52 unit single family subdivision and a 10,000 square foot specialty retail center as a Planned Unit Development, and a request for approval of a Hillside permit. They are applications CAR03-

00005, CUP03-00113, and CFH03-00028. All these applications were withdrawn before they went to City Council.

The current applicant is requesting that the property should be removed from the Foothills Planning Area, since there are no longer any sloped areas greater than 25%, or other Foothills-related features associated with the property. Their application letter also characterizes the property as an infill "brownfield property ... because there was contamination of the property during its use for steel manufacturing."

The applicant is further requesting that the property be designated as Medium Density Residential 8 to 15 Units per Gross Acre, and that the *Comprehensive Plan* should be amended by adding to Chapter 8 Objective 16 a policy concerning the proposed land use for the subject parcel. The text of that proposed amendment is as follows:

> Policy 10: The Gate City Steel area across from Warm Springs Golf Course is an appropriate location for medium density residential infill development potentially including limited professional office uses. Timing of development should be tied to construction of the East Parkcenter Bridge. Considerations for approval of medium densities are provision of high quality site and building design, a mixture of housing types, and integration into and protection of adjacent open space and recreational areas. New urban design is not required in this area.

In reviewing this application, Boise staff believes that there are a number of significant issues that must be addressed:

1. Should the property be considered to no longer be a valid portion of the Foothills Planning Area, and thus no longer subject to the cluster development requirements of the *Foothills Policy Plan* and the Foothills Planned Development Ordinance? If not, what should be the land use designation?

2. Has the property been adequately cleaned up from its prior industrial use to be suitable for residential uses requested by the proposed amendments?

3. Are there any public uses that are appropriate for any portion of the property, based on its immediate proximity to public land, trails, and wildlife habitat and migration corridors in the Foothills and along the Boise River?

4. How much information or certainty is there about street capacity on Warm Springs Avenue?

5. Are there other uses that may be appropriate for the site?

The following analysis will focus primarily on these issues.

Foothills Planning Issues

In 1997, at the time of adoption of the *Foothills Policy Plan*, the Gate City Steel site was a single ownership of 47 acres. That ownership included 14.5 acres of flat land at the toe of the slope, and 32 acres of sloped land to the north and the east of the flat land. In 1997 Mr. Paul Wise, the developer of the adjacent Warm Springs Mesa, was seeking development of what came to be called Boulder Heights Estates Subdivision on the Mesa.

Since the *Foothills Policy Plan* had been adopted, Mr. Wise' development was subject to its policies. In order to achieve the residential unit count he desired, Mr. Wise's project required 1) a new access road from the west up to the Mesa, and, 2) additional land that could be set aside as open space to qualify for the Foothills Density Bonus. Both of those opportunities existed on the Gate City Steel site.

Mr. Wise initially sought to buy an easement down through the central flat portion of the Gate City Steel property for the roadway alignment. However, the asking price was too high and the family eventually was able to purchase only the southeast and north sloped portions of the site. The new roadway from Warm Springs Avenue to the Mesa was designed to traverse the slope on the east portion of the Gate City Steel property. The slopes on the north side of the Gate City Steel property were designated by the City as a Heritage Preservation site due to their boulder-strewn character and their visual prominence as the lower face of Table Rock. Consequently, under the provisions of the *Foothills Plan*, their preservation qualified the owner for a density bonus, even though they were on undevelopable sloped terrain. Planning staff estimates that Boulder Heights purchased the right to approximately 20 additional dwelling units from the Gate City Steel property in addition to the roadway portion, which was essential to allowing the subdivision to be constructed.

As it stands today, the Foothills resource values long-associated with the Gate City Steel site have largely been utilized in the Boulder Heights project. With the possible exception of the bottom of the draw on the eastern-most end of the site, there are no longer any adjacent hillsides or Foothills features that can be physically combined with the property to create the type of resource-protective project envisioned by the *Foothills Plan* and Foothills Planned Development ordinance. The applicant is therefore requesting that the property now be considered "non-Foothills" property and be designated on the *Comprehensive Plan* Land Use Map as standard Medium Density Residential 8-15 Units per Gross Acre in the North End/East End Planning Area. This would allow a conventional single-family or multiple family subdivision, and would not imply any requirement for clustering or access to Foothills resources.

The applicant is not proposing a development plan for the property with this application, nor is there a requirement for a development plan for this type of application. The applicant characterizes the site as suitable for infill development, and "... clustering development and constructing medium or high density clustered and attached residential types." If granted the Medium Density Land Use, the property could be rezoned to R-2 with an allowable density of 14.5 dwelling units per acre. This could result in approximately 150 to 250 dwelling units on the

site, depending on the permits granted and the site design. The applicants also indicated they wanted the potential for professional office uses.

If the property were retained as part of the Foothills Planning Area, the type and amount of development as proposed by the applicant would not be possible. A considerable portion of the property would be required to be set aside as permanent open space. That property would most likely be located adjacent to the unique sloped areas. However, as most of the site has long been graded and scraped clean of native vegetation and is largely flat, there are no traditional Foothills habitat values associated with the area today. Still, if half the property were set aside as open space, the remaining 7 acres could be developed at 1.5 units per acre for a total of ten units. If 75% of the site were preserved as open space the remaining 3.6 acres could be developed at four units per acre for a total of 14 units. If public access were provided on a public trail system, or a public trailhead parking lot provided on the property, some small additional density bonus might be possible. The main difference between designating the property as non-Foothills Medium Density versus Foothills Buildable is the resulting dwelling unit yield of 250 potential units versus 10 to 14 units (maybe 16 units if public use were deeded on an acre of the set aside open space).

This issue of unit yield has its own relationship to the *Foothills Policy Plan*. Although many of the *Foothills Policy Plan* standards deal with natural resource protection, another focus of the Plan was that of traffic generation, roadway capacity and neighborhood protection. The Plan determined that there was more development potential in the Foothills than there was roadway capacity on the street system leading into and out of the Foothills. Consequently, the *Foothills Policy Plan,* and the *Interim Foothills Transportation Plan* have the dual purpose of preserving environmental resources in the Foothills and preserving roadway and neighborhood resources below the Foothills. The resulting *Foothills Policy Plan* was purposefully crafted to limit the amount of development that could occur for both of those reasons. The effect in this particular case is that while the Gate City Steel site may no longer have Foothills resource values associated with it, the property still sits in an area where roadway capacity is limited and where Foothills density limitations pertain. That issue will be discussed in greater detail in the Roadway Capacity section of this report.

A final Foothills issue pertains to wildfire concerns. Although the property is flat and does not contain natural habitat or vegetation, it immediately abuts property that is subject to wildfire threat. As a result, the Fire Department considers the Gate City Steel site to be in the Foothills and will require a defensible space setback from the wildland slopes to the east and north.

Based on the above analysis staff has concluded that the subject site no longer has any significant Foothills qualities or values, and therefore recommends its removal from that Planning Area. The applicant's request to include the site in the North End/East End Planning Area is the most logical and appropriate designation and staff would recommend that change of Planning Areas.

Hazardous Soils and Materials

The Gate City Steel site is the historic location of a long-term steel working operation and has been the subject of State requirements for clean up of contamination. Specifically, in May 1992, then-owner Valley Bank was issued a Consent Order by the Idaho Division of Environmental Quality, requiring that contamination be removed from the site according to the standards and requirements of DEQ. The identified contaminants included lead, chromium and petroleum hydrocarbons associated with underground storage tanks. Historic records also indicated that mill waste had been land-filled on the site and that trichloroethylene (TCE) had been detected in one of the wells on-site.

The consent order required Valley Bank to further investigate and document the presence and distribution of hazardous wastes on the site, both in the soil and in the groundwater, and remove them to comply with DEQ's standards. They were also required to properly close several wells on the property and to monitor the site for one year after completion of clean up.

In August 1995, DEQ sent a letter to Valley Bank indicating that the terms of the Consent Order had been complied with, and terminated the Consent Order. The current owner of the property now maintains that the property is free of contamination.

As stated in the previous staff report and review in the 2004 applications, Boise City staff has some concerns with the cleanup of the site. The cleanup occurred over a decade ago when standards for remediation were not as refined as they are today. It also occurred with the understanding that the property was zoned for industrial rather than residential uses. Those two situations have raised some concern among Boise Public Works staff. Specifically, staff asked in 2004 for documentation of the clean up, as well as clarification of whether those cleanup levels are acceptable for residential use of the site. Public Works has also noted that an unclosed production well remains on the site in apparent contradiction to the requirement of the Consent Order that wells must be properly closed.

In response to the City's questions, the 2004 applicant provided a letter dated April 7, 2004 from DEQ Director Steve Allred, providing some information. He cites the standards that the DEQ required for the cleanup and indicates that the Consent Order was terminated based on compliance, although he does not provide actual documentation to that effect. He also did not answer the question of whether or not those standards were for industrial or residential uses. The DEQ's focus at the time was on protection of the groundwater, rather than on concerns related to soil ingestion or exposure such as could occur in a residential setting. On the issue of the well closure, Mr. Allred stated that since the Consent Order was terminated, the wells should have been properly closed, but he had no documentation that such was the case. These problematic circumstances persist today.

Another issue that remains unaddressed is in regard to soil import that has occurred on the site since 1994. After the steel mill burned to the ground, the debris was removed and the site was marketed for sale. During this time, a considerable amount of fill material was brought to the site from the excavation that occurred for the Grove Hotel at Capitol Boulevard and Front Street.

There is a possibility that some of this soil may have been contaminated with petroleum and other products associated with the historic rail yard and related uses along what is now Front Street. Boise City was concerned that the nature of that soil was not tested and documented prior to placement on the Gate City Steel site and the status of the imported soil was not known.

Lastly, in recent years considerable illegal dumping has occurred on the site. There is no documentation of what types of substances may be included in the soils and materials that have been incrementally accruing on the site.

Staff was aware that the landowner was working with a hazardous materials consultant in 2004 to review the earlier remediation efforts and to survey and sample the site as it is today. Their work involved testing water in the existing production well, sampling the soil that has been imported to the site in the past ten years and monitoring the removal of the trash that has been illegally dumped on the site. Their sampling work through 2004 has revealed no hazardous levels of contaminants except in one area of the former landfill. Boise Public Works and Planning staffs are maintaining contact with the consultant on this study and are currently satisfied that it is proceeding correctly.

The subject application addresses this issue with this statement, "While in the ownership of a bank in the 1990's there were extensive studies, cleanup activities and regulatory review by U. S. EPA and Idaho DEQ. These agencies reviewed and approved the extensive cleanup efforts and results." On May 18, 2005 staff received a FAX from the applicant comprised of a proposal for Landfill Closure Services from Kleinfelder, a local geotechnical engineering firm. This shows a good-faith effort on the part of the applicant to find a solution to the long-standing hazardous waste issue on the site.

Public Use Issues

The Gate City Steel site is located in close proximity to a variety of public resources. These include Table Rock; the Boyer-Satz Foothills property now owned by the City; the Boulder Heights Heritage Preservation slope area; the Foothills trail system on all those properties to the north (with a future trailhead just to the west of Gate City Steel); Warm Springs Golf Course to the southwest; and the Boise River and Greenbelt to the south and west. Although the subject property has not historically been used for access to either the Foothills or the golf course, it has been unofficially used for many years as a parking area for access to the Boise River and Greenbelt. Fishermen and kayakers have parked on the edge of the property when accessing the river immediately across Warm Springs Road.

The unofficial use of the Gate City Steel site as parking for river access points to the apparent need for some sort of facility in the area for river users. However, the lack of a traffic signal on Warm Springs Road at that location has created a hazardous street crossing for river users. The Boise Parks and Recreation Department has never advocated the use of the Gate City Steel site as a parking area for river users, as the landowner has never authorized it.

Although roadside parking has been dangerous in the past, there are some changes occurring in the area that could increase the feasibility and value of public parking on the site in the near future. One change is the construction of the new collector road, Windsong Drive from Warm Springs Avenue, onto the Mesa on the eastern edge of the property. A proposal is before the City to install a traffic signal at the intersection with Warm Springs Road, which includes a pedestrian crossing signal to provide safe access to the Greenbelt.

At the other end of Gate City, just past the western edge, is a future trailhead for the public trail that has been constructed on the Boyer-Satz property and the Heritage Preservation slope area that was once a part of the Gate City property. There is no room on the narrow City owned property at the trailhead for a parking lot, so the Golf Course parking lot across Warm Springs will be used for parking. If this occurs, there will also be a need for a pedestrian signal on Warm Springs Avenue at that location.

These two situations indicate that the Gate City Steel site could have value for the provision of a small public parking lot providing access to the river and/or the Foothills Ridge-to-River trail system. However, the Parks and Recreation Department has not pursued acquisition of land on this site and is not proposing to do so at this time. They have indicated that under a Conditional Use Permit application for a Planned Unit Development, they may see some value in pursuing a shared parking agreement for a few parking spaces. They would also probably ask for land for a separate trailhead parking lot, as an amenity under the PUD ordinance.

Roadway Capacity and Access Issues

Trip Generation

Warm Springs Avenue in the vicinity of the Gate City Steel site is classified as an Urban Collector. West of Old Penitentiary Road, Warm Springs Avenue is classified as a Minor Arterial. The traffic analysis submitted with the 2004 applications indicates that Warm Springs Avenue adjacent to the site is carrying 8,400 Average Daily Trips (ADTs), placing the road at the upper end of the acceptable Level of Service (LOS) C capacity of 8,500 ADTs for an Urban Collector. T The Gate City project will push this portion of Warm Springs past LOS C until such time as the East Parkcenter Bridge is constructed and traffic may divert to the Boulevard.

Further west Warm Springs Avenue carries much higher volumes. Due to the residential nature of the area it services, Warm Springs Avenue has an established planning threshold capacity of 14,175 average daily trips. However, in 2004 the ITD counter at Warm Springs Avenue and Walnut Street indicated that the roadway is operating at 14,800 ADTs. This means that the street is currently operating somewhat beyond its intended capacity.

No traffic study was submitted with the application, and none is required with this type of application. The staff estimates that the 150 to 250 potential dwelling units would each generate 9.57 trips per day per unit for a range of 1,436 to 2,010 additional daily trips.

Traffic generation tables used the Ada County Highway District to evaluate land use impacts state that industrial uses generate 3.485 trips per 1,000 square feet of building floor area. They also calculate that 20% of an industrial site would be in buildings. Typical industrial use on 14.5 acres is calculated to generate 881 average daily trips. The 881 ADTs provides a means to compare the current industrial zoning and its traffic impacts with the applicant's proposed land uses and the corresponding traffic impacts.

The number of average daily trips that would be generated by industrial uses at build-out is approximately 881. The standard average ADT for individual residential units is 9.57 trips per day. 92 dwelling units (6.3 units per acre) for the subject property would also generate 881 ADTs, similar to what R-1C zoning would allow.

The 2004 traffic analysis, submitted with the Bill Jepson application, indicates an approximate 75%/25% west/east directional split on Warm Springs Avenue. Assuming 881 ADTs for residential development under Low Density 4, at a density of 6.3 units per acre, this project would generate 660 "new trips" westward on Warm Springs Avenue. These additional trips increase the ADT to 15,460 on Warm Springs Avenue at Walnut, well above the adopted capacity of 14,175 ADT on Warm Springs Avenue.

Warm Springs Avenue Capacity/East Park Center Bridge Issues

Traffic generation on Warm Springs Avenue has been an issue for three recent projects: Harris Ranch, Boulder Heights, and most recently, Council Springs. In each case, it was found by the City to be necessary to limit current development until traffic capacity can be freed up on Warm Springs Avenue. Beginning with Harris Ranch, it has been assumed that the East Parkcenter Bridge will create a reduction in traffic on Warm Springs Road, thus allowing new development to proceed in compliance with capacity standards. Harris Ranch was conditioned to allow only 419 permits (out of a total of 3,400) prior to bridge construction. Boulder Heights was allowed to construct only 55 units out of 228 units total (generally equivalent to what their pre-existing zoning would have allowed), prior to bridge construction. Similarly, Council Springs has also been zoned A-Open for only 19 units out of 91 requested, prior to creation of capacity on Warm Springs Avenue and Parkcenter Boulevard.

The applicant's request, that a policy be added to the Plan stating that the subject property would not be developed until the East Parkcenter Bridge is constructed, appears to avoid the traffic issue. allowing additional Warm Springs traffic, which is already carrying daily trips above LOS C. If street capacity is eventually created on Warm Springs Avenue, the land owner could then request an appropriate rezone.

Access

Apart from trip generation issues, there are some issues related to access to the site itself. As noted previously, the new Warm Springs Mesa collector roadway, Windsong Drive, immediately to the east of the project site is virtually complete. Ideally, the collector would have come down onto the Gate City Steel site where both this project and Boulder Heights could have used it for

access to Warm Springs Avenue. As it is designed, however, Windsong Drive is not accessible from Gate City Steel and the project will require a separate access onto Warm Springs Avenue.

Boise Parks and Recreation commented that the Department has adopted an improvements plan for Warm Springs Golf Course, and requested that the ingress/egress points of a development on this site should correspond to or not interfere with the ingress/egress points at the Golf Course.

The Ada County Highway District staff did not comment on the proposed project ~~because~~ as it is a request for a *Comprehensive Plan* Amendment rather than a development application.

Alternative Land Use Issues

If the City determines that a Foothills Planning Area designation is no longer appropriate for the Gate City Steel site, a different land use designation must be selected. The applicant has requested Medium Density Residential 8 to 15 Units per Acre. The acceptability of this site for residential reuse is at least partly contingent on the determination of whether it can be sufficiently cleaned up to allow residential use. If not, then industrial, retail or office uses should be considered. Those uses would likely generate the same as, or fewer, vehicle trips than the requested Medium Density residential use. Industrial and retail uses would probably not be considered compatible or desirable so close to the river, golf course and Foothills trail system. An office use could be relatively attractive and functional in that setting.

If residential use is acceptable from a hazardous materials perspective, then the allowable density or quantity should be considered. Under ideal circumstances, a tightly clustered medium to high density residential project, combined with a small amount of retail, could make good use of the site, preserve perimeter open space and trail access and take advantage of the many recreational and aesthetic resources around it. The overriding long-term problem is uncertainty about street capacity. Until the bridge is built and traffic results monitored, it is unclear how much capacity will be created on Warm Springs Avenue. For those reasons, staff would not recommend medium or high density land use designations.

The applicant has proposed a Medium Density designation with, "a mixture of housing types, and integration into and protection of adjacent open space and recreational areas". Staff believes that if the designation is changed from Foothills, the Low Density Residential 4 Land Use designation is the most appropriate land use to which to change it. This will allow a maximum of 8 units per acre and 116 units, or up to 139 units if infill designation were granted. The applicant's proposal would more than double that.

Proposed Text Amendment

The applicant's proposed policy text amendment, quoted below, states their objectives for the uses on the subject site.

> 3) To amend the text of Chapter 8 Objective 16 to add a policy 10 concerning the proposed land use for the subject parcel.
> Policy 10: The Gate City Steel area across from Warm Springs Golf Course is an appropriate location for medium density residential infill

development potentially including limited professional office uses. Timing of development should be tied to construction of the East Parkcenter Bridge. Considerations for approval of medium densities are provision of high quality site and building design, a mixture of housing types, and integration into and protection of adjacent open space and recreational areas. New urban design is not required in this area.

The proposed text conforms to the requested land use designation of Medium Density Residential. However staff is recommending the Low Density 4 designation, and in turn recommends that this text is amended to reflect that. Under the Planned Development code some office and retail uses may be allowed as a conditional use for the recommended zones under Low Density 4.

The timing of the development, "tied to the construction of the East Parkcenter Bridge", does not address the standard for development, which is available traffic capacity. Staff recommends changing that to read, "Timing of development should be tied to availability of sufficient traffic capacity on Warm Springs Avenue for the proposed uses."
The applicant's statement that, "New urban design is not required in this area", does not conform to other policies in the *Comprehensive Plan*. The determination of the appropriate design for the site will be determined at the time a development application is submitted to the City. Staff would recommend deleting that sentence of their proposal from this amendment.

Summary

This application proposes that the Gate City Steel site should no longer be considered to be in the Foothills Planning Area, and that the *Boise Comprehensive Plan* should be amended for the property to the Medium Density Land Use in the North End/East End Planning Area. The applicant requests the addition of a policy that would allow "a mixture of housing types, and integration into and protection of adjacent open space and recreational areas". The application also states that the property has been adequately cleaned up from its previous steel operations to make residential development a safe and acceptable use. Lastly, the application proposes that development of the property would not commence until the East Parkcenter Bridge is constructed to avoid overburdening traffic on Warm Springs Avenue, which is operating beyond its intended capacity.

Planning staff believes that in some ways, the site still has characteristics associated with Foothills property, particularly in regard to the slopes, boulders, wildlife corridor and habitat, wildfire risk and trails on its periphery. However, we also acknowledge that through prior arrangements with Boulder Heights Estates Subdivision, some of those values have been adequately preserved and/or addressed. Preservation of those values resulted in the transfer of approximately 20 dwelling units from the Gate City site to Boulder Heights.

If the remaining flat area of 14.5 acres were subject to the Foothills Plan development standards, only 10 to 14 additional units could be constructed on the site (10 units on 50% of the property at 1.45 units per acre, or 14 units on 25% of the property at 3.88 units per acre). Either scenario

would leave a large area (7 to 10 acres) in a permanent open space condition. The main problem with this scenario is that the vast majority of the property is not in a natural condition. It has been dumped upon and graded for many years and there is no natural vegetation or terrain associated with it today. Unless it was restored to upland habitat conditions, there is no natural value associated with it, except as a wildlife corridor to the Boise River. In the attached letter dated received May 2, 2005, Idaho Fish and Game Department provides a detailed request for a wildlife corridor on the subject property. Their letter specifies that such a corridor should be 600 to 1,000 feet wide over terrain restored to natural habitat vegetation. Due to the man-made alterations over the site it is difficult to see the potential for such a broad corridor that could retain the requisite habitat for it to successfully function. The terrain is flat and wide-open which provides no concealment for deer and other larger species.

Since the City has not identified any Foothills value or other recreational value for 7 to 10 acres of entirely degraded open space at this location, application of the Foothills requirements on the property today seems wasteful and somewhat inappropriate. From this perspective, the proposal to remove the subject site from the Foothills Planning Area seems reasonable.

However, several considerable constraints remain. The applicant and landowners have not completely demonstrated to the City's satisfaction that the site has been sufficiently cleaned up to allow for residential use. They have not yet demonstrated whether traffic capacity will exist on Warm Springs Avenue to accommodate the more intense potential development this amendment would allow. A conceptual site plan that would demonstrate how some of these issues might be addressed has not been submitted. Thus, planning staff cannot recommend full approval of the Medium Density Residential Land Use Designation requested by the applicant.

Planning staff has formulated a recommendation that allows for re-designation of the property. The lack of traffic capacity, the proximity to public recreation sites and the wild land/urban interface that may require buffers/setbacks, and the potential for some contaminated areas to be unusable all argue for lower density lower impact uses. This recommendation would change the land use designation to Low Density Residential 4, rather than the Medium Density as requested by the applicant.

Staff Recommendation:

Planning Staff recommends approval of CAR05-00013 to:

1) change the Planning Area designation from Foothills Planning Area to North End/East End Planning Area,
2) to amend the *Boise Comprehensive Plan* Land Use Map designation from Foothills Slope Protection to Low Density Residential 4 Units per Acre, and
3) to add the proposed Policy 10 to Chapter 8 Objective 16 as modified by staff below.

The proposed amendment to the *Comprehensive Plan,* Chapter 8 Objective 16 to add a Policy 10 should be revised as follows:

Policy 10: The Gate City Steel area across from Warm Springs Golf Course is an appropriate location for low density residential infill development potentially including limited professional office uses. Timing of development should be tied to availability of sufficient traffic capacity on Warm Springs Avenue for the proposed uses.

Considerations for approval of low density residential uses are:

a. provision of high quality site and building design,
b. a mixture of housing types,
c. integration into and protection of adjacent open space and recreational areas.

Reasons for Decision

CAR05-00013 – Comprehensive Plan Land Use Map Amendments

A. That the amendment is required for the public convenience or necessity, or for the general welfare of the community;

Finding: The proposed Land Use Map amendments will provide a development incentive for the further investigation and remediation of hazardous materials on the site, and ensure that steps are taken to prevent hazardous chemicals and substances from migrating into the water supply or become airborne as dust particles.

Finding: The proposed Land Use Map amendment will provide a development incentive for the provision of a safe public pedestrian crossing of Warm Springs Avenue for access to unique Foothills, trail and river assets.

B. That the amendment is necessary to address changes in conditions within the community that have occurred since the Comprehensive Plan was adopted; or is necessary to correct one or more that exist in the Plan;

Finding: The Foothills values that were once associated with the subject property have been sold to an adjacent property owner and have been adequately protected through that adjacent development. The subject property no longer contains Foothills resources and is therefore appropriately changed on the Land Use Map to Low Density Residential 4 Units per Acre rather than Foothills Planning Area land use designation.

C. That the amendment is in compliance with and will further the goals, objectives and policies of the plan;

Finding: The proposed Land Use Map amendment will help meet the City's goals of providing safe housing for a variety of needs and lifestyles, it will allow for mixing of residential uses in a manner that limits the need for additional car trips, and will further access to trails and recreational amenities for the residents of the community.

D. That the amendment will not create inconsistencies between the goals, objectives and policies within or between any chapter of the Plan;

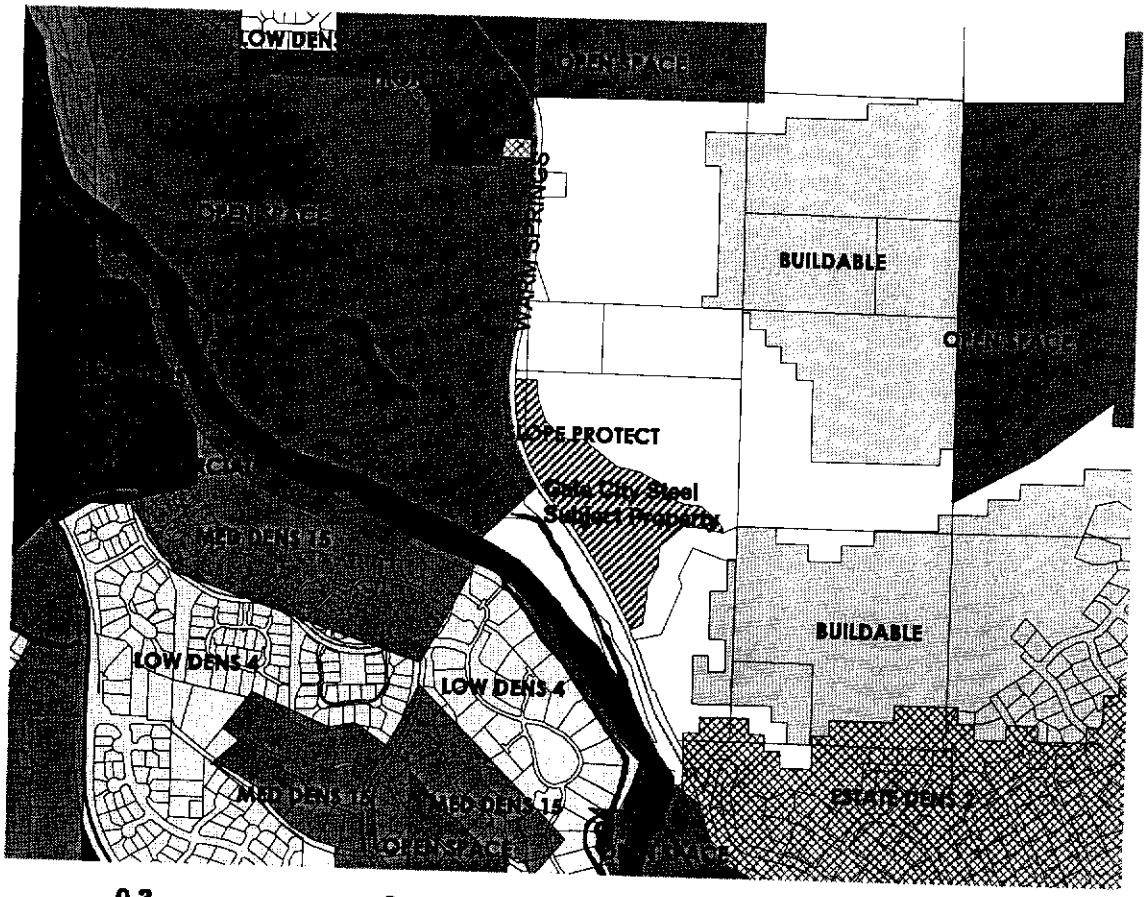
Finding: The analysis of the proposed Land Use Map amendments has indicated that the property no longer meets the characteristics of Foothills properties, and with appropriate development designs can be changed to the requested designation without creating conflicts with *Foothills Policy Plan* policies.

E. That the amendment will not place an undue burden on transportation or other public facilities in the planning area and does not adversely impact the delivery of services by any political subdivision providing services.

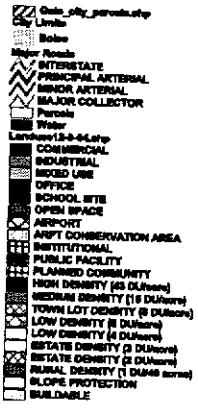
Finding: With the phasing plan as recommended where development would not begin prior to creation of traffic capacity on Warm Springs Avenue, the project will not place an undue burden on transportation facilities. The other public facility providers have indicated the ability to serve the project.

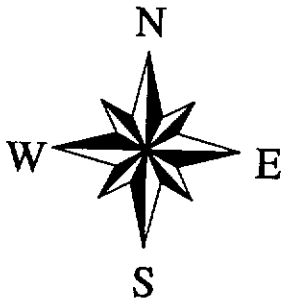
B.P.E., June 1, 2005

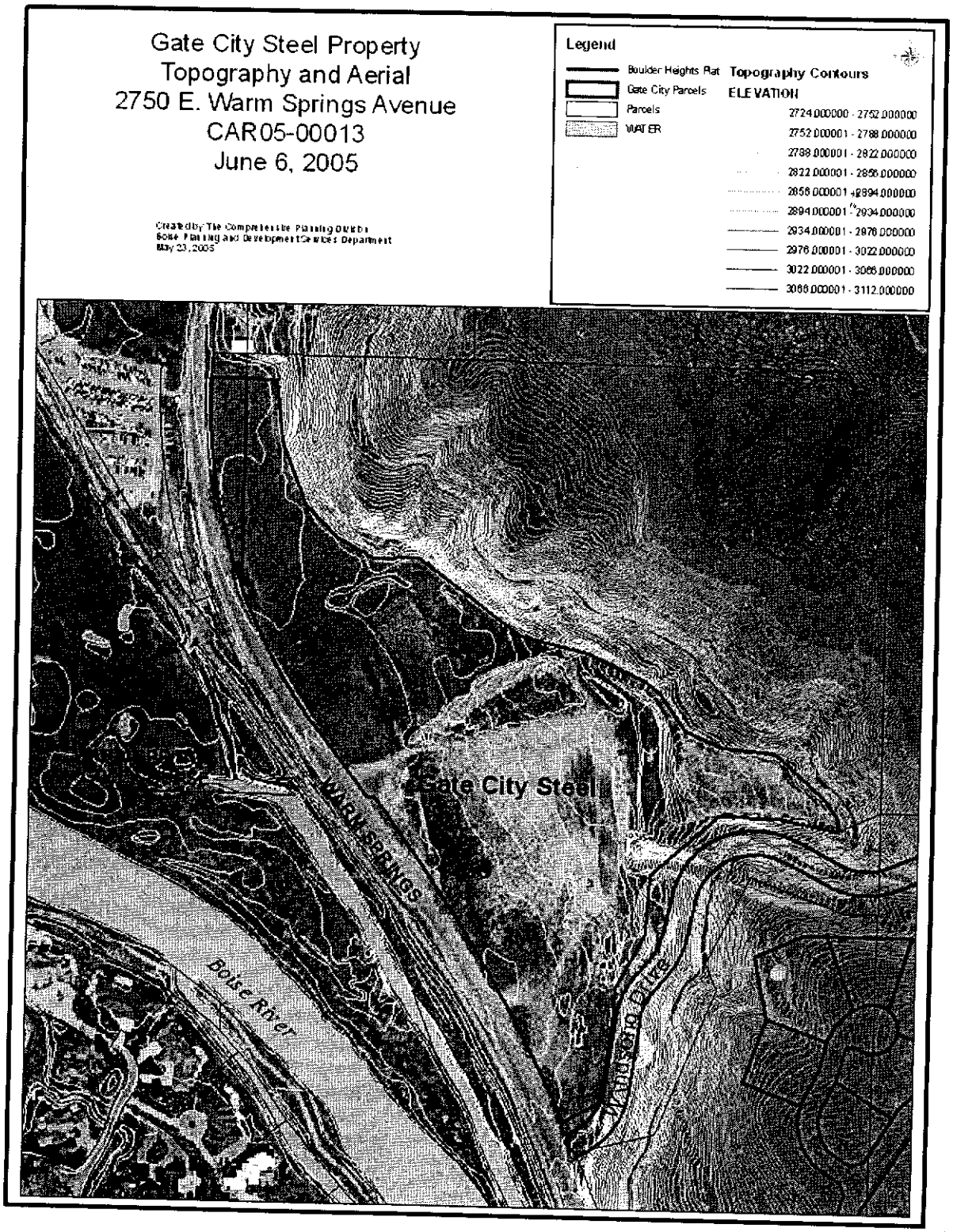
Gate City Steel
Land Use Designation
May 9, 2005
CAR05-00013

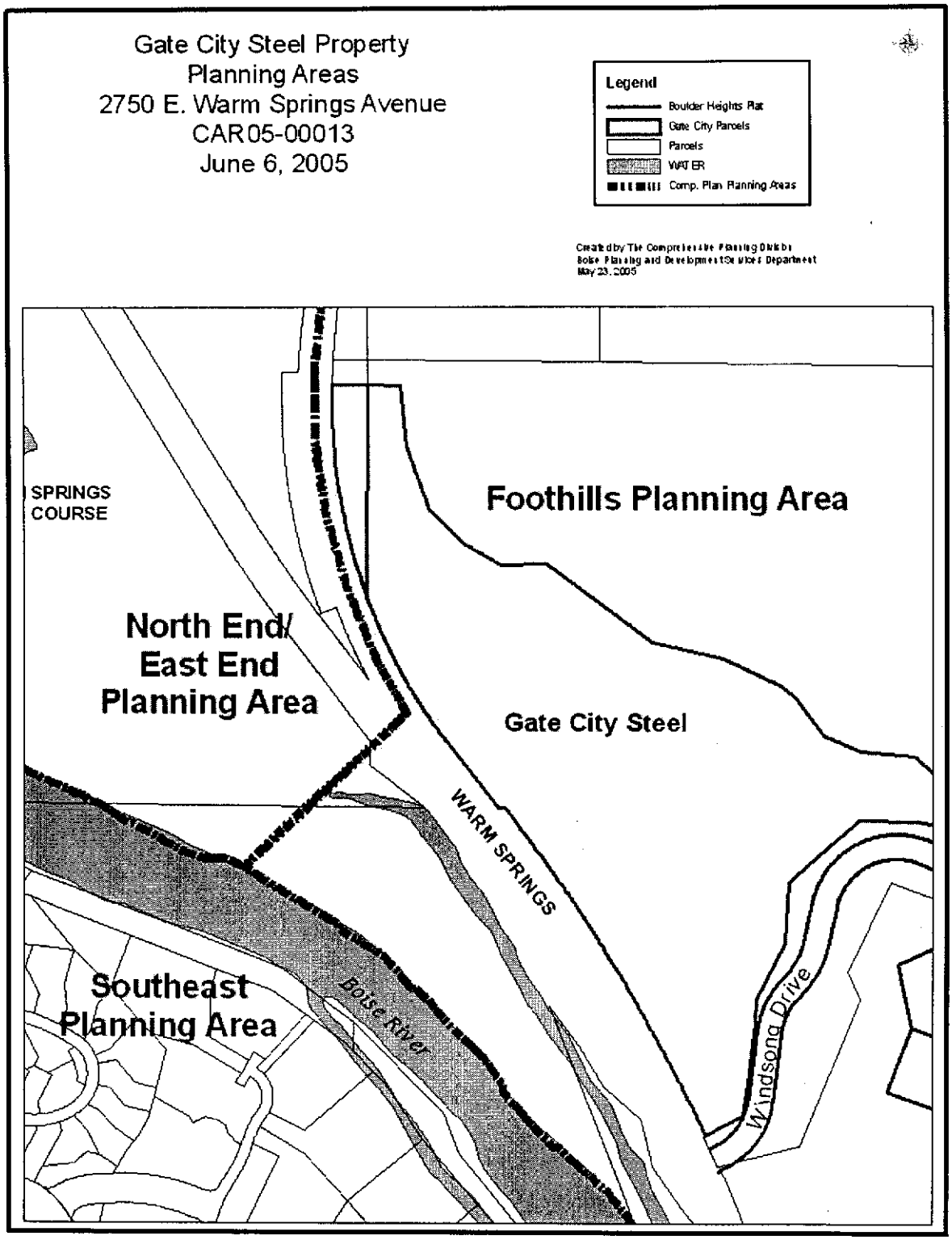


0.3 0 0.3 0.6 Miles






Gate City Steel Property
Topography and Aerial
2750 E. Warm Springs Avenue
CAR05-00013
June 6, 2005
Created by: The Comprehensive Planning Division
Boise Planning and Development Services Department
May 23, 2005
Legend
Boulder Heights Plat
Gate City Parcels
Parcels
WATER
Topography Contours
ELEVATION
2724.000000 - 2752.000000
2752.000001 - 2788.000000
2788.000001 - 2822.000000
2822.000001 - 2856.000000
2856.000001 - 2894.000000
2894.000001 - 2934.000000
2934.000001 - 2976.000000
2976.000001 - 3022.000000
3022.000001 - 3066.000000
3066.000001 - 3112.000000
Gate City Steel
WARM SPRINGS
Boise River
WASHINGTON DRIVE


Gate City Steel Property
Planning Areas
2750 E. Warm Springs Avenue
CAR05-00013
June 6, 2005
Legend
Boulder Heights Plat
Gate City Parcels
Parcels
WATER
Comp. Plan Planning Areas
Created by The Comprehensive Planning Division
Boise Planning and Development Services Department
May 23, 2005
SPRINGS
COURSE
Foothills Planning Area
North End/
East End
Planning Area
Gate City Steel
WARM SPRINGS
Boise River
Southeast
Planning Area
Windsong Drive

Appendix A

Section 11-06-02 AMENDMENT OF THE COMPREHENSIVE PLAN
A. The Commission may recommend amendments to the plan to the Land Use Map component of the Comprehensive Plan not more frequently than every six (6) months. Amendments to the text of the Plan may be recommended by the Commission at any time. The Commission, prior to recommending the adoption, amendment, or repeal of the plan to the Council, shall conduct at least one (1) public hearing in accordance with Section 11-3-6 of this ordinance.

B. Prior to recommending the adoption, rejection or revision of any Comprehensive Plan Amendment, and after notice has been provided and the report of the Director has been received, the Boise City Planning and Zoning Commission shall hold a public hearing in accordance with the procedures in Section 67-6509 of the Idaho Code and section 11-03-06.4 of the Boise City Code. The Director shall cause notice of the hearing to be published in accordance with section 11-03-06.1 of the Boise City Code . After the Commission has issued its recommendation, the Director shall submit a certified copy of the Comprehensive Plan Amendment as recommended by the Commission, the report of the Director, any proposed revisions to the Comprehensive Plan amendment, and transcripts of the proceedings before the Planning and Zoning Commission to the Mayor and City Council.

Section 11-06-02.01 Application and Review Required
A. Every person seeking an amendment of the Comprehensive Plan shall file an application with the Planning Director in accordance with Section 11-3-2 of this Ordinance.

B. The Director shall establish deadlines for Comprehensive Plan amendment applications.

C. The Director shall prepare a report indicating whether the proposed amendment is consistent with the other Elements of the Comprehensive Plan, the effect of the proposed development on the future growth of the city, and the existing Goals, Objectives and Policies of the Comprehensive Plan, and listing any revisions to the Boise City Zoning Code that would be needed to implement the proposed amendment. No amendment to the Comprehensive Plan may be recommended by the Planning and Zoning Commission or approved by the Mayor and City Council unless such amendment is consistent with the other elements of the Comprehensive Plan and the Comprehensive Plan Land Use Map, or where the other components of the Plan are changed to create internal consistency.

H. Residential Infill Planned Developments: Lots within the City of Boise which are located within areas already largely developed (at least 80% of the land within 300 ft. of the exterior boundaries of the subject lot) and to which municipal fire, police, sewer, water and school services are already available may qualify for infill development. In reviewing infill planned development, the Commission may allow exceptions to paragraphs A-H of Section 11-06-05.3 as follows:

1. The Commission may allow up to a 20% increase in the density allowed in the zoning district as an infill incentive.

2. A waiver of the amenity requirement set forth in Section 11-06-05.3, paragraph D.

3. The applicant shall submit documentation that the site qualifies as an infill site with the conditional use application. Verification of infill may be in the form of recent aerial photographs. In addition, the developer shall provide documentation regarding the availability of the following services: (1) water, (2) sewer, (3) fire coverage and (4) public schools.

4. The applicant shall demonstrate the design is compatible with the existing neighborhood and adjoining properties by taking into account product type, height, bulk and site location.

I. Hillside and Foothill Development: The Boise City Hillside and Foothill Area Development Ordinance as set forth in Chapter 14 of this ordinance shall apply to all projects within hillside areas. The provisions of the Hillside and Foothill Area Development Ordinance shall apply to any development proposal with any topographical slope exceeding fifteen percent (15%) or where adverse conditions related to slope stability, erosion or sedimentation exists as determined by the City Engineer.

All preliminary soils, geology, hydrology, grading and drainage information required by the Hillside and Foothills Area Development Ordinance shall be submitted along with the application for conditional use. Prior to the issuance of building permits, all final engineering reports including a revegetation plan must be submitted and approved by the Public Works Department. The Planning Director shall coordinate all hillside conditional use applications with the City Engineer to assure that all ordinance requirements have been met prior to authorizing the issuance of a building permit.

J. Compliance with the Micro-Pathway Regulations of the Boise City Code.

K. Residential Uses: A variety of housing types or residential uses may be included in planned developments including attached units (duplexes, townhomes), detached units (patio homes), single family units (except mobile homes and stock manufactured homes, see section 11-06-06.8), and multiple family units (triplexes, 4-plexes, 6-plexes, etc.) regardless of the zoning classification of the district, provided that the overall density of the zone is maintained. Duplexes reviewed as part of a planned development shall meet the design criteria of section 11-05-05.

BOISE CITY COMPREHENSIVE PLAN — GOALS, OBJECTIVES AND POLICIES

CHAPTER 8 LAND USE

The following chapter presents the goals, objectives, policies and implementing program references for Land Use in the Boise Planning Area.

8.0 Land Use
GOAL OBJECTIVE POLICIES

Achieve a city that minimizes suburban sprawl, that provides for a diverse mixture of life-styles and atmospheres and a sense of place that varies through-out the different areas of the City, and that efficiently provides basic services and facilities in close proximity to where people live.

Objective 1
The land-use map and attendant policies shall be the official guide for development of the planning area and shall be implemented through zoning and development review.

1) The Land Use/Zoning Consistency Matrix shall identify the zoning districts that are permissible within each land-use designation. Conformance with the Land Use/Zoning Consistency Matrix shall be a necessary finding of approval for all zone changes and conditional uses, unless one or more of the forms of flexibility identified in the policies under Objective 2 are implemented.
LU3 Development Review

2) Zone change requests that are consistent with the Land Use/Zoning Consistency Matrix and the policies of the *Comprehensive Plan*, should be approved by the City pursuant to appropriate findings related to service levels and other requirements of the comprehensive plan.
LU3 Development Review

3) The land-use map residential land-use density designations are based on gross acreage and intended to define general overall densities for a planning area rather than for individual parcels.
LU2 Ordinances LU3 Development Review

4) The land use map residential density designations are generalized descriptions of the type of development that is considered appropriate for a broadly defined area based upon current and anticipated zoning, land use, lotting and street patterns. The Townlot and lower density land use designations generally define a mid-point in the range of allowable densities permitted by the implementing zones depicted in the Land Use/Zoning Consistency Matrix and do not automatically disallow either lower density development nor higher density development up to the maximum allowed in the applicable zone by the Planned Unit Development and Infill Density Bonus provisions. The Medium and High Density designations define the upper limit of allowable density, with the exception that Infill Density Bonus provisions may still be added to the density.
LU3 Development Review

5) The Land Use Map shall serve as a guide for future zone changes in the planning area, however, any zoning which existed before the land use map shall be considered to be grandfathered and may be utilized pursuant to appropriate findings of approval as required by the zoning code.
LU3 Development Review

Land Use/Zoning Consistency Matrix ~ Table 8.1-1 (excerpt)

Land Use / Zoning Consistency Matrix [1)]

Land Use	A	U	R-1A	R-1B	R-1C	R-1M	R-2	R-3	R-O	L-O	C-1	C-2	C-3	C-4	C-5	PC	H-S	M-1	M-2	M-4	T-1	T-2
Estate Residential 2	X		X							X												
Estate Residential 3	X		X	X						X												
Low Den. Residential 4	X		X	X	X					X												
Low Den. Residential 6 2)	X		X	X	X	X				X												
Town Lot 8 2)	X		X	X	X	X				X												
Med. Den. Residential	X		X	X	X	X	X			X						X 5)						

Footnotes:

1) See Land Use policies for exceptions to this matrix and further clarification of its application.
2) May be implemented with proposed Modular Lotting Ordinance.
3) May be most appropriately implemented with a Specific Plan.
4) Intended for CBD only - see *Downtown Boise Plan.*
5) If property has frontage on an arterial street.

Definitions of Land Use Map Designations ~ Table 8.1-3

Table 8.1-3
Definitions of Land Use Map Designations

Page 2 of 3

Land Use	Applies To	Allowed Uses and/or Limitations	FAR
Estate Residential 2	Along the eastern stretches of the Boise River, and in the Airport Impact Area in the Southwest	Single-family housing on 20,00 square-foot lots, up to 2 units per gross acre, except clustering on small lots may be permitted.	None
Estate Residential 3	Slightly higher density in the developed portion of the Southwest area	9,000-square-foot lots, overall target density of 3 units per gross acre Clustering of units through Planned Unit Developments (PUDs) may be allowed on smaller lots.	None
Low Density Residential 4	Standard urban low-density category applies to widest area of existing single-family developments	6,000 square foot lots, overall target density of 4 units per gross acre. PUDs, accessory units and application of infill standards may allow higher densities on specific projects.	None
Low Density Residential 6	More compact form of low-density development	4,500-square-foot or smaller lots through PUDs and modular lotting; overall target density of 6 units per gross acre, though individual projects may be higher.	None
Townlot Residential 8	The most compact form of low-density development, primarily in North End	2,500-square-foot lots may be permitted; overall target density of 8 units per gross acre, though individual projects may be higher through the PUD process; intended to be implemented with modular lotting.	None
Medium Density Residential	Townhouses, condominiums, apartments	8 to 15 units per gross acre. Building designs may have one-, two- and three-story elements. Surface parking may be sufficient to accommodate density.	None

*The ratio of floor area to net lot area

Objective 2
The land-use map may be interpreted with flexibility within the guidelines of the following policies.

1) Commercial uses may be permitted within areas designated on the land-use map for Medium- and High-Density Residential development along arterials, pursuant to full compliance with the design guidelines and standards established for New Urbanism.
LU3 Development Review

2) On other parcels designated as residential on the land-use map, other pedestrian-oriented land uses may be permitted, provided:
   - No increase in total density above that allowed by the landuse map/zoning consistency matrix classifications and infill policies.
   - Consistency with the goals, objectives and policies of the *Comprehensive Plan.*
   - Compliance with the New Urbanism code.
   - A Planned Development application is submitted as required.

   LU3 Development Review

3) Pursuant to the zoning code, Planned Unit Developments of greater than five acres may deviate from the Land Use Plan by up to 20% without requiring New Urbanism designs.
LU3 Development Review

5) Development on individual parcels may exceed the overall density of the district, pursuant to the standards and criteria of the infill policy as established in the Community Quality chapter and other zoning criteria.
LU3 Development Review

Objective 3
Achieve a compact city comprised of a central Downtown with surrounding neighborhoods that have a center focus combining residential, commercial, employment, civic, cultural and recreational uses.

3) Neighborhoods shall be encouraged to assist in implementation of the concepts of new urbanism through their neighborhood plans.
LU1 Studies, Mapping, Master Plans

4) Development projects shall cumulatively form communities that have a center focus combining residential, commercial, employment, civic, cultural and recreational uses.
LU3 Development Review

Objective 6
Residential land-uses shall be designated to provide a variety of housing densities, product types and affordable costs, and shall be located and distributed in a manner that is compatible with adjacent uses and promotes transit and pedestrian activity.

1) Residential densities greater than 15 units per acre shall generally be located along arterials or in the vicinity of major employment and activity centers.
LU3 Development Review

2) Residential development projects greater than 10 acres shall be encouraged to provide a combination of

product types and densities, rather than a single product type.
LU3 Development Review

3) Density bonuses for infill projects shall only be permitted within areas that meet the "infill infrastructure system" criteria.
LU3 Development Review

4) Duplex housing shall be considered to be compatible within single-family districts, but triplex, fourplex and greater shall require special findings under the "infill infrastructure system" map and matrix (see the Community Quality chapter) to be permitted. The design standards of the Community Quality chapter shall also apply.
LU3 Development Review

5) Residential development in the Foothills shall adhere to the standards and procedures of the Foothills Plan and its implementing ordinances.
LU3 Development Review

Objective 16
Land-use and development policies specific to the North End/East End shall include the following:

1) Any intensification of the North End/East End shall occur primarily through the development of accessory units, duplexes and townhouses, rather than high-density multifamily units. Infill development at higher densities shall be permitted pursuant to the infill criteria.
LU3 Development Review

2) The St. Luke's Regional Medical Center area shall be developed in accordance with the St. Luke's Campus Master Plan, and expansion outside of the designated Public/Institutional use area shall require an amendment to the Land Use Map.
LU1 Studies, Mapping, Master Plans, LU3 Development Review

3) Private medical offices and support services may be permitted through the Conditional Use process between Avenues B and C.
LU3 Development Review

4) City, federal and other public and institutional uses shall be permitted in the developed portion of the Military Reserve area. The remainder of the Military Reserve area shall remain in open space, although pathways, trail and bicycle transportation improvements may be allowed.
LU3 Development Review

5) The northern perimeter of the gravel pits east of Veterans Park shall be developed with a combination of high-density residential and office uses. Special emphasis shall be placed on maintaining public access to the gravel pits as an urban fishery.
LU3 Development Review

6) Upgrading of local streets and collectors in the North End/East End to higher classifications to accommodate development in the Foothills shall be discouraged, and may only occur in compliance with the policies of the Streets section of the Transportation chapter regarding street reclassification. (See the Transportation chapter)

7) New development within the North End/East End shall be designed to reflect elements of the historic architecture and design that exist in the area.
LU3 Development Review

8) The procedures and requirements of the designated Historic Districts shall be applied as appropriate. (See the Parks, Recreation and Cultural Resources chapter)

9) New development shall be encouraged to utilize the standards of New Urbanism.

LU3 Development Review

BE

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BOISE CITY PUBLIC WORKS DEPARTMENT

DEPARTMENT CORRESPONDENCE

To: Boise City Planning & Zoning

Date: April 6, 2005

RECEIVED

APR 08 2005

PLANNING & DEVELOPMENT SERVICES

Re: CAR 05-0013; 2390 E. Warm Springs Avenue

CONDITIONS OF APPROVAL

SEWER CONDITIONS – JIM PARDY (433-5648)

Upon development of the property, connection to central sanitary sewer is required. Sewers are available in: E. Warm Springs Avenue (Phone: 384-3900).

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

No comment.

STREET LIGHT CONDITIONS – BILL COLSON (384-3929)

No comment.

PERSON MAKING OTHER COMMENTS – TERRY RECORDS (384-3946)

OTHER COMMENTS

Site will still be subject to Hillside and Foothills Areas Development Ordinance. There may be constraints to development due to proximity of residences to steep slopes and hazards associated with loose boulders on slope above site.

PUBLIC WORKS REPRESENTATIVE

PUBLIC WORKS REPRESENTATIVE

Cc: Applicant

I:\USERS\DIS\SUBS\C-USE\CU-2005\CAR-05-0013.doc

CAR05-00013

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From: Catherine CHERTUDI
To: EGGLESTON, BRUCE
Date: Wednesday, April 27, 2005 4:37:32 PM
Subject: URGENT Gate City Site

Bruce, I left a message with Dean Ehlert at DEQ and have not heard from him. So, the issue that remains from the environmental end of things is the former landfill location with tetrachloroethylene (perc) found in shallow soil samples. The area appears to be confined and should be remediated prior to development. I am not sure if they have communicated any information on the contamination with DEQ and whether DEQ is going to require any remediation.

Eric Leitzinger with Fish and Game would recommend clustering development to provide open space and access through the development to the river. This area would be a cooridor for deer and other wildlife and there is a need to reduce vehicle collisions as the animals move through that area. Can you fax the info on the site to Eric at 465-8467 ASAP and he will give you specific comments? Thanks. Catherine

8

From: Cheyne Weston
To: EGGLESTON, BRUCE
Date: Tuesday, April 26, 2005 3:55:16 PM
Subject: CAR0500013 - Wm. Clark development proposal (former Gate City Steel property)

Boise Parks & Recreation (BPR) takes no position on this request for rezone. If the property is rezoned for residentail use, BPR would like to recommend that adequate accomodation be made to provide 6-7 trailhead parking stalls to allow for public access to Ridge-to-River trails located in the immediate vicinity.

BPR is working to create another entry into Warm Springs golf course. Prior to completing site design or concept plans, the developer should contact BPR to discuss alignment of any proposed routes for egress/ingress onto Warm Springs Avenue in order to avoid conflict with BPR's future plans for access.

CC: Selvage, DAVID

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IDAHO FISH & GAME
SOUTHWEST REGION
3101 South Powerline Road
Nampa, Idaho 83686

Dirk Kempthorne / Governor
Steven M. Huffaker / Director

RECEIVED
MAY 0 2 2005
PLANNING & DEVELOPMENT SERVICES

April 29, 2005

Bruce Eggleston
Boise City Planning and Development Services
150 North Capitol Blvd.
P.O. Box 500
Boise, ID 83701-0500

Subject: Gate City Steel Site

Dear Mr. Eggleston:

The Idaho Department of Fish and Game (Department) has reviewed the information you provided regarding the former Gate City Steel property on the north side of Warm Springs Avenue immediately west of Warm Springs Mesa. The Department's understanding is that a subdivision has been proposed for this 14.5 acre site.

The Department offers the following comments for your consideration. Warm Springs Avenue along the golf course has had the highest rate of automobile/mule deer collisions compared to the rest of Warm Springs Avenue. The Gate City Steel site is in this reach.

This high collision rate suggests that this area is a major deer crossing. The majority of the collisions occur during the winter months when the deer have moved down to the lower elevation winter range. The Department believes the deer are crossing Warm Springs Avenue to reach the Boise River or other water sources likely because of the lack of water on the hillside.

A subdivision in this area will increase traffic on Warm springs Avenue and increase the probability of automobile/deer collisions. It could also block migration to the river. A properly designed and placed wildlife movement corridor will help the deer and other wildlife to get through this proposed development. However, it does not address the issue of collisions and safe wildlife passage across Warm Springs Avenue. This is an important issue that needs to be addressed as development continues along Warm Springs Avenue.

A properly functioning wildlife corridor should be 600 – 1,000 feet wide and follow the natural contours and movement lanes that provide the greatest security cover for the wildlife. Any

designated wildlife corridor should be restored with native vegetation (especially shrubs such as sagebrush and bitterbrush) to enhance security cover and provide forage.

Thank you for the opportunity to comment. If you have any questions, please contact Eric Leitzinger in the Southwest Regional Office at 465-8465.

Sincerely,

Eric Leitzinger
for

Al Van Vooren
Southwest Regional Supervisor

Cc: NRPB
Southwest Region (Deal, Bottum)

AV/el

BE 8

Independent School District of Boise City #1

Boundaries, Transportation, and Safety
8169 W. Victory Rd - Boise, ID 83709
(208) 338-3661 Fax (208) 338-5376

April 13, 2005

Boise City Planning &
Development Services
150 N Capitol Blvd
P. O. Box 500
Boise, ID 83701-0500

RE: CAR05-00013

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

The schools assigned to the proposed project area are:

Elementary School:	**Adams**
Junior High School:	**East**
High School:	**Boise**

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

Sarah Stobaugh

Sarah Stobaugh, Supervisor
Traffic Safety and Transportation

SS/pkw

May 3, 2005

Boise City Planning & Development
Attn: Bruce Eggleston

Re: Warm Springs Enterprises, LLC

Dear Mr. Eggleston:

We live at 2478 Warmsprings Ave. and are the only neighbors of the property subject to CAR05-00013.

Our understanding is that Warm Springs Enterprises, LLC is proposing a future development of about 13 acres of land formerly used by Gate City Steel. Because of the proximity to the foothills, Green Belt, Boise River and the Warmsprings Golf Course, this land is a prime location for residential development. We would, however, like to express some concerns that should be addressed prior to approving any of the requested changes.

As a global issue, the city should address the precedent being established for other foothills land to be separated between 'flat' and 'sloped' land. The first concern relates to the history of the property. The existing 'flat' land was divided from its sloped portion to harvest the density bonuses for a nearby development. After this transaction took place, the current developer is seeking to remove the flat land from the Foothills Planning Area to recapture the lost density bonuses. If the requested zoning density is approved, the city is rewarding the owners and developers with substantially more density than originally entitled to.

A second issue is the importance of recognizing that the foothills include more than merely sloped land. The foothills have recreational, wildlife and esthetically values. All of these values need to be addressed when deviating from the Foothills Planning Area. The property at issue is very visible from both Warmsprings Ave. and from foothills trails. It is also a vital wildlife corridor to and from the Boise River. In addition, the risk of wild fires in the foothills is quite high. Removing the property from the Foothills Planning Area risks removal of many of the limitations currently placed upon developments to protect the foothills.

There is no current proposal for actual development of the property. As such, it must be adversely assumed that any development will push the legal boundaries of the zoned area. Residential property along the north side of Warmsprings Ave that border the foothills is substantially zoned low density; RP, A or R1A. The low density zoning addresses some of the foothills issues identified above. That is, lower density tends to be more

esthetically pleasing along the foothills and less dense areas are more wildlife friendly. Further, maintaining a low density residential area helps reduce risks of foothills fires.

We would counsel the city to seriously consider approval of either R1A or R1B with a development agreement limiting the residential density to 4 single family units per acre. Further, because single family units are primarily located along the foothills, approval of a low density zoning will help mitigate the possibility that future development will not include large or tall multi-family building not in keeping with the neighboring developments. The developer can always seek a higher density change in the future by presenting a detailed development plan and sufficient justification for change. If the city approves the requested land use it be facing a future request to develop the land with close to 100 units on about 13 acres.

In summary, all foothills property needs to be very carefully studied before approval of density changes. We support residential only development of this property, but strongly appose re-zoning the property to allow density greater than 4 units per acre for the above reasons. It is very important the City recognize the critical nature of this land and not merely consider it an industrial property that needs to be rezoned.

Sincerely,

Russ & Phyllis Slifer
2478 Warmsprings Ave.
Boise, Id

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J. H. WISE & SON, INC.
BUILDING CONTRACTORS
REAL ESTATE DEVELOPERS
2843 STAR CIRCLE
BOISE, IDAHO 83712

(208) 342-6587
(208) 344-2603

May 26,2005

City Of Boise
Planning & Development
P.O. Box 500
Boise, Idaho 83701

RECEIVED
MAY 31 2005
PLANNING & DEVELOPMENT SERVICES

Re: Gate City Steel Property Comprehensive Plan.

To: Hal Simmons,

As a neighboring developer, J.H. Wise & Son Inc., is in support of a change in zoning to allow higher density to create a residential in-fill project as proposed by developer Bill Clark. We feel this is the best use for this property and works positively to help Boise City's goal to limit urban sprawl, recognizing the fact that this project could only proceed when Warm Springs Avenue traffic issues are resolved to allow for more vehicle trips.

Sincerely,

Homer F. Wise
President J.H. Wise & Son Inc.

CAR05-00013

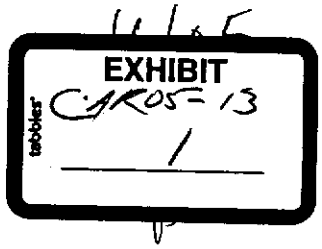
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PUBLIC HEARING EXHIBIT RECORD

Application Number: CAR05-13/Warm Springs Enterprises, LLC.
Hearing Date: June 6, 2005
P&Z Commission

Exhibit Number	Exhibit Item
1	May 7, 2005 letter from Stephen J. Lord
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Stephen J. Lord
Attorney at Law
800 West State Street, Suite 200
Boise, ID 83702
Telephone (208) 342-3953
Facsimile (208) 343-3282
Email:mailto:slatty@aol.com



May 7, 2004

Hal Simmons, Community Planning Manager
Boise City Planning and Development Services
150 N. Capitol Blvd
Boise, ID
HSIMMONS@cityofboise.org

Dear Hal:

This letter is written to express some concerns of the East End Neighborhood Association, Inc., regarding the old Gate City Steel property proposed for Comprehensive Plan Map amendment, as well as some site-specific planning permits.

INTRODUCTION

First and foremost, we believe that the Comprehensive Plan Land Use Map should not be amended. After exhaustive review of the materials submitted by the applicant, I must conclude that the record contains no evidence or proof that justifies this change.

In your letter dated July23, 2003, you stated that the city would ìrequire proof Ö that the property was not appropriately included in the foothills land use category and that there would been harm to the goals of the foothills plan if this property were removed from that designation.î I have looked carefully through Mr. Jeppesonís attachements tohis letter dated November 25, 2003, and can find no ìproof Ö that the property was not appropriately included in the foothills land use category and that there would been harm to the goals of the foothills plan if this property were removed from that designation.î In other words, there is no factual basis to support either conclusion, based on the aplicantís application evidence. Accordingly, even in a quasi-legislative context, approval of the Mapís amendment would be arbitrary and capricious.

Your staff report recites the city-code based requirements for an amendment to a component of the Comprehensive Plan, whose components include the Map. The are:

Section 11-08-06.02 Criteria and Findings
The Council, following the procedures outlined below, may approve a Comprehensive Plan amendment when the evidence presented at the hearing is such as to establish:
A. That the amendment is required for the public convenience or necessity, or for the general welfare of the community; and
B. That the amendment is necessary to address changes in conditions within the community that have occurred since the Comprehensive Plan was adopted; or is necessary to correct one or more [errors?] that exist in the Plan; and
C. That the amendment is in compliance with and will further the goals, objectives and policies of the Plan; and
D. That the amendment will not create inconsistencies between the goals, objectives and policies within or between any chapter of the Plan; and
E. That the amendment will not place an undue burden on transportation or other public facilities in the planning area, and does not adversely.

GROUNDS FOR CHANGE OF COMPREHENSIVE PLAN MAP

In the proposed findings, City Staff recommends approval. I will discuss each criterion for approval contained in our Ordinance, and why neither the staff report nor the application materials supports the requested amendment.

Criterion A requires: 'That the amendment is required for the public convenience or necessity, or for the general welfare of the community.' (emphasis added) One of the proposed findings is that approval of the map amendment would encourage remediation and cleanup of a potentially polluted site. I would suggest that this 'community benefit' is in fact a benefit only to the current and prospective owners of this property. Moreover, the cleanup should be a condition for any development, not a reason to amend the map. Finally, you suggest this is an 'incentive,' but the express terms of the ordinance mandate that changes only occur if 'required.' There is no evidence that the required cleanup could not occur under the property's current Foothills classification.

Another proposed finding under criterion A is that amending the map would provide a safe pedestrian crossing. Again, this should be a condition of approval for a site-specific permit, not a reason for amendment of the map. Again, this change could be required without amending the map. Again, since the proposed finding suggest the use of approval as an 'incentive,' it fails to support that the proposed change is 'required for the public convenience or necessity.'

Criterion B. states "That the amendment is necessary to address changes in conditions within the community that have occurred since the Comprehensive Plan was adopted; or is necessary to correct one or more [errors?] that exist in the Plan."

The current status of the property meets neither of these sub-criteria. There have been no 'changes in conditions within the community' that justify the map amendment. The finding mentions the changes in the subject property, not the change in the community. 'Change in the community' is not the same as 'change in the ownership or severance of the property.' Indeed, the applicant's November 25, 2003, letter and attachments make case for a map change based on ìchanges in the conditions of the community."

Furthermore, there is no evidence to support the finding that the 'subject property no longer contains foothills resources.' Its proximity to the foothills, and its value as a deer migratory route from foothills to river is not even mentioned in the staff report and is not surprisingly omitted entirely from the application package. Your report states that continuing to treat the property under the foothills policy plan may result in open space that could provide ìview sheds to the Heritage Preservation site fro m Warm Springsî or allow ìpublic access to the site through a public trail or a trailhead system.î These possibilities exist without regard to whether the property was severed from the more steeply-sloped lands to the north. In this regard, it was NOT a mistake for this land to be included in the initial Foothills Planning Map designation; the flat portion serves a variety of purposes, regardless of who owns it, that directly contribute to foothills ecology. This subject property is totally unique in Boise: it is the only area that connects directly (less than one hundred yards) between the foothills and the Boise river without intervention of developed property.

The record is devoid of support for this proposed finding. Moreover, the finding does not support the conclusion that this criterion of the Ordinance has been satisfied.

The proposed finding under criterion C states, ì the proposed Land Use Map amendment will help meet the City's goals of providing safe housing for a variety of needs and lifestyles, it will allow for mixing of residential and retail uses in a manner that limits the need for additional car trips, and will further access to trails and recreational amenities for the residence of the community."

Again, this has little to do with the criterion, which states, "That the amendment is in compliance with and will further the goals, objectives and policies of the Plan.' The proposal can only be said to comply with select portions of the goals and objectives: there are no policies specified in the report or the application with which the proposal complies.

Unfortunately, the proposed finding that suggests a conclusion that fulfills Criterion C glosses over the other impacts: namely an increase in the levels of service, from LOS C to LOS D for warm Springs at both the subject property location and at Warm Springs and Walnut. That LOS C at Warm Springs

and Walnut is the accepted planning ceiling is at this point beyond debate; it is specifically referenced in a number of recent annexations and other permit approvals and is adopted expressly in the Comprehensive Plan, Destination 2020, Destination 2025, and the East End Neighborhood plan.

The report mentions the Comprehensive Plan's Streets policies, but ignores, under goal 6.1, Objective 2, Policy 3, the following:

3) Historic district streets shall be managed in such a manner that the flavor and character of the historic districts are preserved and enhanced while maintaining the livability of these neighborhoods and preserving the functionality of the street system. The use of traffic management strategies as described above shall be given priority over street widenings, lane additions and removal of on-street parking as a means of resolving traffic flow problems.

This policy cannot be meaningfully addressed if excessive traffic through a historic neighborhood, created by other neighborhoods, is permitted. Keeping the subject property at the developable dwelling unit limit it currently has under Foothills Plan designation is the best approach to pursue in implementing Comprehensive plan Goal 6.1, Objective 2, policy 3.

The lack of attention to this issue violates another part of Idaho Code. That part provides:

Idaho code ß 67-4608. No change in the use of any structure of [or] property within a designated historic district shall be permitted until after an application for a certificate of appropriateness has been submitted to and approved by the historic preservation commission.

Highways and roads are within the definition of ìproperty.î Increasing the level of service on a highway, or the street classification, constitutes a change in use. This applicant's failure to receive a certificate of appropriateness from the historic preservation commission means that it cannot proceed with any further applications for any other permits.

Criterion D of the Boise Ordinance that allows changes in the Comprehensive Plan and its components states, ìThat the amendment will not create inconsistencies between the goals, objectives and policies within or between any chapter of the Plan.î As noted elsewhere, this criterion is most certainly not fulfilled by the application.

Criterion E states, "E. That the amendment will not place an undue burden on transportation or other public facilities in the planning area, and does not adversely impact the delivery of services by any political subdivision providing services." Amendment to allow an intensity of use greater than the property had while it was included in the Foothills Planning Area certainly violates this requirement of the five criteria.

For these reasons, the Planning and Zoning Commission should either defer this Map Amendment request until all of the questions in other parts of the application are addressed to Staffís satisfaction (zoning, annexation, development agreement, conditional use permit, foothills permit) or recommend its denial by the City Council.

In fact, the application is more noteworthy for what it ignores than what it ìproves.î Several other provisions of the Comprehensive plan do not appear in either the application or the Staff report that specifically address this application. These provisions militate against the map amendment. They are:

Goal 3.4, Protect and enhance the natural environment in the Boise Front foothills and along the Boise River and selected waterways to provide high quality fish and wildlife habitat, flood control and protection, water quality, active and passive recreation, aesthetics and other recognized natural resource functions and values while treating property owners fairly.

Objective 1-A Adopt, implement, enforce and periodically update development regulations that preserve and protect lands and waters that provide important fish or wildlife habitat, or are important for control of and protection from flooding, or provide other important natural resource functions and values. Class A lands as identified in the Boise River System Ordinance, and other areas of similar environmental

quality in the Boise Front Foothills and along the selected waterways, shall be subject to the requirements of this objective.

Objective 1-B, Adopt, implement, enforce and periodically update development regulations that require mitigation to avoid, minimize and compensate for adverse impacts to lands and waters that have good potential to provide: important fish and wildlife habitat, control of and protection from flooding, or other important natural resource functions and values. Class B lands as identified in the Boise River System Ordinance, and other areas of similar environmental quality in the Boise Front Foothills and along the selected waterways, shall be subject to the requirements of this objective.

Policy 1, Conduct and adopt the studies and mapping necessary to define foothills habitat areas, including, but not limited to, sensitive plant and animal species, deer and elk forage, winter range and migration routes, and natural preserves owned by the public such as Military Reserve and Hulls Gulch Preserve.

Policy 2, Information from foothills habitat mapping shall be used to require appropriate and legally sustainable development setbacks or prohibitions to protect and enhance those areas and the animals that use them.

Policy 8, Consider public purchase of land, easements and development rights in the Boise River floodplain, Boise Front Foothills and along the selected waterways as part of the annual Boise City capital improvement program and budget. Special emphasis should be given to lands identified in the Heritage Preservation Report.

Goal 8, objective 16, Policy 6) Upgrading of local streets and collectors in the North End/East End to higher classifications to accommodate development in the Foothills shall be discouraged, and may only occur in compliance with the policies of the Streets section of the Transportation chapter regarding street reclassification. (See the Transportation chapter)

Goal 6.1
Maintain the function of the street system for current users, emergency response efforts and for use by future generations.
Objective 1
Coordinate with the Community Planning Association (COMPASS), Ada County Highway District (ACHD) and Idaho Transportation Department (ITD) to ensure consistency between street improvements and the landuse plans and decisions of Boise City and surrounding city and county governments.
Policies:
1) Continue to participate in regional transportation planning (as is currently done through the Community Planning Association) to develop and update long-range transportation plans and provide a foundation for major project selection by ACHD and ITD in Boise City and Ada County.
2) The most recent Regional Transportation Plan for Ada County of record is adopted by reference as part of the Boise City Comprehensive Plan.
3) Periodically review the street classification system and work with the Ada County Highway District and the Community Planning Association to amend the street classification system as needed. Any street reclassifications shall be contingent upon an analysis of existing street configuration, existing land uses, lotting patterns, location of structures, impact on neighborhoods and areawide transportation needs. Upgrading of residential streets to collector and arterial status shall be discouraged and shall only occur where a significant community-wide need can be identified as part of the adopted Regional Transportation Plan.

Although the staff report mentions Goal 6.1, Objective 2, policies 1, 2, and 5, it fails to consider the following:

Policy 3: Historic district streets shall be managed in such a manner that the flavor and character of the historic districts are preserved and enhanced while maintaining the livability of these neighborhoods and preserving the functionality of the street system. The use of traffic management strategies as described above shall be given priority over street widenings, lane additions and removal of on-street parking as a means of resolving traffic flow problems.

Additionally, this area is a ìgulchî as that term is defined in the Foothills Policy Plan. Nothing in the application justifies the proposed intensity of construction that is even remotely consistent with policy statements in the Foothills Policy Planís concerns for protection of gulches. Again, this ìgulch protectionî preference in the foothills policy plan is violated by the proposed Map Amendment.

We reiterate that this application, to make significant amendments to an environmentally sensitive foothills area in Comprehensive Plan Map (and presumably the foothills maps that are also incorporated in the Comprehensive plan), fails to justify the proposed changes. The findings identified by staff are not supported by either the staff narrative, which more appropriately suggest denial of the amendment, or any other ìevidenceî or ìproofî in the record supplied by the appilcant.

For these reasons, the Planning and Zoning Commission should either defer this Map Amendment request until all of the questions in other parts of the application are addressed to Staff's satisfaction (zoning, annexation, development agreement, conditional use permit, foothills permit) or recommend its denial by the City Council.

Sincerely,

Stephen J Lord
Attorney at Law
Secretary to the Board of Directors,
East End Neighborhood Association, Inc.

Cc: EENA Board of Directors
Wm. Jeppeson, at craftsmanhomes@msn.com

Cody Riddle

From: Robin Fisher <robinfisher7082@icloud.com>
Sent: Wednesday, October 26, 2016 3:23 PM
To: Cody Riddle
Subject: PUD16-00024/SUB16-00052. Written testimony submission regarding proposed development 2570 Warm Springs Avenue

Dear Cody,
My name is Robin Fisher. I live on the Mesa and am a member of the Boulder Heights II & III Home Owners Association and the Mesa Neighborhood Assoc. I write to you with concerns re: PUD16-00024, 2570 E. Warm Springs Ave proposed development. The proposed development is asking for approval to build 60 homes which must be considered a high density subdivision. We cannot imagine the impact that 60 homes in such a small area will have on traffic, wildlife, local elementary schools, and the environment as this development sits along the Ridge to Rivers trail system and the across the street from the Boise River. What happened to the city's recommendation of 4 units per acre which would equal almost half of the proposed units?

In addition, I wonder if the developer would consider exploring the idea of negotiating with Boise State to purchase the land instead for use of a university facility such as a Boise State Aquatic Center. Just a thought…

Thank you for your time on this matter and I hope to attend the hearing on Nov. 7th.

Robin Fisher
208-841-0579