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Planning & Development Services

March 14, 2017

Cross of Christ Lutheran Church

11655 W. McMillan Road

Boise, ID 83713

secretary@cocboise.org

(sent via email)

Re: CUP17-00005 / 11655 W. McMillan Road

To Whom It May Concern:

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 modification to exceed the parking maximum for the expansion of an existing church in an R-1C (Single Family Residential) zone.

The Boise City Planning and Zoning Commission, at their hearing of **March 13, 2017, approved** your request, based on compliance with the attached Reasons for the Decision and Conditions of Approval.

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

1. This approval will not take effect until after the appeal period has lapsed.
2. The decision of the Boise City Planning and Zoning Commission may be appealed to 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 permit must be filed by **5:00 P.M., on March 23, 2017.**
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.

This letter constitutes your Conditional Use Permit.

If you have any questions, please contact me at (208) 608-7083.

Sincerely,



Céline Acord
Associate Planner
Boise City Planning and Development Services

CA/tt

cc: Jon Breckon / jbreckon@breckonld.com (sent via email)
West Valley Neighborhood Association Inc. / Jim Szatkowski / jameski@gmail.com (sent via email)
Adam Johnston / Breckon Land Design / ajohnston@breckonld.com (sent via email)

Reason for the Decision

The surrounding neighborhood is comprised of detached single-family homes. The church and its related uses, including adding parking to an existing parking lot, is a compatible use in a residential neighborhood. The expansion of the parking lot is a proactive approach to accommodate an increase of seats in the worship hall. By exceeding the parking maximum, it helps to reduce the impacts of on-street parking in the adjacent neighborhoods. The additional parking is in compliance with *Blueprint Boise. Goal WB-CCN 2* encourages any redevelopment be consistent with the character of the surrounding homes and adjacent neighborhoods. The church has existed in this location for almost 20 years. By adding additional parking towards the rear of the building, it will not change the established character of this area. Likewise, *Principle GDP-N.8* encourages the preservation of natural features such as active and passive open space. The proposed parking lot configuration maintains the playground for the child care use and uses a minimal amount of the existing open space in the rear of the lot in order to maintain the existing open space.

Conditions of Approval

Site Specific

1. Construction, use and property development shall be in compliance with the plans and specifications on file with the Boise City Planning and Development Services Department electronically submitted on **January 31, 2017**, and the revised Site and Landscape Plan on **February 14, 2017**, except as expressly modified by the following conditions:
2. Compact spaces must be designated as compact with either paint on pavement or on the adjacent curbing.
3. The applicant shall comply with all Boise City Building Department standards for interior tenant improvements.
4. Compliance with the requirements from the following agencies:
 - a. Ada County Highway District dated **February 9, 2017**;
 - b. Boise Fire Department dated **February 21, 2017**;
 - c. Parks & Recreation Department dated **February 15, 2017**;
 - d. Nampa & Meridian Irrigation District dated **February 2, 2017**;

Standard Conditions of Approval

5. This approval does not exempt the applicant from compliance with all local, state, and federal regulations where applicable by law or judicial decision.

6. Vision Triangles, as defined under Section 11-012-03 of the Boise City Code, shall remain clear of sight obstructions.
7. Utility services shall be installed underground.
8. Swales/retention/detention areas shall not be located along the streets, unless it can be shown that landscaped berms/shrubs will screen the swales.
9. 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.
10. 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 208-608-7700. Species shall be selected from the Boise City Tree Selection Guide.
11. Deciduous trees shall be not less than 2" to 2 1/2" inch caliper size at the time of planting, evergreen trees 5' to 6' in height, and shrubs 1 to 5 gallons, as approved by staff. All plants are to conform to the American Association of Nurseryman Standards in terms of size and quality.
12. 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 Planning and Development Services Department. For additional information, please call 208-608-7100.
13. 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 the City of Boise. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon the City of Boise.
14. 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.

15. 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.
16. Failure to abide by any condition of this approval shall be grounds for revocation by the Boise City Planning and Zoning Commission.
17. This conditional use permit shall be valid for a period not to exceed 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.
18. Prior to the expiration of this variance and conditional use permit, the Commission may, upon written request by the holder, grant a two-year time extension. A maximum of two (2) extensions may be granted.
19. 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.