Subdivision Staff Report

<table>
<thead>
<tr>
<th>Name:</th>
<th>Shine’s Subdivision</th>
<th>Date:</th>
<th>November 23, 2004</th>
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</thead>
<tbody>
<tr>
<td>File:</td>
<td>SUB04-00091</td>
<td>Meeting:</td>
<td>November 30, 2004</td>
</tr>
<tr>
<td>Approval:</td>
<td>Preliminary / Final</td>
<td>To:</td>
<td>City Council</td>
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<tr>
<td>Lead Agency:</td>
<td>Boise City</td>
<td>From:</td>
<td>Richard Beck</td>
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<tr>
<td>Annexed:</td>
<td>December 31, 1988</td>
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<tr>
<td>Comprehensive Plan:</td>
<td>Complies</td>
<td>Preliminary Plat Approval:</td>
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<td>P &amp; Z Commission November 1, 2004</td>
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Description:
This is a proposed commercial subdivision with 2 lots on 7.63 acres. The site is zoned C-2. Currently the subject parcel is improved with 7 storage buildings, 2 office buildings and 2 cell towers.

Location:
The site is located on the west side of North Hampton Road, approximately 415 feet north of the intersection of North Hampton Road and West Fairview Avenue.

Contents:
Staff Report:
- Basis for Recommendation
- Technical Review and Agency Comments
- Recommended Conditions of Approval
Attachments:
  - Vicinity map
  - Preliminary plat
  - Final plat
Basis for Recommendation

The plat design and layout is in conformance with the Comprehensive Plan and complies with the basic requirements of the Boise City Subdivision and Zoning Ordinances.

Condition 1  This condition requires cross-access easements for property owners who share common access drives and parking lots.

Condition 2  This condition requires the existing lot line between lots 2 & 3, Kepner Place Subdivision as noted on the face of the final plat, to be removed.

Perspective – General

The recommended conditions of approval are required to bring the proposed preliminary plat into compliance with City and State Codes, and have been confirmed by the Planning and Development Services Department, and concurred with by the Planning and Zoning Commission.

Conditions in Dispute

None known.
Technical Review and Agency Comments

Boise City Planning and Development Services:
Subdivision Section – Richard Beck
- Cross access easement(s) required.
- Remove the “existing” lot line from the face of the final plat.

Comprehensive Planning and Zoning Section – Angela Brosious
This application has been reviewed for consistency with the goals and policies of the Boise City Comprehensive Plan and the Boise City Zoning Ordinance.

The subject property is zoned C-2D. The proposed lots comply with the dimensional standards of zone.

Comprehensive Plan Compliance

A portion of the existing storage buildings on this site were approved by a conditional use permit when this site was under the jurisdiction of Ada County. The building on proposed Lot 2 was approved as part of that conditional use permit. It was originally used as an office for the storage complex and a contractor’s yard. In 2001 the City approved a conditional use permit to add additional storage units and office space so the contractor’s yard could function as an independent business. The applicant is now applying for a two lot subdivision to separate the contractor’s yard from the storage business.

Chapter 6.1, Streets

Goal
Maintain the function of the street system for current users, emergency response efforts and for use by future generations.

Objective 3) Encourage completion of the existing street system and creation of new links, within reasonable constraints, as the transportation system develops.

Policy 2) Allow full access to parcels abutting local streets, except where adequate alley access exists to individual lots, in which case new developments shall be encouraged to utilize the alley for access.

Analysis
This development does not propose any new street access.

Chapter 7.2, Community Design

Goal
Create a community composed of neighborhoods in which services and amenities are convenient, visually pleasing and properly integrated and designed to encourage walking and cycling.

**Objective 4)** Reinforce the development of functional and visually appealing neighborhoods.

**Policy 4)** Establish a continuous network of sidewalks, bicycle and/or pedestrian paths to establish internal and external linkage within the community.

**Analysis**
Hampton Street is improved with sidewalk.

**Summary of Comprehensive Plan Review**

**Does project comply with Land Use Policies?** Yes  
**Does project comply with Street Policies?** Yes

**Recommendation**

The Comprehensive Planning staff does not have any policy objections or recommended conditions of approval.

Building Section - Marlene Southard  
· No conditions.

Sediment and Erosion Control – Steve Webb  
· No conditions.

**Boise City Public Works:**  
Drainage/Hillside - Terry Records  
· No standard drainage condition.

Engineering – Rob Bousfield  
· No special comment.

Pressure Irrigation - Kent Johnson  
· Comply with Idaho Code, Section 31-3805 and/or Boise City Code Section 9-20-8.J.

Sewer - John Johnson  
· Sewer assessment must be paid.

Street Lights - Henry Alarcon  
· No street lights required.

**Boise City Fire Department** - David Miller (no comments received)

**Boise City Parks Department** - Cheyne Weston (no comments received)
**Boise Airport** - John Anderson (no comments received)

**Ada County Highway District** – Lori Den Hartog (October 15, 2004)
This is a staff level approval of a preliminary plat for Shine’s Subdivision. The applicant is proposing to subdivide an existing lot into 2 lots. The applicant will be required to pave the two existing driveways on Hampton Road that are currently gravel. No new access is granted to the public roadway system. The applicant is required to pay all applicable platting and review fees.

**Ada County Street Name Committee**
The following existing street names shall appear on the plat:
(waiting for response)

**COMPASS** (no comments received)

**Central District Health Department** - Mike Reno
· After written approval from appropriate entities are submitted, we can approve this proposal for central sewage and central water.
· The following plans must be submitted to and approved by the Idaho Department of Health and Welfare, Division of Environmental Quality:
  A. Central Sewage
  B. Central Water
· Street runoff is not to create a mosquito breeding problem.

**STORMWATER MANAGEMENT RECOMMENDATIONS**

We recommend that the first one half inch of stormwater be pretreated through a grassy swale prior to discharge to the subsurface to prevent impact to groundwater and surface water quality. The engineers and architects involved with the design of this project should obtain current best management practices for stormwater disposal and design a stormwater management system that is preventing groundwater and surface water degradation. Manuals that could be used for guidance are:

1) **BOISE STORM WATER BEST MANAGEMENT PRACTICES**
   Prepared by the Boise City Public Works Department, Boise Idaho, January 1997.

2) **ADA COUNTY HIGHWAY DISTRICT GUIDELINES FOR STORMWATER AND SITE DRAINAGE MANAGEMENT**

3) **CATALOG OF STORM WATER BEST MANAGEMENT PRACTICES FOR IDAHO CITIES**
   Prepared by the Idaho Division of Environmental Quality, Boise, Idaho.

**Nampa & Meridian Irrigation District** - Bill Henson
If all storm drainage is retained on-site, there will be no impact on the Nampa & Meridian Irrigation District (District) and no further review will be required.

However, if any surface drainage leaves the site, the District requires a Land Use Change Application be filed for review prior to final platting. Please contact Donna Moore at 466-7861 for further information.

All laterals and waste ways must be protected. The developer must comply with Idaho Code 31-3805. It is recommended that irrigation water be made available to all developments in the District.

**Independent School District of Boise City #1**

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: Horizon
- Junior High School: Fairmont
- High School: Capital

**United States Postal Service - Jeff Day, Postmaster**

The following are the basic conditions requested by the Postal Service.

1. In all new residential areas, service will be provided to Cluster Box Units (CBUs). It will be the responsibility of the contractor to pour a cement pad meeting the required specifications in a location(s) approved by the Postal Service.
2. The clustering of all boxes in one approved area is recommended for multi-family dwellings, e.g., condos, duplexes, triplexes, etc. All locations must still be approved.
3. Fill-in development, defined as three or less residential lots, may receive the existing mode of delivery as the rest of the neighborhood. All locations must still be approved.
Recommended Conditions of Approval

Special Conditions

1) The developer and/or owner shall provide cross access easement(s) for Lots 1 and 2, which shall be reviewed and approved by Boise City.
   a) The common/cross access, ingress-egress, easement(s) shall be delineated on the face of the final plat.
   b) Covenants for the maintenance of the common/cross access, ingress-egress, easement(s) shall be recorded at the time of recording the final plat, which covenants provide that:
      i) The said easement(s) shall run with the land, and
      ii) The common/cross access, ingress-egress, easements(s) provisions cannot be dissolved without the express consent of the City of Boise.

2) Prior to the signature of the Boise City Engineer, the existing lot line between lots 2 & 3, Kepner Place Subdivision as noted on the face of the final plat, shall be removed.

Irrigation Conditions

3) Comply with Idaho Code, Section 31-3805 and Boise City Code 9-20-8.J concerning irrigation rights, transfer and disclosure. Proof of compliance shall be in the form of the following:
   a) The water rights appurtenant and the assessment obligation of the lands in said subdivision which are within the irrigation entity have been transferred from said lands or excluded from an irrigation district by the owner thereof; or by the person, firm or corporation filing the subdivision plat; or
   b) The owner or person, firm or corporation filing the subdivision plat has provided for underground tile or other like satisfactory underground conduit to permit the delivery of water to those landowners within the subdivision who are also within the irrigation entity.

4) No ditch, pipe or structure for irrigation water or irrigation waste water shall be obstructed, rerouted, covered or changed in any way unless such obstruction,
rerouting, covering or changing has first been approved in writing by the ditch company officer in charge.

a) A copy of such written approval by the ditch company officer shall be filed with the construction drawing and submitted to the Department of Planning and Development Services prior to signing of the final plat by the Boise City Engineer (B.C.C. 9-20-8.F.2).

5) Fence, cover or tile all irrigation ditches, laterals or canals and drains, exclusive of natural waterways, intersecting, crossing or lying adjacent to the subdivision prior to final platting or post bond in the amount of 110% of the estimated improvement cost with the Boise City Planning and Development Services Department. "Adjacent" is defined by the Boise City Code as "located within less than sixty feet (60') of any lot included in the development."

a) Any covering or fencing program involving the distribution of any irrigation district shall have the prior approval of the affected district.

b) If the developer requests a water amenity, such request shall comply with B.C.C. 9-20-8.F.5.

c) Fencing shall be installed within 90 days of the issuance of the first building permit in the development, if building permits are obtained prior to completion of fencing improvements.

Sewer Condition

6) Developer and/or owner unless previously paid, shall pay a sewer assessment along Hampton Road and/or as may be approved by the Boise City Public Works Commission Prior to signing of the final plat by the Boise City Engineer. Contact the Boise City Public Works Department for specific costs.

General Conditions

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

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

OR

b) A non-build agreement has been executed and recorded with a note on the face of the final plat identifying the instrument number.
NOTE:

i) For streets having a width less than 36 feet back of curb to back of curb parking shall be restricted on (1) one side; for streets having a width less than 29 feet back of curb to back of curb parking shall be restricted on both sides; and for standard ACHD cul-de-sacs 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.

ii) "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.

8) The name, Shine’s Subdivision, 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 reapproval 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.

9) Correct street names as approved by the Ada County Street Name Committee shall be placed on the plat (I.C. Title 50, Chapter 13).

10) A note on the face of the final plat is required stating, “Minimum building setback lines shall be in accordance with the Boise City Zoning Ordinance at the time of issuance of the building permit. All lot, parcel and tract sizes shall meet dimensional standards as established in the Boise City Zoning Ordinance.” (B.C.C. 9-20-7.C.1)

11) Developer shall provide utility easements as required by the public utility providing service (B.C.C. 9-20-7.F).

12) Approval of sewer and water facilities by the Regional Health and Welfare Environmental Services Office is required and signature by the Ada County Central District Health Department is required (I.C. Title 50, Chapter 13).

13) Developer shall comply with all construction standards of Ada County Highway District including approval of the drainage plan, requirements for installing curb,
gutter, sidewalks and paving throughout the subdivision as specified by the Boise City Council. Signature by the Ada County Highway District on the plat is required (I.C. Title 50, Chapter 13).

14) Prior to submitting the final plat for recording, the following endorsements or certifications must be executed: Signatures of owners or dedicators, Certificate of the Surveyor, Certificate of the Ada County Engineer, Certificate of the Central District Health Department, Certificate of the Boise City Engineer, Certificate of the Boise City Clerk, signatures of the Commissioners of the Ada County Highway District and the Ada County Treasurer (I.C. Title 50, Chapter 13).

15) Developer shall comply with B.C.C. 9-20-5.D.2 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.

   a) 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.

   b) 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.

   c) The plat shall be recorded with the Ada County Recorder within one year from the date of the City Engineer’s signature. If the plat is not recorded within the one-year time frame it shall be deemed null and void.

16) No building permit for the construction of any new structure upon property within a proposed subdivision plat shall be issued until the subdivision plat has been recorded pursuant to the requirements of the Boise City Subdivision Ordinance, Section 9-20-08.A.2.

17) This subdivision is approved for 2 buildable lots.
VICINITY MAP SHOWING THE PROPOSED
SHINE'S SUBDIVISION

A resubdivision of portions of the East 1/2 of
Lots 2 and 3, The Kepner Place Subdivision,
Book 6, Page 325.
Lying within the SW¼ of the SW¼ of Section 3, Township
3 North, Range 1 East, Boise Meridian City of Boise
Ada County, Idaho

ZONING DESIGNATION
C-2

BERGEY LAND SURVEYING
Surveyors • Planners
1103 West Main Street
Middleton, Idaho
208-585-5858