



Planning & Development Services

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Planning Division Transmittal

File Number: CAR20-00007 **Hearing Date:** TBD
X-Ref: CUP20-00023 (ePlanReview) **Hearing Body:** Planning and Zoning Commission
Address: 200 N 4TH STREET **Transmittal Date:** 6/1/20
Applicant: BALL VENTURES AHLQUIST

- Submit comments at least **15 Calendar Days** prior to the hearing date listed above so your comments can be included in the project report. For Administrative Levels & Final Subdivision Plats, please comment within **7 Calendar Days** of the transmittal date.
- If responding by e-mail, please send comments to PDSTransmittals@cityofboise.org and put the file number in the subject line.
- Paper copies are available on request. Please call (208) 608-7100 and have the file number available. If you encounter problems with the electronic transmittals or want to provide feedback, please call (208) 608-7084.

Ada County

- 911 (Sheriff Dispatch)
- ACHD
- Commissioners
- COMPASS
- Community & Regional Planning
- Development Services
- Parks & Waterways

Boise City

- Airport
- Building
- Building-ESC
- Building-ROS & Subdivisions
- City Clerk
- Comp Planning
- DFA
- Fire
- Legal
- Library
- Parking Control
- Parks
- PDS-Project Management
- Police
- Public Works-Addressing
- Public Works-Annexations
- Public Works-Drainage
- Public Works-Environmental
- Public Works-Environmental-BRS
- Public Works-Floodplain
- Public Works-Hillside/Grading
- Public Works-Irrigation
- Public Works-Sewer
- Public Works-Solid Waste
- Public Works-Street Lights
- Public Works-Subdivisions
- PDS-Noticing Copy

Federal

- Army Corp of Engineers
- BLM
- EPA
- Fish & Wildlife Service

Idaho State

- Dept of Lands
- Dept of Parks & Recreation
- Dept of Water Resources
- DEQ
- Division of Public Works
- Fish & Game (Region III)
- Historical Society
- Transportation District

Irrigation Districts

- Board of Control*
- Boise City Canal
- Boise Valley
- Boise-Kuna
- Bureau of Reclamation*
- Drainage District # _____
- Farmers Union
- Nampa & Meridian
- New York Irrigation*
- Settlers
- South Boise Mutual
- South Boise Water
- Thurman Mill Ditch Co

Miscellaneous

- Boise Postmaster*
- CCDC
- CDHD
- City of Eagle
- City of Garden City
- City of Meridian
- Preservation Idaho
- Union Pacific Railroad
- Valley Regional Transit
- Other _____

Neighborhood Associations

- Barber Valley
- Boise Heights
- Borah
- Centennial
- Central Bench
- Central Foothills
- Central Rim
- Collister
- Depot Bench
- Downtown
- East End
- Glenwood Rim
- Highlands
- Hillcrest
- Liberty Park
- Lusk District
- Morris Hill
- North End
- North West
- Pierce Park
- ~~Quail Ridge~~
- ~~Somerset~~
- South Boise Village (Energize)
- South Cole
- South East
- South Eisenman
- Sunset
- SW Ada County Alliance
- Veterans Park
- Vista (Energize)
- Warm Springs Mesa
- West Bench (Energize)
- West Downtown
- West End (Energize)
- West Valley (Energize)
- Winstead

Schools

- Boise School District
- West Ada School District

Utilities

- Andeavor Logistics
- Capitol Water Corporation
- Century Link
- Intermountain Gas
- Sparklight
- Suez Water
- West Boise Sewer District

#105 - Annexation and Rezone

Case #: CAR20-00007

Property Information

Address

Street Number: 200	Prefix: N	Street Name: 4TH ST	Unit #: 			
Subdivision name: B C O T	Block: 39	Lot: 1	Section: 10	Township: 3	Range: 2	Zoning: R-OD
Parcel Number: R1013002560	Additional Parcel Numbers: R1013002606, R1013002607, R1013002605, R1013002610					

Primary Contact

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

Agent/Representative Applicant Owner

Applicant Information

First Name: Tonn	Last Name: Petersen		
Company: Ball Ventures Ahlquist			
Address: 2775 W. Navigator Drive, Suite 220	City: Meridian	State: ID	Zip: 83642
E-mail: tonn@bvadev.com	Phone Number: (208) 616-1050	Cell: 	Fax:

Agent/Representative Information

Role Type: Architect Land Developer Engineer Contractor Other

First Name: Geoff	Last Name: Wardle		
Company: Clark Wardle LLP			
Address: 215 E. Front Street	City: Boise	State: ID	Zip: 83702
E-mail: gwardle@clarkwardle.com	Phone Number: (208) 388-1000	Cell: (208) 867-9778	Fax: (208) 388-1001

Owner Information

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

First Name: Kent	Last Name: Oram		
Company: Idaho Central Credit Union, Inc.			
Address: P.O. Box 2469	City: Pocatello	State: ID	Zip: 83206
E-mail: kent.oram@iccu.com	Phone Number: (208) 478-3300	Cell: 	Fax: (208) 637-8651

1. Neighborhood Meeting Held (Date):

6-10-20

2. Neighborhood Association:

Downtown Boise

3. Comprehensive Planning Area:

Downtown

4. This application is a request to construct, add or change the use of the property as follows:

See Narrative.

5. Type of Request:

Rezone Annexation & Rezone

6. Current Zone:

R-OD

7. Requested Zone::

C-5D

8. Size of Property:

1.26 Acres Square Feet

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

3 Floors
7,900 square feet per floor
23,549 square feet total

10. Are there any existing land uses in the general area similar to the proposed use?

If so, describe them and give their locations:

See Narrative

11. On what street(s) does the property have frontage?

Bannock Street, 4th Street, Idaho Street

12. Adjacent property information:

Uses:

Zone:

North: Commercial North: (R-O) Residential Office

South: Office South: (R-O) Residential Office

East: Office East: (R-O) Residential Office

West: Residential and Office West: (C-5) Central Business

13. Why are you requesting annexation into the City of Boise?

N/A

14. What use, building or structure is intended for the property?

See Narrative

15. What changes have occurred in the area that justify the requested rezone?

See Narrative

16. What Comprehensive Plan policies support your request?

See Narrative

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:

Geoffrey M. Wardle
208.388.3321
gwardle@clarkwardle.com

Via Electronic Submission

May 26, 2020

Boise City Planning & Development Services
Attn: Cody Riddle, Deputy Director
150 N. Capitol Boulevard
P.O. Box 500
Boise, Idaho 83701

**Re: Rezone Application – Conditional Use Permit Application
 4th and Bannock
 CW File No. 23732.0**

Dear Cody:

This letter provides a detailed explanation of the accompanying applications (“**Application**”) as well as the analysis regarding the satisfaction of the relevant standards associated therewith. This is in furtherance of our application to rezone the property located at 200 North 4th Street (“**Site**”) and for a conditional use permit associated with various elements of the larger development (“**Project**”).

The Project is a joint venture between Idaho Central Credit Union (“**ICCU**”) and BVA Development (“**BVA**”), who are initiating this Application to redevelop certain property located at 4th Street and Bannock Street in Downtown Boise. ICCU and BVA will be referenced collectively hereafter as the “**Applicant**”.

I. Project Background

The Applicant proposes to redevelop the Site as a mixed use project including office, medical office, retail, residential, and parking facilities consisting of two towers: the southern one oriented towards Idaho Street (“**Southern Tower**”) and the northern one oriented towards Bannock Street and 4th Street (“**Northern Tower**”).

A. First Floor – Retail, Access and Circulation

The First Floor of the Project consists of retail and service oriented commercial space:

- 5,000 SF Retail Bank Branch

- 5,600 SF Urgent Care Clinic
- 3,000 SF Lobby for Medical Office Building
- Access lobbies for Office and Residential uses
- Reconstructed drive through within structure
- Retail parking accessible from Idaho Street

B. Second through Sixth Floors

The Second through Sixth Floors of the Project consist of five (5) floors of parking, with approximately four hundred sixty (460) stalls for vehicles, and additional space for bicycle and service parking together with service access and storage areas. Access to the parking garage is from Bannock Street.

C. Seventh through Ninth Floors, Southern Tower

The Southern Tower oriented to Idaho Street above the Sixth Floor will consist of thirty nine (39) apartments located on the Seventh through Ninth Floors. The multifamily component consists of the following elements:

- Thirty-three (33) one (1) bedroom units
- Three (3) two (2) bedroom units
- Three (3) studio units

D. Seventh through Fourteenth Floors, Northern Tower

The Northern Tower oriented to Bannock Street and 4th Street will have eight (8) floors of office space, occupied by ICCU, Saltzer Medical Group, and others, comprising 161,000 Gross Square Feet and 138,000 Useable Square Feet, located on the Seventh through Fourteenth Floors. Medical office floors will be accessed from Bannock Street, and the other office floors are accessed from 4th Street.

E. Fifteenth and Sixteenth Floors, Northern Tower

The Northern Tower will include residential condominium units located on the Fifteenth and Sixteenth Floors, together with the mechanical penthouse for the Project. With the configuration of these floors it is anticipated that there will be a minimum of four (4) residential units and up to eight (8) residential units depending upon their ultimate design.



II. Nature of Application and Relevant Standards

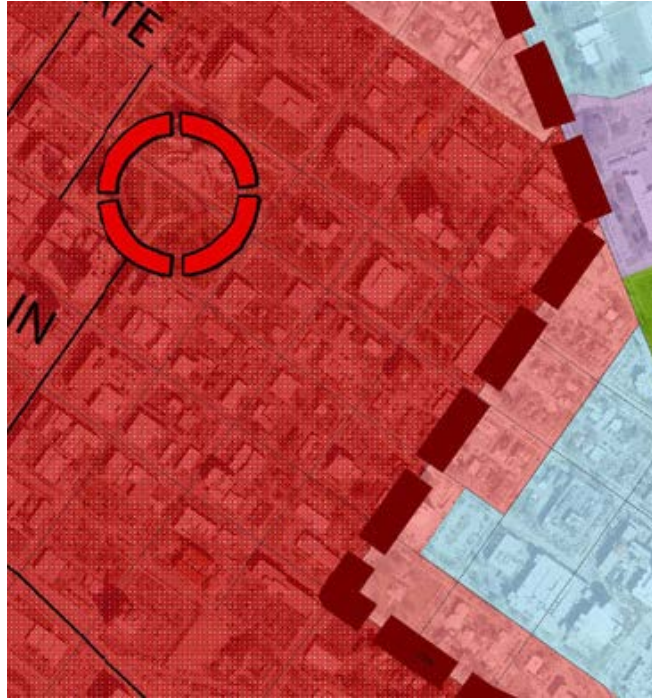
As noted above, ICCU presently owns and occupies the Site, which is a three (3) story building that was constructed in 1979 and is approximately 25,000 square feet, together with four lots to the north that provide surface parking, which were constructed in the early 1980s to provide parking for the ICCU Branch Facilities. This Application consists of a request to (i) rezone the Site from RO-D to C5-D; (ii) a development agreement; and (iii) a conditional use permit to address certain uses and to approve certain exceptions or modifications to dimensional and design standards. The Project is located on seven (7) lots located adjacent to an existing alley that are more particularly described as Lots 1, 2, 3, 7, 8, 9 and 10 in Block 39 of Boise City Original Townsite, filed in Book 1 of Plats at Page 1, in the Official Records of Ada County.





The Site is currently zoned R-OD. Properties immediately west are zoned C-5D, and property one-half block to the north is also zoned C-5D.



Pursuant to the Future Land Use Map adopted by Blueprint Boise, the Site is within the Downtown Planning Area and is designated as Downtown Mixed Use.



Mixed-Use

-  Mixed Use
-  Downtown Mixed Use

In undertaking the design of the Project, Cushing Terrell has described its Project philosophy as follows:

The ICCU Downtown Tower will provide balance to Boise’s skyline as it connects our existing Central Business District with St. Luke Health System’s expanding campus. The proposed building is anticipated to reflect the intensification of land uses in Downtown Boise project and will establish a form-based response within the context of existing zoning criteria. This is an appropriate and truly innovative project in support of our community’s future.

The proposed building provides a creative integration of uses and functions. Ground level retail banking will anchor 4th and Idaho Streets, while 4th and Bannock will provide much needed retail medical clinic space within our

downtown. Above the Idaho Street frontage, approximately thirty-nine apartment units are planned, while atop the eight anticipated medical and office floors will be four to eight residential condominium units. The middle section of the building will provide approximately four-hundred sixty parking spaces, which are in significant demand in and have long been anticipated in this part of downtown.

The ICCU Downtown Tower features a material palette that is comfortable and contemporary. The building's form provides creativity and balance. The smart selection of glazing systems will be energy-efficient while affording spectacular views of our community from the river to foothills. The building addresses the street in a creative manner: the curtain wall glazing will be complemented by well-proportioned use of GFRC and metal paneling. A retail-oriented frontage that activates the street will be uniquely landscaped – one of the more important design features of the building is its utilization of suspended vertical landscaping from the parking decks.

Overall, this is a modern and healthy building in both physical and psychological terms, appropriately in context and in support of its surroundings.

III. Application of Comprehensive Plan to Application

Boise's comprehensive plan, Blueprint Boise, guides the decisions associated with this Application. Additional planning goals are set forth in various other publications for this Site that we have incorporated and discussed below in detail, including but not limited to Old Boise East Side Master Plan; Downtown Boise Mobility Study; Downtown Boise 2016, Public Spaces and Public Life Study; Master Plan for St. Luke's Health System's Boise, Idaho Facility; and the other ordinances, guidelines and standards relevant to this discussion.

A. General Analysis

Boise City Code Section 11-03-03.7(C)(1) provides that, generally, an application is evaluated as to whether it "is consistent with the policies of the adopted Boise City Comprehensive Plan"; Boise City Code Section 11-03-04(3)(B)(7)(c)(i) specifies that recommendations for rezones shall find it "Is in compliance with the Comprehensive Plan;" and Boise City Code Section 11-09-04(6)(C)(7)(v) requires that with respect to a CUP, "[t]he proposed use is in compliance with the Comprehensive Plan"

The Local Land Use Planning Act requires decision makers to evaluate creation of and amendments to zoning districts "in accordance with the policies set forth in the adopted comprehensive plan" Idaho Code 67-6511(1) (initial creation of zoning districts); to "analyze proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan" Idaho Code 67-6511(2)(c)(amendments to zoning ordinances); and to evaluate whether a special use permit should be granted "when it is not in conflict with the plan" Idaho Code 67-6512(a). Interestingly, Idaho Code 67-6511A, authorizing the use of development agreements, lacks similar language ostensibly because the ultimate approved uses, authorized pursuant to Idaho Code 67-6511 and 67-6512 have been addressed independent of a development agreement.

In interpreting the language of “in accordance with” or “not in conflict with”, Idaho’s courts have repeatedly held that a city cannot elevate its comprehensive plan to the status of a zoning ordinance. In Urrutia v. Blaine County, 134 Idaho 353 (1999), the Supreme Court reviewed Blaine County’s denial of a subdivision plat application that met all of the use and dimensional standards of the Blaine County Code because Blaine County found that the application did not comply with the relevant comprehensive plan. Id. at 357. Recognizing that the Blaine County code stated that subdivision applications shall “conform to the Comprehensive Plan,” the Court held that requirement merely requires the applications to “generally comport[] with the overall goals of the comprehensive plan.” Id., at 358.

Ultimately, the Court held that:

It is to be expected that the land to be subdivided may not agree with all provisions in the comprehensive plan, but a more specific analysis, resulting in denial of a subdivision application based solely on non-compliance with the comprehensive plan elevates the plan to the level of legally controlling zoning law. Such a result affords the Board unbounded discretion in examining a subdivision application and allows the Board to effectively re-zone land based on the general language in the comprehensive plan. As indicated above, the comprehensive plan is intended merely as a guideline whose primary use is in guiding zoning decisions. Those zoning decisions have already been made in this instance and land subdivided into twenty-acre lots and used for single family residences is specifically permitted in this agricultural area.

Id., at 358-59 (emphasis added).

Why did the Idaho Supreme Court rule this way? It did so because it had long recognized that a comprehensive plan, including its land use map element, neither represent nor establish present zoning uses. In Bone v. City of Lewiston, 107 Idaho 844 (1984), the Idaho Supreme Court expressly held that a “city’s land use map does not require a particular piece of property, as a matter of law, to be zoned exactly as it appears on the land use map.” Id., at 850. It did so, finding that there is:

[A] large body of case law which states that comprehensive plans do not themselves operate as legally controlling zoning law, but rather serve to guide and advise the various governing bodies responsible for making zoning decisions. See Theobald v. Board of County Commissioners, Summit County, 644 P.2d 942, 949 (Colo.1982); Barrie v. Kitsap County, 613 P.2d 1148, 1152 (Wash.1980); Holmgren v. City of Lincoln, 199 Neb. 178, 256 N.W.2d 686, 690 (1977); 82 Am.Jur.2d, Zoning and Planning, § 69; 3 Anderson, American Law of Zoning 609.

Id.

The lesson to be learned from these cases is that the comprehensive plan is to “guide and advise” decision makers in making land use decisions--it is not in and of itself the actual

ordinance or policies that are being enforced. However, in reviewing Blueprint Boise, it is clear that this Application is made “in accordance with” and is “not in conflict with” this guide. We will now address adherence to specific provisions of the comprehensive plan and its supporting documents.

B. General Community Considerations.

Applicable Blueprint Boise and Other Plan Goals	Project Elements Undertaken in Accordance with Planning Goals
<ul style="list-style-type: none"> • Adhere to the land use map, Blueprint Boise, p.3-2 • Keep and attract existing business to downtown, Blueprint Boise, p. DT-23, Goal DT-ED 1.1(b) • Provide for expansion of necessary services. Blueprint Boise, p. DT-23, Goal DT-ED 1.1(c)-(d) • Promote a broad mix of uses from a variety of economic sectors, Blueprint Boise, p. DT-22, Goal DT-ED 2 • Integrate infill projects into existing neighborhood and promote a variety of architectural styles, Blueprint Boise, p. DT-22, Goal DT-CEA 3 	<ul style="list-style-type: none"> • Rezoning to C-5 is in accordance with the land use map • Conditional use permit is in furtherance of the stated goals • This redevelopment is undertaken by an existing Downtown business to expand and to provide additional space to complement health care providers • Project will promote a true mix of uses • Infill redevelopment of existing surface parking lot, drive through, and 1970’s era building

This Site is within the Downtown Planning Area. As noted above, the Applicant proposes an ambitious redevelopment plan to create a mixed-use project that is guided by, and in accordance with, the stated planning goals of the various relevant planning documents adopted by the City of Boise.

As noted in Blueprint Boise, “Downtown has the most intensive and varied mix of land uses in the city, including high rise office buildings, hotels and condominiums, a thriving commercial district with numerous shops, restaurants and service businesses, local, state and federal government offices, St. Luke’s Regional Medical Center, Boise State University, and cultural, entertainment and convention facilities.” Blueprint Boise, p. DT-2. Downtown Boise 2016, Public Spaces and Public Life Study, p. 27, notes further that “Boise’s skyline is not yet mature, and will continue to develop for many decades to come.” This Application is undertaken in furtherance of the specified goals set forth for the Downtown Planning Area.

As identified for the Downtown Planning Area, it is the unambiguous intent of the City of Boise to “[m]aintain Downtown as the civic, economic, educational, social and cultural center of the city and region, which includes a concentrated, higher density Central Business District (CBD) activity center and integrated subdistricts.” Blueprint Boise, Goal DT-CCN 1, p. DT-9. Accomplishing this goal necessitates development of “a vibrant mix of uses in Downtown” to encourage 24-hour activity, a mixture of office, retail, residential, and medical facilities. Blueprint Boise, Goal DT-CCN 1, p. DT-9.

Chapter 3 of Blueprint Boise sets forth the analysis to be applied to “Community Structure and Design”. Blueprint Boise, p.3-1. As noted therein, “future zone changes should generally adhere to the land use categories depicted on the Land Use Map, but flexibility in interpretation of the boundary may be granted by the Planning and Zoning commission, provided the proposed change is consistent with the principles, goals, and policies contained in this plan.” Blueprint Boise, p.3-2.

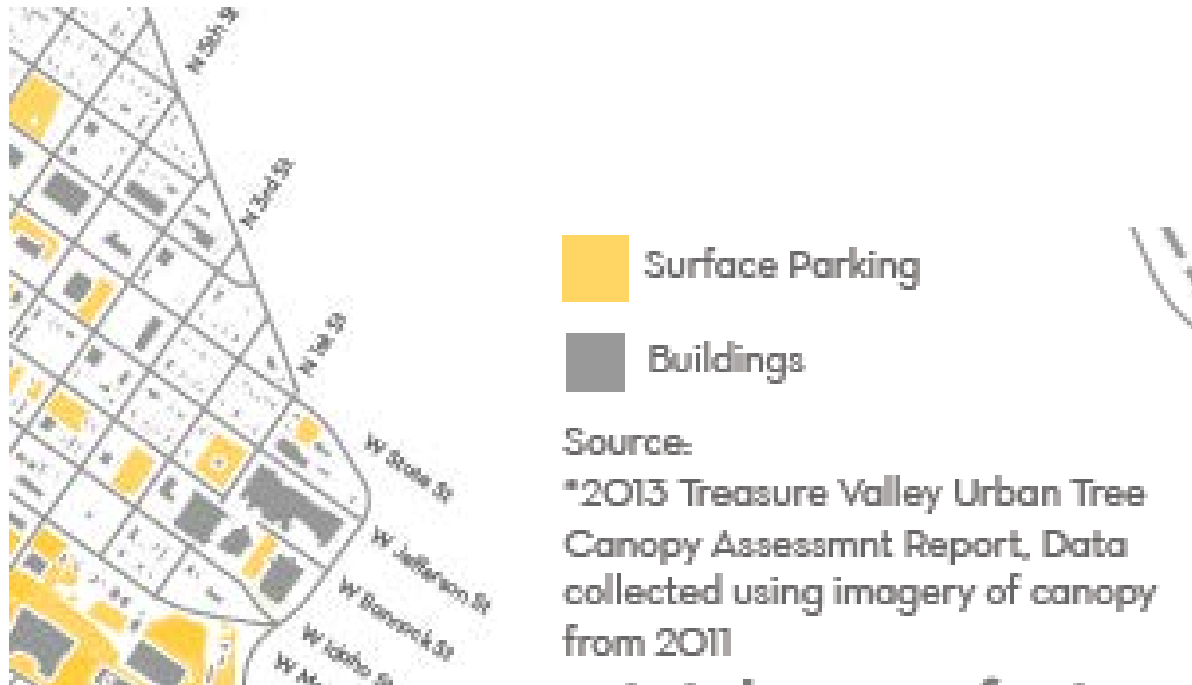
Specifically, in the Downtown Planning Area, it is recognized that while infill projects need to integrate with existing historic buildings, it is still desirable to ensure that there are a “range of architectural styles incorporated.” Blueprint Boise, p. DT-22, Goal DT-CEA 3. This Site, however has long been identified and targeted for redevelopment. It is identified on the Old Boise East Side Master Plan as being an Opportunity Site for potential structured parking and “Urban Residential” development as set forth in the Old Boise East Side Master Plan, pp., 25, 43. Obviously, there are challenges associated with any design; however, with this Application, it is important to note that no historic structures are being removed, that a surface parking lot is being redeveloped, and a 1970’s area building that has no street presence are being replaced.

The Application furthers the economic development goals set forth in Blueprint Boise. The purpose of the redevelopment of this Site is “growing, attracting and retaining successful business in Downtown.” Blueprint Boise, p. DT-23, Goal DT-ED 1.1(b). ICCU is seeking to expand and improve its existing presence in Downtown by redeveloping its property. The integration of the medical office components permit one of Idaho’s historic independent health care providers to respond to demand created by the expansion of the St. Luke’s Campus, while further providing services in a community that it has not historically served. These uses certainly could be provide in other lower-cost locations--and they are--but this reflects a significant commitment to downtown by these businesses. Blueprint Boise, p. DT-23, Goal DT-ED 1.1(c)-(d). Moreover, this Application and development proposal is in furtherance of the goal of diversifying the Downtown economy by ensuring a broad mix of uses from a variety of economic sectors. Blueprint Boise, p. DT-22, Goal DT-ED 2.

C. Redevelopment Considerations and Parking Redevelopment

Applicable Blueprint Boise and Other Plan Goals	Project Elements Undertaken in Accordance with Planning Goals
<ul style="list-style-type: none"> • Create a more compact and sustainable development pattern, Blueprint Boise p. 3-13 • Redevelop surface parking lots and underutilized parcels, Blueprint Boise, p. DT-1, Goal DT-CNN 3(a) • Increase variety of parking options, Blueprint Boise, p. DT-12, Goal DT-PKG 1.7(a) • Reduce spill over parking, Blueprint Boise, p. DT-12, Goal DT-PKG 1.8 	<ul style="list-style-type: none"> • Promote infill development in Downtown Planning Area • Redevelop surface parking lots to reduce their negative impact • Improve pedestrian experiences

Not every provision and goal set forth in Blueprint Boise or the Old Boise East Side Master Plan will necessarily be satisfied by every project and every location. However, this Application satisfies a significant number of the goals of those plans as redevelopment of this Site has long been contemplated by those very plans. Old Boise East Side Master Plan, pp., 25, 43. The fact that this Site is presently dominated by a surface parking lot and an office building that does not interface with the street provides an opportunity here to undertake something significant, unique and intensive. Surface parking lots are bad. They suck life out of the very neighborhoods they serve.



Surface parking is ubiquitous in Downtown Boise, covering a total of 10,246,534 square feet, 19% of the total area of Downtown. This excludes on-street parking, but includes some undeveloped parcels which might not always be used for parking. As surface parking continues to be re-purposed and redeveloped, its share of the Downtown planning area will fall dramatically in the coming decades. Downtown Boise 2016, Public Spaces and Public Life Study, p. 24.

Surface parking is unattractive and damages the walkability and bikeability of Boise. Though parking access is necessary to maintain a high quality of public life, structure parking provides a better (though more expensive) alternative. Sustained efforts should be made to reclaim surface parking lots for more valuable uses. Downtown Boise 2016, Public Spaces and Public Life Study, p. 24.

As set forth in Figure 5: Opportunity Sites this Site was previously identified as a location for a parking structure and for urban residential redevelopment.

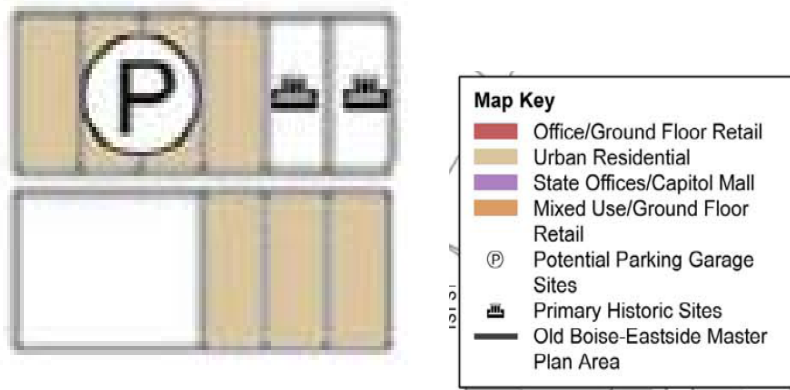
Figure 5: Opportunity Sites



OLD BOISE-EASTSIDE MASTER PLAN

Preferred Development Concept

25



Old Boise East Side Master Plan, pp., 25, Figure 5, Opportunity Sites.

It was also identified as a potential site for a parking garage, as set forth in Figure 12: Public Parking Garages.

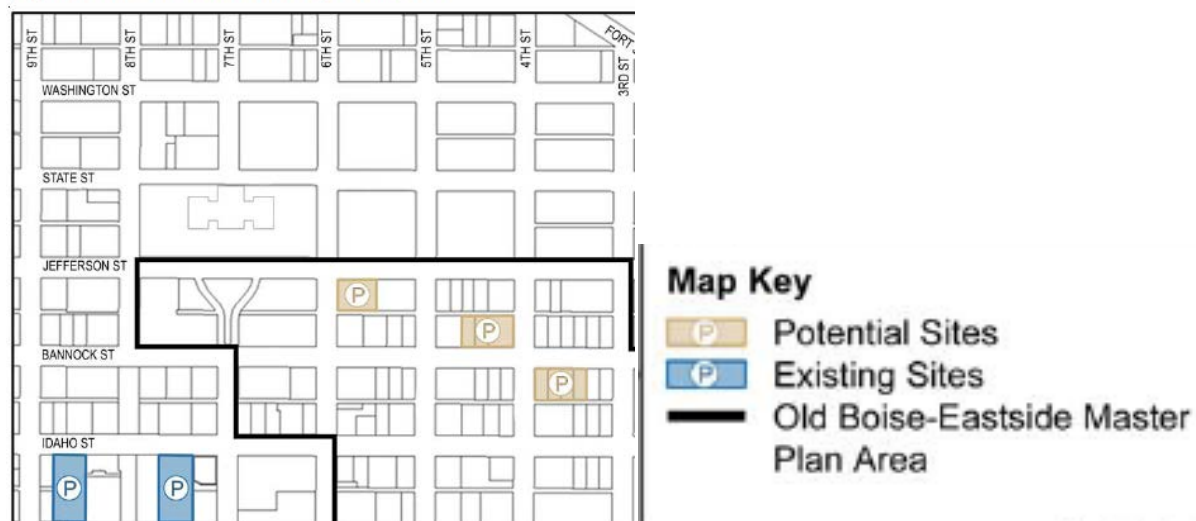
Figure 12: Public Parking Garages



OLD BOISE—EASTSIDE MASTER PLAN

Specific Plans, Guidelines & Action Steps 43

Figure 12: Public Parking Garages



Old Boise East Side Master Plan, pp., 25, Figure 12, Public Parking Garages.

Obviously, construction of a parking structure alone would impact adjoining properties. So how do we balance these interests? By ensuring that redevelopment promotes the mixed use and other goals set forth in Blueprint Boise for this planning area. Specific design principles

are set forth for the Mixed Use land use designations encouraging “a more compact and sustainable pattern of development in the city’s activity centers over time”. Blueprint Boise p. 3-13.

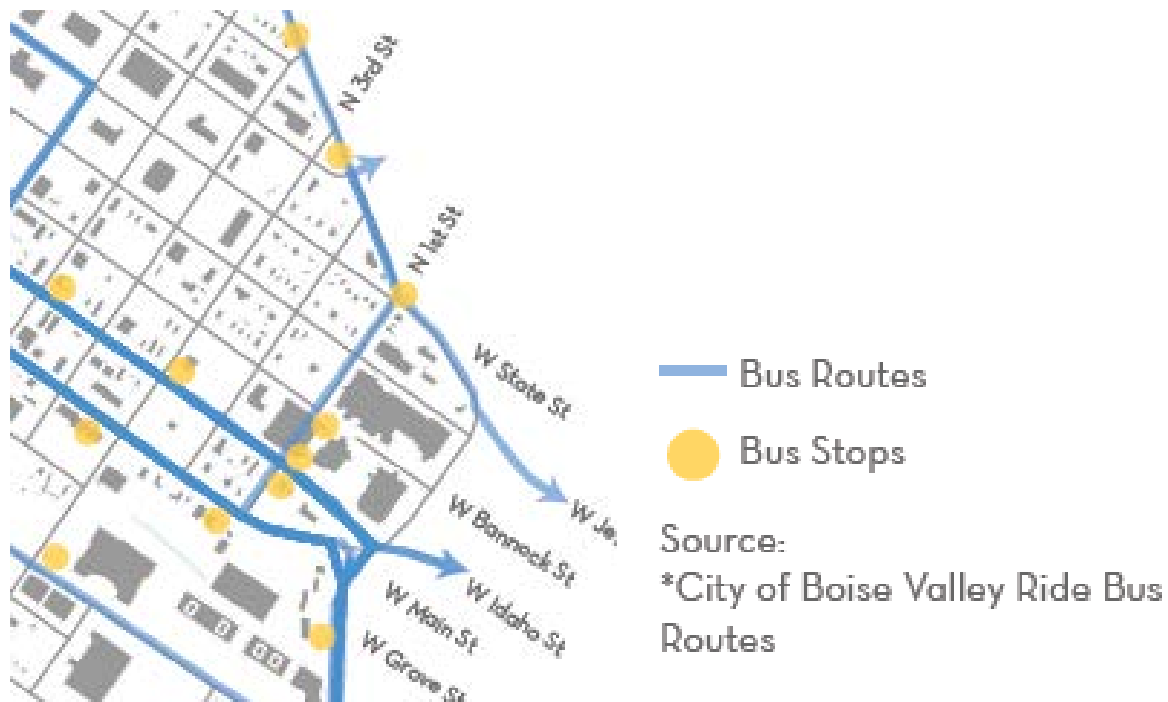
It is absolutely clear from Blueprint Boise that redevelopment of surface parking lots and “underutilized parcels” is a priority for the City of Boise. Blueprint Boise, p. DT-1, Goal DT-CNN 3(a). To a certain extent with the Old Boise East Side Master Plan and the Downtown Boise 2016, Public Spaces and Public Life Study, these considerations have been made previously. Blueprint Boise, p. DT-1, Goal DT-CNN 3(a). The Old Boise East Side Master Plan clearly contemplated increasing parking in the area, while replacing surface parking lots with structured parking, integrating design elements to ensure that there are active street level pedestrian oriented uses. Old Boise East Side Master Plan, p., 44, Design and Development Guidelines 5.1 – 5.5; Downtown Boise 2016, Public Spaces and Public Life Study, p. 23.

Removal of surface parking lots and replacement with structured parking has been planned as set forth above and is a goal of Blueprint Boise, which “makes available for more productive uses, and increases development intensity, walkability and vitality.” Blueprint Boise, p. DT-12, Goal DT-PKG 1.2(a)-(c). Moreover, the inclusion of a structured parking facility at this location furthers the goals of providing a variety of shared private parking facilities. Blueprint Boise, p. DT-12, Goal DT-PKG 1.7(a). This also serves to minimize the impact on Downtown adjacent neighborhoods from spill-over parking. Blueprint Boise, p. DT-12, Goal DT-PKG 1.8.

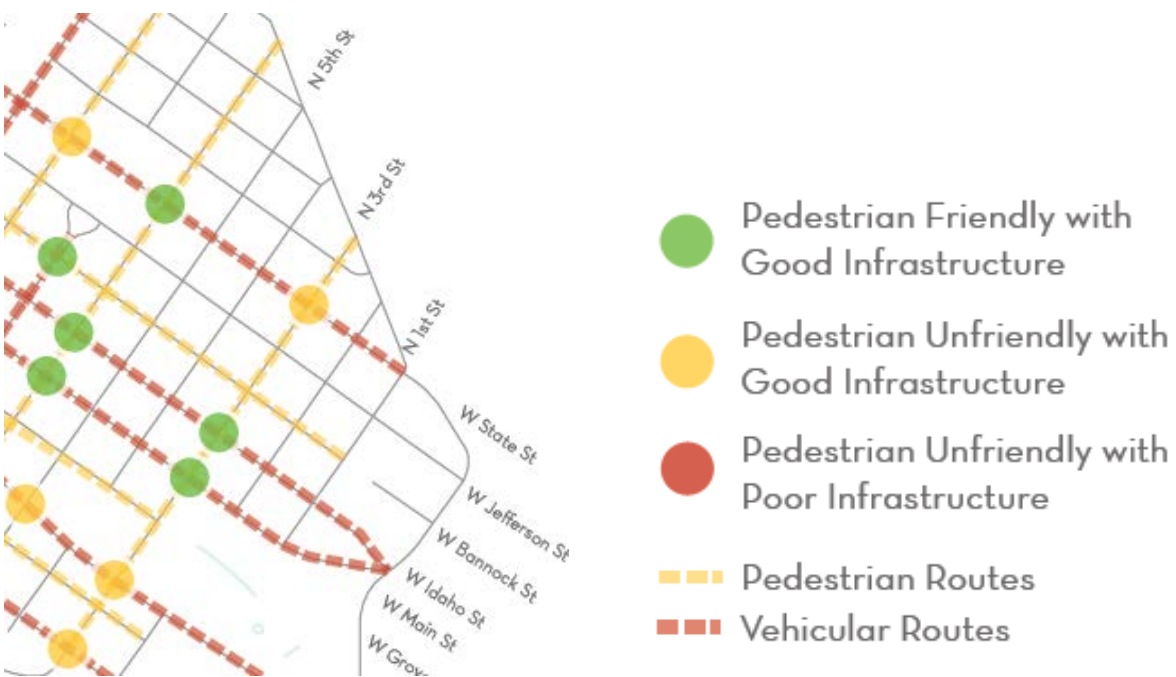
D. Transportation and Transit

Applicable Blueprint Boise and Other Plan Goals	Project Elements Undertaken in Accordance with Planning Goals
<ul style="list-style-type: none"> • Enhance the pedestrian experience, Blueprint Boise, p. 3-14, GDP-MU.4(a)-(b) • Intensify uses proximate to transit service, Blueprint Boise, p. 3-14, GDP-MU.6(a)-(b) • Enhance cycling facilities in Downtown, Blueprint Boise, p. DT-14, DT-C 1.5(a) 	<ul style="list-style-type: none"> • Mixed use project on existing transit • Redevelopment of surface parking lot • Orientation of retail/commercial uses to street • Enhance cycling facilities and amenities • Connect existing employment and activity centers

The Application will enhance and promote the transportation connectivity goals previously adopted by Boise. The Site is already served by transit and is intensifying the uses that are present at the Site through redevelopment furthers the goals set forth in GDP-MU.6. Blueprint Boise, p. 3-14, GDP-MU.6(a)-(b). From a transportation perspective these uses should take into consideration existing transit systems and enhanced pedestrian and cycling facilities. Blueprint Boise, p. 3-12. There are already multiple bus lines serving the Site on Idaho Street, with stops within one block of the property. Downtown Boise 2016, Public Spaces and Public Life Study, p. 19.



This is reaffirmed in the Downtown Boise 2016, Public Spaces and Public Life Study, which notes the status of Bannock Street as a primary pedestrian route through downtown and Idaho Street as a primary vehicular route (p.17).

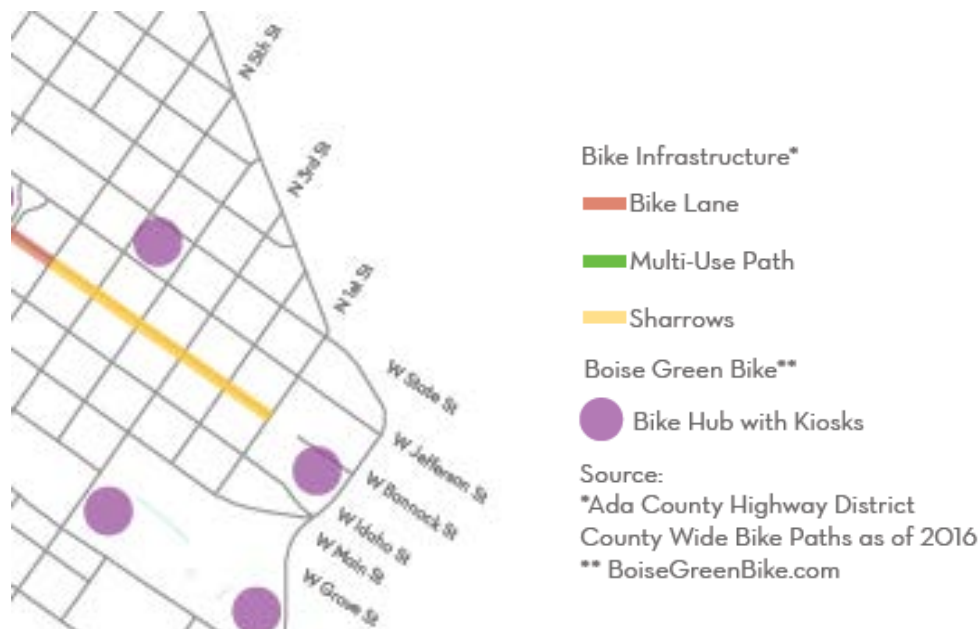


Another component to these goals is enhancement of the pedestrian experience. As set forth in Principal GDP-MU.4, pedestrian access and orientation necessitates design of buildings

so that they are close to the street, that their parking is separated and oriented away from pedestrian areas, and providing enhanced pedestrian facilities. Pedestrian connections in and through the site help to facilitate pedestrian connections. Blueprint Boise, p. 3-14, GDP-MU.4(a)-(b).

Elimination of a surface parking lot and intensification of office, retail, and residential uses at this Site increases the very connections, both physical and economic, between existing employment and activity centers that have long been sought by the City of Boise. The Downtown Boise Mobility Study noted that it was intended to “create . . . [c]onnections between various activity centers within the study area such as the downtown core, the cultural district, the downtown neighborhoods, state capitol and state offices, Ada County Courthouse, Boise State University, Idaho Water Center, St. Luke’s Regional Medical Center, and proposed multimodal stations through an effective transportation system and connections.” Downtown Boise Mobility Study, p. v. Street oriented retail and commercial uses with development at the property line in the Downtown Planning Area improves the pedestrian experience between these existing centers. Downtown Boise Mobility Study, p.12.

While six major north-south routes have bike lanes, Bannock Street and Grove Street are the only east-west bike lanes in the central core. Enhanced cycling facilities are contemplated on Bannock improving it as the primary east west connection through Downtown. Downtown Boise 2016, Public Spaces and Public Life Study, p. 18. Master Plan St. Luke’s Health System’s Boise, Idaho Facility, pp. 30, 35. The enhancement and importance of Bannock as an important part of the Downtown cycling infrastructure has also long been identified. Downtown Boise Mobility Study, p. 38.



Improvement of the bike network to remedy service gaps and improve east-west connectivity is furthered by this Application and is in furtherance of the goals set forth in Blueprint Boise to do more to provide bicycle facilities in Downtown to encourage and uses. Blueprint Boise, p. D-5. Downtown Boise 2016, Public Spaces and Public Life Study, p. 18. In

furtherance of these goals, this Application will expand facilities and amenities for cycling necessary to encourage their use for transportation and recreation. Blueprint Boise, p. DT-14, DT-C 1.5(a).

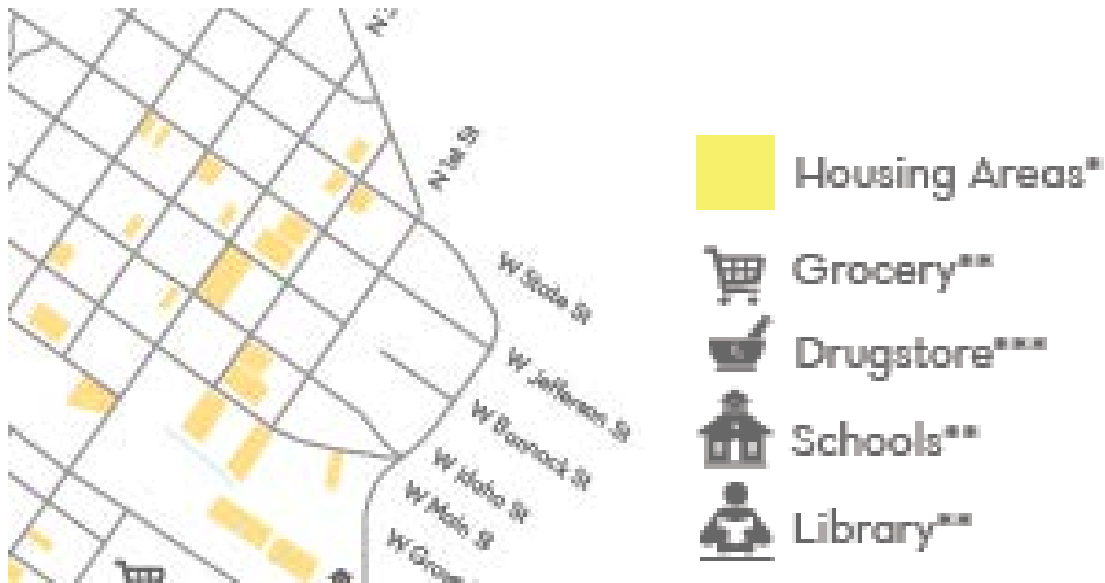
E. Housing Considerations in Downtown

Applicable Blueprint Boise and Other Plan Goals	Project Elements Undertaken in Accordance with Planning Goals
<ul style="list-style-type: none"> • Utilize vertical mixed use to integrate housing into other development types Blueprint Boise, p. 3-13, GDP-MU.1(a)-(d) • Develop housing near work, shopping, transportation, Blueprint Boise, p. 3-13, GDP-MU.3(a)-(b) • Provide a variety of housing types for various types of households, Blueprint Boise, DT-10, DT-CCN 2.2 • Enhance Downtown neighborhoods, Blueprint Boise, DT-10, DT-CCN 2.1(a)-(b). 	<ul style="list-style-type: none"> • Vertically mixed use development with housing, office, retail, service uses • Redevelopment of existing surface parking • Provision of both for sale and for rent products • Provision of variety among each of those • Provide housing in an area long designated for more housing

As recognized in Blueprint Boise, redevelopment downtown should be linked with the development of urban housing. Historically, “Downtown has been viewed primarily as an office and commercial center rather than a place for living.” Blueprint Boise, p. DT-7. That is why this Application integrates office, retail, parking and residential uses. These types of mixed uses facilitate creation of “a vibrant urban center where people are able to live, work and play and where walking, bicycling and transit are practical alternatives to the automobile are key goals for Downtown.” Blueprint Boise, p. DT-2.

In the Downtown Planning Area, the vertical mixture of uses is encouraged. As set forth in Principle GDP-MU.1, Blueprint Boise contemplates “vertically mixed use building in Downtown, with retail at the street level and residential above.” Accomplishing this requires (i) a vertical mix of uses, (ii) location of active uses at the ground level to enhance the pedestrian experience; (iii) orientation of active uses to intersections near existing transit; and (iv) elimination of underutilized uses like surface parking lots to intensify higher and better uses. Blueprint Boise, p. 3-13, GDP-MU.1(a)-(d). This is consistent with the Old Boise East Side Master Plan encourages vertical mixed use within this neighborhood and promotion of enhanced “in-town residential neighborhood” along 4th Street. Old Boise East Side Master Plan, p., 30.

Moreover, as recognized in Downtown Boise 2016, Public Spaces and Public Life Study, p. 46, the Site currently is located on a block that has no residential uses and, to the extent there are residential uses to the West, they are disparate and small in number.



Housing is a key component to further these goals of mixed use development. Specifically Principle GDP-MU.2 sees to encourage incorporation of housing in activity centers “to provide opportunities for residents to walk or take transit to shops, services, and jobs” and to integrate both higher-density housing and a variety of housing types in larger developments that have existing transit access. Blueprint Boise, p. 3-13, GDP-MU.3(a)-(b).

In furtherance of the goals set forth in Blueprint Boise, it has long been recognized that enhancing the availability of residential development Downtown is necessary to increase support for existing business and to make Downtown more vibrant. Moreover, increased residential development has long been identified as being appropriate and desirable in this area. Blueprint Boise, DT-10, DT-CCN 2.1(a)-(b). This Site will also provide housing choice, with both for rent and for sale product. The apartment units are intended to provide additional workforce housing in the Downtown. The condominiums provide additional residential opportunities downtown. This furthers the goal articulated by Boise that a vibrant Downtown requires variety of housing types and living opportunities for a range of household types and income levels. Blueprint Boise, DT-10, DT-CCN 2.2.

F. Mixed Use Elements

Applicable Blueprint Boise and Other Plan Goals	Project Elements Undertaken in Accordance with Planning Goals
<ul style="list-style-type: none"> • Develop consistent with the Downtown Mixed-Use area guidelines, Blueprint Boise, p. 3-12 • Orient taller buildings to the street frontages, Blueprint Boise, p. 3-15, ID-MU.2 • Create connections with existing activity centers, Blueprint Boise, p. DT-16, DT-C 2.6 	<ul style="list-style-type: none"> • Vertically integrated mixed use project with financial services, medical office, retail services, residential uses • Structured parking above street oriented retail • Design considerations to create distinct building elements • Supplement and connect with the existing activity centers •

The Site is within the Downtown Planning Area and is presently designated as “Downtown Mixed-Use.” Chapter 3 of Blueprint Boise identifies the design considerations and elements for the Downtown Mixed-Use areas. The “characteristics” of such land use designation are described as being the “land use category is intended to reflect the significance of Downtown Boise’s role as the center of the community and region. The category accommodates the broad range of conditions that exist in Downtown today and is intended to support adopted plans and policies for different neighborhoods and districts within the Downtown Planning Area.” Blueprint Boise, p. 3-12. The Downtown Mixed-Use designation contemplates a dense development type: “Typical FARs will generally be between 2.0 and 10.0, although higher intensities will be supported within the Downtown Core.” Blueprint Boise, p. 3-12.

The Downtown Mixed-Use designation contemplates a mix of uses, with the primary uses being “medical . . . professional offices, financial institutions, medium/high-density housing,” and secondary uses such as “Parking and transit facilities, plazas, squares” being incorporated. Blueprint Boise, p. 3-12. The Downtown Mixed-Use designation is located “within the boundaries of the Downtown Planning Area” and supports various zoning districts, including the C-5 Central Business District that we are requesting here. Blueprint Boise, p. 3-12.

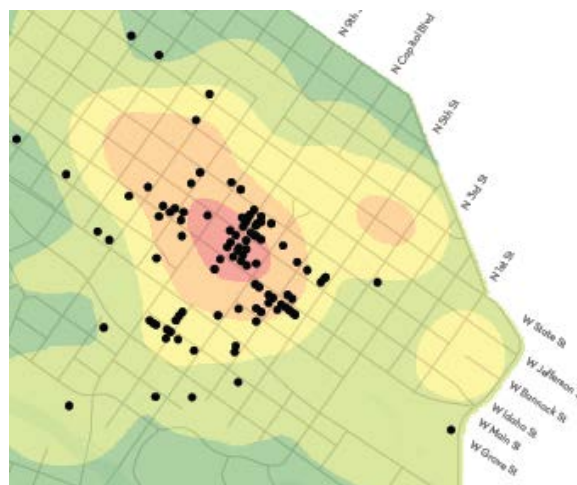
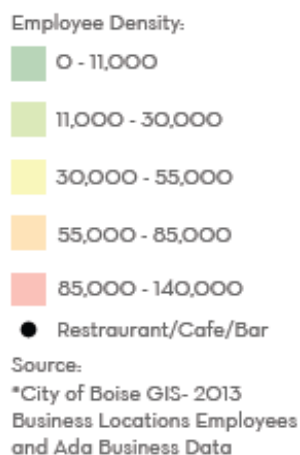
The Old Boise East Side Master Plan specifically recognizes the need to balance historic protection in the area “while encouraging development of underutilized property.” Old Boise East Side Master Plan, p., 32. Moreover, it is clear that enhancing and increasing the amount of residential use in the neighborhood as the plan further notes “[w]hen making decisions regarding preservation, rehabilitation or demolition, take into account the benefits of increasing the supply of housing for Old Boise–Eastside. Old Boise East Side Master Plan, p., 34.

As set forth in Blueprint Boise, this is a vertically mixed use project. It includes multiple land use types within a building, on different floors. In fact, this Project implements the best practices identified in Blueprint Boise by incorporating active retail uses at the street level, with office, residential, and parking located on upper floors as found elsewhere in downtown Boise. Blueprint Boise, p. 3-15.

In analyzing the larger neighborhood and the relevant plans, it is clear that the mix of uses proposed in this Application and the type of design contemplated herein is appropriate. As set forth in the Old Boise East Side Master Plan, C-5 and R-O uses are contemplated for this area, both of which are intended to provide a mixture of uses with residential, office and retail uses. Old Boise East Side Master Plan, p., 49. Moreover, although 4th Street has historically “serve[ed] as the dividing line between the C-5 district and the R-O district in Old Boise/Eastside,” the reality has been that more intensive uses and zoning are in fact found east of 4th Street, including the Imperial Arms Condominiums, which is taller than permitted within the R-O district, and the Jefferson Boise, which was rezoned to C-5 for its construction. Old Boise East Side Master Plan, pp.25, 37, 49.

Obviously, these are taller buildings, and there are a variety of uses that are incorporated. While there are a variety of one- and two-story structures in the vicinity, the reality is that this is not primarily a residential neighborhood, with the structures having been converted to commercial uses. However, as recommended by Blueprint Boise, the tallest structures are located along the primary street frontages, and the existing block patters are preserved. Blueprint Boise, p. 3-15, ID-MU.2. Moreover, with current development occurring in conjunction with the adoption of the Master Plan for St. Luke’s Health System’s Boise, Idaho Facility, the impact of those improvements on the remainder of Downtown need to be considered. St. Luke’s is constructing various additional structures that are larger and taller. The result of that development is that there are and will be a demand for independent medical services in addition to those provided by St. Luke’s. The possible location to provide such is somewhat restricted to the north and east based upon policy decisions that have been previously made. Compatible and complementary uses will therefore develop to the west and south of St. Luke’s campus. We believe this Site affords that opportunity for economic, development, transportation and other degrees of connectivity between St. Luke’s, Downtown, and the Capitol Mall.

Redevelopment of this Site, long identified for a potential parking structure, provides the necessary commercial connection with St. Luke’s to the east, the Capitol Mall to the north and the Eighth Street corridor to the west. Activating ground-floor frontages and investing in streetscape improvements would inspire Boiseans to drive less and walk more, improving pedestrian connectivity between destinations and making Downtown a more engaging place to be. Downtown Boise 2016, Public Spaces and Public Life Study, p. 13.



Exiting employment centers in Boise are already concentrated around this Site. 8th St. and Main, the Capitol Mall, St. Luke’s Regional Medical Center, and Boise State University are all located in close proximity to this Site. Downtown Boise 2016, Public Spaces and Public Life Study, p. 47. This furthers the connections with existing activity centers identified in Downtown, by providing services readily accessible to these other activity centers and by supplementing those existing uses and activity areas. Blueprint Boise, p. DT-16, DT-C 2.6.

G. Design Elements

Applicable Blueprint Boise and Other Plan Goals	Project Elements Undertaken in Accordance with Planning Goals
<ul style="list-style-type: none"> • Create distinct area with distinct identities, Blueprint Boise, p. 3-14, GDP-MU.5 • Promote urban forms that are sensitive to people, Blueprint Boise, p. DT-9, DT-CCN 1.4 • Avoid “superblock” design, Blueprint Boise, p. DT-9, DT-CCN 1.4 • Ensure existing service facilities and alleys remain functioning and useful, Blueprint Boise, p. DT-7, DT-PSF 1 	<ul style="list-style-type: none"> • Develop an integrated and connected mixed use project minimizing negative impacts • Recognize and promote urban design • Preserve existing service facilities and circulation for alleys • Utilize design elements to minimize massing

Within the Downtown Planning Area, the Downtown Mixed-Use designation contemplates design elements that make improvements distinct. Specifically Principal GDP-MU.5 encourages distinct identity of improvements by “[i]ncorporat[ing] a variety of features, such as varied materials, architectural detailing, façade articulation, varied building heights and scale, signage, landscaping, public art and other urban design elements to help establish a unique identity for each activity center and distinguish it from other activity centers in the city.” Blueprint Boise, p. 3-14, GDP-MU.5.

This Application integrates the types of urban building forms contemplated in Blueprint Boise and encouraged in Boise Downtown Design Standards and Guidelines. In furtherance of the goals set forth in Blueprint Boise, this Project “use[s] urban building forms where typically buildings are placed at the sidewalk and create a street wall, street level space is activated with people oriented uses, and building entrances and openings are oriented to public sidewalks rather than to parking lots.” Blueprint Boise, p. DT-9, DT-CCN 1.4. The inclusion of three distinct ground floor retail uses and the office and residential lobby entrances as part of the street interface of this Site as well as the overall height of the Northern Tower and Southern Tower, further this goal. Moreover, by designing the Northern Tower and Southern Tower as having distinct height, being physically separated, and having distinct designs, their integration with the parking garage help to minimize the physical massing of the overall project as contemplated in Blueprint Boise. Blueprint Boise, p. DT-15, DT-C 2.1.

Moreover, even though the alley will be vacated and reconfigured, the Project’s design will maintain the traditional street grid and block dimension in Downtown, will retain the

functionality of the existing alley, and will preserve and enhances connectivity for pedestrians and cyclists. Blueprint Boise, p. DT-15, DT-C 2.1. Although the parking garage necessarily spans the alley, we have worked to ensure that the building elements are reflective of the pattern of lots within blocks, to “create[] a collage of buildings in each block rather than full-block mega-buildings or “superblocks.” Blueprint Boise, p. DT-9, DT-CCN 1.4. This is also in furtherance of the goal to transform existing auto-oriented design and uses, to a more urban design and configuration, by elevating the parking above the street level. Blueprint Boise, p. DT-9, DT-CCN 1.5.

This Application and the Site design both promote the design of loading and service facilities in the manner contemplated under Blueprint Boise. Blueprint Boise, p. DT-7, DT-PSF 1. With the reconfiguration of the alley and access, the existing services for all property owners can be maintained and loading service facilities can be better screened and isolated from the adjoining neighborhood. Blueprint Boise, p. DT-7, DT-PSF 1.3 and 1.4.

IV. Relevant Standards for Rezoning and Development Agreement

The following standards applicable to the request in this Application to rezone the Site from Residential-Office (R-O) District to the Central Business (C-5) District. In considering a request for rezone, Boise City Code Section 11-03-03.7(C) establishes the following general standards for evaluating land use applications:

A decision body authorized to act under this Code shall base a decision on the following criteria and any additional criteria indicated in Section 11-03-04, Specific Procedures:

- (1) The approval is consistent with the policies of the adopted Boise City Comprehensive Plan;
- (2) The approval is consistent with the general purpose of this Code stated in Section 11-01-03; and
- (3) The approval shall not confer a special privilege on the property owner.

Additionally, with respect to a request to rezone the property, the Planning and Zoning Commission, in making its recommendation, is required to make the following specific findings in making its evaluation of the rezone application. Specifically, Boise City Code 11-03-04(3)(B)(7)(c) requires that the Commission’s recommendation:

[S]hall be in writing and shall specify that the rezone meets the following criteria:

- i. Is in compliance with the Comprehensive Plan.
- ii. Is in the best interests of the public convenience and general welfare.

- iii. Maintains and preserves compatibility of surrounding zoning and development.

In furtherance of the foregoing, a detailed evaluation of the Comprehensive Plan is set forth below demonstrating how the Application is in accordance with the Comprehensive Plan. Additional evaluation of the Boise City Code and the larger neighborhood and the project's design and configuration are set forth herein as well.

With respect to the General Business (C-5) District, there are certain additional considerations under the Boise City Code. First, the purpose of the C-5 District as set forth in Section 11-04-05.1G of the Boise City Code is to "address the needs of the city's central business district and to provide for activities conducive to a compact and concentrated urban downtown mixed-use center." (Emphasis added). Rezoning of land to the C-5 designation has certain additional limitations on the eligibility of rezoning of property to such a category. As set forth in Section 11-04-05.1H of the Boise City Code:

Lands may be classified C-5 where contiguous to existing C-5 designated lands. All applications to establish C-5 zoning of noncontiguous parcels shall be accompanied by a development agreement application. Land that is not contiguous to the C-5 district but located in an urban renewal district may be classified as C-5 but shall be subject to the generally applicable approval criteria for a conditional use permit as well as for a development agreement. Uses shall be subject to the standards of Section 11-07-06.3.

(Emphasis added). As noted above, this property is immediately adjacent to C-5D zoned property west of 4th Street and is located within an urban renewal district. Additionally, as set forth below, the C-5D District is designated as a district permitted the Downtown Mixed-Use land use category.

In conjunction with this request to rezone the Site, it will be undertaken pursuant to a Development Agreement consistent with the requirements of Section 11-03-04.2 of the Boise City Code, a draft of which is transmitted herewith.

V. Relevant Standards for Conditional Use Permit

As part of this Application, we are requesting a conditional use permit relating to: (a) the relocation and reconstruction of the existing drive through facilities associated with the existing banking operations on the Site; and (b) certain dimensional and design exceptions and departures.

In reviewing and evaluating a conditional use permit, the following standards are set forth in Boise City Code Section 11-09-04(6)(C)(7):

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

- ii. The proposed use will not place an undue burden on transportation and other public facilities in the vicinity;
- iii. The site is large enough to accommodate the proposed use and all yards, open spaces, pathways, walls, fences, parking, loading, landscaping, and such other features as are required by this Code;
- iv. The proposed use, if it complies with all conditions imposed, will not adversely affect other property of the vicinity;
- v. The proposed use is in compliance the Comprehensive Plan;
- vi. A multi-family building (any building containing more than two residential units) is designed to comply with the Citywide Design Standards and Guidelines: and
- vii. A drive-up window in a C-5 District, if it complies with all conditions imposed, will not adversely affect pedestrian traffic or create an unsafe pedestrian environment and that the location and design of the drive-up window provides proper on-site vehicle stacking based on peak hours, and minimizes potential circulation issues or other negative impacts to pedestrians or traffic.

In furtherance of the design and approval of the larger Project, we also seek a conditional use permit for approval of the following exceptions and departures as set forth in the Boise City Code and Boise Downtown Design Standards and Guidelines:

- Width of the Northern Tower be approved at 198 feet
- The angular setback of the Northern Tower and the placement of the Southern Tower at the property line with no additional setback
- The Northern Tower be set back nine (9) feet from the alley
- Landscaping Buffers along the side and rear of the improvements
- The façade designs along Bannock Street and 4th Street

As recognized by Boise City, the Idaho Legislature, in adopting Idaho Code Section 67-6512(f), has authorized the approval of exceptions or waivers from the City's codes, guidelines and standards other than use through the conditional use permit process:

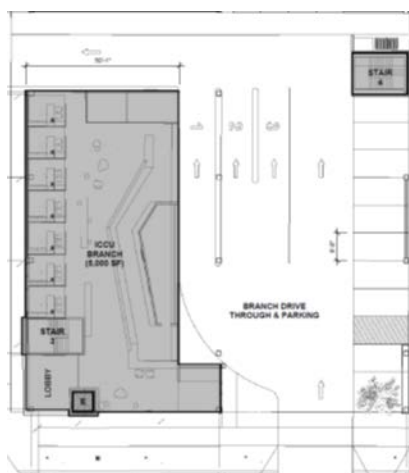
- (f) In addition to other processes permitted by this chapter, exceptions or waivers of standards, other than use, inclusive of the subject matter addressed by section 67-6512, Idaho Code, in a zoning ordinance may be permitted through issuance of a special use permit or by administrative process specified by ordinance, subject to such conditions as may be imposed pursuant to a local ordinance drafted to implement subsection (d) of this section.

Among the enumerated codes, guidelines and standards which are subject to exceptions or waivers are the size and dimension of lots, the size and dimension of improvements on lots, the required setbacks, the required parking provided, the height of buildings and “other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots.” Idaho Code Section 67-6516. Idaho Code Section 67-6512 is a process different from the variance process set forth in Idaho Code Section 67-6516 and has a different standard of evaluation.

Idaho Code Section 67-6512(f) was expressly adopted by the Idaho Legislature to reverse the ruling of the Idaho Supreme Court in Burns Holdings, LLC v. Teton County Board of Commissioners, 152 Idaho 440, 272 P.3d 412 (2012) that dimensional limits could not be modified by conditional use permit, but were only able to obtain relief from such via a variance. In adopting Idaho Code Section 67-6512(f) the Idaho Legislature did so to expressly overturn the holding in that case and to clarify “that the Legislature intended the conditional use permit to be a process though which waivers of or exceptions to zoning standards could be permitted” and further to establish that it did so to make “application of the clarified conditional use permit language retroactive to demonstrate that this was the Legislature’s original intent.” “Statement of Purpose, HB 691, 2012, adopted as Session Law Chapter 334.

A. Evaluation of Drive Through Elements

As part of this Application, the Applicant is requesting approval of the reconfiguration of existing drive through facilities as part of the redevelopment of this Site. This Application incorporates a drive through that is located within the structure and which will be accessed from the southern side of the Site. The drive aisle and stacking lane accommodate vehicles on site in three lanes, ensuring no stacking onto Idaho Street. The drive through is a one way facility entering the Site from Idaho Street and exiting onto 4th Street in the location of the existing alley. This configuration has been done to minimize pedestrian conflicts and to direct all traffic consistent with the existing drive through circulation patterns.



We believe that this further helps to minimize vehicular conflicts with pedestrians and other vehicles. Interior pedestrian facilities will be clearly demarcated on the Site with distinctive finished surface treatments guiding pedestrians from the parking area adjacent within the building.

1. Standards Relevant to Consideration of Drive Through. The inclusion of a drive through requires a CUP. As noted above, pursuant to Boise City Code, Section 11-03-03.4, the following criteria are relevant to consideration of this Application:

- a. The location is compatible to other uses in the general neighborhood;
- b. The proposed use will not place an undue burden on transportation and other public facilities in the vicinity;
- c. The Site is large enough to accommodate the proposed use and all yards, open spaces, pathways, walls, fences, parking, loading, landscaping, and such other features as are required by this Code;
- d. The proposed use, if it complies with all conditions imposed, will not adversely affect other property of the vicinity;
- e. The proposed use is in compliance the Comprehensive Plan;
- f. A multi-family building (any building containing more than two residential units) is designed to comply with the Citywide Design Standards and Guidelines; and
- g. A drive-up window in a C-5 District, if it complies with all conditions imposed, will not adversely affect pedestrian traffic or create an unsafe pedestrian environment and that the location and design of the drive-up window provides proper on-site vehicle stacking based on peak hours, and minimizes potential circulation issues or other negative impacts to pedestrians or traffic.

Pursuant to Boise City Code, Section 11-06-05.3.A(2)(a), drive through windows are subject to these additional requirements:

(2) Approvals by the Planning and Zoning Commission

(a) General Requirements

- i. The location shall not cause an increase of commercial traffic in nearby residential neighborhoods, or cause significant adverse impacts in the vicinity;
- ii. Drive-up aisles should be located behind the building and circulation should provide for pedestrian access to and from the establishment's entrance;
- iii. Waiting lane(s) are of sufficient length to accommodate average monthly peak volumes;

- iv. Lights are designed and located to prevent glare on adjoining properties. Screening of lights may be required as a secondary measure of mitigation;
- v. Landscaping should screen drive-up aisles from the public right-of-way and minimize the visual impact of vehicular lights, readerboard signs, and directional signs;
- vi. Drive-up lanes shall be setback at least ten feet from residentially zoned or used property. Landscape and sound abatement walls may be required when appropriate; and
- vii. Communication systems shall not exceed 55 decibels at any property line adjoining or across the alley from residential zones or uses.

There are additional requirements to be applied to a drive through within the C-5 District pursuant to Boise City Code, Section 11-06-05.3.A(2)(d), as follows:

(d) Additional Requirements in the C-5 District

Drive-up windows in the C-5 district shall be subject to the following standards and provisions.

- i. The drive-up window and all stacking and escape lanes shall be located within a structure. The drive-up window facility shall be secondary to the principal uses of the structure in which the drive-up facility is located. The following additional design requirements shall apply:
 - A. All lanes used for ingress, stacking, service, and egress shall be integrated safely and effectively with circulation and parking within the structure.
 - B. No additional curb cuts shall be allowed to provide access for drive-up facilities within an existing or new structure. Existing curb cuts, however, may be relocated.
 - C. Traffic associated with the drive-up facility shall not inhibit safe access and exiting from parking spaces or the structure's entrances or exits.
- ii. Where it is essential that the drive-up facility have its own ingress to and/or egress from the structure, the ingress and egress shall be limited to a single lane where it intersects a public street and sidewalk.
- iii. The location and design of the drive-up facility shall minimize blank walls on street-facing exteriors of the building and

disruption of existing or potential retail and other active ground floor uses.

iv. Drive-up windows in the C-5 district are not subject to general requirements in paragraph vi. of subsection 2(a), above.

v. All entrance and exit points that may be utilized for the drive-up facility shall incorporate the following minimum safety features:

A. There shall be a visible pedestrian warning where walkways intersect entrance and exit points.

B. An approved auditory warning device and an approved nonauditory device shall be installed on both sides of all exit points. The devices may be combined into one device and shall flash and produce an auditory sound to warn against exiting vehicles.

2. Analysis of Conditional Use Permit Requirements for a Drive Through. We will first address the general conditional use permit requirements associated with this permit pursuant to Boise City Code, Section 11-03-03.4.

a. The proposed use is compatible to other uses in the vicinity. The drive through is compatible with other uses on the Site as it is the relocation and replacement of an existing drive through. It is also compatible with those uses within the surrounding neighborhood. Access to the drive through on the Site will remain from a multilane arterial. Traffic will exit to an existing collector. Other development in the neighborhood includes a wide variety of uses including office uses, parking lots, multifamily development, and other commercial uses.

b. The proposed use will not place an undue burden on transportation and other public facilities in the vicinity. As noted elsewhere, this Site is immediately adjacent to an existing arterial, Idaho Street. It is anticipated that the relocated and redeveloped drive through will have no additional impact upon the existing transportation system. The approval of the larger Project will result in additional planned public improvements.

c. That 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 title. The Site is large enough to accommodate the drive through and other Project elements. Access to the Site is from an existing arterial. The Site will have parking for this use and a large parking garage, which will be completed as part of the larger Project.

d. That the proposed use, if it complies with all conditions imposed, will not adversely affect other property of the vicinity. The proposed drive through will not adversely affect other property in the vicinity as it replaces and reconfigures an existing drive through. The drive through facilities have been oriented to the interior of the Site and under the parking garage that is being constructed on the Site. The relocation of the drive

through facilities has no impact on residential uses in the immediate vicinity of the Site. The Applicant has addressed and ensured that any stacking occurs on the interior of the Site. The exit from the drive through is through the existing alley. The drive through facilities have no impact on the larger operation of the Site or adjoining properties. Access to the parking garage has been separated from the drive through to limit conflicts. The drive through should not adversely affect other property in the vicinity. The drive through lane is located within a structure and interior to the Site and replaces an existing drive through. This will mitigate many of the potential impacts typically associated with a drive through, such as noise and light pollution. The drive through is screened by the retail uses oriented to 4th Street and the medical uses oriented to Bannock Street. The Project also incorporates substantial landscaping and screen walls along each street frontage to further reduce impacts.

e. Comprehensive Plan Considerations. Significant consideration has been given to the design of the various improvements within the Project, including this retail use and its proposed drive through facilities. A drive through bank, configured consistent as proposed at this Site addresses the relevant goals and objectives of the Comprehensive Plan, as follows:

(i) Mixed Use Project. This Application is in furtherance of: (a) the mixed use designation for the Site on the future land use map for the Downtown Planning Area, and (b) DT-CCN 1.2 of Blueprint Boise encouraging the development of “a vibrant mix of uses in Downtown which encourage 24-hour activity” as set forth in Blueprint Boise, p. DT-9. The drive through proposed here is ancillary and secondary to the operation of the retail services in the Project. This Application involves a portion of a larger redevelopment project that removes a large parking lot.

(ii) Internal Access Drives and Facility Configuration. In designing this Site, care has been given to comply with the provisions of Blueprint Boise regarding encouraging pedestrian facilities and integrating vehicular improvements in a manner consistent with its goals. The design that we proffer furthers the following goals: (a) DT-CCN 1.4(b) to respect the traditional pattern of lots within blocks to avoid “superblocks”; (b) DT-CCN 1.4(a) to bring the buildings to the street orienting them towards the public sidewalks; (c) DT-CCN 1.5 to avoid strip commercial development; (d) DT-PKG 1 to utilize a mixture of public parking garages, together with on street parking opportunities, to minimize the size of surface parking lots and to create pedestrian oriented spaces; and (e) DT-C 2.1 to embrace the traditional street grid or facilitating elements that approximate the traditional street grid as set forth in Blueprint Boise, p. DT-9, 11, and 14. The drive through facilities have been integrated interior to the Site to further these goals.

(iii) Pedestrian Considerations. We are also encouraging pedestrian and bicycle traffic for the Project along Bannock. Retail oriented to 4th Street and Bannock replaces the existing surface parking lot. This is in furtherance of: (a) DT-CCN 1.6(a) to provide a physical and psychological connection to adjoining neighborhoods; (b) DT-CCN 1.6(b) to provide walking and bicycle connections between Downtown and adjoining neighborhoods as set forth in Blueprint Boise; and (c) DT-C 2.5 to improve the pedestrian experience on these streets, pp. DT-9 and 14.

(iv) Integration with Immediate Neighborhood. On this Site, we will redevelop the existing drive through within the interior of the Project screened by the other retail uses from the adjoining streets. We do not believe that the other provisions of Boise City Code, Section 11-03-03.4 are relevant to this Application, but would ask that if Staff disagrees, that we be afforded the opportunity to address those conditional use permit provisions that Staff believes should be addressed.

3. Analysis of Additional Drive Through Regulations. We believe the information provided above generally satisfies the requirements, not only for the conditional use permit, but also the drive through specific items.

a. General Requirements. With respect to the general drive through requirements, the Applicant has addressed each of those provisions as follows.

The reconfiguration of the existing drive through facilities within the new structure will not generate any additional traffic or adverse impacts on the existing urban commercial uses. Boise City Code, Section 11-06-05.3.A(2)(a)(i). The drive through facilities are located on the interior of the Site. The building itself is positioned on Idaho, Bannock, and 4th Streets with the individual premise entrances and primary windows oriented to those streets. Boise City Code, Section 11-06-05.3.A(2)(a)(ii). The drive through facility has been sized to accommodate historic volumes experienced by the existing uses.

Lighting, landscaping, signage, and screening have all been proposed to ensure screening from adjoining properties. In fact, with the orientation of the drive through facilities, the bulk of the impact is upon the Applicant's own properties. Boise City Code, Section 11-06-05.3.A(2)(a)(iv)-(v).

Even though this Site is a C-5 zoned property and not expressly subject to Boise City Code, Section 11-06-05.3.A(2)(a)(i), it is important to note that the new replacement drive through facilities have been oriented away from existing residential uses. As such, the lighting and sound of the drive through facilities will have no impact upon existing residential users. Boise City Code, Section 11-06-05.3.A(2)(a)(vi)-(vii).

b. Specific C-5 District Requirements. There are certain additional requirements for drive through facilities located within a C-5 District. We will address those as follows. The drive through facilities are located to the interior of the Site. As such, these design elements ensure compliance with Boise City Code, Section 11-06-05.3.A(2)(d)(ii) and (iv). The elevations facing public streets have been designed to engage the street in those areas and in compliance with the Downtown Design Standards and Guidelines. As such, these design elements ensure compliance with Boise City Code, Section 11-06-05.3.A(2)(d)(iii). We believe that the drive through facilities have been designed in such a manner as to minimize pedestrian conflicts. The drive through facilities do not encourage conflicts between vehicles and pedestrians and the entrance and exit to the drive through facilities are all located internal to the Site, and clear efforts have been taken to define the pedestrian facilities and access points. We believe that this satisfies the intent of Boise City Code, Section 11-06-05.3.A(2)(d)(v). Because the actual exit remains in its historic location, we believe we have satisfied Boise City Code Section 11-06-05.3.A(2)(d)(v).

B. Design Exceptions and Departures. Consistent with the provisions of Idaho Code Section 67-6512 and the relevant provisions of the Boise City Code, in furtherance of this Application, we seek exception to the following guidelines and standards:

1. **Width of Northern Tower.** Section 4.2 of the Boise Downtown Design Standards and Guidelines, sets forth certain standards and guidelines regarding the maximum width of towers above the sixth floor. Noting in Section 4.2.1.1 that the “Maximum floorplate width in the general east-west direction above sixth floor to maintain and enhance the Downtown skyline character against the mountain backdrop: 180 feet.” Boise Downtown Design Standards and Guidelines, Section 4.2.1.1, p. 45. However, it then immediately authorizes considerations of departures, “provided the building integrates distinctive building form and/or roofline elements that contribute to skyline interest while achieving the desired density in Downtown.”

It is important to note that the views identified in the Boise Downtown Design Guidelines are not actually generally east-west but are, in fact, oriented to the northeast, making the relevant views identified therein actually views running from the northwest to the southeast. While it is certainly desirable that large, monolithic façades are eliminated, the reality is that some of the most distinctive tower elevations exceed 200 feet when viewed at a 90 degree angle from their widest primary elevation; i.e the Gove Hotel, Wells Fargo Center, Capitol Boulevard Residence Inn, Hampton Inn. Moreover, views of the “skyline character against the mountain backdrop” should not necessarily be measured by or for the benefit of those rim dwellers who have in recent years asserted control over views of our City.

The real test is not a tower’s raw width at its widest point, rather it is the extent to which “distinctive building form and/or roofline elements” are incorporated to provide the degree of interest needed to avoid the some of the more monolithic and unattractive façades that exist. In furtherance of this Cushing Terrell has incorporated the following elements:

In following the recommendations and intent of the Boise Downtown Design Standards and Guidelines, we have added elements and design features to promote an original and distinctive building with a distinctive roofline that contributes to Boise’s developing skyline. The entire building design was developed to respond to the site with careful study of the sites shape, access, orientation, views and contribution to Boise’s downtown urban fabric. The dramatic roofline at the top of the building adds shadow and dimension to the buildings modern entablature while other elements help define entries, circulation and overall architectural balance to the buildings form. Steps in the building’s façade and the exterior building materials were studied for proper proportions, composition and establishing a base, column and capital while still maintaining its architectural style.

Pursuant to the provisions of Idaho Code Section 67-6512 and the relevant provisions of the Boise City Code regarding this Application, we request approval of the floor plate width of the Northern Tower as submitted and designed.

2. **Tower Setbacks.** Section 4.2.1.2 of the Boise Downtown Design Standards and Guidelines, provides that a “tower above the sixth floor shall be setback an additional 10 feet from the front property line along Storefront block frontages (encouraged along other block frontages).” Boise Downtown Design Standards and Guidelines, Section 4.2.1.2, p. 46. It is important to note that the Project is not located on any Storefront block

frontages. The frontage along Bannock Street and along 4th Street are both designated as being Landscaped Block Frontages, and the frontage along Idaho Street being designated as Commercial/Mixed-Use Block Frontage. Downtown Design Standards and Guidelines, p. 7. Although departures from these standards are limited on Capitol Boulevard and on 8th Street, it is understood that the goal of this provision is to integrate with surrounding buildings by ensuring that there are clearly identified base, middle and top elements to any building. For this project, the building elements have been designed to ensure that these goals are met, even though it does not strictly step back.

First, design elements throughout the Project have been integrated to ensure that there is a clearly identified base to the Project, that the tower elements integrate with and connect to the base, and that the roof elements are distinctive, unique, and related. Through use, shape, and material, multiple means are utilized to ensure and define these building elements and connect them with the existing neighborhood.

Second, the Southern Tower has been constructed with a constant elevation along Idaho Street and 4th Street. Due to the configuration of the parking garage and its location, we believe that the residential uses should be brought to the property line. This prevents the parking garage from overwhelming the street, it ensures that the residential units are oriented towards the street and that the balconies located on those floors are located at the sidewalk and not setback behind the parking garage. We believe this ensures a better design of these integrated uses.

Third, the Northern Tower steps back on Bannock Street at the Sixth Floor at 4th Street and then tapers to the northeast boundary, provides definition, and visual relief. The overall form was studied in multiple ways on how to define the buildings individual parts, while still being true to its architectural style. Materiality, massing, steps in the building's façade, the addition of vertical shading devices and folded plate roof lines all contribute to the balance of the form and overall composition. Between varying materials and physical components to the buildings, we have sought to ensure that the base, towers, and roofs are integrated, not just stacked on each other. As such, along 4th Street we have not setback from the street but have, instead, incorporated design elements that are integrated in a way to avoid this. The inclusion of a vertical green wall flush with the western tower elevation is designed to integrate the two structures, office tower and the parking garage, providing a defining line of the tower to integrate the structures instead of just mounting the tower on top of the garage. This design element also softens the tower as it approaches the pedestrian level at the street and helps with mitigation and filtration of storm water and runoff.

Ultimately, even though this Guideline is not directly applicable since this is not Storefront block frontage, we believe that the goals have been met and the intent of the guidelines satisfied. Pursuant to the provisions of Idaho Code Section 67-6512 and the relevant provisions of the Boise City Code regarding this Application, we request approval of the setbacks of the Northern Tower and Southern Tower as submitted and designed.

3. Tower Separation Standards. Section 4.2.1.3 of the Boise Downtown Design Standards and Guidelines, addresses the separation between towers, providing that “[t]owers (portion of building above the sixth floor) shall maintain 30 feet of separation from other towers. Along alleys, a minimum 15-foot setback from alley is required for towers. For other side and rear property lines, 15-foot minimum setbacks are required for towers.” Boise Downtown

Design Standards and Guidelines, Section 4.2.1.3, p. 47. The purpose of this setback is to ensure that construction of towers does not “result[]in loss of light, privacy, and skyline variation.” *Id.*

Recognizing the limitation of such requirements, this guideline immediately provides certain identified exceptions, including provisions for reducing setbacks. It is important to note that these exceptions reflect the fact that building codes also come into play as to additional required setbacks and separation distances being required to satisfy fire requirements. If the goal is to ensure privacy and skyline variation, then we believe that is satisfied through the design of this Project. With the rezoning of the property to C-5D and its zero foot setbacks, consideration should be given to the interplay of these provisions and the existing dimensional requirements of the zone set forth in Table 11-04.8 of the Boise City Code.

Even with the ultimate vacation of a portion of the alley here, the Project will preserve the flexibility and circulation within the existing alley for other users, with the Northern Tower being set back approximately nine (9) feet from the boundary of the property at the line of the existing alley, which is currently sixteen (16) feet in width. A wider twenty (20) foot wide access and service drive will be provided on the eastern boundary of the property next to the Southern Tower to ensure access. In the future, if adjoining properties redevelop (even if they redevelop at the property line), there will be a minimum of twenty five (25) feet of separation between the Northern Tower and any new improvements, as well as twenty (20) feet of separation between the Southern Tower and any new improvements.

Visual separation is being preserved through the historic alignment of the alley with the placement and configuration of the Northern Tower. As to the Northern Tower, design elements have been integrated along the eastern elevation and the southern elevation to the alley. The common facilities serving the Project are oriented to the interior of the site within that alley, where they would be expected, and which would not affect future development of adjoining properties.

The Southern Tower, if constructed alone, likely would not be required to further setback from the alley if it were independently constructed, due to the fact that it is less than 10 stories in height and would only be $\frac{1}{4}$ of the total block area. Boise Downtown Design Standards and Guidelines, Section 4.2.1.3, p. 47.

With the design and orientation of the Northern Tower and the Southern Tower, we have ensured that future redevelopment of adjoining properties will not be adversely affected and that the natural location for service facilities will not adversely affect skyline views, and building uses or privacy. Most importantly, there are presently no other towers located on this block and the existing buildings are unlikely to redevelop as such at this time.

With the proposed setbacks and configuration of the internal space we believe that the goals have been met and the intent of the guidelines satisfied. Pursuant to the provisions of Idaho Code Section 67-6512 and the relevant provisions of the Boise City Code regarding this Application, we request approval of the setbacks of the Northern Tower and Southern Tower as submitted and designed.

4. Side and Rear Landscape Buffers. Additionally, the requirements for landscape buffers under Boise City Code Section 11-07-05.2(D)(2) raise issues that are

inconsistent with the requirements and goals of the C-5 Zoning District. With respect to street buffers, Boise City Code Section 11-07-05.2(D)(1) clearly acknowledges that these requirements are not applicable to street buffers in the C-5 District: "Street buffers shall not be required in the C-5 (Central Business) zone in circumstances where a landscape buffer should prevent the placement of a proposed building at the allowed zero foot front or street side setbacks." Similar language is not found within Boise City Code Section 11-07-05.2(D)(2) even though the rear yard, side yard, and interior minimum setbacks for this Site are zero as well pursuant to Table 11-04.8 of the Boise City Code for the C-5 District:

Table 11-04.8 Setbacks (in feet) for Buildings							
Dimensional Standard		C-1	C-2	C-3	C-4	C-5	
Lot Area, Minimum (square feet)	Residential Uses, Interior Lot	5,000			25,000	None	
	Residential Uses, Corner Lot	7,000					
	Per Dwelling Unit	1,000				None	
	Non-residential Use, Any Lot	0			25,000	None	
Average Lot Width, Minimum (feet)	Residential Uses, Interior Lot	50			N/A		
	Residential Uses, Corner Lot	70					
	Non-residential Uses, Interior Lot	0			60	None	
	Non-residential Uses, Corner Lot				70		
Street Frontage, Minimum (feet)		30					
Floor Area Ratio, Maximum	Residential Uses	1.5				N/A	
	Non-residential Uses	N/A				4.0	
Lot Coverage, Buildings/Total, Maximum (percent)		N/A					
Building Height, Maximum (feet)		35	45			N/A	
Setbacks, Minimum (feet)	Front Yard		10			0	
	Side Yard, Street		10			0	
	Rear Yard or Side Yard, Interior	1 Story	0, 10*			5, 10*	0, 5*
		2 Stories	0, 15*			10, 15*	0, 10*
		3+ Stories				15	0, 15*

NOTES: * Setback when the property abuts a residential use or district.

In reviewing Boise City Code Section 11-07-05.2(D)(2)(c) it is not clear that the applicability of its provision has been adequately considered within the C-5 District, especially when it comes to the applicability of such provisions to existing alleys and comparable service areas. Moreover, Boise City Code Section 11-07-05.2(D)(2)(c)(ii) clearly contemplates approval of an exception where the required buffer is appurtenant to a shared drive. However, the need for an agreement is questionable in light of the fact that we are merely proposing a realignment of the existing alley for use as a service drive and an appropriate easement will be recorded upon vacation of the alley.

With the proposed configuration of the alley and service drive, we believe that the goals have been met and the intent of the guidelines satisfied. Pursuant to the provisions of Idaho Code Section 67-6512 and the relevant provisions of the Boise City Code regarding this

Application, we request approval of the configuration of the alley and service drive without additional landscaped buffers as submitted and designed.

5. Façade Width Articulation. Section 4.2.2 of the Boise Downtown Design Standards and Guidelines addresses the treatments for façades that exceed 122 feet and specifically requires that “[b]uilding façades wider than 122 feet shall include at least one of the following features.” Boise Downtown Design Standards and Guidelines, Section 4.2.2, p. 50. Due to the configuration of the Northern Tower as well as the integration of interior above ground parking, this Project does have façades that exceed 122 feet in length. However, in designing this Project, we have sought to address this through the means set forth in Sections 4.2.2.2 and 4.2.2.3 of the Guidelines.

This Project consists of three distinct, yet integrated elements: the Northern Tower, the Parking Garage, and the residential component of the Southern Tower. Along the Bannock Street façade, there are two projecting elements providing the type of modulation to the façade that is desired. With the eastern white projecting panel connecting to the roof, and the entrance to the office space defined with a distinct contrasting panel construction, that extends from the ground through the Thirteenth Floor of the Northern Tower, and is integrated from a design perspective with the projecting screening roof elements on the Northern Tower. These elements are all incorporated in furtherance and in satisfaction of the standards set forth in Section 4.2.2.2 of the Guidelines.

With respect to the 4th Street façade, we address satisfaction of these standards through the provisions of Section 4.2.2.3 of the Guidelines. Due to the configuration of the ramp for the parking garage and the orientation of the parking trays on the floors adjacent to 4th Street, we recognize that there is a large expanse that will need to be addressed. First and foremost, this is addressed by two distinct retail storefront uses for the Urgent Care, Retail Bank Branch and Southern Tower entrance towards 4th Street and its intersection with Bannock Street and with Idaho Street with retail and street oriented improvements, landscaping and canopies. Then that eastern façade employs design elements to create three distinct elements. The windows, finishes, and design of the Southern Tower ensures that the southern portion of the 4th Street façade has a distinct configuration and is a distinct structure. Similarly, the Northern Tower integrates an element of a green landscape wall along the parking garage that connects the Urgent Care and the Northern Tower above, creating a façade that is distinct from the Southern Tower in terms of design, shape and interaction with the street. Third, the parking garage element then utilizes a variety of distinct screening and paneling that distinguishes it from either the Northern Tower and the Southern Tower.

Attention to these details ensures that the 4th Street façade makes it look like two distinct buildings, utilizing different building materials, different configurations of building materials, contrasting window designs between these elements. As such, we believe that the manner in which we have designed the Bannock Street façade and the 4th Street façade satisfy these articulation requirements as found in Section 4.2.2.3 of the Guidelines.

With the attention to the design of these two longer façades along both Bannock Street and 4th Street, we have addressed Bannock with the vertical elements described above and 4th Street with the horizontal and material modulations that have been made. Pursuant to the provisions of Idaho Code Section 67-6512 and the relevant provisions of the Boise City Code

regarding this Application, we request approval of the Bannock Street façade and the 4th Street façade as designed and submitted.

6. Rationale for Requests. As noted above, Boise City has recognized the fact that Idaho Code Section 67-6512(f) authorizes the approval of exceptions or waivers from the City's codes, guidelines and standards other than use through the conditional use permit process. In this instance, where we are required to request a conditional use permit in addition to the rezoning of the Site pursuant to a development agreement, a significant amount of design work has been performed to ensure that we satisfy the City's requirements associated with those provisions. In doing so, it is appropriate and necessary to ensure that what has been shown to the Planning and Zoning Commission and to the City Council to support these Applications and the necessary findings resulting therefrom, not give rise to conflict when we return with the final design for the improvements to the Design Review Committee. Therefore, it is appropriate for the foregoing design elements to be addressed now as part of this Application. We request approval of the requested exceptions and departures as set forth herein. Significant attention has been paid to the intersection of the Boise City Code, Blueprint Boise, and the Boise Downtown Design Standards and Guidelines. For the reasons set forth above, the departures should be ratified and approved.

VI. Conclusion

This is a significant Project. It is complex and complicated. It has been designed after taking into consideration not only the needs of the end users, but the residents of Boise incorporating the goals and standards of the City's various adopted plans. We have attempted to provide a comprehensive and complete evaluation in support of this application. In furtherance of this Application, we are contemporaneously submitting the following:

In furtherance of the Rezone Application, we transmit herewith

- Completed Application
- This detailed letter of explanation
- The Affidavit of Legal Interest
- Photographs of Site
- Copy of Deed

In furtherance of the Conditional Use Permit Application, we transmit herewith

- Completed Application
- This detailed letter of explanation
- The Affidavit of Legal Interest
- Site Plan
- Landscape Plan
- Building Elevations
- Floor Plans
- Photographs of Site

The pre-application conference with Boise City Planning Staff occurred on Friday, March 13, 2020. Based upon subsequent communication that we have had with staff regarding current CDC recommendations and requirements of the City of Boise, a virtual neighborhood meeting will be held in early June via Zoom. A copy of that communication has been transmitted with

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this Application documenting that guidance. The notices associated therewith and the information that is shared will be provided to supplement this Application with that information. Additionally, a draft development agreement is provided for your review and reference.

We look forward working with Staff through its review and evaluation of these Applications, and to presenting this application to the Planning and Zoning Commission and the City Council.

Sincerely,

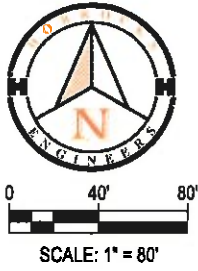
A handwritten signature in blue ink, appearing to read 'GMW', with a long horizontal flourish extending to the right.

Geoffrey M. Wardle

GMW/
Attachments

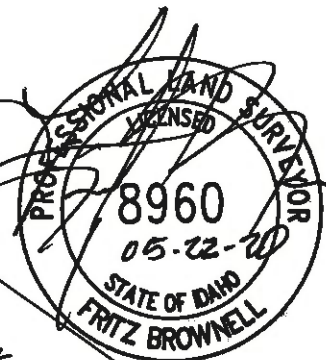
S:\Docs\BVA - 4th & Bannock\BVA - 4th & Bannock - General\APPL\Development Narrative v.8 (5-21-20).docx

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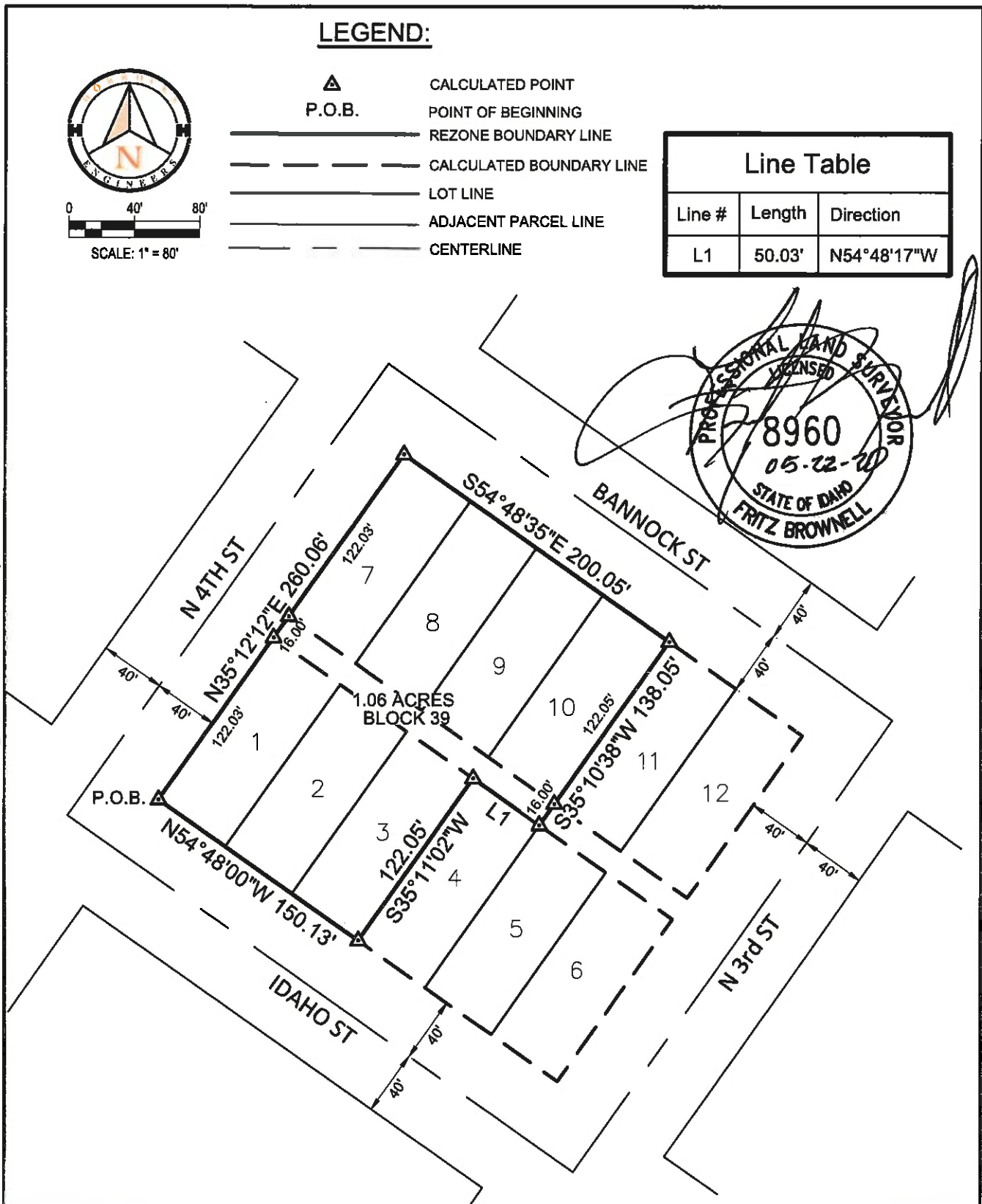


- CALCULATED POINT
- P.O.B. POINT OF BEGINNING
- REZONE BOUNDARY LINE
- CALCULATED BOUNDARY LINE
- LOT LINE
- ADJACENT PARCEL LINE
- CENTERLINE

Line Table		
Line #	Length	Direction
L1	50.03'	N54°48'17"W



H:\2020\ID-2202-2001 BVA 4th & Bannock St - Office Building\Project Data\04 Survey\EXHIBITS\ID-2202-2001_ANNEXATION AND ZONING EXHIBIT.dwg Fritz Brownell 5/22/2020 9:52 AM



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EXHIBIT "B"

N.E. 1/4 S. 10, T4N, R2E ZONING EXHIBIT

DRAWING INFO	
DATE	05/22/20
SCALE	1" = 80'
REV #	DATE
00	09/00/0000
DRAFTED BY: A. CLEMENTS	
PROJ. NO: ID-2202-2001	

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