



## CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho

Tuesday, June 03, 2025 at 7:00 PM

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**1. CALL TO ORDER – Welcome/Pledge of Allegiance**

Mayor Chadwick called the meeting to order at 7:06 p.m. and led the Pledge of Allegiance.

**2. INVOCATION – Bishop Charles Ashton, Church of Jesus Christ of Latter-Day Saints**

Bishop Ashton provided the invocation.

**3. ROLL CALL**

**ELECTED OFFICIALS:** Mayor Trevor Chadwick, Council President David Hershey and Council Members Kevan Wheelock, Jennifer Salmonsens and Kevin Nielsen.

**STAFF:** City Attorney Chris Yorgason; City Clerk Shelly Tilton; City Planning Administrator Shawn Nickel; Assistant City Planner and Sports & Recreation Director Ryan Field; City Engineer Ryan Morgan; Public Information Officer Dana Partridge and Star Police Chief Zach Hessing.

**4. PRESENTATIONS**

- A. Police Chief Zach Hessing introduced Cameron Stuart as Code Enforcement Officer for the city. He presented the April 2025 police report which included person, property and society crimes for the month. Calls for service and proactive policing calls were reviewed. Chief Hessing discussed call types including crash response, mental health, domestic, juvenile activity, location checks, property crimes, school checks, traffic stops and welfare checks. He also reviewed the number of arrests and citations and discussed response time. Code enforcement statistics will be added for future reports.

**5. CONSENT AGENDA (ACTION ITEM)** *\*All matters listed within the Consent Agenda have been distributed to each member of the Star City Council for reading and study, they are considered to be routine and will be enacted by one motion of the Consent Agenda or placed on the Regular Agenda by request.*

- A. **Approval of Claims**
- B. **Approval of Minutes: May 6, 2025**
- C. **Approval of Minutes: May 27, 2025 Budget Workshop**
- D. **Hacienda De Estralla Planned Unit Development, Development Agreement and Preliminary Plat Findings of Fact/Conclusions of Law**
- E. **The Quarry at River Park Preliminary Plat and Private Road Findings of Fact/Conclusions of Law**
- F. **Milestone #3 Easement Vacation (VAC-25-03)**
- G. **Milestone #4 Easement Vacation (VAC-25-02)**

- Council Member Salmonsens made a motion to approve the Consent Agenda consisting of 5A Approval of Claims, 5B Approval of Minutes for May 6th 2025, 5C Approval of Minutes May 27th 2025 Budget



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Workshop, 5D Hacienda De Estralla Planned Unit Development, Development Agreement and Preliminary Plat Findings of Fact/Conclusions of Law, 5E The Quarry at River Park Preliminary Plat and Private Road Findings of Fact/Conclusions of Law, 5F Milestone #3 Easement Vacation and 5G Milestone #4 Easement Vacation. Council Member Nielsen seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye. The motion carried.

### 6. PUBLIC HEARING

- A. Star River Crossing Rezone & Development Agreement (RZ-25-01)(DA-25-01)** The Applicant is requesting approval of a Rezone to Central Business District (CBD) and a Development Agreement for a proposed Future commercial development. The property is located at 10122 W. State Street in Star, Idaho, and consists of 6.27 acres.

Mayor Chadwick opened the hearing at 7:19 p.m. Council members have had no ex-parte communication.

City Planning Administrator Shawn Nickel reviewed the application for a Rezone and Development Agreement. He reviewed the property location, surrounding land use designations and site characteristics. Application requirements include pre-application and neighborhood meetings, agency notifications, legal notice publications and site posting have been completed. The request meets Unified Development Code requirements and complies with the Comprehensive Plan. There were no late exhibits. Items for special consideration include approved commercial uses, emergency services mitigation fees and proportionate shares for Seneca Springs/State Street signal light. Staff is recommending approval with conditions of approval in the development agreement. Shawn reviewed the site plan, pointing out the location the proposed fitness center could be located on the property. Part of the application is the continued development of the backage road that is anticipated from North Forest Way to Seneca Springs. He said Anderson Reserve will construct their portion of that collector road as part of their development. Any uses approved tonight would come back to staff for design review. Shawn said when Rock Ridge Subdivision was approved a land strip was approved as a common lot, that strip allows the connection. Staff is recommending the owner of that property build the road to that strip and the city will work get it condemned to have connection. The applicant won't be required to do this; the city will have to get an easement or right-of-way for the connection.

Council Member Wheelock asked about the spike strip for the connection holding this up. Shawn explained it would be an eminent domain process to take the strip to dedicate it to the public; it is unknown how long that will take. A meeting was held last week to try to get help from the transportation agencies. The mayor said the transportation agencies will have to do it; the city isn't able to. An access will be created and then be shared to limit the access onto State Street.

Council Member Salmonsens asked about the backage road. It will be built to public road standards but be a private road until a plat is approved and recorded which will establish the public right-of-way.

Chris Todd presented the project with a vicinity map. He said the Central Business District (CBD) zoning matches the current comprehensive plan; the site is comprised of 2 parcels. A lot line adjustment to create the north lot for a specialized athletic training facility. He discussed transportation which is the biggest site constraint. Cross access would allow development of other properties. He said the common collector would be a private road with a dedicated easement for the

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city. The city can then work with the transportation agencies. This is part of the Economic Corridor Access Plan for access for future development. Chris reviewed the preliminary training facility site plan including setbacks, height and landscape buffering and discussed requested uses for the rest of the property. They have asked for childcare, preschool, live/work, fueling station, garden nursery, retirement home, indoor shooting range and drive through or service window for possibly a bank and/or food establishment. They would like these to be included in the development agreement as allowable uses.

Council Member Wheelock asked about the training facility location, it would take the majority of the back (northern) section. All roads and approaches will be paved and built to standards. Turn around for fire access was discussed. Council Member Wheelock said he would like an indoor shooting range but would be hesitant to approve it close to the residents in the area. Mayor Chadwick doesn't feel a car wash is an appropriate permitted use, it possibly could be conditional. Council Member Nielsen asked about areas where he anticipates the live/work and drive through would be; potential locations, based on initial discussions, were reviewed. The childcare designations they are requesting are a childcare center and childcare preschool or early learning. Council Member Salmonsens would like the laboratory use to be conditional use; it was clarified that would be for a research lab. She would also like the portable classroom/modular building to be conditional. Definition of winery was discussed; this was requested as a tasting room.

Shane Jimenez spoke in favor of the application. He said that one thought on the boulevard property is they would rather not build an entire boulevard to ACHD standards and then find out there isn't a way to continue it through to the Seneca springs property; they would want to wait until it is known that it can be built out. discussed a temporary option to use until that was decided. It will take some time; it can be conditioned so that if the city gets the access figured out it will be built out. It can be a condition and also in the development agreement. Council Member Wheelock asked if it should be bonded to ensure it is built out. Shawn suggested it be bonded if the development gets to the last phase and it hasn't been done. In the letter to the city from Chris it states that they are asking if the agreement isn't made between ACHD he would like that easement or road to be returned to him. If the city, ACHD and ITD don't come to an agreement to build a public road through there they would like the opportunity to develop it, having some flexibility is what they are looking for. The mayor suggests in two years having another hearing to determine where it is at. Shawn said the development agreement can provide conditions so it can be looked at in the future, he explained it would be an easement rather than a right-of-way that would be relinquished back to the developer if needed. Council Member Nielsen said there are other users that have not been required to develop this, maybe a cul-de-sac at the end would allow for a turnaround. Seneca Springs wouldn't be an outlet but it's self-contained for those properties between Seneca Springs and Taurus. Shawn explained access options. Council Member Nielsen said this road is a significant feature that has been required. Development timing was discussed; Shane estimated he could see the site being developed in 18-24 months. Shawn said that ITD is actively looking into this, he would think there could be an idea in 12 months what can happen with it and where the city is legally on it.

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Randy Bates spoke against the application. He is representing Rockbridge Subdivision HOA and said this isn't the first time commenting on this. They don't oppose the rezone, they thought it was already zoned CBD. He said the piece of land being referred to as a spike strip is a strip of land owned by Rockbridge HOA, a common area strip between the subdivision and this development. He said the HOA is allowed to restrict use of the land, they don't feel that ACHD has the right to seize the property. From the HOA Board's perspective, they have a concern with the city pushing the requirement of developing this road on to the developer. He says it is concerning that a precedent could be set with eminent domain being looked at for this. Additionally, they wouldn't agree with an indoor range so close to homes, that would be concerning. He wonders how the live/work space conflicts with the CBD plan, the mayor said it is allowed and there is one down the street from this property. Randy discussed landscaping for a noise border. The mayor discussed a streetlight at Seneca, saying there is a give and take with the HOA; it will take these businesses helping with the light to get it put in. So, if they want the light this will help. He discussed the use of eminent domain to get roadways along Highway 16 and a portion of Chinden Road. It was discussed that there are rules within the HOA rules that won't allow for the sale or conveyance of the property. Randy said it is concerning to give up rights to a piece of land with the hope the light would be put in. The mayor said there is approval from ITD for the light, but it needs to be paid for. O'Reilly and Anderson Reserve have contributed to the light so far. Council Member Nielsen asked about the HOA rules that disallow the conveyance of the property, most HOA covenants he has seen would allow for the turnover of property, the mayor said their legal counsel advised them that their rules don't allow for it. It would require 90% of the HOA members to change the rule and they wouldn't be able to get that participation. It was discussed that the city now requires connectivity for access, spike strips are no longer allowed. This spike strip was approved many years ago. The city can't do eminent domain on the roads, must be done by the highway district. The mayor said if Randy can get the HOA board approval the city can get this applicant to pay for development of this road.

Kathy Freeman is neutral on the application. She has talked with ITD to discuss the traffic issue, she suggested lowering the speed limit on highway 44, she said lowering the speed limit would cost less than putting in stop lights; making it 5 lanes instead of 3 will make it a thoroughfare. She said by having the speed limit lower you might be able to get out of the side street onto the highway unless it goes to 5 lanes and then maybe not. She asked what happened to the YMCA; it was said it isn't coming to Star, and this property wouldn't be large enough. She asked about the type of club the athletic club will be. She wondered how many stories it will be; stating a facility of this size might be better closer to highway 16. This building is lower than the allowable, half the height of Greylock. She isn't sure if the size of the proposed building is the right fit for downtown.

Chris addressed questions. He said he has been trapped into managing HOAs in the past and 90% participation is tough. He discussed noise and lighting. Lowering the speed limit is a slow process but maybe it can be done. The proposed facility isn't an elitist facility but do want to train kids to be elite athletes. Landscaping, fencing, and setbacks to provide sound buffering were discussed. They are under contract to sell that piece of property, they would come up with a specific landscape plan. The mayor said to come up with a plan with heavy landscaping to protect the residences. Taylor Bateman said the goal is to have access back there, but parking will be up front. The mayor said tall thick



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landscaping would need to be put in so that someone else doesn't come in and put parking back there. It was stated that a green screen with evergreens will be placed along that boundary.

Requested uses were discussed. Council Member Nielsen is in favor of including the shooting range, live work, drive through and fitness center as permitted rather than conditional uses with the shooting range limited to certain areas. The other listed permitted uses would remain. Shawn suggested that the fitness center be the only approved conditional use on the north side of the backage road and any new uses would require a new hearing.

Mayor Chadwick closed the public hearing at 8:42 pm.

Council Member Nielsen finds the application to be consistent with the vision of the comprehensive plan, zoning ordinances and uses for the corridor. He likes the conversion to the CBD zone; he is supportive of this .

Council Member Salmonson said it is difficult without knowing the future of the backage road; hearing from Rockbridge hopefully a good answer can be found She is also in support of the project, it is good commercial use of the area that makes sense.

The mayor asked to be sure to include the cost of the light.

- Council Member Nielsen moved to approve with conditions as stated in the staff report and with the additional conditions to take precedent if they are in conflict with the staff report. The first condition is that the applicant provide \$3.46 per square foot of total building space as a pro rata share to the light that is to be built at Seneca Springs, that they provide landscape buffering for the neighbor to the west to keep lights from shining onto that property just to protect them a little bit and then to have a greenscape buffer along the north to protect residents from light and sound (trees that stay green all year long), conditional uses for live/work, fitness center, shooting range and drive up window be permitted on these properties that the only conditional use that would be permitted be the fitness center north of the backage road and a bond with an expiration date that may be needed to complete the road.

Shawn suggested providing the easement and phasing in the last phase of the development and including it in the development agreement.

Council Member Wheelock requested asphalt to the other access. The mayor said it would probably be required by the fire department anyway. Council Member Nielsen added this to his motion as a condition of approval.

Council Member Nielsen requested the applicant to reach out to the HOA to see if there is a way to construct it without eminent domain.; not a condition just a recommendation.

Council Member Salmonsens asked about changing the portable classroom and laboratory from permitted to conditional. There was a discussion about laboratories.

Council Member Nielsen amended the motion to prohibit portable classrooms. Council Member Hershey seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye. The motion carried.

## 6. ACTION ITEMS:

### A. ~~Fiscal Year 2023 Audit~~



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### **B. City of Star Ordinance 417-2025 for Sorano Estates Subdivision with Development Agreement**

City of Star Ordinance 417-2025 for Sorano Estates Subdivision with Development Agreement was presented.

- Council Member Hershey moved to introduce and pursuant to Idaho Code, Section 50-902, the rule requiring an ordinance to be read on three different days, with one reading to be in full, be dispensed with and that Ordinance No. 417-2025 for Sorano Estates Subdivision with Annexation be considered after reading once by title only. Council Member Wheelock seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye. The motion carried.
- Council Member Salmonsens moved to approve Ordinance 417-2025 Sorano Estates Subdivision Annexation an ordinance rezoning certain real property located in Star, Canyon County, Idaho; more specifically located at 6497 and 6689 Hwy 44, Star, Idaho (Canyon County Parcels R340140000, R340120000, R340420000, R340430000, R340190100 & R340410110); the property is owned by Fagundes Brothers, LLC; establishing the zoning classification of the annexed property as Residential District with a Development Agreement and Planned Unit Development (R-3-DA-PUD) and Neighborhood Commercial District with a Development Agreement and Planned Unit Development (C-1-DA-PUD) of approximately 92.68 acres; directing that certified copies of this ordinance be filed as provided by law; providing for related matters; and providing for an effective date. Council Member Wheelock seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye. The motion carried.

### **C. Downtown Revitalization Plan Scope of Work & Contract**

Ryan Morgan presented the scope of work and contract for the downtown revitalization plan. Parking studies will be incorporated in the plan. The cost is \$99,570 and could be completed by December 2025. Market analysis comparison was discussed; three comparable cities will be determined. How the downtown was developed while they were growing will be considered. Ensuring cities with peak versus consistent growth was discussed.

- Council Member Hershey moved to approve this at \$99,750. Council Member Wheelock seconded the motion. The mayor clarified that the market analysis is included in the cost. ROLL CALL VOTE: Nielsen – aye; Salmonsens – aye; Wheelock – aye; Hershey – aye. The motion carried.

### **D. Executive Session – Idaho Code 74-206(f) To Communicate with Legal Counsel regarding potential and/or pending litigation.**

At 9:02 p.m. Council Member Nielsen moved according to Idaho Code 74-206(f) to enter into executive session to communicate with legal counsel regarding potential and/or pending litigation. Council





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Member Salmonsens seconded the motion. ROLL CALL VOTE: Hershey – aye; Wheelock – aye; Salmonsens – aye; Nielsen – aye. The motion carried.

Regular session reconvened at 9:24 p.m.

**E. Actions after Executive Session**

There was no action taken.

**F. ADJOURNMENT**

Mayor Chadwick adjourned the meeting at 9:24 p.m.

\_\_\_\_/s/\_\_\_\_

Mayor Trevor A. Chadwick

**ATTEST:** \_\_\_\_/s/\_\_\_\_

Shelly Tilton, City Clerk