



## CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho  
Tuesday, March 21, 2023 at 7:00 PM

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### 1. CALL TO ORDER

Mayor Chadwick called the meeting to order at 7:00 p.m.

### 2. INVOCATION –

Pastor Jason Carr of Eagle Christian Church provided the invocation.

### 3. ROLL CALL

**Council Members present:** Mayor Chadwick and Council Members Wheelock, Salmonsens, and Nielsen were present. Council Member Hershey had an excused absence.

**Staff Present:** City Attorney Chris Yorgason (via remote), City Clerk-Treasurer Jacob Qualls, Public Information Officer Dana Partridge, City Planner/Zoning Administrator Shawn Nickel, City Engineer Ryan Morgan, and Police Chief Zach Hessing were present.

Mayor Chadwick announced that there were technical difficulties with the audiovisual equipment. He advised people watching online could not presently see the slide presentation, but the public can go to the City website and match the Agenda packet to the presentation.

### 4. PRESENTATIONS & PROCLAMATIONS

#### A. Vietnam Veterans Day Proclamation - March 29, 2023

Mayor Chadwick read the proclamation commemorating the 50<sup>th</sup> anniversary of the Vietnam War on March 29<sup>th</sup>, honoring the 58,000 Americans who lost their lives in service to our nation and the hundreds who are still designated as missing in action. Chadwick recalled last year's Veterans Day event at LifeSpring Church where the Vietnam Veterans present at the event were honored by receiving a 50-year pin and thanked those who have served the nation.

#### B. 2023 Arbor Day Proclamation - April 28, 2023

Council Member Wheelock read the 2023 Arbor Day Proclamation, proclaiming April 28, 2023 as Arbor Day in the City of Star and noting the Arbor Day celebration in the U.S. dates back to 1872 when the Nebraska Board of Agriculture set aside a special day for the planting of trees. Wheelock mentioned that for many years, representatives of the City Council and fifth graders at Star Elementary planted a tree in one of the City parks together in commemoration.

#### C. Proclamation - Week of the Young Child - April 1-7, 2023

Council Member Salmonsens read the proclamation declaring April 1-7, 2023 as The Week of The Young Child, as celebrated by the Idaho Association for the Education of Young Children (AEYC). This acknowledged the work done to promote and inspire high quality early childhood experiences for the children of Idaho.

**CITY COUNCIL REGULAR MEETING MINUTES**

City Hall - 10769 W State Street, Star, Idaho

Tuesday, March 21, 2023 at 7:00 PM

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. **Findings of Fact & Conclusions of Law - Medici Vista / Medici Hills Annexation (FILE: AZ-22-08 / AZ-22-07)**

- Council Member Salmonsens moved to approve Consent Agenda Items 5 A and B; Council Member Nielsen seconded the motion. **ROLL CALL VOTE:** Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

6. **PUBLIC HEARINGS with ACTION ITEMS:**

A. **PUBLIC HEARING - Star River Ranch North Subdivision (FILE# RZ-22-01 / DA-22-03 / PP-22-05)** - The Applicant is seeking approval of a Preliminary Plat for a proposed residential subdivision consisting of 72 single-family residential lots and 11 common lots. The property is located on the west side of Bent Lane in Star, Canyon County, Idaho and consists of 23.8 acres with a proposed density of 3 dwelling units per acre. The property currently has a Residential (R-5) zoning designation. The subject property is generally located between south of Hwy 44. Canyon County Parcel No. R3403500000. **(ACTION ITEM) PREVIOUSLY TABLED TO MARCH 21, 2023 AT STAFF REQUEST**

Mayor Chadwick explained the public hearing process and asked City Council members whether they had had any ex parte communication on the matter. Hearing none, Chadwick opened the public hearing at 7:10 p.m.

City Planner/Zoning Administrator Shawn Nickel provided an overview of the project, which involves seventy-one single family residential lots and twelve common lots on 23.77 acres with a proposed residential density of 2.99 dwelling units per acre. He stated that access and frontage from public streets would be owned and maintained by Canyon Highway District 4.

Nickel noted that regarding property history, back in May 2007 the City Council approved an application for the Hidden Meadows subdivision annexation and zoning for the preliminary plat and an R5 zoning designation. He said that obviously it was not built and shortly after 2007 the market fell apart and the property has sat vacant from that time forward, further noting that the preliminary plat expired and the development agreement was never revoked so the property remained in limbo.

Nickel explained that the R5 was approved in 2007, and the applicant is keeping the R5 zoning but staying consistent with the updated Unified Development Code and Comprehensive Plan Update. One outstanding issue he noted was that of detached sidewalks. Nickel clarified that the old agreement is no longer in place

**CITY COUNCIL REGULAR MEETING MINUTES**City Hall - 10769 W State Street, Star, Idaho  
Tuesday, March 21, 2023 at 7:00 PM

as it became defunct due to timeout. In response to Council Member Nielsen's query, Nickel explained that if a preliminary plat is not acted upon in a certain specified time, it becomes invalid.

**Applicant Presentation:**

**Stephanie Hopkins of KM Engineering at 5725 N. Discovery Way, Boise**, presented on behalf of the applicant Bent Lane, LLC. Hopkins noted the land designation was R5, and said the developers met with the neighbors in January of last year and made changes to the preliminary plat to accommodate their requests.

Mayor Chadwick called a brief recess at 7:23 p.m. so hard copies of the presentation could be photocopied and given to the City Council and audience members. He reconvened the public hearing at 7:29 p.m. and asked Ms. Hopkins to start over.

Hopkins thanked the Council for the chance to present the proposal, which is zoned as R5 and located South of Highway 44 and North of Bent Lane. She said it is composed of seventy-one buildable lots and twelve common lots. Hopkins stated that the developer agrees with City Staff requests and that they are fine with detached sidewalks and the other changes.

Hopkins pointed out seepage beds and drainage and mentioned the right of way was shown in the revised preliminary plat. She noted there are three points of access, that the landscaping plan would be modified with respect to the building envelopes, and that they would increase the open space and add more trees. She said she presumed that the open space exceeds City Code and noted that the dog park would be on an unimproved lot. The amenities would be the dog park and a seating area. She said there was 18% open space, with 15% qualified. She noted that the large amount of open space could accommodate a soccer field. Hopkins also showed depictions of some of the typical home elevations.

**Jeff Bauer of 601 West Bannock, Boise**, was called up to provide historical context on the property. Bauer said that the plat was originally recorded in Canyon County, went into foreclosure, and when it came back in 2019 it was re-platted for one collective plat. Lot 1 Block 1 was an undeveloped common lot.

Council Member Salmonsens asked to verify that that lot belongs to Star River Ranch One. Bauer responded that the intent is to have it as a shared amenity.

Council discussion ensued over the concern of open space and the correct open space calculation. Council Member Salmonsens noted that she felt it was clearer if Lot 1 Block 1 was not included as part of this application. Mayor Chadwick noted that the concern is taking land on one plat and counting it as open space on another plat.

City Attorney Chris Yorgason asked Shawn Nickel to pursue clarification on the division.

**CITY COUNCIL REGULAR MEETING MINUTES**City Hall - 10769 W State Street, Star, Idaho  
Tuesday, March 21, 2023 at 7:00 PM

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Council Member Wheelock noted that the detached sidewalk makes a difference, and that the eight-foot strip around all of that will go into the calculation. Council Member Nielsen expressed concern over usability and having trees along the sidewalk.

City Planner Nickel recommended for Council to disregard the proposed dog park (Lot 1 Block 1) in their decision, noting that with detached sidewalks the appropriate percentage of open space will be reached. Jeff Bauer noted that the dog park was a proposed amenity.

Discussion ensued on the nature of the included amenities. Council Member Salmonsén expressed that the lot should not be part of the plat for clarity's sake, but that a dog park will be a great amenity. She asked what other amenities were present besides the soccer field. City Planner Nickel verified that two amenities were needed. Jeff Bauer said that the applicant would look into playground equipment. Salmonsén said that she would like to see another amenity other than a soccer field. Jeff Bauer said that the applicant will accept an amenity as recommended by the City, and that they will work with City Staff.

Mayor Chadwick inquired about the drainage area, asking how that will remain open for use. Hopkins replied that there is a retention basin to make sure that it drains adequately and will remain usable. Council discussion surrounded whether it was required to line the drainage area with bentonite (impervious clay).

Council Member Wheelock inquired about the park strips. Hopkins replied that it was one tree per thirty-five feet. Hopkins also noted, per the Mayor's line of questioning, that sidewalks would be paved concrete.

Discussion returned to the proposed dog park, and concern over it being part of the separate plat and thus, two HOA's. Jeff Bauer verified that it was proposed to be open to members of both HOA's.

**Public Testimony:**

**Scott Hedrick of 5584 W. Lake River Lane, Boise** said that he had purchased a lot during Development Two and said that everything that was said to him during the purchase has come through. He said that property developer Mr. Eck will do a good job.

**Erica Erdozain of 6327 Salmon Falls Lane, Star** said that she has land in Phase Two of Star River Ranch. She said hers is one of four homes where people bought a lot and built a house. She said she serves on the board of the HOA and that this was part of five communities that combined into one. She noted the board is working on continuity and amenities for the current and the new community. She said she appreciates Mr. Eck the developer and noted he has been great to work with all around.

**CITY COUNCIL REGULAR MEETING MINUTES**

City Hall - 10769 W State Street, Star, Idaho  
Tuesday, March 21, 2023 at 7:00 PM

---

**Pete Bilikki of 6724 Big Wood Way, Star**, said he does not support the subdivision. He said Star River Ranch is a high end community, and that this is too high of a density. He said it was not a good idea for the HOA's to combine, that it should be two separate HOA's with no commingling.

**Eddie Sugden of 6278 Chateau Court, Star**, said his house is the blue one over by the proposed dog park. He noted concerns with respect to combining HOA's, including concern over swimming pool capacity and school bus service. He said he was worried about the possibility of kids being out on the main road in the dirt on the side of the road rather than in a proper stop. He also said he does not want a dog park by his house.

Mayor Chadwick asked to verify about the school bus stop at Bent Lane and Highway 44. Sugden said that the kids line up on the side of the road, that people don't stop, and that it is four lanes going down to two. Mayor Chadwick thanked Mr. Sugden for bringing this up.

**Tom Moore of 2161 Bent Lane, Star**, expressed appreciation for the reduction in lots but said he was not notified and was not at the neighborhood. He mentioned the "Coming Soon" signs created a sight restriction on the road. He asked about the six foot vinyl fencing, with respect to a concern of sightline for drivers. He also expressed concern about construction noise and hours. Mayor Chadwick explained that the allowable construction timing with respect to noise was 7:00 a.m.-10:00 p.m. and said to contact Shawn Nickel about the signs. Moore noted that the signs were temporary and said his larger concern was the fencing.

**May Andrade of 6689 Big Wood Way, Star**, thanked the Mayor and Council for hearing from homeowners from the original Star River Ranch. She said the neighborhood was originally marketed as a luxury neighborhood, and that they were not told about future development other than a recreation room and a small swimming pool. She said there is no way the HOA can sustain the extra homes and thinks the dog park should stay in her neighborhood in terms of the plat map. She said the process has been disappointing and the approach to this new subdivision would make it worse.

**Adam Andrade of 6689 Big Wood Way, Star**, asked Council if they have ever driven by and seen the signs depicting a guy fly fishing and open fields. He said his family looked at several communities including Legacy in Eagle. He said his family got settled in a house in Star River Ranch and now there was a proposal of one hundred yards of river access but a sign that says no river access. He expressed concern over wireless internet, and capacity limits on towers. He asked Council to take into consideration helping preserve the luxury and open space that the neighborhood was promised.

Mayor Chadwick noted that Star was catching up on fiber connectivity, that Fatbeam was running the fiber for the schools and nothing else is scheduled for now.

**CITY COUNCIL REGULAR MEETING MINUTES**

City Hall - 10769 W State Street, Star, Idaho  
Tuesday, March 21, 2023 at 7:00 PM

---

**Applicant Rebuttal:**

Jeff Bauer said he will defer to Ms. Hopkins regarding the HOA matter, but that Star River Meadows was annexed in. For Mr. Sugden, he said the annexation was why he has more amenities now. For school buses not coming down Bent Lane, this project will create that need so the school district will be able to run the bus line through. With respect to internet service, Phase One was put in by another developer before going defunct. He said Sparklight has pulled permits. Bauer turned commentary over to Ms. Hopkins.

Hopkins said she texted with the engineers during the meeting and was awaiting a response on the geotechnical analysis with respect to the pond and fields, so there are still some unknowns.

Council Member Nielsen said that bentonite lining has created a problem as it does not drain properly; he said if that is intended, then that will need to be usable open space.

Council Member Wheelock asked if the fencing was proposed to be whole outside six-foot fencing. Hopkins said yes, and that they would comply with the vision triangle for drivers.

Council Member Salmonsens asked to verify if Star River Ranch is fully built out; Hopkins said it was still being built, with two phases. Bauer stated that no more phases were planned. Salmonsens inquired if this project would be phased; Hopkins replied that two phases were planned.

Mayor Chadwick expressed that he would like to see the school district contacted about the bus situation.

Shawn Nickel reiterated the considerations of the two amenities, the detached sidewalk, the different HOA, and entering a new agreement.

Mayor Chadwick closed the Public Hearing at 8:02 p.m.

**Council Deliberations:**

Council Member Nielsen thanked everyone for coming out and for the emails from citizens, noting that public participation really helps the process. He noted that City Council is quasi-judicial in their role, and that their purpose is to ensure this adheres to the Unified Development Code and the City's Comprehensive Plan. He said Mr. Eck has been building a long time, and shows good intent. Nielsen asked for the development agreement to ensure that there are two HOA's at this time and noted the applicant has been amenable.

Shawn Nickel said there would have to be a block waiver and recommended the applicant work with Canyon Highway District 4 to develop traffic calming measures.

**CITY COUNCIL REGULAR MEETING MINUTES**

City Hall - 10769 W State Street, Star, Idaho

Tuesday, March 21, 2023 at 7:00 PM

---

- Council Member Nielsen moved to approve the Star River Ranch North Subdivision development agreement and preliminary plat with conditions of approval as recommended in the Staff Report, including ensuring that pathways are paved, if bentonite is to be used to line drainage ponds to ensure that there is sufficient usable open space, no soccer field as an amenity, two amenities will be installed during Phase One, line for fiber optics to be installed, work with Canyon Highway District 4, have the development be it's own HOA, and that the dog park is not part of the project; Council Member Wheelock seconded the motion. ROLL CALL VOTE: Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.
  
- B. **PUBLIC HEARING - Naismith Commons Subdivision (FILES: AZ-22-10, DA-22-11 & PP-22-15)** (The application was tabled on March 7, 2023 to March 21, 2023 to allow the applicant time to redesign the preliminary plat. **The applicant has requested the application be postponed to April 4, 2023 to provide additional time to submit revisions to staff. (ACTION ITEM - Table to April 4, 2023)**
  
- Council Member Wheelock moved to table the Naismith Commons Subdivision Public Hearing to April 4, 2023; Council Member Nielsen seconded the motion. ROLL CALL VOTE: Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.
  
- C. **Passport Acceptance Facility Ordinance Title 1, Chapter 13:** An ordinance establishing a Passport Acceptance Facility Chapter within the City of Star Municipal Code Title 1; Creating Definitions, Designating the Public Sector Office, Allowing for other travel related services, creating a trust account, creating for severability and providing for an effective date. **(ACTION ITEM)**

City Clerk Qualls stated the City of Star would be the first city in Idaho to have a Passport ordinance from his research and explained the details of the recommended text.

- Council Member Nielsen moved to introduce Ordinance Title 1, Chapter 13 and suspend the rules requiring three separate readings and approve on this first reading; Council Member Salmonsens seconded the motion. ROLL CALL VOTE: Wheelock -aye; Salmonsens – aye; Nielsen – aye. Motion carried.
  
- Council Member Salmonsens moved to approve and read Ordinance Title 1, Chapter 13; Council Member Wheelock seconded the motion. ROLL CALL VOTE: Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.



## CITY COUNCIL REGULAR MEETING MINUTES

City Hall - 10769 W State Street, Star, Idaho  
Tuesday, March 21, 2023 at 7:00 PM

- D. **PUBLIC HEARING - Passport Photo Services** - The Star City Council shall hold a public hearing to receive public testimony on establishing a new fee of \$25.00 per passport photo application for taking and printing passport photos and other related services. **(ACTION ITEM)**

Mayor Chadwick explained a public hearing was necessary because it is adding new services with associated fees.

Chadwick opened the public hearing at 8:47 p.m. Discussion noted a camera cost of \$800.00.

No members of the public offered testimony.

Mayor Chadwick closed the public hearing at 8:48 p.m.

- Council Member Wheelock moved to approve Passport Photos Services at Star City Hall; Council Member Salmonsens seconded the motion. ROLL CALL VOTE: Wheelock – aye; Salmonsens -aye; Nielsen – aye. Motion carried.

- E. **Resolution 001-2023: Passport Photography Services Fee Resolution** - Approve Resolution 001-2023 **(ACTION ITEM)**

- Council Member Nielsen moved to approve Resolution 001-2023. Council Member Wheelock seconded the motion. ROLL CALL VOTE: Wheelock – aye; Salmonsens – aye; Nielsen – aye. Motion carried.

### 7. ADJOURNMENT

Mayor Chadwick adjourned the meeting at 8:50 p.m.

\_\_\_\_\_  
/s/\_\_\_\_\_  
Trevor A Chadwick, Mayor

ATTEST: \_\_\_\_\_  
/s/\_\_\_\_\_  
Jacob M Qualls, City Clerk - Treasurer