



CITY COUNCIL REGULAR MEETING MINUTES

LifeSpring Church - 174 North Star Road, Star Idaho

Tuesday, June 20, 2023 at 7:00 PM

NOTICE: The following minutes constitute a Summary Overview of the meeting from Audio, Video Recordings and Live Testimony. A formal meeting transcript has also been prepared by M&M Court Reporting Services and is attached as an addendum at the end of these minutes.

1. CALL TO ORDER – Welcome/Pledge of Allegiance

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

2. INVOCATION –

The invocation was provided by Michael Maglish, Youth Minister at LifeSpring Church.

3. ROLL CALL

Elected Officials: Mayor Trevor Chadwick, Council President David Hershey, and Council Members Kevin Nielsen, Jennifer Salmonsens, and Kevan Wheelock.

City Staff: City Clerk / Treasurer Jacob Qualls, City Attorney Chris Yorgason, Public Information Officer Dana Partridge, City Engineer Ryan Morgan, City Planner / Zoning Administrator Shawn Nickel, Assistant City Planner / Code Enforcement Official Ryan Field, Star Fire Chief Greg Timinsky, Deputy Fire Chief Victor Islas, and Star Police Chief Zach Hessing.

4. CONSENT AGENDA (ACTION ITEM)

- A. Approval of Claims Provided
- B. City Council Meeting Minutes - **May 30, 2023**
- C. **Findings of Fact / Conclusion of Law** - Garnet Subdivision Annexation & Preliminary Plat (**FILE # AZ-23-01 / DA-23-01 / PP-23-01 / PR 23-01**)
- D. **Findings of Fact / Conclusion of Law** - Red Barn Inn (**FILE # RZ-23-02 / DA-23-03 / CU-23-04**)
- E. **Findings of Fact / Conclusion of Law** - Hood Rats Garage (**FILE # RZ-23-01 / DA-23-02 / CU-23-03**)
- F. **Findings of Fact / Conclusion of Law** - Mink Creek Subdivision (**FILE # PP-23-02**)
- G. **Final Plat** - Saunders Ridge Subdivision (**FILE # FP-23-06**)
- H. **Final Plat** - Milestone Subdivision Phase 5 (**FILE # FP-23-05**)
- I. **Final Plat** - Edgefield at Star River Ranch Phase 1 (**FILE # FP-23-07**)
 - Council Member Salmonsens noted that under Topic 4.A., no Claims were present for this meeting and moved to approve the Consent Agenda; Council President Hershey seconded the motion. ROLL CALL VOTE: Nielsen - aye; Salmonsens - aye; Wheelock - aye; Hershey - aye. Motion carried.

5. PUBLIC HEARINGS with ACTION ITEMS: (The Council may move to approve, approve with conditions, delay, deny or table the application to a date certain in the future.)



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- A. **PUBLIC HEARING - Willowbrook Development Annexation & Development Agreement (FILE: AZ-21-12 & DA-21-20)** - The Applicant is requesting approval of an Annexation and Zoning (R-2-DA) with a Development Agreement for a proposed master planned development consisting of up to 1,094 single-family residential lots, 2 non-residential lots for future neighborhood commercial and municipal services, and an 18-hole golf course on approximately 726.6 acres. The property is located west of Highway 16 in Star, Idaho. The project is exclusively in Ada County. **(ACTION ITEM - PUBLIC TESTIMONY CLOSED ON MAY 9, 2023 - CONTINUATION OF APPLICANT REBUTTAL WITH CITY COUNCIL QUESTIONS)**

Mayor Chadwick re-opened the Public Hearing at 7:04 p.m.

Mayor Chadwick clarified that Topic 5.A./Willowbrook development annexation and development agreement was a continued public hearing from the City Council meeting date of May 9, 2023 and called the Applicant back up to continue the Applicant Rebuttal section of the hearing with City Council questions being taken at this time. Chadwick noted that once this section was completed, the Council would move into deliberations and conclude with a decision on the project.

Applicant Rebuttal (continued):

Applicant Team representative Debra Nelson of Givens Pursley at 601 West Bannock Street in Boise utilized a slide presentation she stated was from the last meeting that had suggested additional conditions, with an added visual overlay in red providing responses to some of the questions that she said the Applicant Team heard at the last meeting.

Ms. Nelson said the Applicant Team would present their commentary and expressed that the team would welcome any further discussion that Council would like to have. Nelson summarized the questions asked, including requests to reduce density from the original number of 1094 units, as well as matters of transition and setbacks. For the number of units, she noted the requested number was to go down to 1000. For setbacks, Nelson clarified that it would be twenty-five feet for the proposed half-acre lots in terms of matching up the Rural Residential Zone to the adjacent Rural Zone.

Per the discussion of one-acre lots, Nelson noted that the Applicant would also match adjacent lot lines and the adjacent setbacks that are required in the rural zoning. Per a request from the Mayor and Council about expediting bringing forward a key roadway improvement at CanAda and Highway 44, Nelson stated that the Applicant was willing to do this before the golf course operation begins but noted that they would need to coordinate with the Highway District. Nelson said the Applicant was interested in entering into a cost share agreement or late-comers agreement with the Highway District or City as appropriate.



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Council Member Nielsen referenced citizen Richard Moore's public testimony given earlier in the hearing at the May 9, 2023 City Council meeting, with respect to traffic impacts on local roads. Given the length of a project of this nature, Nielsen asked the applicant team to discuss how they work with ACHD (Ada County Highway District) and ITD (Idaho Transportation Department) over the course of the project. Nelson replied the first point to address was that the application was about the initial phase of the project with the golf course, and it is their position this initial phase will not overburden local roads.

For future phases, Nelson explained the City had asked for and the Applicant Team provided a Traffic Impact Study that looked out at all future phases of the project and what will happen when future phases are brought in. She said that matters of directional roadway connectivity and Wing Road were noted.

Applicant Team Member Nate Mitchell of Willowbrook Development at 1470 Northbrook Way, Star, discussed residential Dark Sky concerns with respect to the proposed driving range, noting that the project remains consistent with Department of Fish & Game recommendations on "dawn to dusk" use. Mitchell noted ongoing planning would not only need to address any lighting at the golf course, but also the nature of the streetlights from ACHD. Mitchell said the Applicant Team agrees with the City's preference for downward-facing lighting on the golf course to help mitigate light pollution.

Council questions surrounded the matter of proposed density versus project cost. Council Member Salmonsens asked what would happen if the Applicant had to reduce density or would they not be able to make proposed improvements. The applicant team representative replied that it was their position that the proposed density was needed to cover the cost of the full project. The representative explained using the example offer of removing ninety-four lots, noting it was 94 times two-hundred thousand dollars, so ending up with \$18,800,000 being removed from the project. The applicant representative underscored the significant financial impact in addressing density.

Council discussion moved on to West Ada School District and how the school planning process involves population growth. It was noted that a ten-acre school site was being offered within the conditions of approval.

Nate Mitchell of the Applicant Team answered Council questions about possible improvements to support what the Highway District and the City need over the course of the development process. Matters of phasing and proportionate share were discussed.

Council questioning moved on to concerns about preserving Bureau of Land Management parking and trail access.



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Mayor Chadwick asked for City Engineer / Star Sewer & Water Engineer Ryan Morgan to comment on pipe planning for the sewage. Morgan recommended a 12 or 15-inch pipe, noting that 14-inch piping was difficult to come by right currently. Chadwick noted a desire to have the piping go in as early as feasible, to avoid having to open the road back up multiple times.

Council Member Wheelock asked about the process of the developer processing the earth, expressing concerns about noise. The applicant representative verified that no earth crushing/processing is slated to occur onsite, and that the construction team will comply with the City nuisance ordinance and time restrictions.

Council discussion moved to concerns over Fire and Police and response times given the proposed additional occupancy over future years. It was noted that per Fire Code, water must be available at the time any combustible material arrives on the building site, so Star Fire will work with the applicant to ensure the review process is followed and that life safety is met. With respect to Police coverage, Council discussion surrounded a new officer being needed for approximately every 370 houses built.

Mayor Chadwick called for a brief recess at 8:45 p.m. Chadwick called the meeting back to order at 8:50 p.m.

Council Member Nielsen asked City Planner / Zoning Administrator Shawn Nickel if there were any remaining questions that Council wasn't asking. Nickel replied that with the application presently before Council, the Council Members have addressed all the key issues in their questioning such as traffic, land uses, and conditions of approval. Nickel noted once the City gets into the later details of the preliminary plat and the planned unit of development, any unanswered questions would be addressed in more detail, especially questions on traffic because that will be the appropriate time for detailed ACHD, ITD, and Canyon Highway District research on the various phases.

Mayor Chadwick closed the Public Hearing at 8:57 p.m.

Council Deliberations:

Council Member Salmonsens read a prepared statement indicating she hoped would help kick off the Council Deliberations. Salmonsens said nothing has changed her mind this evening. She said she believes the main ingredients of a great community are connected residents, diverse community activities, a strong business environment and a place where everyone feels safe, welcome and at home.

Salmonsens said these ingredients shine bright here in Star, and the primary responsibility of this Council is to not only protect these existing ingredients but also to strengthen and foster their growth with new development. She noted many positives that the development would bring to Star, including donation of land for future Fire and School sites, investing and expanding City water and sewer services, funding needed local road improvements, and bringing in a variety of housing options and recreation amenities.



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Salmonsens noted she had an issue with two findings. 1. The point that the map amendment would not result in an adverse impact on the delivery of public services and 2. Finding the proposed development is in the best interest of the citizens of Star. On the first point, Salmonsens expressed concern that this would place a requirement on the school system to respond by building a new school, which would require taxpayer support. On the second point, Salmonsens expressed concern for the quality of life of the neighboring Hillsdale Subdivision residents. She expressed she could not support the project.

Council President Hershey countered that the ability to have the land for a future school was already secured as one of the conditions of approval and presented a large future cash savings to the School District. He noted the land use concern won't go away and recalled having read an article about another Treasure Valley development scenario where Boise and Kuna rejected developments only to have Ada County pass the development. He stated his position was passing the proposed project this evening would keep conditions of approval under the purview of the City. He further noted the applicant's response of a reduction in density came close to the number he had hoped for. Hershey noted he wished it was just a golf course as that would be an easier project to support, expressed that the dedication of land for a school site has been done in many other places and should not be a concern, and noted that upfront, the need for police is important.

Council Member Wheelock said he had also prepared a written response after the last meeting and shared he came to this meeting undecided. After the Public Testimony, Wheelock said he went home and reviewed all the feedback and studied. Wheelock shared that his history is he has watched the change from growing thriving farming to growing thriving community, and that he signed the City's incorporation document twenty-five years ago. Wheelock noted he still has major ties to the Eastern side of the state. For politics, he said he is not against those who join the community and do not bring political views from where they have migrated from.

Wheelock said he would rather have growth than a ghost town. He expressed love for the City of Star, noting he still knows many of the original residents who are looking for good neighbors, not people who are trying to change what has been here for 100 years. Wheelock said this is America, if you buy the land, you have the right to use it and asked everyone to be good neighbors. He said he has been doing his homework for a long time on this project. He said he appreciated constructive ideas and noted concerns from both those for and against the project. Wheelock noted this area had been originally conceived with more houses, noting that each discussion has brought improvements, but each discussion has become harder.

Council Member Nielsen said he appreciated Council Member Wheelock's perspective and concerns, and Council Member Salmonsens's passionate plea to fix the process. He said he had watched Mayor Chadwick go to the mat for House Bill 389 to help Star, given the challenges the bill placed on Star. Nielsen said the Council was here to determine whether the application was in the best interest of the City of Star long-term.

Council Member Hershey asked about the conditions of approval list. Mayor Chadwick asked City Planner / Zoning Administrator Shawn Nickel to provide the details.

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Shawn Nickel read the recommended condition wording as follows:

Council hereby approves the golf course and associated facility amenities including the clubhouse and accessory structures, restaurant & bar, and driving range; prior to the approval of any additional commercial uses the applicant shall submit and receive approval of a planned unit of development and preliminary plan and this approval shall be part of a new public hearing through the City Council; the golf course shall be hooked onto Star Sewer and Water District reclaimed water for application to the course (at time of availability from the Sewer and Water District) to provide that reclaimed water; all Golf Course details shall receive further review and approval through the design review process, the architecture of the clubhouse and restaurant shall meet current City design review standards, applicants shall provide a minimum ten acre public school site and a future fire station site within the development; the applicant shall work with Star Fire District on the location of the station; the fire station site and school site shall be deeded to the appropriate agency within the first phase of the residential development; the development shall meet all requirements of the Star Fire District and Star Sewer and Water District; the applicant shall adopt for the application all recommended conditions of approval from ITD, ACHD, and Canyon County Highway District 4, maximum density set at 1.38 with a maximum lot count not to exceed one thousand lots; a minimum lot size adjacent to all existing residential lots at one half acre matching to one acre with a 100 foot buffer strip and matching lot lines; applicant to pay all proportionate share mitigation fees; at the time of recordation of the development agreement the \$370,000 up front as proportionate share start as mitigation fee that would be credited back to the total; the development agreement will be revisited during the preliminary plat and planned unit development in order to update or add any new conditions of approval that may be required by the City Council or other Reviewing Agencies; Wing Road will not be connected to the development from Beacon Light Road; and a traffic signal light shall be constructed by the applicant at Highway 44 and Canyon Highway and Canyon Highway and Can Ada Road prior to the first day of operation of the golf course; and facilities agreement shall be entered into between the Applicant and the City for future reimbursement; driving range hours shall be Dawn to Dusk with the Dark Sky Initiative being addressed by downward lighting with soffit lights within the residential structures; applicants will provide a fiber conduit for future fiber optic connections; the fire station lot will have the infrastructure; no raw crushing of dirt/soil on the worksite unless the future conditional use permit is approved by the City Council; no connections to Lanktree Gulch Road; sound barrier berm and visual barrier to be constructed by the applicant along the golf course.

- Council Member Salmonsens moved to deny the Willowbrook Development Annexation & Development Agreement (FILE: AZ-21-12 & DA-21-20). Mayor Chadwick noted that no one seconded, so that the motion died.

Mayor Chadwick gave Council Members a few minutes to attempt to provide a new motion, then called for a brief recess at 9:48 p.m. in order to give them time to draft the motion.

Chadwick called the meeting back to order at 9:55 p.m. and reminded Council that they must make a motion this evening: to either approve, deny, or table.

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Council Member Nielsen said that a big part of him wanted to second Council Member Salmonsens's motion earlier as he agreed with several points. However, he said he felt the application meets Star's Comprehensive Plan and Zoning Ordinances. He noted positives such as forcing improvements to Can Ada Road, and that it will bring an inevitable project under Star's Planning Department in terms of process and oversight.

- Council Member Nielsen moved to approve the Willowbrook Development Annexation & Development Agreement (FILE: AZ-21-12 & DA-21-20) with the following conditions of approval as read by Staff earlier in the meeting: that Council hereby approves the golf course and associated facility amenities including the clubhouse and accessory structures, restaurant & bar, and driving range; prior to the approval of any additional commercial uses the applicant shall submit and receive approval of a planned unit of development and preliminary plan and this approval shall be part of a new public hearing through the City Council; the golf course shall be hooked onto Star Sewer and Water District reclaimed water for application to the course (at time of availability from the Sewer and Water District) to provide that reclaimed water; all Golf Course details shall receive further review and approval through the design review process, the architecture of the clubhouse and restaurant shall meet current City design review standards, applicants shall provide a minimum ten acre public school site and a future fire station site within the development; the applicant shall work with Star Fire District on the location of the station; the fire station site and school site shall be deeded to the appropriate agency within the first phase of the residential development; the development shall meet all requirements of the Star Fire District and Star Sewer and Water District; the applicant shall adopt for the application all recommended conditions of approval from ITD, ACHD, and Canyon County Highway District 4, maximum density set at 1.38 with a maximum lot count not to exceed one thousand lots; a minimum lot size adjacent to all existing residential lots at one half acre matching to one acre with a 100 foot buffer strip and matching lot lines; applicant to pay all proportionate share mitigation fees; at the time of recordation of the development agreement the \$370,000 up front as proportionate share start as mitigation fee that would be credited back to the total; the development agreement will be revisited during the preliminary plat and planned unit development in order to update or add any new conditions of approval that may be required by the City Council or other Reviewing Agencies; Wing Road will not be connected to the development from Beacon Light Road; and a traffic signal light shall be constructed by the applicant at Highway 44 and Canyon Highway and Canyon Highway and Can Ada Road prior to the first day of operation of the golf course; and facilities agreement shall be entered into between the Applicant and the City for future reimbursement; driving range hours shall be Dawn to Dusk with the Dark Sky Initiative being addressed by downward lighting with soffit lights within the residential structures; applicants will provide a fiber conduit for future fiber optic connections; the fire station lot will have the infrastructure; no raw crushing of dirt/soil on the worksite unless the future conditional use permit is approved by the City Council; no connections to Lanktree Gulch Road; sound barrier berm and visual barrier to be constructed by the applicant along the golf course; Council President Hershey seconded the motion. ROLL CALL VOTE: Nielsen - aye; Salmonsens - nay; Wheelock - aye; Hershey - aye. Motion carried.



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6. **ACTION ITEMS:**(The Council at its option may suspend the rules requiring three separate readings on three separate days for ordinances on the agenda for approval. This may be by a single motion to suspend the rules under Idaho Code 50-902; second of the motion; ROLL CALL VOTE; Title of the Ordinance is read aloud; motion to approve; second of the motion: ROLL CALL VOTE.)

A. **Ordinance 379-2023 - Medici Vista Subdivision:** AN ORDINANCE ANNEXING TO THE CITY OF STAR CERTAIN REAL PROPERTY LOCATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO; MORE SPECIFICALLY LOCATED AT 4401 N. POLLARD LANE, IN STAR, IDAHO (ADA COUNTY PARCELS S0333212580) AND CONTIGUOUS TO THE CITY OF STAR; THE PROPERTY IS OWNED BY BRUCE A. BENTE; ESTABLISHING THE ZONING CLASSIFICATION OF THE ANNEXED PROPERTY AS RESIDENTIAL WITH A DEVELOPMENT AGREEMENT (R-1-DA) OF APPROXIMATELY 13.13 ACRES; DIRECTING THAT CERTIFIED COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; PROVIDING FOR RELATED MATTERS; AND PROVIDING FOR AN EFFECTIVE DATE. **(ACTION ITEM)**

- Council President Hershey moved to introduce Ordinance 379-2023 Medici Vista Subdivision Annexation and pursuant to the rules under Idaho Code 50-902, the rule requiring an ordinance be read on three different days with one reading to be in full to be dispensed with and that Ordinance 379-2023 be considered after reading once by title only; Council Member Wheelock seconded the motion. ROLL CALL VOTE: Nielsen - aye; Salmonsens - aye; Wheelock - aye; Hershey - aye. Motion carried.
- Council President Hershey moved to approve Ordinance 379-2023 Medici Vista Subdivision Annexation and read the title of the ordinance; Council Member Wheelock seconded the motion. ROLL CALL VOTE: Nielsen - aye; Salmonsens - aye; Wheelock - aye; Hershey - aye. Motion carried.

B. **Ordinance 380-2023 Medici Hills Subdivision Annexation:** AN ORDINANCE ANNEXING TO THE CITY OF STAR CERTAIN REAL PROPERTY LOCATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO; MORE SPECIFICALLY LOCATED ON N. HIGHWAY 16, IN STAR, IDAHO (ADA COUNTY PARCEL S0328346600) AND CONTIGUOUS TO THE CITY OF STAR; THE PROPERTY IS OWNED BY MEDICI HILLS JOINT VENTURE; ESTABLISHING THE ZONING CLASSIFICATION OF THE ANNEXED PROPERTY AS RESIDENTIAL WITH A DEVELOPMENT AGREEMENT (R-2-DA) OF APPROXIMATELY 48.73 ACRES; DIRECTING THAT CERTIFIED COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; PROVIDING FOR RELATED MATTERS; AND PROVIDING FOR AN EFFECTIVE DATE. **(ACTION ITEM)**

- Council President Hershey moved to introduce Ordinance 380-2023 Medici Hills Subdivision Annexation and pursuant to the rules under Idaho Code 50-902, the rule requiring an ordinance be read on three different days with one reading to be in full to be dispensed with and that Ordinance 380-2023 be considered after reading once by title only; Council Member Wheelock seconded the motion. ROLL CALL VOTE: Nielsen - aye; Salmonsens - aye; Wheelock - aye; Hershey - aye. Motion carried.



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- Council President Hershey moved to approve Ordinance 380-2023-Medici Hills Subdivision Annexation and read the title of the ordinance; Council Member Wheelock seconded the motion. ROLL CALL VOTE: Nielsen - aye; Salmonsens - aye; Wheelock - aye; Hershey - aye. Motion carried.

7. ADJOURNMENT

Mayor Chadwick adjourned the Star City Council meeting at 10:07 p.m.

_____/s/_____
Trevor A Chadwick, Mayor

ATTEST: ____/s/_____
Jacob M Qualls, City Clerk - Treasurer

BEFORE THE CITY OF STAR CITY COUNCIL

IN RE:)
WILLOWBROOK DEVELOPMENT) FILE: AZ-21-12 &
MEDICI HILLS SUBDIVISION) DA-21-20
MEDICI HILLS SUBDIVISION) ORDINANCE 379-2023
ANNEXATION) ORDINANCE 380-2023
_____)

TRANSCRIPT OF RECORDED COUNCIL MEETING

TUESDAY, JUNE 20, 2023

COUNCILMEMBERS PRESENT:

TREVOR A. CHADWICK, MAYOR

DAVID HERSHEY, COUNCIL PRESIDENT

KEVIN NIELSEN, COUNCILMAN

JENNIFER SALMONSEN, COUNCILWOMAN

KEVAN WHEELLOCK, COUNCILMAN

DAVID HERSHEY, COUNCILMAN

TRANSCRIBED BY:

VICTORIA HILLES, RPR, CSR NO. 1173

Notary Public

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Audio Transcription

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1 (Beginning of audio file.)

2 MAYOR CHADWICK: Okay. I'm going to call the
3 Star City Council meeting to order. It's 7:00 p.m. on
4 Tuesday, June 20th, 2023, at the LifeSpring Church. And
5 I'd just like to thank the LifeSpring Church again for
6 allowing us to use this facility tonight.

7 Can you all please join me in the pledge
8 of allegiance.

9 ALL: I pledge allegiance to the flag of the
10 United States of America and to the Republic for which
11 it stands, one Nation under God, indivisible, with
12 liberty and justice for all.

13 MAYOR CHADWICK: Thank you.

14 Tonight's invocation is going to be by
15 Pastor Michael Maglish. Pastor Tim Nay was going to do
16 our invocation, but he hurt his back, so we'll do a
17 little extra prayer for Pastor Nay.

18 PASTOR MICHAEL MAGLISH: So please bow with me
19 in a word of prayer.

20 Heavenly Father, we invite you here
21 tonight to be in the center of our space. We invite you
22 to guide us and guide our Mayor, our City Councilmen,
23 God -- that -- that clarity can be brought, that
24 decisions can be made that are going to honor you. We
25 pray for our country. God, we pray for our -- our

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1 state. We pray for what you are trying to do, and we
2 pray that we give you the space to do that.

3 In Jesus' name. Amen.

4 ALL: Amen.

5 MAYOR CHADWICK: Amen.

6 Thank you, sir.

7 Roll call.

8 THE CLERK: Nielsen.

9 COUNCILMAN NIELSEN: Present.

10 THE CLERK: Salmonsens.

11 COUNCILWOMAN SALMONSEN: Here.

12 THE CLERK: Chadwick.

13 MAYOR CHADWICK: Here.

14 THE CLERK: Wheelock.

15 COUNCILMAN WHEELLOCK: Here.

16 THE CLERK: Hershey.

17 COUNCILMAN HERSHEY: Here.

18 MAYOR CHADWICK: All right. We'll move on to
19 Item 4, the Consent Agenda.

20 COUNCILWOMAN SALMONSEN: Mayor Chadwick.

21 MAYOR CHADWICK: Councilwoman.

22 COUNCILWOMAN SALMONSEN: I'll move to approve
23 the Consent Agenda consisting of Item -- we didn't have
24 claims so --

25 MAYOR CHADWICK: Okay.

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1 COUNCILWOMAN SALMONSEN: -- I'll skip
2 4A -- 4B, City Council Meeting Minutes from May 30th,
3 2023; Item 4C, Findings of Fact/Conclusion of Law for
4 the Garnet Subdivision Annexation & Preliminary Plat
5 (FILE AZ-23-01/DA-23-01/PP-23-01/PR23-01); Item 4D, the
6 Findings of Fact/Conclusion of Law for Red Barn Inn
7 (FILE RZ-23-02/DA-23-03/CU-23-04); Item 4E, Findings of
8 Fact/Conclusion of Law for Hood Rats Garage (FILE
9 RZ-23-01/DA-23-02/CU-23-03); Item 4F, Findings of
10 Fact/Conclusion of Law for Mink Crick -- Creek
11 Subdivision (FILE No. PP-23-02); 4G, the Final Plat,
12 Saunders Ridge Subdivision (FILE FP-23-06); Item 4H,
13 Final Plat, Milestone Subdivision Phase 5 (FILE
14 FP-23-05); and Item 4I, Final Plat for Edgefield at Star
15 River Ranch Phase 1 (FILE No. 4 -- FP-23-07).

16 MAYOR CHADWICK: Okay. We have a motion to
17 approve the Consent Agenda, minus Item A, which -- we
18 did not have any claims.

19 Do we have a second?

20 Anybody want to second?

21 COUNCILMAN HERSHEY: I'll second that.

22 MAYOR CHADWICK: We have a motion and a second
23 by Councilman Hershey.

24 Any further discussion?

25 Hearing none.

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1 Roll call.

2 THE CLERK: Nielsen.

3 COUNCILMAN NIELSEN: Aye.

4 THE CLERK: Salmonsens.

5 COUNCILWOMAN SALMONSEN: Aye.

6 THE CLERK: Wheelock.

7 COUNCILMAN WHEELLOCK: Aye.

8 THE CLERK: Hershey.

9 COUNCILMAN HERSHEY: Aye.

10 MAYOR CHADWICK: Okay. That motion carries.

11 We're on to Item 5, the continued hearing
12 for the Willowbrook Development Annexation & Development
13 Agreement. It is 7:04, and I invite the applicant to
14 come back up.

15 We're continuing this -- this -- this is
16 the continuation of the applicant rebuttal with the City
17 Council questions at this time. Once this section is
18 done, the Council will move into deliberations for a
19 decision on the project.

20 Okay. Are we good, Shawn?

21 SHAWN NICKEL: We're good.

22 MAYOR CHADWICK: Okay. All right.

23 I know that it was late on May 9th.
24 Anybody have questions they want to start with -- with
25 asking the applicant?

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1 COUNCILWOMAN SALMONSEN: Mayor Chadwick.

2 MAYOR CHADWICK: Councilwoman.

3 COUNCILWOMAN SALMONSEN: Maybe -- first, could
4 we just get a quick review, high level. I know that you
5 had some slides here. If we can just -- just a quick
6 review --

7 MAYOR CHADWICK: Okay.

8 COUNCILWOMAN SALMONSEN: -- from the
9 applicant. That would be awesome.

10 MAYOR CHADWICK: Very good.

11 DEBORAH NELSON: Mayor and Council Members, I
12 appreciate that.

13 Deborah Nelson.

14 MAYOR CHADWICK: Hey. If you don't mind, can
15 you speak into that a little bit closer?

16 UNIDENTIFIED SPEAKER: [Unintelligible]. I
17 can't --

18 MAYOR CHADWICK: Yeah.

19 UNIDENTIFIED SPEAKER: -- hear anything.

20 MAYOR CHADWICK: Yeah, because we can't hear
21 it.

22 DEBORAH NELSON: Maybe I could make it higher.
23 Is that better?

24 MAYOR CHADWICK: There we go.

25 UNIDENTIFIED SPEAKER: Oh, there we go.

1 DEBORAH NELSON: Deborah Nelson. I'm here on
2 behalf of the applicant. Address is 601 West Bannock.

3 Good evening, Mayor and Council Members.
4 You might not have heard that part.

5 So we have a couple slides just to provide
6 a visual recap of what we heard the Council ask of us
7 last time. We're not providing any new information.
8 This is actually the slide that was presented in our
9 presentation last time that had suggested additional
10 conditions for the DA. And we've added for -- a visual
11 for everyone to see our commentary back to you and the
12 red underlining, answers to some of the questions that
13 we heard at the last hearing and requests from the
14 Council.

15 So we just wanted to provide that, rather
16 than just verbally -- so you could visually see how that
17 would fit into the conditions that we had previously
18 suggested. We heard a lot of asks of the Council, and
19 so we wanted to respond to those, and I'll just capture
20 them briefly and then welcome any further discussion you
21 guys want to have about that.

22 There was a request to reduce the density,
23 and so the developer did look at that carefully and
24 considered what they could bring that down to
25 and -- could get down from 1,094 -- was -- the

1 application asked to -- 1,000 units.

2 There was also a request about transition,
3 and we did have information about transition at the last
4 hearing, but there was additional discussion
5 that -- where there are one-acre lots that were already
6 offered, that we would also match adjacent lot lines and
7 the adjacent setbacks that are required in that adjacent
8 rural zoning.

9 We also already had offered one-acre lots,
10 but we've just included that in the list here of the
11 conditions, and I've got a -- that transition slide
12 that's referenced in the condition language there. It
13 was also in our presentation last time, and I've got
14 that with us tonight just to repeat that so you could
15 see that again.

16 And then, finally, there was a request
17 from the Mayor and Council about expediting, bringing
18 forward a key roadway improvement, and that is the
19 intersection improvements that were requested at Can Ada
20 and Highway 44. And that is something that the
21 developer is willing to do, even before the golf-course
22 operation begins, rather than waiting for the subsequent
23 phases, when additional TISs will be required and
24 additional mitigation will be imposed.

25 But we do need to -- to coordinate with

1 the Highway District on available right-of-way to make
2 sure that we can construct that. And then, also, we'd
3 like to enter into a -- a cost-share agreement or a
4 late-comer's agreement with the Highway District or the
5 City, as appropriate, just to make sure that everything
6 above the development's 18-percent share, there's an
7 opportunity, at least, to try to recoup some of that.

8 So those are -- and I'm happy to come back
9 to this slide just to share it with you, but this
10 is -- there we go.

11 I can't get this to advance. Maybe Shawn
12 can help me. That's not -- there we go.

13 Thank you.

14 UNIDENTIFIED SPEAKER: [Unintelligible].

15 DEBORAH NELSON: Thank you.

16 This was presented at the last hearing,
17 and this is -- just illustrates the condition that I
18 just shared with you about the transitional lots. The
19 coloring is really faded in this visual, but the yellow
20 exterior areas are where we've already agreed to a
21 minimum, one-acre-lot transition.

22 The red exterior areas are where we've
23 agreed to the half-acre-lot transition and, also, to
24 match the adjacent setbacks and lot lines. And then
25 we've got a landscape buffer strip in the area shown

1 just south of the golf course.

2 And, Shawn, if you wouldn't mind advancing
3 briefly.

4 Again, this next slide also
5 was -- that's -- you're having the same problem I did.
6 There we go -- was also part of our last presentation.
7 The -- those provisions that we just showed with the
8 transition, the buffer strip, that may include setbacks
9 that match or the provision of
10 one-half-to-one-acre-sized lots is directly from your
11 applicable City Code for this. And so I just wanted to
12 show that.

13 And finally -- Shawn, if you wouldn't
14 mind, the very last slide -- again, a slide that was
15 part of our presentation last time. This time the red
16 lining was already in it. This isn't new. This was the
17 change we had requested to the conditions. So I just
18 wanted to bring that forward so you have all of the
19 conditions that we're suggesting and requesting in
20 addition to what staff had requested.

21 And this was where we had just asked for
22 the clarification that, based on your City Code, golf
23 courses are already defined to include clubhouses with a
24 restaurant and bar. And so that was just a reminder
25 about that condition.

1 So with that, I don't want to go further
2 until you have -- have questions, but that's what we
3 just wanted to bring forward for our -- what we can do
4 in response to your specific questions at the last
5 hearing.

6 MAYOR CHADWICK: Okay. Any -- oh -- any
7 questions of the applicant?

8 I know we've got questions, I'm sure.

9 COUNCILWOMAN SALMONSEN: Excuse me.

10 MAYOR CHADWICK: I will ask a question here
11 real quick.

12 When we're talking about the setbacks on
13 those half-acre lots, what are those setbacks, exactly?
14 What's the number? It's not --

15 DEBORAH NELSON: Mayor, they're 25 feet in the
16 rural residential zone, which is the adjacent rural zone
17 that we would be matching.

18 MAYOR CHADWICK: So 25 feet from the back
19 line?

20 DEBORAH NELSON: That's right.

21 MAYOR CHADWICK: Okay.

22 DEBORAH NELSON: That's the rear setback in
23 the County Code.

24 MAYOR CHADWICK: Okay.

25 COUNCILMAN NIELSEN: Mayor Chadwick.

1 MAYOR CHADWICK: Councilman Nielsen.

2 COUNCILMAN NIELSEN: So I -- you know, I -- I
3 took -- I took the opportunity. It was really nice to
4 actually have quite a bit of time between the -- the
5 first part of this hearing and -- and what we're doing
6 here tonight.

7 I -- I took notes on everybody who
8 testified, and -- and it was -- it was really helpful, I
9 think, to go back and read through all of those notes
10 and -- and to read through the packet again and really
11 look for those elements of testimony that -- that are
12 actionable or that we should -- or that we could really
13 consider as part of -- of this application and make part
14 of our decision here tonight.

15 And I want to key in on -- on Richard
16 Moore's testimony, where he -- he began, really,
17 the -- the conversation that was kind of a theme
18 throughout the evening around traffic. And -- and I'm
19 summarizing here, but he -- he testified that traffic
20 impacts are significant, local roads cannot be expanded,
21 and that -- and a really significant concern about
22 the -- the concept or the idea of -- of connecting Wing
23 Road up into Hillsdale.

24 And so I -- I'd like for the
25 applicant -- or for you, as -- as the applicant -- your

1 group to -- to kind of holistically address and maybe
2 get into some significant detail because there isn't a
3 lot of information about roadways at this time.
4 And -- and that's natural for the state of where this
5 application is.

6 However, I -- I think that understanding
7 the process of how -- how you work with ACHD and ITD
8 over the course of -- of the anticipated life of a
9 project of this size, to really understand what impacts
10 there will be to roads, how those decisions are made,
11 the timeline of when those decisions are made,
12 and -- and the possibility of -- of -- of these local
13 roads that exist being expanded.

14 I -- as I look at the application, you
15 know, I -- I have to agree with -- with Mr. Moore that
16 it looks extremely difficult to expand those existing
17 local roads. And -- and I have to agree that -- that
18 the -- the idea of connecting Wing Road up into
19 Hillsdale seems extremely problematic.

20 And -- and so if you could address, again,
21 kind of the -- the process, in general, but
22 then -- specifically, what does this application look
23 like without a Wing Road expansion?

24 DEBORAH NELSON: Mr. Mayor, Council Members, I
25 appreciate the question.

1 So maybe the -- the first point to
2 address -- you know, what is this application about? It
3 is -- the initial phase will just include the golf
4 course.

5 COUNCILMAN NIELSEN: I understand.

6 DEBORAH NELSON: The trip -- the trips from
7 the golf course them -- itself will not overburden the
8 existing roads or exceed the capacity of even the local
9 roads.

10 And so -- then we look to future phases.
11 And the City did request and the applicant provided a
12 traffic impact study that looked further and included
13 all of the phases and a significant horizon. And so
14 that's, really, more what you're getting at, so
15 the -- the future phases of what will happen when
16 additional phases are brought on, and there are
17 additional trips added to the local roadways.

18 The Wing Road extension was included in
19 the traffic study because it is shown on ACHD's Master
20 Street Map, and so that is a planned connection, based
21 on ACHD's plan for the ultimate roadway build-out in
22 this area. So we're obligated to evaluate that
23 and -- and did.

24 Whether -- if that turns out not to be
25 desired, feasible, required by the transportation

1 agencies when we get into these future phases, and we
2 have to submit supplemental traffic impact studies, you
3 know, we'll live with whatever is decided about that,
4 and that's what we'll build out.

5 The -- the desire, I think, from ACHD's
6 Master Street Map, in general, is to provide
7 connectivity. That's usually what ACHD's looking for.
8 North/south connectivity, east/west connectivity in this
9 area alleviates problems. Kind of the more ways you've
10 got to get through, then it disperses the traffic. So
11 that's -- I guess, specific to Wing Road --

12 COUNCILMAN NIELSEN: Can I ask you a question
13 about that.

14 DEBORAH NELSON: Yes.

15 COUNCILMAN NIELSEN: So my -- my recollection
16 of -- of the presentation a couple of months ago was
17 that Wing Road was considered because
18 some -- there -- there were -- was another road that
19 either could not be built or could not be built in a
20 timely fashion. So then you went to ACHD and requested
21 to consider Wing Road.

22 DEBORAH NELSON: Mr. Mayor, Council Member, if
23 that's the case, then I'll have to have the applicant
24 and the -- the traffic engineer talk about that history
25 because I wasn't involved in those specific meetings.

1 COUNCILMAN NIELSEN: Sure.

2 DEBORAH NELSON: It is shown -- I can tell you
3 it is shown on the Master Street Map, so we are
4 obligated to include it and evaluate it, as far as like
5 the order of that.

6 But I -- I think, maybe, what you're
7 talking about is the Aerie -- Aerie Way extension is
8 also part of the future improvements that will be needed
9 and appropriate to serve trips in this area, that will
10 also help protect trips from some of the local roadways,
11 such as Deep Canyon. And so between Wing Road and the
12 Aerie Way extension, those are two new roads that will
13 help disperse trips in the area.

14 And -- and there is capacity limitations
15 on Deep Canyon of 2,000 trips per day. It's a local
16 road. That's just the local-road limitation for just
17 functional target capacities from ACHD's policy manual.
18 And so either Aerie Way or Wing Road does offer relief
19 from that. And we are conditioned, based on ACHD's
20 comments at this point, to not be able to proceed with
21 any of those phases until there is that relief from the
22 local-road impacts.

23 And so, at this point, it's not just that
24 we're asking for the golf course. Like we cannot move
25 forward with anything that would add impacts beyond the

1 golf course until that is evaluated and the mitigation
2 is provided. So that will happen with future phases,
3 when they lay out, "Okay. This needs to happen at this
4 timeline."

5 COUNCILMAN NIELSEN: Yeah. Thank -- thank you
6 for that.

7 I -- I think it was that conversation
8 about Deep Canyon and the limited capacity
9 that -- that --

10 DEBORAH NELSON: Yes.

11 COUNCILMAN NIELSEN: -- led to the exploration
12 of -- of Wing Road. So...

13 MAYOR CHADWICK: Can I ask a follow-up
14 there --

15 COUNCILMAN NIELSEN: Please.

16 MAYOR CHADWICK: -- on your question?

17 So when I -- when I go back and I look at
18 ACHD's comment on the most recent one, on April 27th, it
19 says that, "No connection to Deep Canyon Drive" may "be
20 considered until Aerie Way is constructed" and open to
21 provide "access to the site," and that -- and that -- to
22 provide access to the golf course. The applicant may
23 "apply for a driveway approach permit for a driveway or
24 private road onto Can Ada Road to provide access to the
25 site."

1 So they're not even bringing up Wing Road
2 any further into this thing; right? So it -- it -- in
3 my opinion, Wing Road, to me, is not a viable road to
4 handle all that traffic that's intended to come down.
5 And I'd be inclined to say that we don't even make that
6 connection because of where they put Wing Road onto
7 Beacon Light on the corner, which, to me, is
8 providing -- is creating a -- a safety nightmare, you
9 know, in the long term.

10 DEBORAH NELSON: Mm-hmm.

11 MAYOR CHADWICK: But what -- what are we
12 doing, I guess, when we're talking about this Aerie Way
13 and Canyon Drive, to get constructed -- I guess, is this
14 an either/or in how they're wording this, whether -- you
15 either have Aerie Way constructed for the golf course or
16 you can apply for the private road permit for the -- for
17 the golf course on the Can Ada --

18 DEBORAH NELSON: Mr. --

19 MAYOR CHADWICK: -- or how it's read?

20 DEBORAH NELSON: Mr. Mayor, so ACHD was
21 allowing the golf course to proceed, and that's why
22 the -- the access onto Can Ada was appropriate, but they
23 did not want to go forward with any residential until
24 these future TISs are evaluated and Aerie Way was
25 provided -- provided an outlet.

1 We did provide analysis to ACHD about how
2 there is existing capacity on local roads, including
3 Deep Canyon, before that's -- before you need to
4 get -- like you could allow some of the residential, in
5 other words, before you needed to get to that next
6 phase, and they drew the line more conservatively and
7 said, "Let's just stop at the golf course before
8 you've" -- "you're able to even move forward with any
9 residential, even though some residential would have
10 capacity there." So they were focused on Aerie Way.

11 Wing Road does provide additional capacity
12 in the interim if that were done before Aerie Way.
13 Again, if -- you know, the City obviously gets to
14 comment on your preferences for these roads, and
15 we'll -- we're open to what needs to be done in this
16 area. At this point, we're following what's on the
17 Master Street Map. The -- the traffic impact study did
18 evaluate all of the connectivity and the roadways and
19 intersections that were defined and the scope that was
20 set out by ITD, ACHD, and COMPASS.

21 MAYOR CHADWICK: Okay. Sorry, Kevin.

22 Go ahead.

23 Thank you.

24 COUNCILMAN NIELSEN: Thank -- thank you.

25 So -- and -- and I -- again, I appreciate

1 this little -- little detour that's specific to Wing
2 Road and wonder if -- if, you know, the focus can
3 continue on kind of how that -- that plan develops over
4 time, you know, toward the end of the project, what sort
5 of activities take place.

6 And -- and, look, think -- think about it
7 from the standpoint of what ACHD provided to the Council
8 as -- as part of this packet, that -- they basically
9 say, "Nothing has capacity today;" right?

10 DEBORAH NELSON: Mm-hmm.

11 COUNCILMAN NIELSEN: How do you go from no
12 capacity to -- to fully-capable capacity at the end?

13 DEBORAH NELSON: Mr. Mayor, Council Member,
14 we -- we can't unless they agree that we can; right? So
15 that does require these future studies, that does
16 require the mitigation, but it's not completely unknown.
17 I mean, because we've done this larger traffic study
18 that they have reviewed, at least there's an indication
19 that causes these
20 questions -- right? -- about -- okay -- that Aerie Way
21 needs to be extended, that the Wing Road extension would
22 also serve trips.

23 The Can Ada/Highway 44 intersection
24 improvements that we've talked about, that came up
25 because of looking forward to see, "Okay. Well, when we

1 do have actual mitigation that's imposed on the project,
2 what might that look like?"

3 But until we get to a further
4 approval -- so we have to come back, still, to this body
5 for a plan -- a -- a planned unit development permit and
6 a preliminary plat. So at this point, we can't do
7 anything but the golf course, but that's significant
8 because you have applications that will then be before
9 you that are specific development applications.

10 ACHD and ITD weigh in on those.
11 They've -- this is our -- this one's already
12 conditioned, if you approve it, on having to do
13 subsequent TISs. That will outline the phasing plan and
14 mitigation before anything can move forward.
15 And so the mitigations you've got a scope of right now,
16 basically, from this larger TIS, will have to be planned
17 out so that it's -- it's in line with the development
18 phasing.

19 The one that we're expediting because of
20 those comments that have come forward that -- and the
21 concerns that have been raised, just the -- I mean, the
22 level of service at the Can-Ada/Highway 44 is already
23 Level F. Of course that's not our doing because we're
24 not there yet, but the development will help correct
25 that by stepping that one up.

1 The others -- it's -- it's a little bit
2 premature to know exactly where they might be. As
3 you're pointing out, there may be some limitation on
4 some of these options. Maybe it isn't the Wing Road
5 extension. Maybe the Aerie Way is done first. Maybe
6 there's different options that are evaluated at that
7 time.

8 So those -- those will have to be laid out
9 with the residential, but what you have before you will
10 at least mitigate more than our fair share with -- with
11 stepping up that signalized intersection and will
12 certainly mitigate the trips for the golf course, which
13 do not exceed capacities.

14 COUNCILMAN NIELSEN: So what is
15 the -- what -- what is the likelihood of the development
16 of Aerie Way to occur -- maybe "likelihood" is not the
17 right -- right word. I guess, "possibility," maybe is a
18 better one -- instead of and before that interim
19 capacity that you mentioned could be considered for Wing
20 Road?

21 DEBORAH NELSON: At this point, based on
22 ACHD's language, it has to be done. So there is no
23 other option.

24 COUNCILMAN NIELSEN: Okay.

25 DEBORAH NELSON: And that's what the Mayor was

1 just alluding to in the -- in their comment --

2 COUNCILMAN NIELSEN: Right.

3 DEBORAH NELSON: -- letter.

4 COUNCILMAN NIELSEN: Okay. Thank you.

5 Was there any other thoughts you wanted to
6 share --

7 DEBORAH NELSON: No, I'm --

8 COUNCILMAN NIELSEN: -- on -- on that?

9 DEBORAH NELSON: No.

10 COUNCILMAN NIELSEN: Mayor Chadwick, may I
11 continue to ask questions?

12 MAYOR CHADWICK: You may continue, Councilman
13 Nielsen.

14 COUNCILMAN NIELSEN: Mr. Ben Pelka talked
15 about a concern that he had regarding the potential for
16 light pollution from a -- from a driving range. You
17 know, the City of Star does have an ordinance -- a
18 dark-sky -- an ordinance based on the common dark-sky
19 initiative. The thing that came to my mind as he was
20 talking was -- is the new Topgolf out on the freeway.

21 DEBORAH NELSON: Mm-hmm.

22 COUNCILMAN NIELSEN: And I -- you -- you may
23 have all driven at night along that way, going -- going
24 west. It is blinding. Now, I know that this isn't
25 going -- going to be that, but that was the image that

1 flashed into my mind; right?

2 Can you talk a little bit about the
3 possibilities of mitigation for light pollution onto
4 existing -- I mean, existing properties that have
5 enjoyed dark skies for years and -- and how that would
6 comply with the City's ordinance?

7 NATE MITCHELL: I don't think we have a
8 problem at this point conditioning our driving-range
9 operating hours to daylight hours.

10 COUNCILMAN NIELSEN: Okay.

11 UNIDENTIFIED SPEAKER: Dawn to dusk?

12 NATE MITCHELL: Dawn to dusk, yeah.

13 UNIDENTIFIED SPEAKER: Can you state your
14 name.

15 NATE MITCHELL: Let's call it "shooting
16 hours."

17 DEBORAH NELSON: State your name.

18 MAYOR CHADWICK: Nate, just state your name.

19 NATE MITCHELL: Sorry. Nate Mitchell.
20 Willowbrook Development. 4 -- 1470 North Rook Way,
21 Star, Idaho.

22 COUNCILMAN NIELSEN: And I like the concept of
23 shooting hours. That -- that way, we could actually
24 follow what's in the -- the Fish and Game handbook.

25 MAYOR CHADWICK: Yeah.

1 UNIDENTIFIED SPEAKER: [Unintelligible].

2 MAYOR CHADWICK: So I -- I just kind of -- I'm
3 going to follow up -- for the remainder of that project,
4 how are we going to maintain dark sky for the
5 residential components of this as well?

6 I know we're having, currently, a
7 challenge with ACHD on what they anticipate using for
8 streetlights, versus what we want for streetlights on
9 collectors, which is an interesting thing. But how are
10 we going to mitigate the light pollution, like he was
11 talking about, on the remainder of that, not just on the
12 golf course?

13 DEBORAH NELSON: Mayor, we agree with
14 what -- the City's preferences there for down-lighting.

15 MAYOR CHADWICK: Down-lighting?

16 DEBORAH NELSON: Yes.

17 MAYOR CHADWICK: And then on the eaves and
18 stuff of the houses, instead of a -- a sconce light or
19 whatever, it's in the soffits, where it shines it down.
20 I mean, it's just trying to find ways to maintain
21 that -- that feel if this should get approved up there
22 in that area -- right? -- so we're not blinding out
23 everybody.

24 DEBORAH NELSON: We're in agreement and prefer
25 that as well.

1 MAYOR CHADWICK: Okay. Thank you.

2 Councilman Nielsen, sorry. The floor is
3 yours again.

4 COUNCILMAN NIELSEN: Yeah. Thank you.

5 I -- I'll yield for now.

6 MAYOR CHADWICK: Okay. Any further questions
7 here of the Council to the applicant?

8 COUNCILMAN HERSHEY: Yeah, Mr. Mayor. I've
9 got a -- just a couple.

10 There -- there --

11 MAYOR CHADWICK: Is his mic on?

12 Okay. Go ahead.

13 COUNCILMAN HERSHEY: Don't say anything if you
14 can hear me.

15 Perfect. All right.

16 Man, I -- I'm having a hard time seeing
17 this thing.

18 The red are half-acre and transitions.

19 The yellow are full-acre and transitions.

20 Can you tell me what the brown are again and -- just for
21 reference. They're really hard to see. So it's --

22 DEBORAH NELSON: [Unintelligible].

23 COUNCILMAN HERSHEY: -- it's up at the north
24 side, more towards the west --

25 NATE MITCHELL: [Unintelligible].

1 COUNCILMAN HERSHEY: -- and south side.

2 DEBORAH NELSON: [Unintelligible].

3 COUNCILMAN HERSHEY: -- specifically on the
4 borders. I'm not concerned about the infield.

5 NATE MITCHELL: Yeah. A minimum of 12,000
6 square feet is what those show.

7 COUNCILMAN HERSHEY: Okay. And -- and what do
8 they -- they don't -- do they abut with anything up
9 there, or is it all --

10 NATE MITCHELL: Are you talking on the north
11 side or on the south side?

12 COUNCILMAN HERSHEY: North side, more towards
13 the west.

14 NATE MITCHELL: They butt up to Deep -- Deep
15 Canyon Road [sic].

16 COUNCILMAN HERSHEY: All righty. And you said
17 you went to 1,000 lots instead of the 985? Can you get
18 those other 15 in?

19 DEBORAH NELSON: 1090 -- yeah.

20 NATE MITCHELL: From 10 -- yeah, we -- so we
21 did some land planning based off of the proposed
22 conditions and stuff, and -- and we're hovering right
23 there at that 1,000-lot mark that we think we could make
24 work.

25 COUNCILMAN HERSHEY: All right.

1 [Unintelligible]. All right. Thank you.

2 I am trying to think.

3 That's all I've got on that for now.

4 MAYOR CHADWICK: Okay.

5 COUNCILWOMAN SALMONSEN: Mayor Chadwick.

6 MAYOR CHADWICK: Councilwoman.

7 COUNCILWOMAN SALMONSEN: So I believe, when we
8 heard -- you know, in the public hearing before, you
9 mentioned that the density was really needed to
10 help -- like the density that you have was needed to
11 help with -- like to cover the cost of building the golf
12 course.

13 So I'm curious to know, just
14 long-term-planning-wise -- so if the golf course is
15 going to be built first, it sounds like -- I mean,
16 there's going to be a lot of -- a lot of things that
17 have -- you know, a lot of phases, a lot of, you know,
18 investment that has to come for the residential
19 components to come in. So, I mean, what happens if
20 the -- you know, you -- you have to reduce the density,
21 or if you can't make those improvements?

22 DEBORAH NELSON: Mr. Mayor, Council Member,
23 it -- it's a fair question. That's part of the phasing
24 that comes in because, of course, the -- the density
25 isn't just needed to pay for one amenity. The density's

1 needed to pay for the whole project. I mean, the whole
2 project has to pencil at some level; right?

3 So we have to balance the cost of
4 construction, which includes all the off-site
5 infrastructure, including all the road mitigation, which
6 is going to be expensive. We've got the -- the civic
7 site donation. You've got extension of sewer and water
8 lines to and through the property. You've got a
9 significant upgrade to the waste-water treatment, so
10 there's a lot of expensive infrastructure on site and
11 off site that goes into serving such a large project.
12 And so all of it, just as a whole, has to be planned out
13 pretty well.

14 Now, the cost of the construction
15 associated with the residential and the infrastructure
16 will come along with that residential, and so that is
17 planned out, but that is -- part of the evaluation, as
18 Nate was just mentioning, is they're looking at
19 the -- the threshold of kind of what will work here to
20 think about the total costs of everything that can come
21 in and the total density that could be -- benefit from
22 and serve that -- all those costs. So it's a -- it's a
23 complete balance.

24 There are a lot of up-front costs that
25 will just happen, that will be expensive, and -- and

1 that's part of why we're asking for the -- the density
2 that we're asking for. So we do have an expectation
3 that we'll be able to build the project.
4 That's -- that's part of the investment
5 risk -- right? --

6 COUNCILWOMAN SALMONSEN: Mm-hmm.

7 DEBORAH NELSON: -- of doing things like the
8 Can Ada and 44 intersection. That's a big investment.
9 It is an expectation of being able to forward with
10 further development.

11 COUNCILWOMAN SALMONSEN: And so if the density
12 is reduced -- or is that even an option, to reduce the
13 density and have this project with the golf course work?

14 DEBORAH NELSON: Not below what we're offering
15 here.

16 COUNCILWOMAN SALMONSEN: Okay.

17 DEBORAH NELSON: I'll let Nate jump into that
18 if he wants to add more.

19 NATE MITCHELL: Yeah. No. And I understand
20 the -- the struggle with the density. I -- I mean,
21 we're at -- at 1,000 units on 726 acres. I think we're
22 1.3 units to the acre.

23 UNIDENTIFIED SPEAKER: 1.38.

24 NATE MITCHELL: It -- it simply comes down to
25 the math of -- of -- okay. So we just -- we just

1 offered 94 lots -- not a huge number -- 8.6 percent of
2 the overall density, something like that. We're working
3 a -- a fiscal analysis on this, so
4 if -- if -- let's -- let's call it an average lot-sales
5 price, a gross revenue, not the cost of it, not what we
6 make in profit, but a gross sales price. Let's average
7 \$200,000 a lot up there. 94 lots times 200,000 bucks is
8 \$18,800,000.

9 So we're taking that revenue off the table
10 to do -- balance our cost -- balance our off-site costs;
11 right? So we still have to do the intersection. We
12 still have to fix Can Ada. We still have to build Aerie
13 Way. We still have to bring the reuse water up. We've
14 still got to do everything we still have to do, and now
15 I've got 18-and-a-half million dollars less to do it
16 with.

17 So we're basically -- that's where we came
18 up with the magic number of 1,000. We can still make a
19 profit at that number. When we start going below that
20 number, we get to the point where it just doesn't make
21 sense to take the risk --

22 COUNCILWOMAN SALMONSEN: Yeah.

23 NATE MITCHELL: -- right? And those
24 are -- I -- I mean, the -- the numbers we're throwing
25 around with densities and things, they all seem like

1 pretty small numbers, but when you get into the actual
2 revenue produced by that, it's -- it's a significant
3 financial impact; right? We've -- we -- I could do it a
4 lot better at 1,000. If you give me the
5 1,094 units -- let me go to 1,094, and I can do
6 that much more off-site costs. There's another
7 \$18 million I've got to spend to make the same profit I
8 can make at 1,000 units.

9 COUNCILWOMAN SALMONSEN: Yeah. All right.

10 Thank you.

11 And I'll ask another question kind of
12 along the same lines. So about the school. I think
13 West Ada -- their response was, "The project would add
14 like 1,000" -- and I can't remember -- "a little over
15 1,000 students."

16 And I appreciate the offer to donate the
17 land, but we have a real struggle with getting the
18 school built. And, you know, I -- I see the -- you
19 know, like you are investing a lot of money into this
20 project. It's a big risk of -- and -- but there's no
21 guarantee that a school will be built. And so I'm
22 having a hard time, you know, without any sort of
23 investment made into the actual school -- school
24 building.

25 So I -- I guess that's not really a

1 question and more of a statement, but I will just --

2 DEBORAH NELSON: Mayor.

3 COUNCILWOMAN SALMONSEN: If you want to
4 respond to that...

5 DEBORAH NELSON: Yeah. If I could, I -- I
6 will.

7 Yes, I mean, the -- the way schools are
8 funded and facilities are funded here in West Ada, you
9 know, they're always having to go out for bonds. But
10 the -- the reason that system generally works, is it
11 allows the property taxes that are paid towards
12 facilities to be time-limited; right? So for the life
13 of that facility, when it's needed, there's taxes that
14 go to pay for it, rather than general-fund property
15 taxes going to it forever. That piece gets paid for.
16 It moves on. That's why they do bonds the way they do.
17 And so there is always a risk because they
18 have to go out. Under State law, they have to go out
19 for an election, and when they fail, they come back
20 again, and they restructure it, and they ask again
21 because West Ada School District and every other school
22 district plans their facilities out to meet growth, to
23 meet children's educational needs, as it happens. They
24 don't build empty school buildings in advance; right?
25 So they have to respond. So they have a

1 plan. They've got sites already ready. We've offered
2 another one if they need it, but they've already got
3 sites planned. They'll go out for another bond, and
4 they'll do that.

5 This property, this project, will
6 contribute tax dollars like anybody else who's
7 developing in Star; right? And -- and based on the
8 average value of the homes that we expect in this
9 development, even at 1,000 units, we expect that to be
10 over a million dollars, based on current levy rates,
11 contributed to the school district every year.

12 So that's the annual property tax
13 associated with an average \$800,000 home for 1,000
14 units, based on their current levy. So that's -- I
15 mean, so there is money going to the school district to
16 cover our kids' costs.

17 And -- but -- but it's an issue for any
18 development; right? I mean, you have people that want
19 to live in Star. They're going to move to Star wherever
20 they can get a home. If it's not here, if this project
21 isn't a place where they're going to live, they're going
22 to live somewhere else, and the same issues will be
23 happening.

24 This one adds two benefits, I guess, I
25 would just ask you to consider with schools. One, it

1 has a higher-average-value home that's planned than in
2 your average homes in -- in Star, and so the amount of
3 property tax contributed on average is higher, and yet
4 the impacts to the school are the same for -- per -- per
5 household. And the second one is that, likely, we will
6 have fewer kids because this is a golf community, and so
7 the expectation is there will be fewer kids than the
8 average number.

9 So it's an issue wherever you've got
10 residential development, but those are some special
11 considerations here.

12 COUNCILWOMAN SALMONSEN: Thank you. I
13 appreciate that.

14 But I did think that, you know,
15 those -- the West Ada taxes that we pay from our
16 property tax, that goes more towards like ongoing
17 maintenance, not towards building the school; is that
18 correct?

19 DEBORAH NELSON: Mayor, Council Member -- oh,
20 go ahead.

21 MAYOR CHADWICK: [Unintelligible]. Go ahead.
22 You can explain it.

23 DEBORAH NELSON: So the money goes to the
24 school district, and then, because they
25 want -- they -- and often need, for their budgeting

1 reasons, additional money for facilities, they can go
2 out to bond for the additional property taxes to be
3 levied for the facilities.

4 COUNCILWOMAN SALMONSEN: Right. And that's
5 what we've seen in the past. I -- I don't know if any
6 school has -- I -- I -- I've been here for a while.

7 Yeah, anyway. Maybe someone else knows if
8 a school has been built with funds that West Ada already
9 had, and they --

10 MAYOR CHADWICK: No.

11 COUNCILWOMAN SALMONSEN: -- didn't have to go
12 out to a bond.

13 MAYOR CHADWICK: Everything's been built with
14 a bond.

15 DEBORAH NELSON: That's the way they finance
16 them, exactly.

17 MAYOR CHADWICK: Yeah.

18 DEBORAH NELSON: Charter schools, for example,
19 don't get --

20 COUNCILWOMAN SALMONSEN: Right. Private.

21 DEBORAH NELSON: -- that opportunity, so they
22 have to use their -- the same amount of per-student cash
23 they get from the State general fund for education on
24 both, but school districts that are not charter schools
25 have the opportunity to go out for bond financing for

1 facilities, and so that's what they do.

2 COUNCILWOMAN SALMONSEN: Yeah. That's all for
3 now.

4 MAYOR CHADWICK: Okay.

5 COUNCILWOMAN SALMONSEN: Thank you.

6 MAYOR CHADWICK: Councilman Wheelock.

7 COUNCILMAN WHEELLOCK: Yeah. I have some
8 questions regarding Aerie Way and some of the roadway
9 issues that have been brought up.

10 On -- on Can Ada, they -- you talked a lot
11 about the -- the light at State and -- and Can Ada Road
12 and -- and that funding. Is there any plan for you to
13 help with Can Ada at the hill, where it hits into New
14 Hope? Has that been discussed?

15 Because that's a hill that -- if you're
16 going to bring all the construction trucks from this
17 project down that road because Aerie's not open and Deep
18 Canyon isn't an option that I'm aware of, then it's all
19 coming down Can Ada Road or Purple Sage.

20 DEBORAH NELSON: Mayor and Council Member, at
21 this point, we are just looking at the intersection
22 improvements. Of course we understand that Can Ada is
23 on the list of projects that have been identified for
24 off-site mitigation beyond the golf course. The golf
25 course trips alone and -- and understand the

1 construction point you're making too -- wouldn't trigger
2 those -- that need, but practically, I understand your
3 point.

4 COUNCILMAN WHEELLOCK: Let -- let me -- let me
5 come back to January 25th of 2022, and -- and I'm going
6 to put Nate on the -- on the hot seat for a second.
7 And it says -- and this is from that meeting of -- that
8 we had --

9 MAYOR CHADWICK: It was our workshop. The
10 workshop, yeah.

11 NATE MITCHELL: It's the workshop with the
12 traffic agencies.

13 COUNCILMAN WHEELLOCK: Call it what you will.
14 It was about this same development.

15 So Willowbrook is asking for some land-use
16 entitlements, but the developers want to make sure they
17 are restricted properly in a development agreement to
18 ensure the transportation authorities have the leverage
19 they need over the development process to ensure various
20 phases build out, that the proper improvements are made
21 to support what the Highway Districts and City need.
22 And if we're saying, "We may need something on Can Ada
23 and Hill Road," what does that -- what does that answer
24 from you look like?

25 NATE MITCHELL: The same as it did in January

1 of 2022. If we need to improve something at the
2 intersection of -- of New Hope, Foothill, Can Ada for
3 temporary construction access, I -- I -- so -- so
4 here's -- here's where I'm at.

5 We -- not knowing what you want -- not
6 knowing -- what -- what do you want me to do to the
7 intersection? If you want me to make it five lanes each
8 direction and you want a signal there, I'm probably not
9 going to agree to that tonight.

10 If we want some -- some improvements to
11 widen so that -- so that -- but we had a -- a -- a box
12 van with a trailer pull off into the ditch on the -- the
13 southeast corner the other night, scraped stuff up for a
14 little while. I -- we can widen those corners. We can
15 make more room at that intersection.

16 The real improvement, in our mind, that
17 needs to be made to Can Ada -- the hill needs
18 to -- the -- the -- the grade needs to be shallower. It
19 needs to be less --

20 COUNCILMAN WHEELLOCK: Maybe that's -- maybe
21 that's what I'm talking about.

22 NATE MITCHELL: Okay. Which -- so we will
23 participate in our proportionate share for that. I'm
24 happy to -- same as we're doing at Can Ada and the
25 intersection. We're happy to look at fronting some of

1 those costs.

2 I'm not going to -- I -- the problem
3 you're going to run into is -- I don't want to be in a
4 spot where you want me to go build something and hold
5 development up. Canyon Highway District Number No. 4
6 doesn't have the right-of-away for me to do it, and
7 you'd put me in a spot where I've got to go negotiate
8 with the neighbor, who thinks my -- his ground's worth a
9 million dollars a square foot; right? So it's got to be
10 a -- a group effort.

11 We can -- we can look at restricting
12 construction traffic to wherever we want to do it.
13 I -- I don't -- one of the benefits, I -- I think,
14 actually, of as large a project as this is like we've
15 got a grading plan, construction drawings for the golf
16 course. So I've got to move big equipment in there
17 once. They're going to spend a lot of time on site,
18 moving dirt around. I end up with an extra
19 500,000 yards of material on site, so I'm not bringing
20 anything to the site.

21 I don't have to have -- I don't have to
22 have gravel trucks, one after the other, in 10-minute
23 intervals, bringing gravel from Emmett or from -- from
24 Parma or from somewhere -- you -- you guys see the
25 trucks all day, every day on the -- the roads. We're

1 moving tons and tons and tons and tons of gravel around
2 the Valley.

3 This project actually has enough area,
4 where we produce a lot of that material on site and end
5 up with enough excess after the golf course to go build
6 lot pads, to build some roads, to build some stuff like
7 that. So we're not importing things until Aerie Way's
8 built; right?

9 Like so -- so -- I -- I -- I -- if I had a
10 specific improvement -- like you asked -- you asked to
11 build a -- a signalized intersection at 44 and -- and
12 Can Ada. We know what that looks like because an
13 engineer's drawn it. We don't know what it looks like
14 for Foothill up over the hill to Can Ada. We just don't
15 know what it looks like.

16 There's a plat going on right now on Tommy
17 Foster's [phonetic] property to the west of Can Ada, all
18 the way up. I've been working with Highway -- or I've
19 been plugging in Highway District 4 to fix part of that
20 problem in that plat because we can use the draw in that
21 grade that you can't build houses in anyway to build a
22 lot shallower road, the same thing we're doing on
23 Kingsbury to the west. We've engineered that ourselves.
24 It -- it just has to be a little bit more specific of
25 a -- a request of what we're looking at.

1 MAYOR CHADWICK: So I just want to -- can I
2 just follow-up real quick on here.

3 So I just want to go to the Canyon Highway
4 District 4's comments on this. On No. 4 they do
5 specifically say, "The existing alignment and grade of
6 Can Ada Road between New Hope and Lanktree Gulch is not
7 suitable for increases in development traffic, including
8 construction haul trucks. CHD4 recommends this segment
9 be improved coincident with development of the site.
10 CHD4 has developed a concept for re-alignment and
11 regrading" -- "portions of this segment that may be
12 useful to the developer."

13 And so that -- that information is there.
14 So if we're getting specific, I mean, that's --

15 NATE MITCHELL: Yeah, that's fine.

16 MAYOR CHADWICK: Great. That's --

17 NATE MITCHELL: I --

18 MAYOR CHADWICK: That's the specificity, I
19 think, that --

20 NATE MITCHELL: I --

21 MAYOR CHADWICK: -- we're looking for because
22 that -- that 8-percent grade's not feasible for, really,
23 anybody to actually live there right now.

24 NATE MITCHELL: If it was 8-percent grade,
25 it'd be reasonable. There's parts of that that are --

1 MAYOR CHADWICK: Right.

2 NATE MITCHELL: -- 23 percent.

3 I -- so -- so I would offer two things.

4 I -- I -- I would obviously participate. They're
5 showing us that 34 percent of that -- our traffic at
6 34 percent of that improvement, that's a condition we
7 have to comply with.

8 I don't want to jump out and say -- I
9 haven't seen the engineered drawings or the concept
10 alignment plans -- that we would build the whole thing
11 up front, but let's figure out how to restrict our
12 construction traffic, otherwise, if we -- if we don't go
13 build it up front. We can't use Can Ada.

14 MAYOR CHADWICK: Okay.

15 COUNCILMAN WHEELLOCK: Okay.

16 MAYOR CHADWICK: Got your question answered?

17 COUNCILMAN WHEELLOCK: As good as I'm going to
18 get it, I would bet.

19 MAYOR CHADWICK: Okay. You got more
20 questions?

21 COUNCILMAN HERSHEY: I've got a follow-up to
22 that.

23 MAYOR CHADWICK: Okay.

24 COUNCILMAN HERSHEY: You -- you mentioned
25 the -- pay your fair share. You're talking about the

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1 ITT [sic] proportionate share? You're amenable to that?

2 NATE MITCHELL: Sorry. Can you restate that.

3 COUNCILMAN HERSHEY: The ITT --

4 NATE MITCHELL: ITD proportionate share?

5 COUNCILMAN HERSHEY: Yes. Thank you.

6 NATE MITCHELL: Do I have a choice?

7 COUNCILMAN HERSHEY: No. I'm just making
8 sure.

9 NATE MITCHELL: Okay. Okay.

10 COUNCILMAN HERSHEY: And also, one other
11 mitigation fee is our Star police and fire -- is
12 that -- that is --

13 NATE MITCHELL: I -- if they're fees you've
14 adopted by ordinance, we're going to pay them.

15 COUNCILMAN HERSHEY: Okay. Just making
16 sure --

17 NATE MITCHELL: Yeah.

18 COUNCILMAN HERSHEY: -- because that one is
19 new.

20 NATE MITCHELL: Yeah.

21 MAYOR CHADWICK: And -- and we're going to
22 build them into the Development Agreement so they're
23 part of the development forever. I'm -- I'm just -- I'm
24 just going to tell you that too. I mean --

25 NATE MITCHELL: So --

1 MAYOR CHADWICK: -- any fees that we come up
2 with --

3 NATE MITCHELL: So I -- no. So I'm going
4 to -- I -- the only thing -- the only caution I'm going
5 to say on that is we're fine building them into the
6 Development Agreement because I don't think they're
7 going to get cheaper in the future.

8 MAYOR CHADWICK: No.

9 NATE MITCHELL: So when you build them into my
10 development agreement, they're going to be built in.
11 And when you raise your fees 500 bucks for the police
12 mitigation fee, I'm going to look at my development
13 agreement and tell you that's what I'm going to pay --

14 MAYOR CHADWICK: Right.

15 NATE MITCHELL: -- is what we put in the
16 Development Agreement.

17 MAYOR CHADWICK: Or we can figure out a rate
18 of increase for the next 25 years.

19 NATE MITCHELL: Or we could set them; right?

20 It -- it -- I -- it's -- it's appropriate
21 to build them into the Development Agreement. It's also
22 appropriate to -- to put language in there that
23 determines those fees at the time of our building
24 permit, not at the time of this application.

25 If you're charging a greater fee 10 years

1 from now, you need us to pay the greater fee. If you're
2 charging a lesser fee, we need to pay the lesser fee.
3 We don't need to set a number on that fee today and say,
4 "We're going to pay \$1,286 a house in police
5 mitigation," when, 10 years down the road, you're going
6 to be charging three times that.

7 MAYOR CHADWICK: Okay. And we can -- we can
8 set it up to where it says that -- that --

9 COUNCILWOMAN SALMONSEN: That time.

10 MAYOR CHADWICK: -- the -- the -- the cost of
11 the fees at the time of -- whatever.

12 Do -- do you have more questions?

13 DEBORAH NELSON: And -- and, Mayor, I'll just
14 note quickly -- that's what the statute requires
15 to -- the amount that's in place at the time the
16 building permit -- currently, it's even at
17 1,000 -- 1,000 units. It's still close to 10 million in
18 fees with all of those that are listed in the staff
19 report.

20 COUNCILWOMAN SALMONSEN: Mayor Chadwick.

21 MAYOR CHADWICK: Councilwoman.

22 COUNCILWOMAN SALMONSEN: Back to the last
23 question about Can Ada and using that road for
24 construction. So if I understood correctly -- and CHD4
25 says, "No, you can't use it for construction." What

1 road would you use?

2 DEBORAH NELSON: Mr. Mayor, Council Member,
3 Canyon County Highway District hasn't restricted that
4 from use for construction. So they do describe in their
5 comment letter that there is -- improvements that will
6 be needed in the development share of Can Ada
7 improvements is 34 percent. They talk about -- that
8 they've developed a concept for realignment and
9 regrading for portions of that road.

10 So they've -- are moving forward with some
11 pieces of it and plans that there -- it sounds like
12 they're willing to share, but they're -- they're not
13 saying that no construction can take place on that road
14 now.

15 MAYOR CHADWICK: Well, okay. But I read it
16 differently, based on what this is saying from them, the
17 six conditions.

18 On Condition 4, it says, "The existing
19 alignment and grade of Can Ada Road between New Hope and
20 Lanktree" -- "is not suitable for increases in
21 development traffic, including construction haul trucks.
22 CHD4 recommends this segment be improved coincident with
23 development of the site. CHD4 has developed" -- "has
24 developed a concept for re-alignment and regard" -- "and
25 regrading" -- "portions of this segment that may be

1 useful to the developer."

2 So they are saying that no construction
3 traffic can go up this road unless it's improved. Do
4 you see what I'm saying? I mean, so that question she's
5 asking, I think, is very valid. How in the world are
6 you getting stuff in there if you can't use Deep Canyon,
7 New Hope, Lanktree Gulch? How are you getting stuff in
8 there?

9 DEBORAH NELSON: And -- and, Mayor, Council
10 Member, that's a -- that's a fair comment. I don't know
11 the alternative, and so, you know, I'd welcome others to
12 jump in with that.

13 The current -- the current access, though,
14 the -- there is legal access on this road; right? I
15 mean, everybody is using this road now. And the -- the
16 way that I understood Canyon County Highway District's
17 comments to the developer is that we need to contribute
18 our fair share of this. So they're asking to -- us to
19 provide this 34 percent.

20 Now, obviously, as Nate said, we need to
21 be working with them to see what the opportunities are
22 for what their plans show. We don't know what they show
23 or what their progress is on those.

24 I don't know if you've got alternatives to
25 add that.

1 MAYOR CHADWICK: Okay. Did you want to
2 follow-up on that, Mr. Nate?

3 NATE MITCHELL: No. I -- I guess -- well,
4 the -- the -- obviously, knowing the area, the only
5 other alternative if you can't use Can Ada and you can't
6 use Deep Canyon -- both public roads that have existing
7 capacity on them that, legally, anybody can drive
8 on -- you're sending everything down Purple Sage.

9 One of the things -- I guess the only
10 thing I'd point out in our concerns about a specific
11 traffic -- traffic problem in one spot versus
12 another -- you cut me off at Deep Canyon. You cut me
13 off at New Hope. You cut me off at Can Ada. All you're
14 doing is putting all of the pressure onto one access
15 point. You're creating a bigger problem in front of
16 somebody else's house to make somebody else over here
17 have less traffic in front of their house.

18 I -- I don't know that we can -- if -- if
19 a road's got capacity, I don't think we can
20 legally -- I -- I can't tell somebody they can't drive
21 down that road. It's a public road that we all pay for.

22 Very sensitive to the construction
23 traffic. Very happy to produce a construction-traffic
24 plan, when we get to building, that's suitable
25 for -- for the City, suitable for the neighbors. I

1 can't -- I can't not tell somebody there's not going to
2 be a gravel truck going past in front of their house.

3 Let's make it as safe as we can, but if we
4 choke everything to Purple Sage -- right? -- I -- I -- I
5 don't even care about truck time. I don't care about
6 cost associated with that. We're going to get there one
7 way or another. So everybody goes up Highway 16, turns
8 left on Chaparral, comes back around, down Purple Sage.

9 MAYOR CHADWICK: Well, and I --

10 NATE MITCHELL: [Unintelligible].

11 MAYOR CHADWICK: And I think that's all to be
12 discussed with the traffic agency, in reality, because
13 they're the ones that are creating these conditions.

14 NATE MITCHELL: For sure.

15 MAYOR CHADWICK: We don't create those
16 conditions on there. So...

17 NATE MITCHELL: No. And -- and -- and we're
18 happy to comply with -- I -- I mean, we understand the
19 proportionate share -- our proportionate share that the
20 TIS put out. We have no choice but to comply with
21 those; right?

22 Like Councilman Hershey asked, am -- am I
23 okay with the ITD proportionate share? I don't like
24 them. I think they're pretty big numbers, but I don't
25 have a choice. And I'm not going to have a choice with

1 Canyon Highway District No. 4, and I'm not going to have
2 a choice with Ada County Highway District. They -- they
3 say it; we do it, or we don't do what we're asking for.

4 MAYOR CHADWICK: So it is -- so just -- okay.
5 I'm going to bring this up now then.

6 So it is very possible, even with the
7 1,000s approved units that you had -- that you're asking
8 for today, that you're not -- may not ever get to the
9 1,000 units, based on what these conditions from these
10 traffic agencies say; correct?

11 NATE MITCHELL: The current conditions from
12 the traffic agencies -- I can build those 1,000 units.
13 I can fit those 1,000 units on the ground.

14 MAYOR CHADWICK: With all these conditions
15 of -- all these intersections and --

16 NATE MITCHELL: I have --

17 MAYOR CHADWICK: -- roadways to be improved?

18 NATE MITCHELL: Yes, I
19 have -- that's -- that's where -- when we talk about
20 density levels, when we talk about acceptable housing
21 units, I'm -- I'm doing math every day, trying to figure
22 out if, at the end of the day --

23 MAYOR CHADWICK: Right.

24 NATE MITCHELL: -- we're a nonprofit or a
25 profit. And now, at this point, yeah, the 1,000

1 units -- we think we can comply with the mitigation that
2 our TIS has pointed out.

3 MAYOR CHADWICK: All right. Okay.

4 COUNCILMAN WHEELLOCK: Mr. Mayor.

5 MAYOR CHADWICK: Councilman.

6 COUNCILMAN WHEELLOCK: So I have another
7 question with Aerie Way, and this has more to do with
8 the BLM side of that.

9 Currently, there is -- if we go back to
10 the work -- workshops that we did, it shows you having
11 ownership of land all the way across Deep Canyon
12 that -- that has access to the BLM.

13 NATE MITCHELL: We have an access point to the
14 BLM that we own, yes.

15 COUNCILMAN WHEELLOCK: Yes. Then, currently,
16 it's got railroad ties and has restricted its access.
17 Is that something you'd be willing to open back up so
18 that pickups could reuse the roads that had been used
19 traditionally?

20 NATE MITCHELL: I --

21 COUNCILMAN WHEELLOCK: And would you provide
22 access along Aerie Way to the BLM? Is that part -- if
23 you could make that part of your application --

24 NATE MITCHELL: Yeah. So --

25 COUNCILMAN WHEELLOCK: -- to the BLM?

1 NATE MITCHELL: So, with BLM, we're -- we're
2 talking about building some -- some parking areas,
3 trailheads, making sure connectivity to whatever trails
4 exist still exist.

5 As far as the railroad ties and the
6 restriction point on our property, I -- I would actually
7 tell you that -- that those -- we put the -- those
8 railroad ties up and the no-trespassing signs up at the
9 request of the Hillsdale -- Hillsdale Homeowners
10 Association. We didn't have them there until we were
11 asked to have them there. I -- I'll take them out
12 tomorrow.

13 I don't think that's going to make the
14 Hillsdale area happy with -- they -- they -- there was a
15 negotiation that took place six or seven -- eight years
16 ago, I think, that they asked us to restrict the
17 trespassing because traffic was coming both directions;
18 right? They've got their equestrian center right there,
19 and we were having problems with --

20 COUNCILMAN WHEELLOCK: I'm farther up
21 the -- towards Can Ada more, there's another place that
22 has railroad ties that are cutting it off. It's west of
23 that inner -- of the corrals up on the top of the hill.

24 NATE MITCHELL: I'm not familiar with it.
25 I -- I can take a look at it, for sure. I don't think

1 we're trying to restrict access. I -- I mean, a lot of
2 that ground's not suitable for anything other than foot
3 traffic anyway, but --

4 COUNCILMAN WHEELLOCK: Thank you.

5 MAYOR CHADWICK: Okay. I'm -- I just -- I
6 want to go through some notes that I put together, some
7 conditions of approval for the Development Agreement if
8 the Council chooses to approve this. I want to make
9 sure that these things are included.

10 So are you -- you ready?

11 Is Council ready for what I'm about to say
12 on here?

13 With the golf course and associated
14 facility amenities -- would be approved, including the
15 clubhouse and accessory structures, restaurant, bar, and
16 driving range, and of course, the driving range and
17 whatnot would have hours of operation of dusk
18 to day -- daylight -- or dawn to dusk -- right? -- on
19 that.

20 Prior to approval of any additional
21 commercial uses, the applicant shall submit and receive
22 a preliminary -- or an approval of a planned unit
23 development or preliminary plat. This approval shall be
24 part of a new public hearing through the City Council on
25 any of the other commercial aspects up there if they

1 choose to do that.

2 The golf course shall be hooked onto the
3 Star Sewer & Water District to reclaim water for
4 application to the course within five years of the
5 completion of the course because -- I don't think you're
6 intending to hook that up right away; correct?

7 NATE MITCHELL: Correct. I think we intend to
8 start up with our existing water right.

9 MAYOR CHADWICK: Water right.

10 So -- but within five years of the
11 completion of that course, we need to have that hooked
12 up to the Star Sewer & Water's reclamation project
13 because -- so -- with -- with the concerns about water
14 and stuff, to me, the reclamation water going up on that
15 area helps with aquifer issues in the future.

16 So let me just read them all, and you can
17 write down your notes and stuff on there, I guess.

18 All golf-course details shall receive
19 further review and approval through a Design Review
20 Committee. The architects for the clubhouse and
21 restaurant shall meet current City design review
22 standards.

23 The applicant shall provide a minimum of a
24 10-acre, public-school site and a future fire station
25 site -- site within the development. The applicant

1 shall work with the Star Fire District on the location
2 of that station. The fire station and school site shall
3 be deeded to the appropriate agency with the first phase
4 of the residential development. Far too often we have
5 guys waiting until the end to deed these sites, so we
6 want to get that done right away.

7 This development shall meet all the
8 requirements of the Star Fire District and Star Sewer &
9 Water District.

10 We need to also adopt all recommended
11 conditions of approval from ITD, ACHD, and CHD4,
12 including, but not limited to, the following: an access
13 connection of the development of -- to Aerie Way and
14 Highway 16 prior to the first residential building
15 permit issued; improvements to Can Ada Road, like we
16 have been discussing tonight; no direct connections to
17 Lanktree -- Lanktree Gulch Road and Deep Canyon; have an
18 updated TIS with every phase of this project within the
19 preliminary plat; and we would like to see a -- a phase
20 schedule put in there with the preliminary plat; and any
21 additional off-site improvements, per the agencies'
22 request.

23 Based on what we discussed tonight, we
24 have a maximum density of 1.38 units per acre with 1,000
25 number of lots, as -- as approved, if this gets annexed.

1 I also have the -- I know we've -- we're
2 going to go back and forth probably more, but a
3 half-acre-to-one-acre-minimum-required lot size adjacent
4 to all existing residential lots, an agreement from you
5 to pay all the proportionate shares and mitigation fees
6 in place at the time of recordation of the DA to include
7 the following: any ITD proportionate shares will be
8 based on final-plat phasing, and those costs will be
9 determined in the future, like we discussed.

10 The Star fire mitigation fees of 1,200 per
11 lot can be -- is going to probably change at the time of
12 the building permit, so that's not something you pay up
13 front. It's at the time of the building permit, along
14 with Star police mitigation fees.

15 The Development Agreement will be
16 revisited during the preliminary plat and planned unit
17 development in order to update or add any new conditions
18 of approval that may be required by the City Council at
19 the time or other reviewing agencies.

20 And Wing Road will not be connected to the
21 development from Beacon Light Road because, in our
22 opinion, that's a hazard and a safety concern.

23 And a traffic signal light at Highway 44
24 and Can Ada Road shall be constructed by the
25 applicant -- applicant, as we discussed tonight.

1 And any latecomer's agreements shall be
2 entered in between the applicant and the City for future
3 reimbursement with that.

4 So those are items that I've had
5 with -- going through this project on here. So I want
6 to -- if you want to address any of those or if you have
7 any concerns with them, we can talk about them now, but
8 I -- I would encourage the Council to include all of
9 those if they choose to approve this tonight.

10 NATE MITCHELL: Yeah. So the -- I guess the
11 first one we'll address -- your -- your condition about
12 connecting to the Star Sewer & Water District reclaimed
13 water within five years of completion of the golf
14 course. I -- my only -- I -- my only hesitation is
15 that -- is the Star Sewer & Water District has to be
16 ready. And if they're not ready, I still have a legal
17 water right that I can use.

18 MAYOR CHADWICK: So if -- if we adjust that to
19 indicate at -- within five years --

20 NATE MITCHELL: I -- I guess the way I
21 would -- I -- I would simply state it is that we will
22 take their reclaimed water as soon as it's available.

23 MAYOR CHADWICK: Well, as soon as Star Sewer &
24 Water is ready for the hookup for that --

25 NATE MITCHELL: Yes.

1 MAYOR CHADWICK: -- you'll have that in place?

2 NATE MITCHELL: Yeah.

3 MAYOR CHADWICK: Okay.

4 NATE MITCHELL: We want to use that water. We
5 think it's great for the City. We think it's --

6 MAYOR CHADWICK: Sure.

7 NATE MITCHELL: I -- I think it's great for
8 the [unintelligible] at Star Sewer & Water District.
9 I -- I don't see us having any reason to delay in using
10 that water. We've just got to make sure that DAQ
11 and -- and the EPA say that water's ready to be put on
12 that ground and safe for everybody to have it applied
13 directly to the ground.

14 COUNCILMAN WHEELLOCK: What does -- what does
15 that line look like as far as size? Do you have any
16 projections of that?

17 NATE MITCHELL: As far as pipe --

18 COUNCILMAN WHEELLOCK: Yeah.

19 NATE MITCHELL: -- size?

20 COUNCILMAN WHEELLOCK: Yeah.

21 NATE MITCHELL: Hank [phonetic] and I have
22 discussed it a little bit -- probably a -- a -- either a
23 12 or a 14-inch line -- but I -- maybe, Ryan, you
24 can --

25 MAYOR CHADWICK: Is Ryan Morgan down here?

1 NATE MITCHELL: He is.

2 MAYOR CHADWICK: Oh, I can't see him.

3 RYAN MORGAN: I'm --

4 MAYOR CHADWICK: [Unintelligible] --

5 RYAN MORGAN: I'm sitting right here,
6 Mr. Mayor.

7 MAYOR CHADWICK: -- Ryan, please, and what you
8 do.

9 RYAN MORGAN: Hello, Mr. Mayor. Over here.
10 Other way.

11 MAYOR CHADWICK: I -- I hear you over there,
12 yeah. I see you.

13 COUNCILMAN HERSHEY: Where is he?

14 COUNCILMAN WHEELLOCK: [Unintelligible].

15 RYAN MORGAN: I would not go with 14. I would
16 say a 12 or a 15-inch line. 14-inch pipe is very hard
17 to come by these days. But, yes, a 12-or-15-inch line
18 is what we anticipate that being.

19 MAYOR CHADWICK: Did you hear that?

20 COUNCILMAN WHEELLOCK: 12-or-15-inch something.

21 MAYOR CHADWICK: 12-to-15-inch line?

22 NATE MITCHELL: Yes. Yeah.

23 COUNCILMAN WHEELLOCK: My -- my question
24 is -- we -- we talked in the -- in the workshops about
25 putting all that stuff up in the original -- open the

1 trench one time, limiting the amount of road
2 construction -- that we have to reopen the road over and
3 over and over. Can that be put in as we go up the hill
4 with all the other amenities?

5 NATE MITCHELL: Yes. So -- so the driver on
6 that is -- I'm going to come up over the hill with the
7 pressurized sewer line. I'm going to send our waste
8 water to their treatment plant. I've got to get it
9 there. At the same time we do that, we'll get it back;
10 right?

11 While we're running our pressure waste
12 line down, we'll bring the -- the reclaimed water line
13 with it so that we're not tearing up Can Ada Road or
14 whatever route we take --

15 MAYOR CHADWICK: So you'll --

16 NATE MITCHELL: -- more than once.

17 MAYOR CHADWICK: -- have a dry line for a
18 while, basically; right?

19 NATE MITCHELL: Pardon?

20 MAYOR CHADWICK: It'll be a dry line --

21 NATE MITCHELL: Yes.

22 MAYOR CHADWICK: -- for a while?

23 NATE MITCHELL: Yeah. But we've already got
24 portions of that. I mean, the Sewer & Water District
25 already have portions of that pipe in place across the

1 front of Pinewood Lakes and sleeved in different roads.
2 We've got dry lines that exist that we have to go tie
3 to.

4 COUNCILMAN WHEELLOCK: It just -- if we can
5 eliminate opening up the road one more time --

6 NATE MITCHELL: True, yeah.

7 COUNCILMAN WHEELLOCK: -- the whole world would
8 be happier.

9 NATE MITCHELL: Councilman, we like completely
10 agree with you and understand from our standpoint.
11 I -- we'd rather do it over the first time. It costs us
12 less money. Every time we tear that road up to put our
13 infrastructure in, we've got to pay to rebuild the road.
14 We're not going to do it more than we have to.

15 MAYOR CHADWICK: Okay.

16 DEBORAH NELSON: Mr. Mayor.

17 MAYOR CHADWICK: Yes, ma'am.

18 DEBORAH NELSON: Can we offer additional
19 comments --

20 MAYOR CHADWICK: Yep.

21 DEBORAH NELSON: -- questions on your list?

22 On the school site, I -- you know, that
23 would just be -- we can't force a school district to
24 accept, so it does need to fit into their plans.

25 And then --

1 MAYOR CHADWICK: But we are -- but we are
2 going to provide a 10-acre site on the plat for them;
3 correct?

4 DEBORAH NELSON: A 10-acre site is what
5 the -- we -- and we've offered a condition of
6 approval --

7 MAYOR CHADWICK: Yeah. Okay.

8 DEBORAH NELSON: -- to that effect as well.

9 MAYOR CHADWICK: All right.

10 DEBORAH NELSON: On the transition, your
11 language for -- it was for a half-acre to one-acre
12 minimum. We have one section, as shown here, that is
13 accommodated by a landscape-buffer strip, which is also
14 allowed under your Code as a transition.

15 MAYOR CHADWICK: Oh, the -- the 100-foot
16 buffer strip --

17 DEBORAH NELSON: Mm-hmm.

18 MAYOR CHADWICK: -- along the --

19 DEBORAH NELSON: And so we have a -- those
20 three, and we would accept the plan being put into the
21 DA to show where things have to be half-acre, where they
22 have to be one-acre, and where the buffer strip is.

23 And then no connection on Wing Road. I
24 mean, as we talked about --

25 NATE MITCHELL: So --

1 DEBORAH NELSON: Do you want to jump in on
2 that?

3 NATE MITCHELL: Yeah, let me -- talking about
4 no connection to Wing Road, no connection to Lanktree
5 Gulch -- our plan shows connections to Lanktree Gulch.
6 I -- I'm uncomfortable restricting connectivity without
7 the Highway District's approval to restrict that
8 connectivity. I do think we've got a Highway District
9 liaison here that could speak to the policy for ACHD.

10 I just -- I -- I guess the way I would
11 like to word that -- or the way I would like to go about
12 that is, "If ACHD tells me not to connect it, we won't
13 connect it." If they tell me to connect it, I don't
14 want to be stuck between you and them.

15 MAYOR CHADWICK: Well, I'm going to just say
16 this, and I'm going to put this on the record, and it's
17 going to cause a fight with ACHD. I'm just going to
18 tell you that right now.

19 You have a Commissioner with ACHD that
20 continues to yell at the City of Star for improvements
21 and these road closures, and they continue to say that
22 we do have -- he does -- that we do have the right to do
23 this stuff. So I'm going to put my money where my mouth
24 is, and I'm going to put it on there and tell ACHD that
25 we're not going to accept a Wing Road connection; right?

1 I mean, it's as simple as that.

2 So -- but, guys, please. Hey. None of
3 that, please. We're not doing any of that in here.
4 It's just -- it's the most frustrating --

5 NATE MITCHELL: I --

6 MAYOR CHADWICK: -- thing, that we're dealing
7 with all these traffic issues in the City of Star, but
8 we can't get the -- the simple impact fees that you all
9 pay on all these houses to come back to the City of
10 Star. We're, right now, trying to work on that and get
11 that done, but it's -- it's a frustrating
12 point -- point. So I'm -- I would prefer just to put it
13 in the Development Agreement and let them know we're not
14 making that connection. Simple as that, for me.

15 UNIDENTIFIED SPEAKER: It's in there now.

16 MAYOR CHADWICK: I don't know what you're
17 going to say to that, Nate, but -- but that's --

18 NATE MITCHELL: Well, I -- I --

19 MAYOR CHADWICK: -- that's just my --

20 NATE MITCHELL: I --

21 MAYOR CHADWICK: -- my frustration on that.

22 NATE MITCHELL: I guess I -- I
23 understand -- I -- I understand your frustration
24 with -- with different commissioners and different
25 boards and everybody that you guys have to deal with in

1 the transportation world. I -- I understand this
2 is -- we've got -- we've got ITD, we've got ACHD, we've
3 got CHD4, we've got COMPASS that we're all --

4 MAYOR CHADWICK: Right.

5 NATE MITCHELL: -- trying to coordinate on a
6 project of this size. I -- I totally understand the
7 frustration. I've sat there long enough to
8 understand --

9 MAYOR CHADWICK: Yep.

10 NATE MITCHELL: -- what you're dealing with.

11 I -- I guess I'm hesitant to agree to
12 conditions that current -- that currently would be in
13 direct conflict with ACHD's policy because I'm going to
14 end up in a situation where I'm trying to plat a final
15 plat somewhere, and I've got ACHD telling me -- so -- so
16 what ACHD does have is plat-signing authority; right?
17 And -- and if you -- if you tell me to send a Mylar to
18 them with a road that doesn't connect where it should
19 connect, they're not going to sign it for me.

20 MAYOR CHADWICK: But they -- but they also
21 tell us that we can put these things in development
22 agreements and that they would follow those. So, again,
23 I'd like to throw this back at them and say, "This is
24 what we're choosing."

25 Now, Aerie Way. If Aerie Way gets built,

1 all that traffic is going to be funneled out Aerie Way,
2 and we don't have an issue; right? Wing Road is not
3 necessary at that point.

4 NATE MITCHELL: Wing Road's another option to
5 disperse traffic. We're not looking for Wing Road to be
6 a major collector road. We're looking for another
7 option, just like every other option in your town, for
8 people to have a choice to drive somewhere else.

9 MAYOR CHADWICK: The unfortunate part, though,
10 is -- just in the -- in the realistic world, if you
11 build that road, that's where they're going to go.
12 That's the easiest -- that's going to be the route
13 straight down the center, along -- along a road, and
14 onto Beacon Light. That's not safe. It's that -- that
15 corner's not safe.

16 If -- if they really wanted this in their
17 Functional Classification map, in my opinion, they would
18 have never designed that road to connect onto the corner
19 of Beacon Light, where you're coming around each
20 direction. You're not going to see it. I think we're
21 just setting people up in the future for failure and
22 potential deaths by doing that.

23 I -- I would rather just say that we're
24 not doing it, and we're going to force everything out
25 Aerie Way or the improvements that you make on Can-Ada,

1 on the other side, or another direction if we can find
2 that. I just --

3 NATE MITCHELL: Sure.

4 MAYOR CHADWICK: It's just not -- to me,
5 I -- I know what we want to try to do, and we'll try to
6 utilize that. But when I -- I see that, I drive it, I
7 see the near accidents that happen on that corner --

8 NATE MITCHELL: Well, I -- I --

9 MAYOR CHADWICK: -- with the current folks
10 that live there, which blows me away; right? So I don't
11 want to add to that problem.

12 COUNCILMAN HERSHEY: Yeah, Mr. Mayor. If I
13 can add one thing...

14 MAYOR CHADWICK: Councilman Hershey.

15 COUNCILMAN HERSHEY: Now, one thing I've
16 learned is temporary becomes permanent, and that's one
17 thing I've been worrying about the whole time with this,
18 is using something temporarily --

19 NATE MITCHELL: I --

20 COUNCILMAN HERSHEY: It becomes permanent.

21 NATE MITCHELL: Yeah. Let's be clear. I'm
22 not -- we're not suggesting a temporary Wing Road
23 connection. In our vision, it's been
24 a -- if -- if -- if it's going to get built, it's going
25 to be a road. It -- it's -- it -- it is permanent.

1 We're not suggesting any kind of temporary construction
2 access or any of that kind of stuff with that. It's
3 just another connection to disperse traffic.

4 If you condition us to not connect,
5 we'll -- we'll sort out the weeds with the Highway
6 District when we get to that point.

7 MAYOR CHADWICK: Yeah. And I just don't know
8 how Wing Road connecting there doesn't prevent people
9 from going onto Lanktree Gulch and those other areas
10 because you have to run right through that to get to
11 most of your development; right?

12 I mean, I -- I just -- I look at that as
13 a -- as a problematic approach to try to alleviate the
14 traffic concerns that has been brought up by all these
15 folks on Lanktree Gulch and -- and Deep Canyon. So...

16 NATE MITCHELL: We'll have to work -- so,
17 yeah. Yeah. I -- again, the other -- I -- so what are
18 we talk -- from a land-planning standpoint, you've
19 got -- I guess we can work with the Fire District to
20 figure out secondary access on all those roads that are
21 using Lanktree Gulch as secondary access. I mean,
22 I -- it's -- it's --

23 MAYOR CHADWICK: And that's -- I think that's
24 part of the challenge we have in -- in the traffic
25 things, is their -- they continue to say, "There'll be

1 no access on these roads or limited access," but every
2 time you put a connection [unintelligible] that makes it
3 a major access, and people are going to go up and down
4 those roads. So how do you -- how do we make all the
5 traffic internally flow in two different directions to
6 get in and out?

7 And if you're building a fire station up
8 inside that project, you're creating your internal
9 connection points to that fire station that's going to
10 service that in the future. I know it's not going to be
11 that way initially, but in the future...

12 NATE MITCHELL: Yeah. I -- I guess the only
13 way I'm going to respond to that is -- I -- I -- I
14 can -- we -- we'll deal with -- with a lack of Wing Road
15 connection. I -- I just think that not connecting any
16 of that to Lanktree Gulch is -- is short-sighted from a
17 safety standpoint.

18 MAYOR CHADWICK: And we can discuss -- I mean,
19 we can discuss that, but it's going to have to come out
20 with ACHD involvement as well, I would believe.

21 NATE MITCHELL: So --

22 MAYOR CHADWICK: And --

23 NATE MITCHELL: So --

24 MAYOR CHADWICK: -- not Wing Road --

25 NATE MITCHELL: Okay.

1 MAYOR CHADWICK: -- but your internal
2 stuff --

3 NATE MITCHELL: Yeah.

4 MAYOR CHADWICK: -- with -- with some of
5 those --

6 NATE MITCHELL: The internal stuff just
7 seems --

8 MAYOR CHADWICK: -- with some of those
9 secondary accesses for life-safety issues; right?

10 NATE MITCHELL: Right.

11 MAYOR CHADWICK: Yeah. [Unintelligible] --

12 NATE MITCHELL: [Unintelligible].

13 I -- I -- I -- I don't think any of these guys sitting
14 over here are going to tell me they want less
15 connectivity in their roadways. They've got to get
16 to --

17 MAYOR CHADWICK: They got to get there.

18 NATE MITCHELL: -- somebody having a heart
19 attack or --

20 MAYOR CHADWICK: Sure.

21 NATE MITCHELL: -- they got to
22 get -- they -- they want every option available to them
23 to get there.

24 MAYOR CHADWICK: Right. And not just that,
25 but if we have a catastrophic event, get people out. I

1 get it; right? I understand that.

2 So -- okay. All right.

3 Go ahead, Deb [phonetic] -- sorry -- or
4 Nate.

5 NATE MITCHELL: I can't read that.

6 MAYOR CHADWICK: She's an attorney. You can't
7 read any attorney writing.

8 DEBORAH NELSON: I'm showing him my chicken
9 scratch.

10 I don't think we had any other comments or
11 questions on your list, Mayor. Thank you.

12 MAYOR CHADWICK: Okay. Any further questions?

13 COUNCILMAN NIELSEN: Mayor Chadwick.

14 MAYOR CHADWICK: Councilman Nielsen.

15 COUNCILMAN NIELSEN: Let's mix it up a little
16 bit.

17 MAYOR CHADWICK: Okay.

18 COUNCILMAN NIELSEN: You know, there were a
19 couple of folks that -- that brought up concerns about
20 the -- the economic viability of the golf course. I
21 think somebody even wanted a -- a Harvard Business
22 review of it, and -- and we -- we don't -- weren't that
23 way here.

24 But -- if the golf course isn't
25 economically viable, what -- what would the plan

1 be -- look like? And I would imagine that would be
2 over -- over the course of a number of years, but
3 we're -- we're putting a -- a restriction on -- over
4 this entire property, -- you know, potentially, if -- if
5 this is annexed -- of 1,000 units, which would make
6 that -- that land un-developable without some
7 significant changes.

8 So let -- let's -- let's say that forever
9 that golf course -- you don't put houses on it. What
10 does -- what does Plan B look like?

11 DEBORAH NELSON: Well, Mayor, Council Member,
12 we -- we aren't proposing an alternative because that is
13 what we plan there, and so, I mean, we -- we also
14 presented testimony about the, you know, in -- increased
15 interest in golf and the lack -- the in -- incredible
16 demand, the lack of supply in the valley. So we have a
17 different opinion about the likely success of the golf
18 course.

19 But as far as just an entitlement
20 standpoint, it will be entitled for a -- a golf course
21 and nothing else until you allow differently. And so if
22 at some point in the future it's not viable, we would
23 have to come back to you. We'd have to develop that
24 plan and come back to you, but there is no other plan
25 for that area right now, except the golf course.

1 COUNCILMAN NIELSEN: So in -- in perpetuity,
2 it would remain a golf course. Somebody would have to
3 maintain it, going forward.

4 DEBORAH NELSON: Certainly, we would have to
5 keep it maintained to avoid being a nuisance. Anything
6 that's not operated there would certainly have to, you
7 know, meet that standard, and --

8 COUNCILMAN NIELSEN: Is -- is it property --

9 DEBORAH NELSON: -- and any --

10 COUNCILMAN NIELSEN: Is it property of the HOA
11 at that point? Is it deeded to another organization?

12 DEBORAH NELSON: No. It'll be a -- a
13 commercial operation owned by the -- the -- owned by the
14 golf-course operator. So they -- that will be separate
15 from the HOA so it won't burden the HOA on having to
16 maintain that. It'll -- it's -- it's like approving a
17 commercial enterprise; right? They -- they will have to
18 make that viable.

19 COUNCILMAN NIELSEN: Yeah, okay.

20 Thank you.

21 COUNCILWOMAN SALMONSEN: So --

22 MAYOR CHADWICK: Councilwoman.

23 COUNCILWOMAN SALMONSEN: Mayor Chadwick.

24 So I guess, maybe, for us --

25 MAYOR CHADWICK: Can you talk into the

1 microphone, though, for --

2 COUNCILWOMAN SALMONSEN: Yeah, sorry.

3 Or -- would it -- would you be willing to
4 include in the condition that, -- if it fails, that the
5 City would have like the first right of refusal to take
6 over that property --

7 MAYOR CHADWICK: As open space?

8 COUNCILWOMAN SALMONSEN: -- or to do with
9 it -- however we would need to handle it?

10 DEBORAH NELSON: Well, Nate can jump in on --

11 COUNCILWOMAN SALMONSEN: And hopefully that
12 doesn't happen, but, you know, I think it has happened
13 in other areas. And so --

14 COUNCILMAN NIELSEN: That -- that's a big
15 commitment to the City.

16 COUNCILWOMAN SALMONSEN: I know.

17 DEBORAH NELSON: It --

18 COUNCILWOMAN SALMONSEN: It is.

19 DEBORAH NELSON: Exactly.

20 COUNCILMAN NIELSEN: That's what I was --

21 COUNCILWOMAN SALMONSEN: Yeah, but that's why
22 I said "first right of refusal."

23 COUNCILMAN NIELSEN: First right of refusal.

24 DEBORAH NELSON: I -- I think, at that
25 point -- and, you know, Nate, you can correct me if this

1 isn't the case -- that, you know, we would -- we'd need
2 to come back to you and ask for permission to do
3 something different. And if that involves approaching
4 the City to acquire the golf course, then that can
5 certainly be on the table, but not as
6 a -- a -- a -- the -- the only legal option the
7 developer is allowed to consider -- the owner of the
8 golf course is allowed to consider.

9 They need to be able to develop an
10 alternative and come back to the City and ask for
11 permission to do something different at that point.

12 COUNCILWOMAN SALMONSEN: Mayor Chadwick.

13 MAYOR CHADWICK: Councilwoman.

14 COUNCILWOMAN SALMONSEN: I -- I'll -- did you
15 want to have more --

16 COUNCILMAN NIELSEN: No, go ahead.

17 COUNCILWOMAN SALMONSEN: -- questions?

18 So regarding the open space, can you
19 refresh my memory. I was trying to go through my notes.
20 What is the usable open space with these changes
21 that --

22 MAYOR CHADWICK: Gosh darn it. I'm sorry.

23 COUNCILWOMAN SALMONSEN: -- we've made?

24 DEBORAH NELSON: Mayor and Council Member, so
25 we exceed the 15 percent that's required for open space

1 and the 10-percent active without the golf course.

2 COUNCILWOMAN SALMONSEN: Okay.

3 DEBORAH NELSON: And so that is still met with
4 open space within the development, and the exact
5 percentage -- I mean, right now the -- I think the last
6 land plan -- it was about 18 percent, but that'll have
7 to come in through the PUD and the preliminary plat with
8 exactly how that shakes out. But we will meet, without
9 the golf course, the 15 percent and 10 percent, and we
10 will meet the 15 amenities required by your Code --

11 COUNCILWOMAN SALMONSEN: Okay.

12 DEBORAH NELSON: -- aside from the golf
13 course.

14 COUNCILWOMAN SALMONSEN: And does that
15 include -- would -- would one of those amenities be like
16 some sort of clubhouse, pool --

17 DEBORAH NELSON: Residential, yes.
18 Residential clubhouse, pocket parks, those -- those
19 types of --

20 COUNCILWOMAN SALMONSEN: Okay.

21 DEBORAH NELSON: -- amenities. Trails, of
22 course.

23 MAYOR CHADWICK: Okay.

24 COUNCILWOMAN SALMONSEN: Yep. Thank you.

25 MAYOR CHADWICK: Good.

1 Councilman Nielsen, did you have
2 further --

3 COUNCILMAN NIELSEN: Not at this point.

4 MAYOR CHADWICK: This is the time to ask
5 the -- there's one more thing I -- I failed to put on
6 here.

7 And we would run fiber-connection conduit
8 throughout the whole development -- correct? -- as we're
9 doing in the rest of the city --

10 DEBORAH NELSON: Yes. That's already
11 in -- yes.

12 MAYOR CHADWICK: -- as -- as part of the
13 conditions? Okay.

14 Councilman Wheelock.

15 COUNCILMAN WHEELLOCK: Yeah, Mr. Mayor.

16 We're -- we're talking about approving a
17 commercial use for the golf course. Clubhouse,
18 restaurant, bar, and that's all in this original
19 application; correct?

20 DEBORAH NELSON: Mayor.

21 And the golf-course operations and
22 whatever retail is in that clubhouse. The -- the
23 additional commercial that's out on Can-Ada would not be
24 part of any initial golf course.

25 COUNCILMAN WHEELLOCK: What are you proposing

1 to have as the commercial entity of the golf course? I
2 guess, what is that entailing?

3 NATE MITCHELL: When we -- when we talk about
4 the retail associated with the golf course -- so we want
5 to be able to sell a polo shirt and some golf shoes and
6 some clubs -- type stuff. We're not talking about
7 putting a retail mall inside of our golf course or
8 clubhouse, but we're just talking about typical
9 commercial uses that you see inside golf courses
10 everywhere.

11 If you don't approve that use --

12 COUNCILMAN WHEELLOCK: I -- I don't golf.

13 NATE MITCHELL: -- for me, then I can't --

14 COUNCILMAN WHEELLOCK: So I don't know what
15 that is.

16 NATE MITCHELL: I understand.

17 COUNCILMAN WHEELLOCK: That's why I'm asking.

18 NATE MITCHELL: The -- the -- the reason we're
19 asking it that way is if -- if you don't approve it the
20 way we've asked, then I can't set up my pro shop
21 with -- with some shirts and some shorts and some shoes
22 and some golf clubs and things like that to be able to
23 sell to the golfers; right? Somebody shows up in -- in
24 a white T-shirt, and we say, "You have to have a colored
25 shirt on."

1 COUNCILMAN WHEELLOCK: You -- you -- you
2 answered my question when you said you didn't want to
3 make it into a mall. That's what --

4 NATE MITCHELL: Okay.

5 COUNCILMAN WHEELLOCK: -- I want to make sure
6 we're not doing.

7 NATE MITCHELL: Any uses outside of
8 traditional golf retail --

9 COUNCILMAN WHEELLOCK: All right.

10 NATE MITCHELL: -- uses inside that clubhouse
11 have to come back to you guys, before the -- through the
12 PUD process.

13 COUNCILMAN WHEELLOCK: And -- and with
14 that -- with that approval, are we going through the
15 design review for a modern, mountain look in that
16 clubhouse or -- what are we doing, as far as its
17 look --

18 NATE MITCHELL: That's --

19 COUNCILMAN WHEELLOCK: -- elevations?

20 UNIDENTIFIED SPEAKER: That was a recommended
21 condition.

22 COUNCILMAN WHEELLOCK: That's what I wanted to
23 know.

24 MAYOR CHADWICK: Yep. That's -- that's in --

25 COUNCILMAN WHEELLOCK: I don't want a glass

1 tower --

2 MAYOR CHADWICK: -- my [unintelligible].

3 COUNCILMAN WHEELOCK: -- out in the middle of
4 Hillsdale or Willowbrook, whatever you want to call it.

5 MAYOR CHADWICK: Shawn.

6 SHAWN NICKEL: Mr. Mayor, just to -- just
7 to -- to clarify and get on the record.

8 So you would be approving the golf-course use.
9 The details on the golf course, specifically, the
10 clubhouse, the look of the clubhouse, parking, lighting,
11 netting, hours of operation, elevations of the
12 clubhouse, things like that would all come back through
13 staff as a zoning certificate and go through our Design
14 Review Commission for approval.

15 MAYOR CHADWICK: But we can set --

16 SHAWN NICKEL: At that time, we can set those
17 condition --

18 MAYOR CHADWICK: But we can set --

19 SHAWN NICKEL: -- the conditions.

20 MAYOR CHADWICK: -- certain things that we
21 don't want or want --

22 SHAWN NICKEL: Yes, you can --

23 MAYOR CHADWICK: -- in this --

24 SHAWN NICKEL: -- set certain conditions --

25 MAYOR CHADWICK: -- [unintelligible] --

1 SHAWN NICKEL: -- within the Development
2 Agreement that --

3 COUNCILMAN WHEELLOCK: -- [unintelligible]
4 development agreement --

5 SHAWN NICKEL: -- you do or don't want --

6 COUNCILMAN WHEELLOCK: To eliminate them --

7 SHAWN NICKEL: -- tonight.

8 COUNCILMAN WHEELLOCK: -- from having to go
9 through the question and answer. I'm trying to divide
10 it out without us saying, "That's not what we're
11 interested in." We'd like -- not to have a
12 Top -- Topgolf out in the middle of the --

13 SHAWN NICKEL: Correct.

14 COUNCILMAN WHEELLOCK: -- area.

15 SHAWN NICKEL: Correct. But they are asking
16 for the approval of the golf facility tonight, which
17 includes the retail, the restaurant and bar, driving
18 range, and clubhouse associated with the golf course
19 itself.

20 MAYOR CHADWICK: Okay.

21 COUNCILWOMAN SALMONSEN: Mayor Chadwick.

22 MAYOR CHADWICK: Councilwoman.

23 COUNCILWOMAN SALMONSEN: Another question, and
24 this is for the Fire staff.

25 So in the Development Agreement, you know,

1 there's a line in there that says "Provisions for
2 Potential Fire Station." So I'm wondering, from the
3 Fire Department, if that would -- like if there's any
4 special other needs that you would need for that site.

5 So, for example, water. Like can you have
6 the water put in at the time of -- as our -- as our
7 development's going in -- I don't know -- or whatever
8 you might have?

9 DEPUTY CHIEF ISLAS: Councilwoman. Deputy
10 Chief Islas, Fire Marshal.

11 Yeah. So per Fire Code, it does state
12 that water will be available when combustible material
13 arrives on site. And so what we'll do is we'll work
14 with the applicant to make sure that they go through our
15 review, to make sure that life safety is met, and
16 that -- before we start building vertically, that we do
17 have our hydrants that have been tested, meet the
18 standards of the Fire District, along with Star Sewer &
19 Water, that they're charged, tested, we have fire flow
20 before they start building.

21 COUNCILWOMAN SALMONSEN: Yeah. So I think my
22 question was more towards a future Fire building site.
23 So would you like to see anything included in -- that
24 the applicant could provide, that we could include in
25 the DA for building that site?

1 I don't know if that --

2 DEPUTY CHIEF ISLAS: If -- if I can --

3 COUNCILWOMAN SALMONSEN: -- if we can do that
4 or not, but --

5 DEPUTY CHIEF ISLAS: Yeah.

6 COUNCILWOMAN SALMONSEN: -- I'm asking.

7 DEPUTY CHIEF ISLAS: And so what -- for us,
8 the -- you know, for that, if we're looking, in
9 particular, for that future site -- obviously is to make
10 sure that we have, you know, utilities stubbed to the
11 site, ready to go, so that way, when we build -- that
12 we're able to -- to build without having to bring those
13 on -- so gas, water, sewer -- that we have those
14 available for us at that site.

15 COUNCILWOMAN SALMONSEN: Okay.

16 NATE MITCHELL: And we have no issue with that
17 at all.

18 COUNCILWOMAN SALMONSEN: Okay.

19 NATE MITCHELL: That -- that's anticipated.

20 COUNCILWOMAN SALMONSEN: Okay.

21 COUNCILMAN WHEELLOCK: Mr. Mayor.

22 COUNCILWOMAN SALMONSEN: Thank you.

23 MAYOR CHADWICK: Okay. You good?

24 COUNCILWOMAN SALMONSEN: Yep.

25 MAYOR CHADWICK: Councilman Wheelock.

1 COUNCILMAN WHEELLOCK: So you talked about
2 processing your own land up there so you didn't have
3 construction trucks running everywhere. Are you able to
4 limit the hours of processing that dirt? I know it's
5 not quiet when they're doing all the rock crushing
6 that's going to be required to --

7 NATE MITCHELL: We don't need to -- we
8 don't -- we're not authorized to do any crushing on
9 site. All -- all we're doing is Earth moving.

10 COUNCILMAN WHEELLOCK: They'll be limited to
11 our Star City Code --

12 NATE MITCHELL: Correct.

13 COUNCILMAN WHEELLOCK: -- which is --

14 NATE MITCHELL: We'll comply with your --

15 COUNCILMAN WHEELLOCK: Yeah.

16 NATE MITCHELL: -- nuisance ordinance and
17 your -- your time restriction, your -- your noise hours,
18 and dust mitigation -- everything else that goes along
19 with construction, but we're not asking to -- to crush
20 gravel on site.

21 COUNCILMAN WHEELLOCK: Okay. I assumed that
22 that would be part of the road construction.

23 NATE MITCHELL: Well, it's --

24 COUNCILMAN WHEELLOCK: If you're talking about
25 not bringing in construction trucks --

1 NATE MITCHELL: We're talking about creating a
2 pit run, six-inch minus. There will be a point in
3 construction, when we start on residential and
4 road-building stuff, that there's -- is some material
5 that needs to be imported, crushed gravel -- either that
6 or we'd have to come back to you for a conditional use
7 permit -- for a crushing permit.

8 COUNCILMAN WHEELOCK: Thank you.

9 MAYOR CHADWICK: Okay. Any further questions
10 of the applicant or staff?

11 COUNCILMAN HERSHEY: I just have one,
12 Mr. Mayor.

13 MAYOR CHADWICK: Councilman Hershey.

14 COUNCILMAN HERSHEY: It's -- it's Aerie
15 Way -- correct? -- or Aerie? Oh, it --

16 NATE MITCHELL: Aerie Way; correct.

17 COUNCILMAN HERSHEY: -- doesn't matter.

18 NATE MITCHELL: A-E-R-I-E.

19 COUNCILMAN HERSHEY: When -- when would you be
20 building that?

21 NATE MITCHELL: Before we have the ability
22 to -- to build a single residential lot.

23 COUNCILMAN HERSHEY: So a golf course, yes,
24 but housing, no?

25 NATE MITCHELL: That's the way the condition's

1 written, yeah.

2 COUNCILMAN HERSHEY: Okay. Just making sure.

3 NATE MITCHELL: Yep.

4 MAYOR CHADWICK: So I'm going to -- I'm going
5 to bring up one more thing here, real quick, too on our
6 police-safety stuff.

7 You know, we've determined that, with
8 every 370 houses, roughly, we need a new officer, but
9 we're adding 700 -- how many acres is that? 780 or
10 something like that? 90?

11 NATE MITCHELL: 726.

12 MAYOR CHADWICK: Oh, okay. 726. I'm trying
13 to give you more.

14 So that increases our -- our areas, even
15 during the construction phase and stuff like that, for
16 us to be able to -- to handle police response times up
17 in that area. That's going to require our officers to
18 go up there and be further away from our farthest
19 southern border, and we have minimal officers right now.

20 So I need to try to figure out a way -- I
21 know we're going to do some police mitigation fees. Is
22 there a way that we can pay those up front to add two
23 additional officers to our shifts so we have one in each
24 shift that provides us with additional officer capacity?
25 I think that's what we're about -- what we need,

1 probably, two.

2 COUNCILMAN NIELSEN: Mayor Chadwick.

3 NATE MITCHELL: Define "up front."

4 MAYOR CHADWICK: Councilman Nielsen.

5 COUNCILMAN NIELSEN: I think, along with that,
6 you know, that -- that area's part of North County
7 [phonetic] currently --

8 MAYOR CHADWICK: Right.

9 COUNCILMAN NIELSEN: -- and patrolled by an
10 officer that sometimes is in that area. So annexation
11 would put our officers as the closest ones to respond to
12 North County calls, as well?

13 MAYOR CHADWICK: Correct.

14 COUNCILMAN NIELSEN: Right.

15 MAYOR CHADWICK: So -- yeah. So we'll be
16 responding to more Hillsdale calls as well in that.

17 Do you want to say anything to that,
18 Chief, before -- you don't have to. I'm putting you on
19 the spot.

20 POLICE CHIEF HESSING: Chief Zach Hessing,
21 Star Police Department.

22 Hoping you can hear me here.

23 So, I -- I mean, you're correct. So this
24 adds about a -- a mile north and south to
25 our -- we're -- the City of Star, right now, is about 5

1 miles by 5 miles in size. This would add another mile
2 north and south and about 2 miles east and west. What
3 Councilman Nielsen brought up is, if we're up there in
4 that area, kind of checking the construction of this
5 golf course.

6 If a Code-3 call comes out of Hillsdale,
7 they will -- dispatch will give it to us, no
8 matter -- it doesn't matter what your jurisdiction is.
9 It's the same way, as if we're the closest Star unit,
10 and we're going to Meridian; right? Because Code-3
11 calls are lights and sirens, that means somebody's
12 life's in danger, and we're -- we're headed there
13 directly. So an increased call volume would impact the
14 City of Star or Star Police Department.

15 MAYOR CHADWICK: Okay. So could we up-front
16 the funds to pay for the two police officers on this as
17 part of this agreement for the annexation because
18 they're going to have to do construction-site checks.
19 They're going to have to do all this stuff as well up
20 there.

21 NATE MITCHELL: Where do you collect your
22 mitigation fees from everybody else now?

23 MAYOR CHADWICK: We collect them at the
24 building-permit stage. However, we're adding 720 acres
25 in the foothills. That's going to -- what -- what

1 that's going to do here -- here -- and just hear me out
2 here. What that's going to do is increase our
3 call-response times.

4 UNIDENTIFIED SPEAKER: Mm-hmm.

5 MAYOR CHADWICK: Let's say my officer's up
6 there, and we have something -- a crash or something
7 down here, and we only had the one on duty at the time.
8 That's going to increase his call response time. If we
9 can get the two additional officers, that almost gives
10 us two officers through all shifts throughout the day,
11 and it allows us to have response times that are going
12 to be better.

13 NATE MITCHELL: Can I have my 94 lots back?

14 MAYOR CHADWICK: Well, no, but you're paying
15 them anyway. If we up-front it, you just add it to the
16 cost of your lot.

17 NATE MITCHELL: Well, I mean, but it's out of
18 my pocket.

19 MAYOR CHADWICK: No, I understand.

20 NATE MITCHELL: You understand; right?
21 Like -- like that's a -- that's a typical -- typically a
22 builder-borne cost. When they buy a lot, they know they
23 have to pay that mitigation fee, just like everybody
24 else in your town does now. So do the math.

25 MAYOR CHADWICK: I'm doing math right now.

1 And I'm not asking for the Fire at this time
2 because they would have to -- yeah, that's -- \$1,120 is
3 what that fee would be.

4 NATE MITCHELL: It's -- it -- it's \$1,120 per
5 house.

6 MAYOR CHADWICK: Correct.

7 NATE MITCHELL: So multiply that by 1,000.

8 MAYOR CHADWICK: Okay.

9 NATE MITCHELL: Well, then how does it end up
10 being the same number?

11 MAYOR CHADWICK: Yeah, 1,120,000.

12 NATE MITCHELL: Yeah, it's just a million
13 bucks --

14 MAYOR CHADWICK: That's what I was -- yeah.

15 NATE MITCHELL: -- and 2 million for the
16 intersection.

17 MAYOR CHADWICK: That's four lots.

18 NATE MITCHELL: It's five lots.

19 MAYOR CHADWICK: Okay. Five lots.

20 NATE MITCHELL: We use 200,000, and I
21 can't --

22 MAYOR CHADWICK: But at the same time, though,
23 the -- the -- the annexation of the property is creating
24 an undue burden on the existing citizens of Star if my
25 people are up there. So we've got to look at ways to

1 mitigate that so we're not running into a situation
2 where my officers are stuck --

3 NATE MITCHELL: As soon as you annex me --

4 MAYOR CHADWICK: -- [unintelligible].

5 NATE MITCHELL: -- I'm going to pay the same
6 property taxes everybody else is.

7 MAYOR CHADWICK: Exactly. And -- and you know
8 that we can't collect all the new --

9 NATE MITCHELL: I --

10 MAYOR CHADWICK: -- annex -- new -- new growth
11 on that to help pay for that. So, I mean, we can go
12 round and round and round on this. I'm just trying to
13 find a way to make this work so we're not impacting the
14 existing levels of service for our citizens on that.
15 That's all.

16 COUNCILMAN NIELSEN: Mayor Chadwick.

17 MAYOR CHADWICK: Councilman Nielsen.

18 COUNCILMAN NIELSEN: Just for everybody's
19 information, what he's referring to is -- is House Bill
20 389 that limits our ability to collect taxes on new
21 construction.

22 MAYOR CHADWICK: So -- but I --

23 COUNCILWOMAN SALMONSEN: But --

24 MAYOR CHADWICK: If we -- if we could figure
25 out a way to make this work --

1 COUNCILWOMAN SALMONSEN: Would it be possible
2 to say, "Okay. This is how much it will cost to
3 spend to" -- "for the two officers" --

4 NATE MITCHELL: [Unintelligible].

5 COUNCILWOMAN SALMONSEN: -- and then, you
6 know, they pay that up front?

7 MAYOR CHADWICK: Well, that's the -- the start
8 is -- it's 150 -- about \$155,000 per officer, per year,
9 and then a car; right? And so for us to get to that
10 \$1.1-million mark, we would have to utilize those over
11 the next -- what is that? -- 300,000 -- four years,
12 until such a time that our revenues can increase to
13 cover those officers in the long term. That's what
14 we're trying to figure out.

15 I -- I need to -- I -- I guess -- we just
16 got to figure out how to make this work with everything
17 else we've got going on to make sure that our -- that
18 our city is not suffering, that our citizens are not
19 being impacted.

20 COUNCILMAN NIELSEN: Mayor Chadwick.

21 MAYOR CHADWICK: Councilman Nielsen.

22 COUNCILMAN NIELSEN: Sorry. I keep
23 interrupting you.

24 MAYOR CHADWICK: No. You can. That's fine.

25 COUNCILMAN NIELSEN: You keep giving me ideas,

1 though.

2 No. Look, one of the -- one of the
3 thoughts to -- to consider here, normally, with
4 a -- with a project, Nate, we'd be looking at -- at
5 developing houses up front, which would then start those
6 builders coming in and pulling permits and paying for
7 those. Where you're building the golf course, you're
8 adding the whole property to the city of Star, but
9 without the ability for any of those building permits to
10 come over the course of the next -- what? -- three to
11 four years -- five years -- whatever it is.

12 NATE MITCHELL: So I -- I guess -- a couple of
13 things I -- I want to ask. Grading a golf course out
14 and building a golf course -- I -- I don't -- I -- I'm
15 going to disagree with the fact that that's going to
16 increase your call volume. Once the golf course is
17 operational, maybe, it'd increase call volume. Building
18 houses, adding people, yes, it'll increase call volume.

19 The -- do -- do you have a commercial
20 police mitigation fee?

21 MAYOR CHADWICK: No.

22 NATE MITCHELL: Why not?

23 MAYOR CHADWICK: Because the commercial
24 doesn't apply nearly as much with the calls as the
25 residential does at this time.

1 NATE MITCHELL: Then why is my commercial a
2 problem while nobody else's is?

3 MAYOR CHADWICK: I'm not calling -- asking you
4 to put it on your commercial. I'm asking you to put
5 it -- to put it towards your residential. And
6 I'm -- I'm -- I'm simply asking that -- we're adding
7 720 acres, 1 mile by 2 miles, into our -- into our
8 impact area in the foothills with very crazy access
9 right now -- to have to respond to these calls.
10 I -- there's going to be calls up there. I promise you.
11 I -- I guarantee you that he's --

12 NATE MITCHELL: There's always -- there --

13 MAYOR CHADWICK: -- going to get calls.

14 NATE MITCHELL: -- there's already calls up
15 there --

16 MAYOR CHADWICK: Right.

17 NATE MITCHELL: -- that they already respond
18 to. I understand that.

19 MAYOR CHADWICK: Right.

20 NATE MITCHELL: I'm not -- I'm not arguing
21 that. I just don't see --

22 MAYOR CHADWICK: I mean, even on a payment
23 plan, Nate -- what -- what -- what if you were to do a
24 by-year on that thing when the golf course -- I'm just
25 trying -- I'm trying to figure out how to make this work

1 all the way around the board because --

2 NATE MITCHELL: I understand that, but you're
3 asking me to pay up front the total impact of a 40-year
4 development.

5 MAYOR CHADWICK: Well, okay. So we say, "a
6 40-year development," but I look at your traffic impact
7 study, and it's only a 25-year development based off of
8 that.

9 NATE MITCHELL: Okay. So you're asking me to
10 pay for a 25-year development Day 1, and you don't ask
11 anybody else in town to do that.

12 MAYOR CHADWICK: Because no one else --

13 NATE MITCHELL: I'm just asking to be --

14 MAYOR CHADWICK: -- is up in the foothills
15 right now, in an area that's hard to get to.

16 NATE MITCHELL: What about the plats you're
17 approving that border this? Did they do that?

18 MAYOR CHADWICK: In -- in the where?

19 NATE MITCHELL: The stuff that's along
20 Highway 16, north of Pollard, did you ask them to pay
21 those?

22 And I'm not -- I -- I understand your
23 quandary. I just -- it's -- that's -- we're all -- that
24 number's getting really large. The up-front cost is
25 getting really large.

1 MAYOR CHADWICK: No, I -- I get that, but I
2 also -- I have to -- I -- I have -- I am charged with
3 the responsibility of looking out for the entire safety
4 of my community. That's part of my job, and so that's
5 why I'm in this little argument -- disagreement with
6 you, right now, on this.

7 I don't know if there's a way that we can
8 put it in that we'll -- we will review this to see the
9 impacts with the police on -- on how we cover that over
10 a period of time, but it's -- something's got to be
11 done.

12 I mean, I -- I -- I hate to bring up this
13 word over there, but Avimor, from what I understand, is
14 adding police officers with their development
15 agreement over there.

16 NATE MITCHELL: They've developed significant
17 residential development --

18 MAYOR CHADWICK: Right.

19 NATE MITCHELL: -- and commercial development.

20 MAYOR CHADWICK: Right.

21 NATE MITCHELL: Right?

22 So I -- I guess I understand your desire.
23 I understand your want. You're going to condition me
24 with what you guys decide. I -- I would be -- timing,
25 obviously -- we haven't defined "up front." Does that

1 mean, before you sign my annexation ordinance, I have to
2 pay you a million --

3 MAYOR CHADWICK: No.

4 NATE MITCHELL: -- 120,000 bucks?

5 MAYOR CHADWICK: 120 -- what did you say?

6 NATE MITCHELL: What -- whatever your 1,120
7 times 1,000 is.

8 MAYOR CHADWICK: Oh, 1,120,000.

9 NATE MITCHELL: Yeah.

10 MAYOR CHADWICK: Okay. Sorry.

11 No, I'm not saying you have to pay that at
12 the -- right now, right up front. We can work on the
13 plan with the police on how that gets paid, but we've
14 got to get the officers in place so we can cover that
15 for the next couple of years.

16 We -- I -- this -- this is a problem.
17 I'm -- I'm telling you, Nate, it's a problem.
18 It's -- it's a problem right now. We would not have
19 this discussion at all -- I'm going to bring it up -- if
20 we didn't have 389 on the books.

21 Star has experienced extreme growth -- and
22 you've seen it -- over the last five years -- four
23 years, and we -- we can't cover those costs. That's why
24 we had to put the mitigation fee in place. That's why I
25 had to go to the Building Contractors Association and

1 tell them, "We have a problem. I need help. We've got
2 to fix that problem."

3 This wouldn't even be a conversation if
4 that wasn't here, but it's -- unfortunately,
5 that's -- this is the -- the -- the -- the -- the place
6 that we have been left at to try to figure out how to
7 maintain the public safety of the community while
8 allowing a development to happen up in the foothills
9 that's adding land area to our community.

10 And Ada County, on that site, they have
11 four total officers, I think, for North County, and that
12 North County goes all the way from up here to Lucky
13 Peak. So asking them for backup is not feasible for
14 that.

15 I don't -- if you want to -- we -- we
16 could recess for five minutes if you want to hammer that
17 out for a minute with Ms. Deb so we're not --

18 NATE MITCHELL: Let's take a break. Let's
19 take a break.

20 MAYOR CHADWICK: Let's take a quick break?

21 Okay. So we'll take a five-minute recess
22 to 8:45.

23 (Recess taken from 1:40:34 of 1:47:33 of
24 audio file.)

25 MAYOR CHADWICK: We're going to wait until

1 8:50, folks, just so they can finish discussion over
2 there.

3 (Recess taken from 1:47:37 of 1:50:30 of
4 audio file.)

5 MAYOR CHADWICK: It's 8:50, and we're going to
6 call the City Council meeting back to order, and we'll
7 see if we can get the applicant and my staff back over
8 here.

9 COUNCILMAN NIELSEN: Maybe.

10 MAYOR CHADWICK: Maybe.

11 Well, it's not two attorneys talking, so
12 that's good.

13 UNIDENTIFIED SPEAKER: [Unintelligible].

14 MAYOR CHADWICK: No.

15 All right, Ms. Deb and Mr. Nate.

16 DEBORAH NELSON: Mayor, just one quick
17 comment, if I could.

18 So for context, Avimor paid \$138,000 as
19 their --

20 MAYOR CHADWICK: I couldn't -- I couldn't hear
21 that.

22 DEBORAH NELSON: Avimor paid \$138,000 as their
23 additional police mitigation fee, over and above their
24 property taxes, just to add to your comment.

25 MAYOR CHADWICK: Sure.

1 NATE MITCHELL: So I guess we're discussing a
2 one-time fee of \$370,000 and then --

3 MAYOR CHADWICK: Yep. That would come out of
4 that total.

5 NATE MITCHELL: -- credited to our mitigation
6 fees --

7 MAYOR CHADWICK: Credited to your mitigation
8 fees.

9 NATE MITCHELL: -- and then start collecting
10 mitigation fees at the residential building permit.

11 MAYOR CHADWICK: Correct. This
12 allows -- yeah. The 370 is --

13 NATE MITCHELL: So let's -- let's say that's
14 fine.

15 MAYOR CHADWICK: Okay.

16 NATE MITCHELL: Timing of that 370 needs to be
17 at or after we move the first yard of dirt.

18 MAYOR CHADWICK: Correct, so the start of the
19 construction of the golf course.

20 NATE MITCHELL: Okay. Yeah.

21 MAYOR CHADWICK: Okay. All right.

22 And to go back to what you said, you're
23 paying today's rates now, instead of a higher rate in
24 the future.

25 NATE MITCHELL: They're going to go down when

1 we add more people.

2 MAYOR CHADWICK: Right. All right.

3 Any further questions or comments --

4 UNIDENTIFIED SPEAKER: [Unintelligible] costs
5 are going down.

6 MAYOR CHADWICK: -- of the applicant?

7 Councilman Hershey, did you have a further
8 question?

9 COUNCILMAN HERSHEY: Mr. Mayor, no. I was
10 just -- what -- well, you -- when you were hashing back
11 and forth with Mr. Mitchell there, I was just -- you
12 know, he -- he's discussing his risk, and we're
13 discussing ours. And in all reality, if we don't
14 mitigate these risks now, at least, to some level, when
15 would we?

16 MAYOR CHADWICK: Right. Okay.

17 Any questions of the applicant or staff
18 before we close this portion?

19 Do you have anything further to say,
20 Ms. Deb?

21 DEBORAH NELSON: No. Thank you, Mayor and
22 Council.

23 MAYOR CHADWICK: No?

24 Okay. Everybody good?

25 Once we -- once we end it with them, it's

1 gone.

2 COUNCILWOMAN SALMONSEN: I know. Big -- big
3 step here.

4 UNIDENTIFIED SPEAKER: It's never done.

5 MAYOR CHADWICK: Okay. I'm going to take that
6 as --

7 COUNCILMAN NIELSEN: Hey, Mayor Chadwick.

8 MAYOR CHADWICK: Councilman Nielsen.

9 COUNCILMAN NIELSEN: A question for staff.

10 MAYOR CHADWICK: Okay.

11 COUNCILMAN NIELSEN: What questions are we not
12 asking?

13 UNIDENTIFIED SPEAKER: Yeah. Thank you.

14 MAYOR CHADWICK: Can we turn on Shawn's mic,
15 please.

16 SHAWN NICKEL: Hello, oh --

17 MAYOR CHADWICK: There we go.

18 SHAWN NICKEL: Mr. Mayor --

19 COUNCILMAN NIELSEN: And --

20 SHAWN NICKEL: -- and Council, I -- I --

21 COUNCILMAN NIELSEN: And let -- let me just
22 clarify a little bit.

23 SHAWN NICKEL: Okay.

24 COUNCILMAN NIELSEN: You've -- you guys have
25 spent a lot more time on this application, had a lot

1 more conversations over the years. And -- and we -- we
2 limit this to -- when we get to what's in the packet, to
3 these conversations. That -- that's why I'm asking you.
4 What -- what aren't we asking? Help us. Be our -- our
5 eyes and ears here.

6 SHAWN NICKEL: Mr. Mayor and -- and Council, I
7 believe with -- with what you have -- the -- the -- with
8 the applications you have in front of you, I think
9 you've addressed the key issues, which is the traffic,
10 the land -- the land uses, and the conditions that the
11 Mayor has proposed.

12 I think, once you get into the details of
13 the preliminary plat and the planned unit development, a
14 lot of those unanswered questions were -- are -- are
15 going to be addressed in more detail, specifically the
16 traffic, because you'll have -- you will have detailed
17 ACHD, ITD, and Canyon Highway District 4 reviews and
18 approval letters and conditions that will -- that will
19 break down and phase every aspect of the development.

20 And again, what you're doing is you're
21 putting a cap on the density. It's up to them and those
22 traffic agencies to determine what that number's going
23 to actually be, and that's going to happen as that
24 preliminary plat comes in. So I think you've addressed
25 everything that's within this application in front of

1 you this evening.

2 COUNCILMAN NIELSEN: Okay. Thank you.

3 SHAWN NICKEL: Mm-hmm.

4 COUNCILMAN NIELSEN: And, real quick, that
5 sounded like a diabetic alarm. Is -- is
6 there -- anybody need help?

7 Okay. Just making sure.

8 MAYOR CHADWICK: Okay. All right.

9 Anything else? Any further questions of
10 staff or the applicant before we move forward?

11 COUNCILMAN WHEELOCK: I have a question of
12 staff.

13 MAYOR CHADWICK: Okay.

14 COUNCILMAN WHEELOCK: Maybe the applicant.
15 I'm not sure.

16 MAYOR CHADWICK: Pull your -- pull your mic
17 closer to you.

18 COUNCILMAN WHEELOCK: So going back to the lot
19 sizes, the red borders are half-acre lots or acre lots.
20 How do they look matching up to the -- and that's a
21 preliminary-plat problem, maybe -- I don't know -- but
22 I'd love to -- I'd love to hear that answer.

23 NATE MITCHELL: It -- it's a question. We
24 have committed to matching lot lines, one new neighbor
25 to one new neighbor.

1 COUNCILMAN WHEELock: So they're matching lot
2 lines with --

3 NATE MITCHELL: Yeah.

4 COUNCILMAN WHEELock: -- half-acre --

5 NATE MITCHELL: Correct. Minimum.

6 COUNCILMAN WHEELock: -- in size.

7 NATE MITCHELL: In -- in minimum -- there
8 will -- there will be lots bigger than a half-an-acre,
9 but a minimum -- a minimum of one-half acre.

10 COUNCILMAN WHEELock: Lot line to lot line --

11 NATE MITCHELL: Yeah.

12 COUNCILMAN WHEELock: -- is my question.

13 MAYOR CHADWICK: Okay. Any further?

14 COUNCILMAN WHEELock: I'm good. Well...

15 MAYOR CHADWICK: We'll see how good you are.

16 COUNCILMAN WHEELock: We'll see.

17 MAYOR CHADWICK: All right. I'm going to say
18 that it's 8:57, and we're closing the public hearing and
19 going to Council deliberations. Someone needs to start.

20 COUNCILWOMAN SALMONSEN: Mayor Chadwick.

21 MAYOR CHADWICK: Councilwoman.

22 COUNCILWOMAN SALMONSEN: I'll -- I'll go ahead
23 and start if you don't mind.

24 MAYOR CHADWICK: Okay.

25 COUNCILWOMAN SALMONSEN: I wasn't feeling very

1 good, so I prepared a statement.

2 MAYOR CHADWICK: So make sure you talk all the
3 way into the mic so --

4 COUNCILWOMAN SALMONSEN: All right.

5 MAYOR CHADWICK: -- we don't get yelled at
6 anymore.

7 COUNCILWOMAN SALMONSEN: All right. So I
8 prepared a statement earlier, and from what I've heard
9 here tonight, nothing has changed my mind. And so, you
10 know, I'm -- I -- maybe as we deliberate here something
11 will -- will, but I'll go ahead and read what I wrote
12 and maybe we can use this to kick it off, the
13 deliberation.

14 All right. So I believe that the main
15 ingredients of a great community are connected
16 residents, diverse community activities, a strong
17 business environment, and a place where everyone feels
18 safe, welcome, and at home. These ingredients shine
19 bright here in Star.

20 The primary responsible -- responsibility
21 of this Council is to not only protect these existing
22 ingredients, but also to strengthen and foster their
23 growth with new development.

24 I see many positives that this development
25 would bring to Star, including their donation of land

1 for future fire and schools -- school sites; investing
2 and expanding the City Water & Sewer services; funding
3 much-needed, local road improvements; bringing a variety
4 of housing options; and providing additional recreation
5 amenities everyone can enjoy. I have little doubt that
6 Nate and this team that -- would construct an -- an
7 exceptional development.

8 However, I'm having a real hard time
9 agreeing with two findings that we're required to make
10 in order to approve this project. The first is
11 that -- I'm going to quote. So, "The map amendment
12 shall not result in an adverse impact upon the delivery
13 of services by any political subdivision providing
14 public services within the city including, but not
15 limited to, school districts."

16 In my opinion, this statement means other
17 agencies that provide a service to the residents of Star
18 must be able to continue their current level of service
19 if this application is approved. This project clearly
20 creates the need to build and expand roads, which has a
21 lot of hurdles to clear, but it also creates the need to
22 build a new school building.

23 This is a hurdle I don't see jumping
24 because they would be constructed -- the -- the schools
25 would have to be constructed by taxpayer funds, which

1 voters have to approve, and there's no guarantee in
2 that. With -- without some sort of guarantee that a
3 school will be built, I can't say that this development
4 would not have an impact -- negative impact on -- on
5 schools alone, along with other things.

6 The second finding I'm having trouble with
7 is that the annexation isn't -- is -- let me start over.
8 The second finding I am having trouble with is to find
9 that the annexation is in the best interest of Star.
10 When I look at this application, I'm not convinced that
11 approving it would be in the best interest of Star. I
12 don't believe we're ready for a development of this size
13 and scope.

14 I also think that the site's significantly
15 impacting the way of life for Hillsdale residents. The
16 addition of this development would put a significant
17 strain on the current residents and City services.
18 Because I can't say, "Yes," to these two required
19 findings, I don't think I can approve this tonight.

20 Then I will also add that -- my kudos to
21 the public. You put together -- you know, you did your
22 research and made a very factual presentation. It's
23 very easy for people to come and testify simply because
24 they do not want a specific development, but we -- we,
25 the Council -- we must base our decision on factual

1 testimony and the land use laws that govern our
2 community.

3 I hope anyone wishing to testify for
4 the -- for a -- or against future developments will
5 reference the efforts that the public put into this,
6 given -- during this public hearing and this
7 application.

8 That is all.

9 Thank you.

10 MAYOR CHADWICK: Okay. Anybody else?

11 COUNCILMAN NIELSEN: Mayor Chadwick.

12 MAYOR CHADWICK: Councilman Nielsen.

13 COUNCILMAN NIELSEN: The councilwoman
14 [unintelligible]. Can we -- can we have --

15 COUNCILWOMAN SALMONSEN: Yeah. Yep.

16 COUNCILMAN NIELSEN: -- discussion for --

17 COUNCILWOMAN SALMONSEN: Yep. Yep.

18 COUNCILMAN NIELSEN: -- around that?

19 So I just want to understand a little bit
20 better your concern about impacts to -- to schools. No
21 guarantee that -- that a school will -- will be built;
22 right? And -- and I'm curious. I mean, the -- we don't
23 have any control --

24 COUNCILWOMAN SALMONSEN: Right.

25 COUNCILMAN NIELSEN: -- right? So the State

1 has -- has outlined how -- how schools are funded,
2 and -- and the school districts, they wait until schools
3 are -- are overcrowded, basically until they have enough
4 students for the new school, until they go for a bond to
5 build that new school because then -- then it's
6 practically full as soon as it's built; right?

7 And so I -- I'm just curious. How -- how
8 could we ever meet that expectation? And -- and this
9 question's not just about this application, but
10 it -- just in general --

11 COUNCILWOMAN SALMONSEN: Right.

12 COUNCILMAN NIELSEN: -- what -- what -- what
13 are your thoughts on that?

14 COUNCILWOMAN SALMONSEN: Right. Yeah. With
15 the current system, I think it's -- it's -- it's broken,
16 you know, the way that the -- the schools are -- they're
17 tied to be built, and I don't see it being fixed.

18 And I feel sorry for the developer, you
19 know, I mean, or any development because they're all
20 going to be in this same boat. But I think, with this
21 project, it's a little -- it's -- it's harder to swallow
22 because the significant -- the size of it.

23 And then -- you know, sure, it will be
24 done over many years, but we are -- have already
25 approved so many lots, you know, and -- and -- that can

1 be built tomorrow. So where are -- you know, to add
2 that on -- into the mix -- and it just doesn't make
3 sense to me.

4 MAYOR CHADWICK: So -- hey. No. Please.

5 Thank you.

6 So I'm going to -- I'm going to come back.
7 I'm going to ask you a question, or I'm going to just
8 bring a statement up, based on what you said.

9 COUNCILWOMAN SALMONSEN: Yeah.

10 MAYOR CHADWICK: With the West Ada School
11 District, which we're a part of -- we're part of a
12 massive -- the -- the largest district in the State of
13 Idaho. The school district currently has capacity. The
14 capacity is shifted to other schools; right?

15 So when we're talking about this, we're
16 providing a school site to get built so we can try to
17 provide convenience more than anything for students to
18 be schooled locally. We already have this issue south
19 of Highway 44, where every student south of Highway 44
20 gets shifted to Eagle, to the school that has capacity.

21 So in my opinion, based off of what you
22 said, I do believe that -- that there is the capacity
23 and the ability to -- to educate these students. It's
24 not the most ideal way, by keeping them home, because I
25 would prefer to have the schools built here, but it's

1 the way that the State has given us, and the -- and the
2 monstrosity of the school district that is provided;
3 right?

4 If this happened to be on the Middleton
5 side, they have no capacity. They have four schools
6 that are 140-percent capacity. It's not the case. The
7 West Ada side, there is capacity available for that.

8 So I just want to make sure that that was
9 out there on that --

10 COUNCILWOMAN SALMONSEN: Yeah.

11 MAYOR CHADWICK: -- as well --

12 COUNCILWOMAN SALMONSEN: Mayor Chadwick.

13 MAYOR CHADWICK: -- and our -- this
14 doesn't --

15 COUNCILWOMAN SALMONSEN: And I -- I understand
16 that, that we do -- you know, that the school
17 district -- you know, one school gets full, and
18 so -- okay. Let's change the boundaries and shift them
19 around. The kids in Heron River, they're going to Eagle
20 Elementary School.

21 MAYOR CHADWICK: Yep.

22 COUNCILWOMAN SALMONSEN: And, you know,
23 there's a -- the Star Elementary is -- what? -- maybe a
24 mile away.

25 And I guess I -- I have a hard time -- you

1 know, I just don't think that that's the community
2 that -- that we -- that we want to live in, you know,
3 that we're just -- our -- our kids are going to school
4 all over the place.

5 And I understand that that's the solution,
6 and we have to work within it, but I just -- I can't
7 agree with it --

8 MAYOR CHADWICK: Okay. That's fine.

9 COUNCILWOMAN SALMONSEN: -- and I can't
10 continue to support it.

11 MAYOR CHADWICK: And you're -- and you're
12 entitled to your -- your opinion on that. That's --

13 COUNCILWOMAN SALMONSEN: Yeah.

14 MAYOR CHADWICK: -- absolutely right.

15 Okay. Any further discussion?

16 Come on. Discussion? Motion? Something?

17 COUNCILMAN HERSHEY: You're looking at me.

18 MAYOR CHADWICK: I'm -- because you grabbed
19 your --

20 COUNCILMAN WHEELOCK: You grabbed your mic.

21 MAYOR CHADWICK: -- microphone.

22 So --

23 COUNCILMAN HERSHEY: Oh, yeah. Well --

24 MAYOR CHADWICK: -- Councilman Hershey.

25 COUNCILMAN HERSHEY: Yeah. There's -- there's

1 a lot of unknowns that I'm -- I'm still trying to ponder
2 in this. I think the school thing is something that is
3 completely out of my wheelhouse. It's not -- it's not
4 my -- it's not my area to -- to do. I like the fact
5 that we actually have land secured to give them. That's
6 an amazing savings of cash.

7 The --

8 COUNCILWOMAN SALMONSEN: I know.

9 COUNCILMAN HERSHEY: -- things that I have
10 thought about and continue to think about are the
11 traffic, which is very hard to wrap your head
12 around -- however, I do like the fact that it's
13 extremely limited to what they can do at any one time
14 and a traffic impact has to be done specifically with
15 every single plat that comes before us. I like the -- I
16 like the design review, but there's still things that
17 are just tough to consider.

18 First off, like Wing Road, yeah, I think
19 that should never be accessed, plain and simple. And
20 Mayor Chadwick's right. I've -- I've heard him talk to
21 ACHD about this, and I -- and I know who he's talking
22 about, when they said, "You can put this in your plans,"
23 and we -- I think we need to if we approve this.

24 Here's something that I do think about,
25 and it -- it stems from an article I read a while back,

1 and it had nothing to do with this until I made the
2 connection -- but what happens if we say, "No?" Does
3 this just go away? It doesn't. I can tell you it will
4 not just go away.

5 It doesn't mean it's going to come back to
6 us, but it's not going to go away. And that concerns me
7 because I read an article about ACHD -- excuse me -- Ada
8 County. Let me make sure I'm not pissing off the
9 lawyer.

10 But I read a -- an article about the
11 County approving a development of much
12 considerably-larger size than this that had been
13 rejected by Boise and rejected by Kuna, and it was
14 passed by them. Even with their objections stated, it
15 was passed, and that's something that concerns me
16 because growth is inevitable. You know how I know? I'm
17 here.

18 I came here for a job. It was not this
19 one. And the job I came here for, I loved to do, and
20 then -- and I fell in love with Idaho. Yeah, I'm one of
21 the few that actually knew very little about Idaho, and
22 I fell in love with Idaho.

23 But I still have thoughts and concerns
24 about traffic. The -- the buffering that's been offered
25 is something I asked for. The density reduction has, in

1 spirit, been met to an extremely close level that I
2 requested. It's only a few houses off of actually where
3 I pinned it on the 8th, but there's just a lot that I'm
4 still trying to process with it.

5 I wish -- I wish it was just, literally, a
6 golf course and nothing else. That would be a lot
7 easier on me. But it has all the other that goes with
8 it. And when we annex this in, we don't annex in just a
9 golf course that isn't started. We would annex in the
10 potential of 1,000 houses and 770-something [sic] acres.

11 And so I believe the school thing is -- is
12 actually not a concern in my world. I -- I believe
13 they've -- they've done this many, many times, and the
14 dedication of the land is not a problem.

15 I think the up-front need for the police
16 is very important, but it is -- it is a -- it is very
17 tricky.

18 And if this is approved tonight, the only
19 thing that could happen is the golf course. Everything
20 else would have to come right back here, where, once
21 again, it would be dictated, and it would also have a
22 much more considerable impact on the traffic because it
23 would be very specific to location.

24 That's where my brain is.

25 MAYOR CHADWICK: Okay. Any further

1 discussion?

2 COUNCILMAN WHEELLOCK: Mr. -- Mr. Mayor.

3 MAYOR CHADWICK: Councilman Wheelock.

4 COUNCILMAN WHEELLOCK: I -- I also wrote a -- a
5 response after -- and -- and -- and I'm
6 on -- [unintelligible] -- I came to this meeting
7 undecided tonight. I'm still -- I'm in the middle of my
8 fence, but I don't know whether to go forward or not.
9 I'm still deciding and -- and have listened to all the
10 testimony, but I -- after the public testimony, I -- I
11 went home and -- and reviewed all the -- the public
12 input, and I wanted to share my thoughts on the public
13 testimony and -- and where we're coming from as a City
14 Council. So bear with me while I read my little piece
15 of the pie.

16 I want to share my Star ties. I
17 personally have watched the change from growing,
18 thriving farming to a growing, thriving community. I
19 signed the City's incorporation document more than
20 25 years ago and have farmed more than 100 acres in a
21 year, personally. I still own more than 95 percent of
22 the Star residences, and my family settled eastern Idaho
23 in the 1890s. I still have major ties to that side of
24 the state also.

25 I share this not only to rebut public

1 testimony that thought we, as a City Council, were from
2 a state west of here that has different political views
3 as a whole -- I'm not against anyone that has -- that is
4 new, but leave what you left and come join what you
5 recognize is a positive future. I am witness to the
6 change.

7 I would rather have growing pains than a
8 ghost town. I recently drove through a town whose
9 downtown was boarded up. That's not the case here.
10 Years ago, we were the armpit of Ada County, and one of
11 the farmers that lives in the city impact and I were
12 friends and agreed that it was a great armpit.
13 Many of you apparently agreed with that, and the
14 majority of the population has moved here since that
15 conversation.

16 I love this town and those that have been
17 here since way before me. I still personally know many
18 of the original citizens, and they're great people.
19 They recognize the change, and they don't fault anyone
20 that comes here. They're looking for good neighbors,
21 not people that want to change the values that have been
22 here and have been here for 100 years.

23 Please, let's be those neighbors. If you
24 don't like the other side of the fence that bought it,
25 this is America. If you buy the ground, you have the

1 right to use it. I believe that firmly in land rights,
2 and -- and I stand by that. Let's figure out how to
3 work civilly to be good friends and better -- and a
4 better Star.

5 Please don't assume that we don't
6 understand or are ill informed in that -- that we don't
7 understand the -- the whole scope of the project. We're
8 learning, but it's offensive when you say we don't
9 understand because we haven't done our homework.
10 Believe me, we've been doing our homework for a long
11 time. This project has been approved and approved and
12 approved, and they didn't finish it, and it's gotten
13 less -- and more refined every time it's come back.
14 We're still getting that.

15 I also want to note that the keyboard
16 negativity that goes on the internet keeps us from
17 straightening out those misinformation -- that are on
18 the -- on the internet because it's not worth getting on
19 there to correct something for being personally
20 attacked. Being informed is all but impossible, to make
21 a comment and correct a bit of misinformation without
22 being thoroughly attacked. We're all doing all we know
23 how to do and appreciate the ideas that help and are
24 constructive, rather than destructive.

25 Let me be clear that I know very well the

1 situation we're talking about. I recognize that a lot
2 of people have expressed opposition, but also, we have
3 had many that have appreciated and talked positively
4 about this same project. They don't want to be
5 ridiculed either, whether they are for the project
6 because it's always -- not as popular with
7 everybody -- and you generally feel very strongly if
8 you're not for it. You're very, very against it.

9 This area has been approved with way more
10 houses than we're discussing tonight, and it has been
11 headed in the correct direction ever -- every
12 application and in every Council meeting that I've
13 watched in the five or eight years that this has been
14 going on -- eight years that it's been going on.

15 I don't know whether I'm for it or against
16 it. I think it's getting better each -- each
17 discussion, but each discussion's getting harder. I
18 know that.

19 That's my thoughts.

20 MAYOR CHADWICK: Okay. Any further comments
21 or motions?

22 Councilman Nielsen.

23 COUNCILMAN NIELSEN: Thank you.

24 You know, I -- I really appreciate the
25 comments of -- of my colleagues here.

1 And, you know, Councilman Wheelock, I -- I
2 hear a lot of emotion in -- in -- in what you read and
3 appreciate where you're coming from and the perspective
4 that -- that you have on -- on the town of Star
5 and -- and, you know, how we got here tonight.

6 But I -- I think, Councilwoman Salmonsens,
7 as well, your -- your passionate plea for,
8 "Let" -- "Let's fix the process" -- I've mentioned House
9 Bill 389 here tonight. It -- you know, it just doesn't
10 limit our ability to collect taxes. What it does is
11 it -- it limits the ability for growth to pay for
12 itself.

13 And -- and I've watched Mayor Chadwick
14 absolutely go to the mat with the full support of this
15 Council, with the State of Idaho, with all the agencies
16 involved, even with the -- the political organizations
17 like the Building Contractors Association to -- to get
18 them on board with -- with the challenges that that bill
19 places upon the cities of Idaho and -- and to find ways
20 to mitigate it so that here in Star, where we've been
21 the -- the No. 1, percentage-wise, growing city in the
22 United States for several -- for -- for over a year. I
23 don't know if we're still there right now, but -- but it
24 was that case for well over a year.

25 And -- and the struggle is real.

1 And -- and I've -- I've watched this man and this
2 Council band together and wonderful people in the
3 agencies in our -- and -- and organizations in our
4 community -- to face the challenges, not just House Bill
5 389. That -- that one -- I mean, that -- that's not
6 just an accidental shot to the foot. That's a shotgun
7 and intentional.

8 And -- and I -- I want that to be heard
9 loud and clear by the people of Star because our State
10 politicians don't get it, and they're putting
11 unnecessary restrictions for political purposes in place
12 that -- that really, really hurt the people of the state
13 of Idaho.

14 The -- the way that schools are funded
15 hurts the state of Idaho, in my opinion, but it's also
16 one of the reasons why we're such a
17 fiscally-conservative state because we don't go out and
18 build a school until -- until we've got enough students
19 to fill it. It just puts a lot of pain into the system
20 and a lot of suffering, same with the roads. We don't
21 build roads until we've got cars to fill them to
22 capacity. It puts a lot of pain and suffering into the
23 system.

24 I happen to believe there are better ways,
25 but I don't see that -- that this body here tonight, as

1 part of this application, has a way to -- to deal with
2 that pain or a way to affect it.

3 The -- the purpose that -- that we're
4 gathered here tonight is, really, to sit in judgment
5 on -- on the applicant's right to use the property
6 that -- Councilman Wheelock pointed out that
7 this -- it's their right to use -- does it match up with
8 the -- the plans of the City of Star? Does it -- does
9 it fit with the -- the zoning ordinances that we have?

10 And in this case, because it's an
11 annexation, we've got a lot of leeway, as a City
12 Council, and the -- the real question is, "Do we feel
13 like this is in the best interest of the City of Star
14 long-term, to annex this property, to" -- "to have it
15 developed the way that it's being proposed, and" -- "and
16 what does that -- that prepare us for?"

17 As -- as I, again, reflect on -- on the
18 testimony, I'd like to share a few thoughts. You know,
19 the -- the project is -- is gone from pretty high
20 density, years ago, down to 1. -- just under 1.4 density
21 per acre -- units per acre. Now, if the golf course
22 wasn't there and you still put 1.4 density out there,
23 things would be spread out a little bit more, but you'd
24 still have the same number of units.

25 Statistics show that by -- from our

1 highway districts that the more sprawl you get,
2 actually, the higher number of trips. You get more
3 vehicles per lot. You get more trips per lot.

4 And so part of our -- our City's
5 Comprehensive Plan is to employ, where -- where it makes
6 sense, the concept called "coving" in planning circles,
7 which is to have lots of open space with pockets of
8 developments, more -- more dense development and -- and
9 roads that, as you travel, make it seem like
10 you're -- you're more in open space than you are
11 in -- in urban-type development.

12 I see that as one of the positives
13 of -- of this particular application. We've got a -- a
14 ton of open space and -- and, yeah, it's a golf course,
15 but, you know, in my experience, golf courses grow up to
16 be -- be real nice open space.

17 And I -- I think that the -- the -- the
18 question is -- really is, "You know, how are
19 these" -- "these" -- "how is this plan for the
20 residential?" It -- it is more compact than sprawl,
21 and, you know, there's -- there's two sides of the fence
22 to that. Some people like the -- like the sprawl, and
23 others like to see it more dense, and it's hard to
24 please everybody on that.

25 I -- I don't believe that Wing Road is a

1 good idea to connect, so I'm -- I'm with the -- the
2 Mayor and his request to have that part of the -- the
3 development agreement.

4 I agree with Councilman Hershey that this
5 property will develop at some point in time. It's
6 likely that -- that when that happens, it will be R-1 to
7 R-2, and -- and this is right in the middle of that.
8 And so -- so then the question is, "Is it good for the
9 city of Star that we bring this property under planning
10 and" -- "and plan for it, according to our ordinances,
11 to have consistent and" -- "and regulated development
12 as" -- "as we" -- "as we grow as a city or not?"

13 You know, our traffic agencies are tasked
14 by law to condition the highway needs upon each project
15 as phases are prepared and development plans are made,
16 and I think that's probably the -- the most difficult
17 part of every application, especially one of this size
18 that is so preliminary and anticipated to go over a long
19 period of time.

20 It -- it -- it's -- you can't see the
21 answers from where we sit today. And -- and that's one
22 of the reasons why it's -- at City Hall, in the Council
23 Chambers, we have up on the wall behind us the -- the
24 slogan, "To hold the vision and trust the process."
25 We've got a vision for the city of Star that -- that

1 means growth pays for itself, that means
2 that -- as -- as Councilwoman Salmonsens so eloquently
3 stated, that -- that our neighborhoods and -- and our
4 town is constructed in ways that let us grow and be good
5 neighbors and -- and develop, you know, in -- in
6 friendly ways.

7 And yet part of that process is we have to
8 put a lot of trust in -- in our partner agencies like
9 ACHD and ITD and Canyon Highway District. We've got to
10 put a lot of trust in -- in -- you know, even -- even
11 in -- in the -- the State laws that allow the city to be
12 created and sometimes negatively affect us,
13 that -- overall and over time that things will work out,
14 that -- that cooler heads prevail, that -- that common
15 sense eventually prevails.

16 And -- and so trusting that process is
17 something that I've had to learn to do over the last,
18 you know, several years that I've served on the Council.
19 And -- and I get it, that from where many of you are
20 sitting, it's hard to see that, and -- and it's even
21 harder to understand it.

22 So I -- I -- I think those are -- those
23 are some of my prevailing thoughts. I -- I'm generally
24 looking at this application as one that -- that the
25 applicant has put together in accordance with our

1 Comprehensive Plan, in accordance with our development
2 codes. I find that -- that the application -- the
3 densities of the application, given the open space -- I
4 think you could find it in different configurations, but
5 I think it's what's going to be there, regardless of any
6 decision that's made here tonight.

7 The assumption is -- is the land will
8 develop, and unless there is some sort of legal
9 instrument that locks that land out of development, that
10 is the -- the assumption that cities have to take.

11 The question as to whether or not this is
12 good for the City of Star, it doesn't
13 really -- that -- that question doesn't consider whether
14 it's good for the people of Hillsdale that already live
15 there, whether it's good for Middleton or good for the
16 school district or good for, you know, the -- the
17 highway districts or anything like that, and -- and yet
18 those are important considerations as well.

19 And so I guess where I'm going with that
20 is -- is I think that the development to the north of
21 where the city is today is an important part of the
22 strategic growth of the city of Star. Where we sit
23 today, as far as the City's revenue base, where we're
24 still over 90-percent residential taxes that -- that pay
25 for the basic services in the city of Star, a healthy

1 city sits at about 70-percent residential.

2 And so we're seeing the commercial
3 development come, and yet, in order for this city to be
4 sustainable over the long term, we're going to need more
5 of that commercial development to come in. And -- and
6 so both commercial and residential growth, really, in
7 the only direction that we have to grow, which is north,
8 weighs into the factor -- is -- is a factor that weighs
9 into where I'm -- I'm kind of leaning toward tonight.

10 So I -- I tend to be on -- on the side of
11 the fence that this -- this is an application that is
12 good for the city of Star, and I say that knowing that
13 it's not good for a lot of you, and -- and that weighs
14 heavy on me as well because a lot of you are my friends
15 and neighbors, and I've got to live in this community
16 just like -- as -- as well as you.

17 And so as that falls into the property
18 rights of -- of the -- of the person who owns the
19 property versus the property rights of the person that
20 looks at a property, the -- the one that owns the
21 property is what's in -- in question here tonight.

22 So -- so I -- I say that I'm generally in
23 favor. And -- and now that we've all had an opportunity
24 to -- to kind of share our thoughts on this, I'd -- I'd
25 be interested in -- in additional thoughts from the

1 Council on -- on what a motion either way might look
2 like.

3 COUNCILMAN HERSHEY: Was that what "emotions?"

4 MAYOR CHADWICK: "Motion."

5 COUNCILMAN HERSHEY: "Motion," oh.

6 MAYOR CHADWICK: Not "emotion," "a motion."

7 COUNCILMAN WHEELLOCK: I prefer to talk to my
8 emotions, and I don't --

9 COUNCILMAN NIELSEN: Not "emotion."

10 COUNCILMAN WHEELLOCK: Well --

11 COUNCILMAN NIELSEN: "Motion."

12 COUNCILMAN WHEELLOCK: You know, I've heard --

13 COUNCILMAN NIELSEN: I -- I -- I don't have a
14 sense for -- for where -- where the Council is,
15 generally.

16 COUNCILMAN HERSHEY: Then I will elaborate on
17 that, if I -- if I may.

18 You know, one thing I do appreciate about
19 this is the same thing that I hated about this. It's
20 the fact that it is large, but it's long-range vision,
21 is what I'm seeing.

22 I'm going to ask the Mayor in a few
23 minutes to read all the conditions because I've captured
24 them on several pages. I don't have them compiled. I
25 think you have a better list -- but not yet, sir, if you

1 wouldn't.

2 And the reason is -- when I first heard of
3 Willowbrook -- and I have heard a lot of Willowbrook, an
4 awful lot, because I've been sitting here. And I
5 remember the first time this came across. It was 3,000
6 homes, and it had no density reduction. It was 3,000
7 houses. I remember that quite clearly. And it's
8 trickled down 1,000, which is actually rather
9 significant. I never thought it'd actually get to that.

10 Now, before I go off on too much of a
11 tangent -- when we have something like this and we've
12 discussed it and the -- and the public's brought it up
13 too -- is the unknowns, the unknowns of what's out
14 there. And when I first heard of this, I said, "Oh,
15 this is ridiculous. Who would ever approve that?" But
16 that was before any testimony. This was when I read the
17 packet, and all of a sudden I'm looking at something
18 that says, "3,000 houses," and it was -- it was a -- it
19 was just unbelievable, and I was so new on the Council.
20 It was not a good way to cut your teeth.

21 But when we have unknowns and when I have
22 unknowns -- and I believe you all do this too -- we tend
23 to fill it with fear. When we have something we don't
24 know and we can't quite process it, we generally turn it
25 into a fear. And I had an awful lot of that, but as I

1 was going through this slowly and surely, I noticed that
2 one thing that I can point out is we are trying our
3 darnedest to control growth.

4 And I believe, by the conditions that we
5 can list, we can actually make this a very slow and a
6 very controlled growth because of the stipulation that
7 they have to come back with everything, every single
8 time.

9 And, Nate, I don't care what it costs you.
10 I'm just going to tell you that right now. I have no
11 concerns on that at all. I'm a federal contracting
12 officer. I don't care what it costs you. I work
13 helicopters. Those things are expensive, and so I have
14 to take that emotion out, and I'm sorry. That's
15 just -- I had to learn that.

16 But I do see a slow and controlled growth.

17 And, Mr. Mayor, if you would -- I need to
18 hear those conditions because I don't want to make
19 sure -- if I swing towards doing it, I must make sure
20 that I absolutely am true to my point that this is a
21 slow and controlled growth.

22 MAYOR CHADWICK: Shawn, do you have the
23 conditions --

24 COUNCILMAN HERSHEY: Yeah, somebody.

25 MAYOR CHADWICK: -- all written down,

1 that it's all been discussed tonight, or --

2 SHAWN NICKEL: I think so, yeah. Do you want
3 me to read them?

4 MAYOR CHADWICK: Yeah.

5 COUNCILMAN WHEELLOCK: How many is there?

6 SHAWN NICKEL: A lot.

7 MAYOR CHADWICK: We'll have him read them
8 again so everybody knows what they are, yeah.

9 Oh, you're writing them down?

10 COUNCILMAN WHEELLOCK: [Unintelligible].

11 UNIDENTIFIED SPEAKER: Yeah, and capture
12 these.

13 SHAWN NICKEL: Are you ready?

14 MAYOR CHADWICK: Yep.

15 SHAWN NICKEL: So the conditions that were
16 read by the Mayor earlier included -- I'll just read
17 them here.

18 The Council hereby approves the golf
19 course and associated facility amenities including the
20 clubhouse and accessory structures, restaurant and bar,
21 and driving range. Prior to approval of any additional
22 commercial uses, the applicant shall submit and receive
23 approval of a planned unit development and preliminary
24 plat. This approval shall be part of a new public
25 hearing through the City Council.

1 The next one is -- the golf course shall
2 be hooked onto the Star Sewer & Water District reclaimed
3 water for application to the course within -- I believe
4 that was modified after --

5 MAYOR CHADWICK: At the time of availability
6 from the golf -- or from the Sewer & Water.

7 SHAWN NICKEL: At the time of the availability
8 by the Star Sewer & Water District to provide that
9 reclaimed water.

10 All golf-course details shall
11 be -- receive further review and approval through design
12 review -- through the Design Review Committee. The
13 architecture of the clubhouse and restaurant shall meet
14 current City design review standards.

15 The applicant shall provide a minimum
16 10-acre public school site and a future fire station
17 site within the development. The applicant shall work
18 with the Star Fire District on the location of the
19 station. The fire station site and school site shall be
20 deeded to the appropriate agency with the first phase of
21 the residential development.

22 The development shall meet all
23 requirements of the Star Fire District and the Star
24 Sewer & Water District.

25 The applicant -- or the application shall

1 adopt all recommended conditions of approval from ITD,
2 ACHD, and Canyon Highway District.

3 The maximum density adds --

4 MAYOR CHADWICK: 1.38.

5 SHAWN NICKEL: -- 1.38 with a -- a maximum lot
6 count of -- not to exceed 1,000 lots is hereby approved
7 as part of this annexation. A minimum required lot size
8 adjacent to all existing residential lots -- and I
9 believe it was a half-acre with matching --

10 MAYOR CHADWICK: Half-acre to one-acre --

11 SHAWN NICKEL: -- lot lines.

12 MAYOR CHADWICK: -- with a 100-foot buffer
13 strip --

14 COUNCILMAN WHEELOCK: And matching lot lines.

15 MAYOR CHADWICK: -- and matching lot lines.

16 SHAWN NICKEL: 100-foot or a 25-foot --

17 MAYOR CHADWICK: Yeah, a 100-foot buffer strip
18 is up there.

19 SHAWN NICKEL: Oh, correct.

20 MAYOR CHADWICK: I think that's above Monument
21 Ridge.

22 SHAWN NICKEL: Correct. With -- also with
23 a --

24 MAYOR CHADWICK: Yeah.

25 SHAWN NICKEL: -- 25-foot rear --

1 MAYOR CHADWICK: Setback.

2 SHAWN NICKEL: -- setback.

3 MAYOR CHADWICK: Yeah.

4 SHAWN NICKEL: Agreement from the applicant to
5 pay all proportionate share and mitigation fees -- and I
6 have here -- in place at the time of recordation of the
7 development agreement.

8 MAYOR CHADWICK: Well, which includes the
9 370,000 up front --

10 SHAWN NICKEL: Right. Yeah. I'll get
11 there -- I'll --

12 MAYOR CHADWICK: -- to be subtracted from the
13 total.

14 SHAWN NICKEL: -- get -- okay.

15 This includes the ITD proportionate share,
16 the Star Fire District mitigation fees, and the Star
17 Police mitigation fees, with the addition of the
18 one-time \$375,000, up-front --

19 MAYOR CHADWICK: 3 -- 370.

20 SHAWN NICKEL: -- 370, up-front mitigation fee
21 that will be credited back to the --

22 MAYOR CHADWICK: The total.

23 SHAWN NICKEL: -- total.

24 The development agreement will be
25 revisited during the preliminary plat and planned unit

1 development in order to update or add any new conditions
2 of approval that may be required by the City Council or
3 other reviewing agencies.

4 Wing Road will not be connected to the
5 development from Beacon Light Road.

6 And -- and the final one is a
7 traffic-signal light at Highway 44 and Canyon
8 Highway -- and Canyon -- and Can Ada Road -- excuse
9 me -- shall be constructed by the applicant prior to the
10 first day of operation of the golf course and
11 facilities. A latecomer's agreement shall be entered
12 between the applicant and the City for future
13 reimbursement.

14 And then -- let me just look at my notes
15 here -- drive -- driving-range hours will be dawn to
16 dusk with no -- with no lighting.

17 MAYOR CHADWICK: The dark-sky initiative
18 with --

19 SHAWN NICKEL: Dark-sky initiative for
20 downward lighting with soffit lights within the
21 residential structures.

22 MAYOR CHADWICK: And a fiber connection.

23 SHAWN NICKEL: Yeah, I'm working on it.

24 MAYOR CHADWICK: Oh, you're not there yet?

25 Sorry.

1 SHAWN NICKEL: The applicant shall provide
2 fiber conduit for future fiber-optic connections.

3 The fire station lot will have
4 infrastructure, I guess, run to it. I don't -- I don't
5 have a -- I don't have a timing on that, but I'm
6 assuming it'd be as part of the -- part of the
7 development of that phase of the -- of the development.

8 There'll be no rock crushing on the site
9 unless a future conditional use permit is approved by
10 the Council.

11 That's it.

12 MAYOR CHADWICK: Okay.

13 COUNCILMAN NIELSEN: Mayor Chadwick.

14 MAYOR CHADWICK: Councilman Nielsen.

15 COUNCILMAN NIELSEN: Shawn, did you miss it or
16 was it not there, connections to Lanktree Gulch or
17 that -- was that part of the conditions?

18 UNIDENTIFIED SPEAKER: I think so, yeah.

19 MAYOR CHADWICK: I think those were part of
20 ACHD's --

21 COUNCILMAN HERSHEY: That was ACHD.

22 MAYOR CHADWICK: -- conditions.

23 SHAWN NICKEL: That was part of ACHD's
24 requirements that -- that were adopted in their
25 recommended conditions of approval.

1 COUNCILMAN NIELSEN: Okay.

2 SHAWN NICKEL: Yeah.

3 COUNCILMAN NIELSEN: I -- I thought you
4 said, "No" -- like, "No connections to Lanktree Gulch."

5 MAYOR CHADWICK: No. No. And I think that
6 was part of what ACHD was talking about in their -- in
7 their conditions; correct?

8 SHAWN NICKEL: Correct.

9 COUNCILMAN NIELSEN: I think --

10 SHAWN NICKEL: Yes.

11 COUNCILMAN NIELSEN: -- they were talking
12 about Deep Canyon.

13 MAYOR CHADWICK: Okay.

14 COUNCILMAN NIELSEN: I mean, we're -- we're
15 drawing on the map here connections to Lanktree Gulch;
16 right?

17 MAYOR CHADWICK: And I think part of that was
18 working with Fire and them on emergency access.

19 COUNCILMAN NIELSEN: Okay. So -- so we're not
20 applying any additional conditions other than what --

21 SHAWN NICKEL: Other than the
22 Wing -- other -- and the Wing -- and the --

23 COUNCILMAN NIELSEN: -- traffic agencies --

24 MAYOR CHADWICK: The Wing Road was --

25 SHAWN NICKEL: -- the Wing -- Wing --

1 MAYOR CHADWICK: -- an additional condition.

2 SHAWN NICKEL: -- Road.

3 COUNCILMAN NIELSEN: -- that --

4 MAYOR CHADWICK: Yeah.

5 COUNCILMAN NIELSEN: But on Lanktree Gulch --

6 MAYOR CHADWICK: Right.

7 COUNCILMAN NIELSEN: Okay. Good.

8 So, Mayor, we also -- from the last
9 hearing, we also discussed the -- a sound-barrier berm
10 and a visual barrier would be constructed along the
11 driving range.

12 MAYOR CHADWICK: Okay.

13 COUNCILMAN NIELSEN: I think that was the only
14 one that I had noted from -- from the previous hearing.

15 MAYOR CHADWICK: All right.

16 Do we got everything?

17 COUNCILMAN HERSHEY: Did we need to mention a
18 water-lift station or is that --

19 MAYOR CHADWICK: That's going to be part of
20 the --

21 COUNCILMAN HERSHEY: That's going --

22 MAYOR CHADWICK: -- annexation agreement with
23 Star Sewer & Water.

24 COUNCILMAN HERSHEY: Right.

25 MAYOR CHADWICK: A separate agreement.

1 COUNCILMAN HERSHEY: And a traffic impact
2 study at all phases. I think that's --

3 MAYOR CHADWICK: That's part of the ACHD's --

4 COUNCILMAN HERSHEY: That's the ACHD one.

5 MAYOR CHADWICK: -- comments, yeah.

6 COUNCILMAN HERSHEY: I'm just making it clear.

7 And we talked about matching lots.

8 The lighted intersection at 44 and Can
9 Ada, that's already been agreed upon by the developer?

10 MAYOR CHADWICK: Yep, that's on here.

11 COUNCILMAN HERSHEY: That's on there.

12 And Wing Road is nothing...

13 MAYOR CHADWICK: Okay. Does that answer your
14 question, Councilman Hershey?

15 COUNCILMAN HERSHEY: Yes, it -- it does.

16 I -- like I said, I -- I truly believe
17 that growth happens, and it's -- it's inevitable, but
18 where we can help is mitigating the risk. And these
19 conditions are, by far, greater than any conditions I
20 believe I've ever seen on an application, and they
21 should be. They should be.

22 I realize that there's never making
23 everybody happy. That's -- that's -- that's an illusion
24 you better get out of your head.

25 UNIDENTIFIED SPEAKER: [Unintelligible].

1 MAYOR CHADWICK: Hey. Hey.

2 Go ahead.

3 COUNCILMAN HERSHEY: Oh, all right.

4 Well, that just goes to my point. I said,
5 "You're not going to make everybody happy."

6 And -- however, it's the -- it's the risk that we have
7 to assume. And when we assume it, we have to recognize
8 it, identify it, and work to mitigate it. I
9 believe -- by these processes we have in place, after
10 all I've heard and all I've recorded, I believe we do
11 have the ability to control this in a nice, slow, steady
12 method.

13 And to the point where -- of Councilwoman
14 Salmonsens, I believe it's slow enough and steady enough
15 to where we could help mitigate the schools as well.

16 MAYOR CHADWICK: Okay. You got a motion?

17 COUNCILWOMAN SALMONSEN: Mayor Chadwick.

18 COUNCILMAN HERSHEY: No. I'd bet money --

19 MAYOR CHADWICK: Councilwoman.

20 COUNCILMAN HERSHEY: -- there's still more
21 deliberation --

22 COUNCILWOMAN SALMONSEN: Mind if I add --

23 COUNCILMAN HERSHEY: -- that has to --

24 COUNCILWOMAN SALMONSEN: Councilman.

25 MAYOR CHADWICK: Councilwoman.

1 COUNCILWOMAN SALMONSEN: Yeah. Can I -- can I
2 add a couple things.

3 MAYOR CHADWICK: Sure.

4 COUNCILWOMAN SALMONSEN: So I appreciate
5 everybody's comments --

6 MAYOR CHADWICK: Make sure you talk --

7 COUNCILWOMAN SALMONSEN: -- up here.

8 MAYOR CHADWICK: -- into the microphone.

9 COUNCILWOMAN SALMONSEN: I appreciate
10 everyone's input, and you've given me things to think
11 about.

12 But I still -- I think that ACHD and our
13 road situation is very similar to the process that -- or
14 the problem that we have with our school system. I
15 think -- I think that a lot of the problems that we are
16 feeling today is a result of, you know, growth that has
17 happened over the last five years.

18 And ACHD has not -- you know, we've -- we
19 stood up here. We approved these -- these projects, but
20 ACHD, at some point, they say, "We're going to make
21 these" -- you know, whatever the load is, that they're
22 going to -- the street will need to be widened.
23 We -- we're not seeing that happening.

24 And so my fear is that that is going to
25 continue. And, you know, until I see some sort of, you

1 know, like improvement there, I just -- I'm having a
2 hard -- I just -- I -- I can't believe it -- it will
3 happen. So I just wanted to add that.

4 And then, with the conditions, I -- I
5 think we want to include in our conditions that
6 the -- if there's public pathways, that they need to
7 be -- or if there's pathways, that they all need to be
8 public with a public easement, solid surface, and then
9 with a safe route to school.

10 So with the Star Middle School, you know,
11 that was not put in. And I think, you know, if we have
12 the site we can plan for a safe route to school. We'll
13 figure out where the funding comes from, if it's the
14 developer or if it's -- you know, whoever, but we need
15 to have that in the -- in the conditions, I think.

16 MAYOR CHADWICK: Okay.

17 COUNCILMAN HERSHEY: I agree with that
18 statement.

19 MAYOR CHADWICK: Okay. Any further comments,
20 motions?

21 COUNCILMAN WHEELOCK: Mr. Mayor.

22 MAYOR CHADWICK: Councilman Wheelock.

23 COUNCILMAN WHEELOCK: How do we address the
24 Can Ada 38-percent proportionate share to move that
25 forward?

1 MAYOR CHADWICK: I think that has to -- that's
2 all part of the -- the conditions of approval with CHD4,
3 so that'll have to be discussions between them and CHD4
4 on how that gets paid.

5 COUNCILMAN WHEELLOCK: How do we encourage that
6 to happen?

7 MAYOR CHADWICK: That's a good question. I
8 mean, we'll have to --

9 COUNCILMAN WHEELLOCK: Because we can say it,
10 but if we don't say how it's going to happen, it'll
11 never happen.

12 MAYOR CHADWICK: The -- let's see how they
13 wrote that in here again -- hang on -- from Mr. Hopper.

14 So how we -- how we -- this is how we make
15 this happen. Basically, what they're saying is we have
16 to reclassify that segment from the collector to the
17 minor arterial. So we're going to have to do that,
18 reclassify the road; right?

19 "This segment is included on the Mid-Star
20 CIP with partial mitigation." "A full 3-lane
21 section" -- so, "CHD4 recommends the City require a
22 proportionate share contribution from the development
23 (34% of total" traffic of 2045) "for costs of additional
24 right-of-way and travel."

25 I mean, if we're adopting their conditions

1 in our thing, then it's going to be up to them to
2 satisfy this with CHD4 before they can move forward.

3 Am I correct?

4 UNIDENTIFIED SPEAKER: Yes.

5 MAYOR CHADWICK: Huh?

6 UNIDENTIFIED SPEAKER: Yes, you're correct.

7 MAYOR CHADWICK: Yes.

8 COUNCILMAN WHEELock: Okay.

9 MAYOR CHADWICK: We don't have a -- we don't
10 have a mechanism in place with the Highway District to
11 collect anything outside of their [unintelligible]. So
12 that's going to have to be done with CHD4 directly.

13 All right.

14 COUNCILMAN WHEELock: Okay.

15 MAYOR CHADWICK: Any further comments,
16 motions?

17 Somebody's got to make a motion because we
18 could sit here all night.

19 COUNCILWOMAN SALMONSEN: Mayor Chadwick.

20 MAYOR CHADWICK: Councilwoman.

21 COUNCILWOMAN SALMONSEN: Just so everyone
22 knows my opinion, I will make a motion that we deny this
23 application.

24 MAYOR CHADWICK: Okay. We have a -- no -- no
25 clapping, please.

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1 We have a motion. Do we have a second?

2 Hearing no second, that motion dies.

3 Do we have a new motion?

4 UNIDENTIFIED SPEAKER: I just don't know how
5 to make it.

6 MAYOR CHADWICK: Anybody?

7 UNIDENTIFIED SPEAKER: Hang on.

8 MAYOR CHADWICK: You got a motion, Councilman
9 Nielsen?

10 COUNCILMAN NIELSEN: Not yet.

11 MAYOR CHADWICK: Not yet?

12 Councilman Hershey?

13 Councilman Wheelock?

14 Councilman Hershey gave me the finger to
15 wait.

16 COUNCILMAN HERSHEY: One -- I said, "Give me a
17 second."

18 MAYOR CHADWICK: Give you a second?

19 COUNCILMAN HERSHEY: Not the other finger.

20 MAYOR CHADWICK: No.

21 Okay. We'll sit here for a few minutes
22 while they write their motions.

23 COUNCILMAN NIELSEN: Does the silence make you
24 nervous?

25 MAYOR CHADWICK: It's -- it's the silence.

1 It's -- yeah.

2 Anybody got a motion yet?

3 Okay. Someone please provide a motion one
4 way or the other.

5 COUNCILMAN HERSHEY: There's no, "Maybe."

6 Hang on.

7 MAYOR CHADWICK: We had one way, and -- and no
8 one went with it so --

9 COUNCILWOMAN SALMONSEN: Yep.

10 MAYOR CHADWICK: -- we need a different
11 motion.

12 We could do -- okay. Let's do --

13 COUNCILMAN WHEELLOCK: There's a lot -- there's
14 a lot to consider --

15 MAYOR CHADWICK: Okay.

16 COUNCILMAN WHEELLOCK: -- in the motion.

17 MAYOR CHADWICK: So then let's do 9 -- we're
18 going to take a -- a recess until 9:55 for you to
19 collect your thoughts. That's seven minutes; okay?

20 (Recess taken from 2:48:24 to 2:54:48 of
21 audio file.)

22 MAYOR CHADWICK: We're going to call the Star
23 City Council meeting back to order. It's 9:55.

24 We've got -- Jacob [phonetic], you got it?
25 You're ready?

1 And we're good online, Ms. Dana
2 [phonetic]?

3 Okay. So we're coming back. We took a
4 brief recess for the Council to get some thoughts
5 together. We must have a -- a motion to either approve
6 or deny this project tonight or table it. So I need to
7 have -- I need a motion, please.

8 COUNCILMAN NIELSEN: Mayor Chadwick.

9 MAYOR CHADWICK: Councilman Nielsen.

10 COUNCILMAN NIELSEN: I appreciate the recess.

11 I'll -- I'll go ahead and make a motion.
12 And -- and I want to share just a couple of last
13 thoughts as -- yeah, well, you guys got to talk for
14 hours last time, and I get to talk for a few minutes
15 this time.

16 MAYOR CHADWICK: All right.

17 COUNCILMAN NIELSEN: So, you know, as
18 Councilwoman Salmonsens made her motion, a -- a big part
19 of me wanted to go ahead and second that. I know
20 where -- where she's going with that, but, you know,
21 we've -- as we've talked about, we've got challenges for
22 funding and -- and -- and making some things happen in
23 this state.

24 And -- and again, where I land is
25 that I -- I can't make that fight be borne by a private

1 citizen all by themselves. That's one consideration.

2 You know, I've already shared
3 that -- and I do find that the application -- on the
4 technical and legal merits, it -- it matches up with our
5 Comprehensive Plan and our zoning ordinances.
6 There's -- there's no challenge that I find there.

7 Some of the -- the things that I find
8 positive -- it will force improvements to Can Ada Road,
9 which we sorely need; it will force the development of
10 Aerie Road [sic], which we sorely need; and -- and it
11 will bring the property under -- under planning for
12 the -- within the City of Star, which -- you know,
13 we've -- we've spent years on this application as a
14 City, and -- and I know County processes,
15 that -- that you're lucky to get one or two hours
16 of -- of consideration.

17 And so -- so as I -- I look at the
18 inevitable development of this land, at -- at some
19 point, I believe what we have before us is a -- is a
20 really well-thought-out plan. I believe that the
21 process that we've gone through here and some of the
22 conditions that we're making at this early stage of the
23 project set us up for -- for a good start.

24 And trusting in the process, that
25 additional hearings and additional public input

1 will -- will only further make improvements and -- and
2 clarifications to that process, I'm going to go ahead
3 and make a motion that we approve the project with the
4 conditions that -- that Councilman Hershey had staff
5 read earlier.

6 That's my motion.

7 MAYOR CHADWICK: Okay. We have a motion.

8 Do we have a second?

9 We need a second.

10 COUNCILMAN HERSHEY: I will second it,
11 Mr. Mayor.

12 MAYOR CHADWICK: We've got a motion and a
13 second by Councilman Hershey.

14 Any further discussion?

15 COUNCILMAN HERSHEY: Yes, sir. I --

16 MAYOR CHADWICK: Councilman Hershey.

17 COUNCILMAN HERSHEY: Like I said, I do believe
18 that we have the best chance of slow, steady growth, and
19 the fact that it has immediate impact on some road
20 improvements is a positive.

21 MAYOR CHADWICK: Okay.

22 COUNCILMAN HERSHEY: That's --

23 MAYOR CHADWICK: Any further discussion?

24 Hearing none.

25 Roll call.

1 THE CLERK: Nielsen.

2 MAYOR CHADWICK: Oh. Oh, microphone on.

3 THE CLERK: Nielsen.

4 COUNCILMAN NIELSEN: Aye.

5 THE CLERK: Salmonsens.

6 COUNCILWOMAN SALMONSEN: No.

7 THE CLERK: Wheelock.

8 COUNCILMAN WHEELLOCK: Aye.

9 THE CLERK: Hershey.

10 COUNCILMAN HERSHEY: Aye.

11 MAYOR CHADWICK: Okay. That motion carries,
12 three to one.

13 Thank you.

14 All right. We're going to move on to
15 Item -- we've got more on our agenda tonight. We need
16 to move on to Item 6A, Ordinance for the Medici Vista
17 Subdivision.

18 UNIDENTIFIED SPEAKER: [Unintelligible].

19 MAYOR CHADWICK: We must introduce it and
20 dispense of the rules.

21 Anybody got the card?

22 COUNCILMAN HERSHEY: I have one.

23 MAYOR CHADWICK: Who wants to do the motion?

24 UNIDENTIFIED SPEAKER: David.

25 MAYOR CHADWICK: David will do it. Okay.

1 COUNCILMAN HERSHEY: I haven't looked at the
2 agenda in a minute.

3 MAYOR CHADWICK: Make sure you speak into the
4 microphone there.

5 UNIDENTIFIED SPEAKER: [Unintelligible].

6 COUNCILMAN HERSHEY: Oh, let's see.

7 MAYOR CHADWICK: Okay. Please, folks. Wait
8 for your conversations until out in the hallway.

9 Thank you.

10 COUNCILMAN HERSHEY: Yeah. So, Mr. Mayor, I
11 move that, pursuant to Idaho Code -- oh, Mr. Mayor,
12 I -- I move that we introduce Ordinance No. 379-2023,
13 Medici Vista Subdivision, and I move that, pursuant to
14 Code -- Idaho Code Section 50-902, the rule requiring an
15 ordinance to be read on three different days, with one
16 reading to be in full, be dispensed with and that
17 Ordinance No. 379-2023 be considered after reading once
18 by title only.

19 MAYOR CHADWICK: Okay. We have a motion.

20 Do we have a second?

21 COUNCILMAN WHEELLOCK: Second.

22 MAYOR CHADWICK: We have a motion and a
23 second.

24 Any further discussion?

25 Hearing none.

1 Roll call.

2 THE CLERK: Nielsen.

3 COUNCILMAN NIELSEN: Aye.

4 THE CLERK: Salmonsens.

5 COUNCILWOMAN SALMONSEN: Aye.

6 THE CLERK: Wheel -- Wheelock.

7 COUNCILMAN WHEELLOCK: Aye.

8 THE CLERK: And Hershey.

9 COUNCILMAN HERSHEY: Aye.

10 MAYOR CHADWICK: Okay. That motion carries.

11 Thank you.

12 Approve the motion --

13 COUNCILMAN HERSHEY: Oh, shoot. Sorry.

14 MAYOR CHADWICK: -- I mean, the -- the
15 ordinance.

16 COUNCILMAN HERSHEY: Yes. Mr. Mayor, I move
17 that we approve Ordinance No. 379-2023, Medici Vista
18 Subdivision, "an ordinance annexing" -- excuse me -- "an
19 ordinance annexing to the city of Star certain real
20 property located in the unincorporated area of Ada
21 County, Idaho; more specifically located at 4401 North
22 Pollard Lane, in Star, Idaho (Ada County Parcel
23 S0333212580) and contiguous to the city of Star; the
24 property is owned by Bruce A. Bente; establishing the
25 zoning classification of the annexed property as

1 residential with a development agreement"
2 (RD-1) -- "(R-1-DA) of approximately 13.13 acres;
3 directing that certified copies of this ordinance be
4 filed as provided by law; providing for related matters;
5 and providing for an effective date."

6 MAYOR CHADWICK: Okay. We have a motion.

7 Do we have a second?

8 COUNCILMAN HERSHEY: I'm struggling.

9 COUNCILMAN WHEELOCK: Second.

10 MAYOR CHADWICK: We have a motion and a second
11 by Councilman Wheelock.

12 Roll call.

13 THE CLERK: Nielsen.

14 COUNCILMAN NIELSEN: Aye.

15 THE CLERK: Salmonsens.

16 COUNCILWOMAN SALMONSEN: Aye.

17 THE CLERK: Wheelock.

18 COUNCILMAN WHEELOCK: Aye.

19 THE CLERK: Hershey.

20 COUNCILMAN HERSHEY: Aye.

21 MAYOR CHADWICK: Okay. That motion carries.

22 On to Item 6B, Ordinance 380-2023, Medici
23 Hills Subdivision Annexation.

24 COUNCILMAN HERSHEY: Yeah, Mr. Mayor.

25 MAYOR CHADWICK: Councilman Hershey, sorry.

1 COUNCILMAN HERSHEY: I move to introduce, and
2 I move that, pursuant to Idaho Code Section 50-902,
3 requiring an ordinance to be read on three different
4 days, with one reading to be in full, be dispensed with
5 and that Ordinance No. 30 -- excuse me -- 380-2023 be
6 considered after reading by title -- be -- be considered
7 after reading once by title only.

8 MAYOR CHADWICK: Okay. We've got a motion.

9 Do we have a second?

10 COUNCILMAN WHEELLOCK: Second.

11 MAYOR CHADWICK: A motion and a second by
12 Councilman Wheelock.

13 Any further discussion?

14 Hearing none.

15 Roll call.

16 THE CLERK: Nielsen.

17 COUNCILMAN NIELSEN: Aye.

18 THE CLERK: Salmonsens.

19 COUNCILWOMAN SALMONSEN: Aye.

20 THE CLERK: Wheelock.

21 COUNCILMAN WHEELLOCK: Aye.

22 THE CLERK: Hershey.

23 COUNCILMAN HERSHEY: Aye.

24 MAYOR CHADWICK: Okay. That motion carries.

25 Do you want to approve the ordinance?

1 COUNCILMAN HERSHEY: Sure.

2 MAYOR CHADWICK: Does someone else want to
3 read it [unintelligible] --

4 COUNCILMAN HERSHEY: Mr. Mayor, I -- I move
5 that we approve Ordinance No. 380-2023, Medici Hills
6 Subdivision Annexation, "an ordinance annexing to the
7 city of Star certain real property located in the
8 unincorporated area of Ada County, Idaho; more
9 specifically located on North Highway 16, in Star, Idaho
10 (Ada County Parcel S0328346600) and contiguous to the
11 city of Star; the property is owned by Medici Hills
12 Joint Venture; establishing the zoning classification of
13 the annexed property as residential with a development
14 agreement of approximately 48.73 acres; directing that
15 certified copies of this ordinance be filed as provided
16 by law; providing for related" materials; "and providing
17 for an effective date."

18 MAYOR CHADWICK: "Related matters."

19 COUNCILMAN HERSHEY: Excuse me.
20 "Related" -- yes. "Providing for related matters; and
21 providing for an effective date."

22 MAYOR CHADWICK: Okay. We've got a motion.
23 Do we have a second?

24 COUNCILMAN WHEELLOCK: Second.

25 MAYOR CHADWICK: Any further discussion?

1 COUNCILMAN NIELSEN: Mayor Chadwick.

2 MAYOR CHADWICK: Councilman Nielsen.

3 COUNCILMAN NIELSEN: So as -- as Councilman
4 Hershey's reading through that, I'm thinking back to
5 our -- to our hearing on this property. This was the
6 application where they wanted to -- to basically
7 bulldoze the -- the hills, flatten them out, and put
8 more houses.

9 MAYOR CHADWICK: Correct.

10 COUNCILMAN NIELSEN: And -- and we had some
11 pretty stringent restrictions on their ability to do
12 that. I don't have the development agreement in front
13 of me, and so I -- I want to ask staff or -- or others
14 who may have recently reviewed that, "Did that make it
15 into the development agreement?" I want to make sure
16 that we're not letting somebody bulldoze hills.

17 COUNCILWOMAN SALMONSEN: Yeah, Mayor Chadwick.

18 UNIDENTIFIED SPEAKER: Mr. -- Mr. Mayor and
19 Council, the motion that -- that the Council made was to
20 approve the -- the annexation ordinance -- or the
21 annexation and table the development agreement and
22 preliminary plat. So the preliminary plat will come
23 before this body for approval at a later date, along
24 with the development agreement for -- for conditions and
25 final approval.

1 So we've separated the development
2 agreement out from the annexation ordinance, and staff
3 has made notes of all of those conditions that were put
4 on -- as a matter of fact, the -- the -- the conditions
5 are in the findings of fact that you guys
6 already -- have already adopted, so those will transfer
7 over to the future development agreement.

8 MAYOR CHADWICK: So I'm going to go -- I don't
9 know where you're going with this.

10 So it says in our ordinance, with the
11 development agreement, that we need to remove that
12 language since the development agreement's coming later?

13 COUNCILMAN WHEELOCK: I don't see why not.
14 Or is it a develop --

15 UNIDENTIFIED SPEAKER: That's fine.
16 The -- the -- the reason that's in there is because we
17 need -- we need to have that R-1-DA in the zoning --

18 COUNCILMAN WHEELOCK: You're looking at
19 the -- at the [unintelligible] --

20 MAYOR CHADWICK: R -- R-2-DA.

21 UNIDENTIFIED SPEAKER: Well, there's both.

22 Well, I guess, yeah. Yeah. The --

23 MAYOR CHADWICK: Yeah.

24 UNIDENTIFIED SPEAKER: -- R -- R-2-DA has to
25 be -- the County has to recognize that and put it on

1 their zoning maps. If we don't have the -- the DA next
2 to it, then it's just R-2, and it -- we --

3 COUNCILMAN WHEELOCK: [Unintelligible].

4 UNIDENTIFIED SPEAKER: It eliminates that
5 development agreement acknowledgment in the -- that
6 zoning classification.

7 COUNCILMAN NIELSEN: And yet, it adopts the
8 development agreement.

9 What -- what you're saying -- saying,
10 though, is that -- and -- and I -- and I believe I
11 remember this -- that -- that, yes, the preliminary
12 plat's coming, and the development agreement can be
13 modified at that point in time.

14 UNIDENTIFIED SPEAKER: Correct.

15 COUNCILMAN NIELSEN: So -- so we're going to
16 have --

17 UNIDENTIFIED SPEAKER: So -- so I -- I guess
18 you're not -- you're not adopting the development
19 agreement. You're just -- we're just -- we're approving
20 the ordinance with the R-2-DA --

21 COUNCILMAN NIELSEN: We're creating the --

22 UNIDENTIFIED SPEAKER: -- zoning
23 classification --

24 COUNCILMAN NIELSEN: -- possibility of a --

25 UNIDENTIFIED SPEAKER: Yes.

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1 COUNCILMAN NIELSEN: -- development agreement
2 that --

3 UNIDENTIFIED SPEAKER: Yes.

4 COUNCILMAN NIELSEN: -- will be created and
5 approved and adopted --

6 UNIDENTIFIED SPEAKER: Correct.

7 COUNCILMAN NIELSEN: -- later.

8 UNIDENTIFIED SPEAKER: I just -- just
9 verifying for --

10 COUNCILMAN HERSHEY: So, Mr. Mayor.

11 UNIDENTIFIED SPEAKER: -- Council
12 [unintelligible]. That's okay.

13 COUNCILMAN HERSHEY: I will amend my
14 reading --

15 MAYOR CHADWICK: Oh, you don't have to. Chris
16 [phonetic] said we're okay.

17 COUNCILMAN HERSHEY: Oh, I will not do that.

18 MAYOR CHADWICK: Okay. Any further
19 discussion?

20 COUNCILMAN WHEELOCK: Thank you for that
21 clarification.

22 MAYOR CHADWICK: Yep. Okay.

23 Roll call.

24 THE CLERK: Nielsen.

25 COUNCILMAN NIELSEN: Aye.

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1 THE CLERK: Salmonsens.

2 COUNCILWOMAN SALMONSEN: Aye.

3 THE CLERK: Wheelock.

4 COUNCILMAN WHEELLOCK: Aye.

5 THE CLERK: And Hershey.

6 COUNCILMAN HERSHEY: Aye.

7 MAYOR CHADWICK: All right. That concludes.

8 We're at Item 7, Adjournment.

9 Thank you, everybody, for these long
10 nights on our City Council meetings.

11 And thank you, LifeSpring Church, again,
12 for the use of your facility.

13 It's 10:07, and we're adjourned.

14 (End transcription at 3:06:51 of audio file.)

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REPORTER'S CERTIFICATE

I, VICTORIA HILLES, RPR, Registered
Professional Reporter, CSR No. 1173, Certified
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That the foregoing is a true and correct
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IN WITNESS WHEREOF, I set my hand and seal
this 11th day of July, 2023.



VICTORIA HILLES, RPR, CSR NO.

1173

Notary Public

Post Office Box 2636

Boise, Idaho 83701-2636

My commission expires December 3, 2026

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